



Iowa State University

Uganda Campus

Rome Campus

2018 Annual Security and Fire Safety Report

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Message from Chief Newton

Whether you are starting or continuing your adventure at Iowa State University, the Iowa State University Police Department is dedicated and committed to ensuring your safety as you pursue your life goals. This 2018 Annual Security Report and Fire Safety Report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. Over the years amendments to the Clery Act have included the disclosure of statistics related to dating violence, domestic violence, sexual assault, stalking incidents, and hate crimes. Within this report you will find crime statistics for the calendar years 2016-2018 and other items related to personal safety including:

- policy statements on a wide-range of campus safety and disciplinary topics,
- procedures for reporting emergencies along with an explanation of how the campus responds to emergencies,
- procedures for reporting crimes and other violations,
- an explanation of timely warnings and how those are issued at ISU,
- information from the Title IX Resource Guide on Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking and Intimate Partner Violence Resource Guide,
- policy statements on the usage of alcohol, drugs, and other intoxicants; and
- the fire safety report for the ISU campus.

Here at the Police Department we are very proud of our commitment to collaborate with the diverse populations represented on campus and we work hard to provide outreach and assistance to the whole Iowa State community. We value the partnerships we have established with all members of Iowa State University. Successful prevention of crime occurs with community involvement.

This report outlines educational programming that the ISU PD provides on a variety of topics including how to report crimes on campus, violent incident response training, personal safety, threat assessment, crime prevention, alcohol/drug awareness, and resources available to victims. I have great confidence that this report will be a useful handbook and reference tool that will promote safety and security on our campus and beyond.

Sincerely,

Michael Newton
Associate Vice President/Chief of Police
Iowa State University Department of Public Safety

Overview of Clery Act Requirements

Choosing which college or university to attend is a major decision for students and their families. Along with academic, financial, and geographical considerations, campus safety is a vital concern. In 1990, Congress enacted the *Crime Awareness and Campus Security Act* amending the *Higher Education Act of 1965 (HEA)*. All postsecondary institutions participating in HEA's Title IV student financial assistance programs were required to disclose certain campus crime statistics and security information. Amendments in 1998 renamed the law the "*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*" (*Clery Act*) in memory of a student who was slain in her dorm room at Lehigh University in 1986. In 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA)* included amendments to the Clery Act requiring institutions to disclose statistics, policies, and programs related to dating violence, domestic violence, sexual assault, stalking, and additional categories of hate crimes.

To comply with the Clery Act, every institution must:

- 1) collect, classify, and count crime reports and statistics;
- 2) issue campus alerts (including timely warnings and emergency notifications) to provide information necessary to make informed decisions about health and safety;
- 3) provide educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking;
- 4) have procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking;
- 5) publish an annual security and fire safety report, distribute it to all current students and employees, and inform prospective students and employees about the availability of the report,
- 6) submit crime and fire statistics to the federal Department of Education,
- 7) maintain a crime log and a fire log available to the public of reported incidents; and
- 8) disclose procedures for missing student notifications pertaining to students residing in on-campus residential facilities.

Preparation and Distribution of Annual Security and Fire Safety Report

The ISU Police Department collaborates with multiple university entities and law enforcement agencies to compile, prepare, and distribute the Annual Security and Fire Safety report by October 1st of each year.



The statistics presented in this report have been reported to the ISU PD, campus security authorities, other college employees (including the Dean of Student's Office and the Office of Equal Opportunity), local law enforcement agencies, law enforcement agencies with jurisdiction on other campus properties, and areas where ISU students travel.

An e-mail notification is sent to all current students and employees with a direct link to the report and printed copies are available upon request by contacting the Iowa State University Police Department, Room 55 Armory Building, 2519 Osborn Drive, Ames, Iowa 50011 or by calling 515-294-4428. The most recent version of the report is available on the [ISU PD website](#). Statistics contained within this report and reports from other universities may also be obtained at the [Department of Education's Security Statistics website](#).

Iowa State University Policy Library

This report contains policy statements on various policies and procedures that have been established by ISU. Full policies are available [online](#).

Definitions of Clery Reportable Crimes

For Clery Act reporting, crimes must be reported according to the FBI's Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions that are used are from the FBI's National Incident-Based Reporting System (NIBRS).

Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault: Any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent.



Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes both males and females.

Fondling: The touching of private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons, by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Arson: Willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Weapons Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary

devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Hate Crimes: A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is a preformed negative opinion or attitude towards a group of persons based on their race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability.

For Clery purposes, hate crimes include any Clery reportable offenses and these additional offenses that are motivated by bias:

- 1) Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have

physical custody or possession, but is in a position to exercise dominion or control over a thing.

- 2) Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- 3) Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- 4) Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.



Iowa State University Clery Reportable Crimes 2016-2018

CRIMES	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2016			2017			2018			2016	2017	2018	2016	2017	2018	2016	2017	2018
	Resid	Other	Total	Resid	Other	Total	Resid	Other	Total									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	15	2	17	14	2	16	22	1	23	8	4	11	0	0	0	25	20	34
Fondling	1	0	1	5	2	7	5	2	7	0	2	3	0	0	0	1	9	10
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	1	0	0	0	1	0	0	0	0	0	1	1	0
Aggravated Assault	2	4	6	3	2	5	0	2	2	0	0	0	0	0	0	6	5	2
Burglary	6	4	10	1	3	4	13	1	14	5	4	8	0	0	0	15	8	22
Motor Vehicle Theft	0	3	3	0	4	4	0	1	1	1	1	1	0	0	0	4	5	2
Arson	2	0	2	0	4	4	0	0	0	0	0	0	0	0	0	2	4	0
ARRESTS																		
Liquor Law Violations	21	152	173	15	271	286	10	202	212	3	0	1	37	21	39	213	307	252
Drug Abuse Violations	87	41	128	55	31	86	59	36	95	2	7	1	22	30	33	152	123	129
Weapons Law Violations	0	2	2	1	0	1	0	0	0	0	0	0	1	0	0	3	1	0
REFERRALS																		
Liquor Violation Referrals	320	0	320	291	0	291	372	0	372	0	0	0	0	0	0	320	291	372
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2	0	0
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA CRIMES																		
Dating Violence	4	0	4	8	1	9	7	1	8	2	0	8	0	0	0	6	9	16
Domestic Violence	2	2	4	4	0	4	3	1	4	3	1	1	0	0	0	7	5	5
Stalking	20	19	39	20	27	47	14	29	43	2	6	7	0	0	0	41	53	50



Hate Crimes:

2016 5 hate crimes were reported:

1 hate crime occurred in an on-campus residential facility and was classified as an arson motivated by race.

1 hate crime occurred in an on-campus residential facility and was classified as intimidation motivated by race.

1 hate crime occurred on campus property and was classified as intimidation motivated by gender.

1 hate crime occurred in an on-campus residential facility and was classified as intimidation motivated by religion.

1 hate crime occurred on campus property and was classified as intimidation motivated by national origin.

2017 4 hate crimes were reported:

3 hate crimes occurred in an on-campus residential facility and were classified as intimidation motivated by race.

1 hate crime occurred on other campus property and was classified as intimidation motivated by national origin.

2018 There were no hate crimes reported.



Unfounded Reports:

2016 3 Clery reportable crimes were unfounded, one burglary and 2 motor vehicle theft reports.

2017 7 total reports were unfounded, two of these were Clery reportable crimes (one rape and one stalking).

2018 10 total reports were unfounded, 3 of these were Clery reportable crimes (three motor vehicle thefts).

Celia Barquin Arozamena

7/6/1996 – 9/17/2018



On September 17, 2018, the Iowa State University community was shocked and saddened when student and former ISU Women's Golf Team member Ceila Barquin Arozamena was killed while golfing on a beautiful fall day on Coldwater Links Golf Course in the city of Ames. While the golf course is near ISU property, it does not fall under the Clery Geography for required reporting of crime statistics for the University. Iowa State University Police issued appropriate safety warnings as well as updates to the ISU community as the case evolved and a suspect was taken into custody soon after the investigation started. This person pled guilty and was sentenced to a mandatory prison life sentence. Celia embodied the spirit of being a Cyclone and her star will continue to shine bright.

Clery Geography Definitions

Statistics for reported Clery Act crimes that occur on campus, on public property within or immediately adjacent to the campus, and in or on noncampus buildings or property that ISU owns or controls are required to be reported.

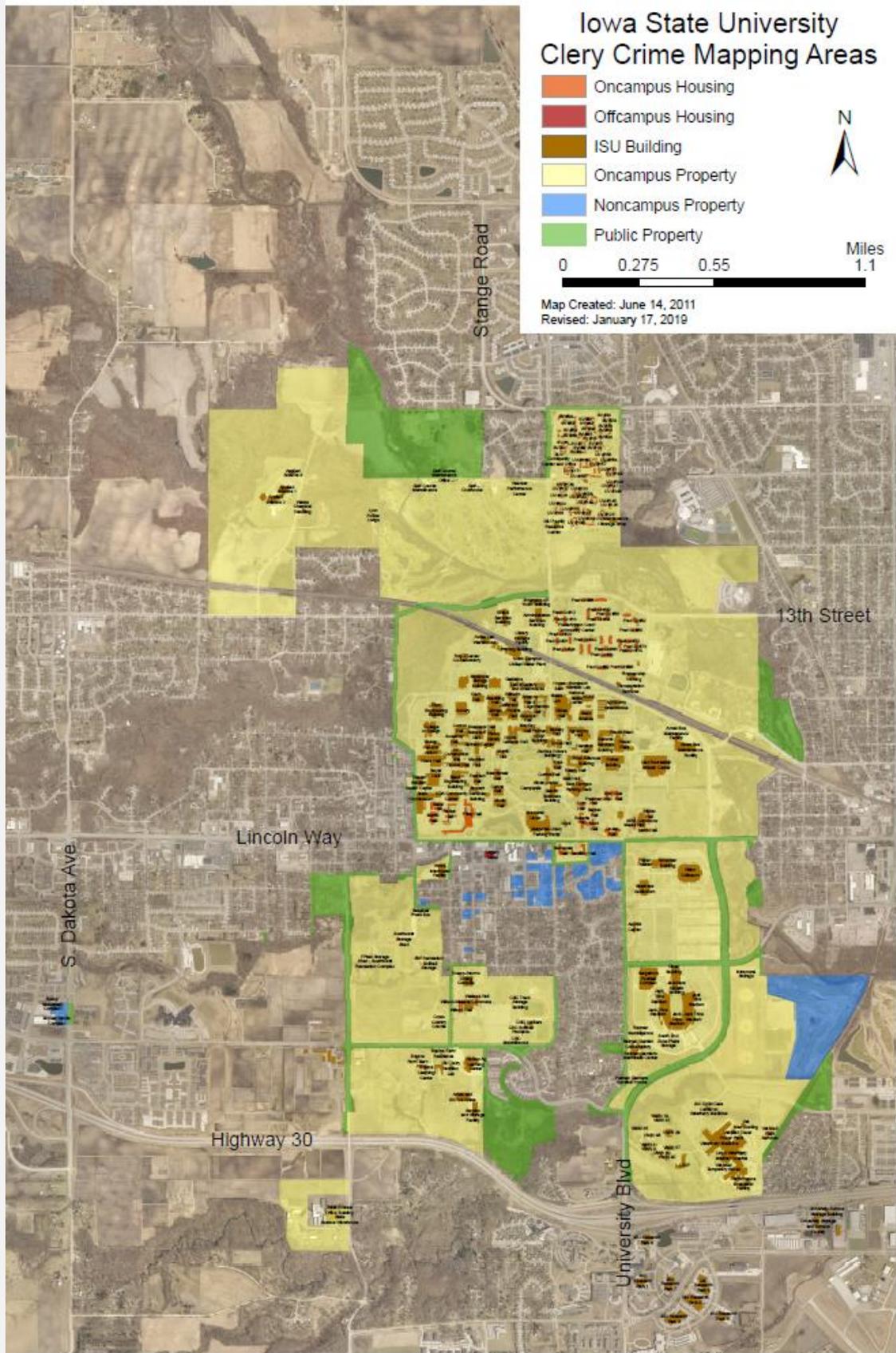
On-campus property is defined as buildings or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of the institution's educational purposes. This includes residence halls. It also includes property that is within or reasonably contiguous to the main campus area owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

Iowa State University maintains two separate campuses in Rome, Italy and Uganda. The Annual Security and Fire Safety Report is on page 45 for the Rome campus, and on page 48 for the Uganda campus.

Non-campus property is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institutions educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Trips to off-campus locations are also considered when gathering statistics for Clery reportable crimes occurring on non-campus property.

Public property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the campus, or immediately adjacent to and accessible from the campus.

ISU Clery Geography Map Main Campus



Law Enforcement Authority

Iowa Board of Regents policy 4.13 states “it is the policy of the Board that each Regent campus develops and maintains comprehensive plans to assure appropriate guidance and direction in promoting a safe and secure campus environment.” It is also a general guideline that “each university shall maintain appropriately trained public safety personnel on campus that includes police officers as well as security personnel.”

Iowa State University Police Department

The ISU Police Department provides professional law enforcement services while working cooperatively with the community in a proactive partnership. Through this model, problems can be identified and solved to improve the campus culture and quality of life at ISU. There are 42 fully certified, sworn police officers and 10 certified dispatchers providing 24/7 emergency response, as well as 8 civilian staff.

The Department maintains several avenues to provide outreach to the University community through various efforts, including student Community Service Officers, educational programs emphasizing crime prevention and safety, violent incident response training, and other efforts to keep the campus safe and secure.

ISU Police investigate reports of criminal activity and take appropriate action where necessary. Through field services, officers provide 24/7 patrol by vehicle, bicycle and foot. The Sexual Assault Response Team (SART) consists of specially trained professionals from multiple agencies working together to provide a community coordinated response to reports of sexual assault. The SART is based out of the ISU PD.

Arrest Authority

All police officers at ISU are professionally trained, receive certification through the Iowa Law Enforcement Academy, and satisfy ongoing continuing education requirements. Police officers at ISU are empowered under section 262.13 of the Iowa Code to enforce all federal, state, and local laws; and have the authority to apprehend and arrest anyone involved in illegal acts on, or adjacent to campus. Approximately 1,000 arrests each year are made by the ISU Police.

Memorandum of Agreement – City of Ames

While the main jurisdiction is the ISU campus and

outlying properties owned or controlled by the University, a mutual aid agreement with the City of Ames allows officers to patrol and investigate alleged criminal offenses outside of their main jurisdiction.

Non-Campus Location Monitoring

The Ames Police Department shares pertinent information with the University which aids in monitoring and documenting of criminal activity involving ISU students occurring at non-campus locations within the City of Ames. Statewide jurisdiction exists when acting in the interests of Iowa State University.



Working Relationship with Law Enforcement Agencies

In addition to the Ames Police Department, ISU police officers maintain a close working relationship with the Story County Sheriff’s Office, Iowa State Patrol, Iowa Division of Criminal Investigation, Iowa Division of Narcotics Enforcement, Federal Bureau of Investigation, and other law enforcement agencies.

The ISU Police Department utilizes the National Crime Information Center (NCIC) and the Iowa Online Warrants and Articles (IOWA) systems to share crime-related information and messages with law enforcement agencies throughout the United States. Membership in law enforcement professional organizations provides additional avenues for officers to collaborate, exchange information, and keep current with the latest public safety technology and trends.

Crime Log

The ISU Police Department is required to maintain a daily crime log available to the public for the most recent 60-day period. The crime log contains the crime report date and general location, the type of crime, and the disposition of the complaint if known. It must be updated within two business days of a report being made unless doing so would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The daily crime log does not include names or other personally identifying information and is posted to the [ISU Police Department web site](#). A written copy is available upon request at the ISU Police Department.

Reporting Crimes and Other Violations

Reporting Responsibility - Violations

According to ISU policy, it is the responsibility of students, employees and visitors to report potential or suspected violations of policies, regulations and laws. The code of business and fiduciary conduct makes all responsible to bring to the attention of the appropriate office any suspected violations of university standards and policies, state and federal laws and regulations, and government contracts and requirements.

Failure to report known or suspected violations and crimes is a breach of University ethical standards and can lead to discipline of employees and students, up to and including separation from the University. Reports made in good faith will not jeopardize the reporter's

position or employment, as non-retaliation against person's reporting is not allowed by ISU policy.

This would include violations that:

- Occur on ISU property (including leased facilities),
- Interfere with any University obligation, or
- Occur between members of the ISU community of students, faculty, staff or visitors to ISU property.

Professional Confidentiality Obligations

All employees have the obligation to report violations except for professions which retain obligations of confidentiality under accepted codes of ethics. These include:

- Employees of the office of the ombuds, as required by accepted ombuds code of ethics,
- Clergy, including any chaplains, as required by accepted standards of ethics, and
- Attorneys as required by the rules of professional responsibility and specifically applicable to attorneys providing legal assistance to students.

Standard for Good Faith Reporting

To the extent known, reporters are expected to provide truthfully and in good faith the following information:

- Name and/or description of the person engaged in misconduct,
- Name and/or description of alleged victims,
- Time, date and location, and
- Information and evidence about the alleged misconduct.

Keeping the ISU campus safe for students, faculty, staff and visitors is a responsibility we all share. If you see any suspicious or criminal activity, call the ISU Police Department immediately.

To Report a Crime in Progress or Other Emergency:

Call 911

**To Report a Crime That Has Occurred or Other
Non-Emergency Situations On Campus**

Call ISU Police

515-294-4428

Criminal Misconduct and/or Violence

Members of the university community have a responsibility to report any suspected crime to the Iowa State University Police Department. If incidents are not on the Ames campus, local police authorities should be called in order to avoid any delay in response. It is especially important to report any suspected crime of violence or other crime that may result in significant harm to individuals, or property loss and damage.

Physical and Sexual Abuse of Children

Consistent with Iowa Code Section [262.9\(37\)](#), employees in the course of employment receiving information related to suspected physical or sexual abuse of children must immediately report such information to the ISU Police. In the case of incidents not on the Ames campus, local police authorities should also be called in order to avoid any delay in response. University employees who are mandatory reporters of all forms of child abuse (not just physical or sexual abuse) under state law must fulfill their statutory obligation to report to the Iowa Department of Human Services (DHS) as provided by Iowa Code Sections 232.67, 232.68, 232.69, and 232.70. University employees, students, and visitors who are not mandatory reporters are strongly encouraged to report all forms of child abuse directly to the Iowa DHS.

Financial Misconduct

Iowa State University has obligations for the proper expenditure of funds. Grant and contract funds must be expended consistently with the funding source and conditions of the grant or contract. Donated funds must be used under donor restrictions.

The University has an obligation to report to federal authorities a significant overpayment or violation of the civil false claims act or a federal criminal law involving fraud, conflict of interest, bribery, or gratuity when credible evidence exists that such conduct occurred in connection with a federal contract performed by the University or its subcontractors.

Employees should report such concerns to the Office of Internal Audit or the Office of University Counsel.

Other Violations

Individuals may use the ISU compliance and ethics hotline at 515-294-7119 to report matters other than serious crimes, student misconduct, employee misconduct and discrimination and harassment. Violations may also be reported [online](#). Other violations should be reported as indicated below:

TYPE OF VIOLATION	REPORT TO
Employee Misconduct	University Human Resources or Sr. Vice President and Provost
Discrimination/Harassment	Office of Equal Opportunity
University Policy	Policy Administrator
Research Misconduct	Office for Responsible Research
Student Disciplinary	Office of Student Conduct
National Collegiate Athletic Association (NCAA)	Athletics Compliance

Other Reporting Options

Campus Security Authorities (CSAs)

Campus Security Authority is a Clery Act specific term that encompasses 4 groups of individuals and organizations associated with an institution.

- All individuals who work for a campus police department or a campus security department.
- Any individuals having responsibility for campus security but not a part of a campus police department or campus security department.
- Any individual or organization identified by the institution as someone that crimes should be reported to.
- An official of an institution having significant responsibility for student and campus activities including student housing, student discipline and campus judicial proceedings. An official is defined as any person with the authority and duty to take action or respond to particular issues on behalf of the institution.

Examples of CSAs include (this list is not all-inclusive):

- A dean of students overseeing housing, a student center or student extracurricular activities,
- A director of athletics and all athletics coaches (including part-time employees and graduate assistants),
- A faculty advisor to a student group,
- A student resident advisor or assistant,
- A student monitoring access to residence halls or buildings that are owned by recognized student organizations,
- A coordinator of Greek affairs,
- A Title IX coordinator,
- An ombudsperson (including student ombudspersons),
- The director of a campus health or counseling center,
- Victim advocates or others who are responsible for providing victims with advocacy services, such as assisting with housing relocation, disciplinary action or court cases, etc.,
- Members of a sexual assault response team (SART) or other sexual assault advocates,
- Officers from local law enforcement who are contracted by the institution to provide campus safety-related services.



Campus Security Authorities are responsible for reporting allegations of Clery Act crimes they have received to the ISU Police Department. A CSA is not responsible for investigating the crime allegations. They

are also not responsible for reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

The type of crime committed, location of the crime, date the crime occurred, and any other pertinent information are to be reported by the CSA [on a CSA report form](#). These reports are used in compiling data for the number of Clery crimes that have occurred within ISU's Clery reportable geography (see crime data on page 7 of this report). The crime is also reviewed to determine if a timely warning needs to be issued to the campus community. Timely warnings allow the ISU community to make informed personal safety decisions.

Voluntary Anonymous Reporting

Iowa State University recognizes that not all students and/or employees who are victims of crime want to report the incident to the police. It is your right not to file a police report, however, it is possible to report anonymously.

The purpose of making an anonymous report would be to allow the University to take steps to enhance the future safety of yourself and others. With such information, ISU can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University, which is required by the Clery Act.

Confidential Counseling

The following individuals are not Campus Security Authorities and are confidential counselors that are not required to report crimes:

- **Pastoral Counselor:** A person associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. ISU does not employ any pastoral counselors.

- **Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

Although not required, pastoral and professional counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Timely Warnings

Under the Clery Act, in order to keep the campus community informed about safety and security issues on an on-going basis, ISU is required to alert the campus community of certain crimes in a timely manner that will aid in the prevention of similar crimes. The intent is to enable informed decisions regarding personal safety. Timely warnings should be issued as soon as pertinent information is confirmed. Additional information may be released as it becomes available. Consideration on the issuance and content of timely warnings will take into account the possible risk of compromising law enforcement efforts. The Violence Against Women Act (VAWA) requires that the names of victims will be withheld as confidential and not used in a timely warning.

Timely warnings may not be limited to Clery Act crimes, and may be issued for situations resulting in a threat to persons or property.

Procedures for Issuing Timely Crime Warnings

- 1) The Chief of Police or designee is responsible for determining that a potentially dangerous situation exists on or near campus that poses a serious or continuing threat to the campus community.
- 2) Upon confirmation, the Chief of Police or designee may consult with University Relations staff, the Dean of Students, the Department of Residence, and other University officials as appropriate to determine the content of the warning.

- 3) ISU will use active channels of communication to notify the campus community of the timely warning. Currently, mass e-mail notification is the best option; however, ISU may also determine if the ISU ALERT system, outdoor early warning system, postings to the ISU Homepage, social media websites, twitter, and local television and radio stations would provide additional strategies for informing the campus and larger community.
- 4) The Office of University Relations has been designated as the entity responsible for distributing timely warning notifications to campus community members. The ISU Police Department has also designated an individual(s) within the department that has the authority to distribute the notices when necessary.



Instances When Timely Warnings Are Not Required

There are instances when a timely warning is **not** required to be issued. These are:

- When a crime is reported to a pastoral or professional counselor, or
- If an immediate threat to the health or safety of the University community has resulted in an emergency notification to be issued. Follow-up information will be provided as needed.

Reporting Emergencies on Campus

All members of the ISU community are urged to report a dangerous situation on campus that involves an immediate threat to the health or safety of students, staff, or visitors by calling **911**.

Police Response to Reported Emergencies

ISU Police will immediately investigate reports of significant emergencies and dangerous situations. Assistance may be requested of other University departments or units, as necessary, to confirm that an immediate threat to the health or safety of students, staff or visitors exists on campus.



Notifying Campus Community of Emergency

Should an emergency or dangerous situation pose an immediate threat to the health and safety of campus community members, a notification will be issued without unreasonable delay, unless ISU Police determine that an immediate notification would place the ISU community or a victim at greater risk; or would compromise efforts to contain, respond to, or mitigate the emergency. It is the responsibility of ISU Police, with the assistance of other departments or units, as necessary, to:

- Determine the content of any notification,
- Determine the appropriate campus segments to notify,
- Initiate the appropriate notification system, and
- Continue to update the ISU community during the emergency.

If deemed necessary, ISU Police will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods of Communicating Emergency Information

ISU has several systems in place for communicating emergency information to members of the ISU community. Any or all of the following methods of emergency notification may be used depending on the type and nature of the emergency:

- **ISU Alert:** ISU Alert is an electronic system to quickly deliver emergency messages to students, faculty and staff. Notifications are sent via landline phones, cell phones, text messages, and e-mail. Messages are brief, include basic information and provide instructions on how to obtain more details. The ISU Alert system will be used only for emergencies posing an immediate danger to the university community. Examples include:
 - Bomb threats or other imminent violent threats,
 - Fires, natural gas leaks and hazardous spills affecting the entire campus,
 - Building evacuations or lock downs affecting the entire campus,
 - Biological or pandemic emergency notifications,
 - Natural disasters,
 - Power outages and utility failures resulting in an imminent threat, and
 - Campus closure due to declared civil emergency.

All members of the ISU community are encouraged to keep their ISU Alert contact information up to date. Edits may be made using AccessPlus. Instructions for updating ISU Alert information can be found on the [ISU Alert](#) website.

ISU Alert information is separate from information entered in the Emergency Contact Database, which is used by authorized personnel to contact loved ones or next of kin in the event the participant is missing or otherwise unable to contact others.

- Voice-enhanced siren system: There are five warning sirens on campus to alert the campus community to a dangerous condition. The system can also be used to voice broadcast any necessary emergency information.
- University web site: Updated information following a message notifying the campus of an emergency will be found on the University website. In cases of extreme emergency, the regular website will be replaced with a website designed for emergency communications only. Regular website functionality could be obtained from a link on the emergency website.
- Emergency telephone voice recording: The telephone number 515-294-5000 will contain a recorded message providing general information in the event of an emergency.
- Public address systems: There are public address systems in multiple areas on campus to disseminate information in case of an emergency. In addition, ISU Police vehicles are equipped with public address systems which can be used in specific emergencies.
- Personal communication: Individual departments and units are encouraged to maintain a variety of forms of personal communication, including phone trees and email lists that can be accessed if needed.
- Signage: Each building on campus is assigned a building supervisor that can assist with signage to help provide direction and information in the event of an emergency. Occupants of buildings are encouraged to familiarize themselves with the nearest evacuation route.

Testing

All emergency communication methods are tested on at least an annual basis, according to standards as appropriate. The ISU Police Department maintains records of these tests including a description, dates and times they were held, and whether they were announced or unannounced. In connection with at least one such test, ISU will distribute to students and employees information to remind them of emergency response and evacuation procedures.

The outdoor warning sirens are tested on the first Wednesday of every month at 10:00 a.m. They were also tested during the Nationwide Severe Weather Drill held on March 28, 2018 at 10:15 a.m. During 2018, there were twelve actual alerts sent through the ISU notification system.

Evacuation

In the event of an emergency, each building on campus has a designated evacuation plan posted on each floor of the building. These evacuation plans can also be accessed online. Other than fire alarms, ISU Police are responsible for determining if the emergency or dangerous situation requires a building evacuation and notifying the occupants of the building or buildings of the decision to evacuate.

Reporting an Emergency off Campus

All members of the ISU community are urged to report a dangerous situation off campus that involves an immediate threat to the health or safety of students, staff, or others by calling **911**. Response will be provided by the law enforcement entity having jurisdiction in that area.



Missing Student Policy

For students residing in on-campus residential facilities, Iowa State University has adopted a [policy](#) to address the situation if a student is missing.

Emergency Contact Information for Student

When a student annually registers for classes or is accepted as a resident in University housing, they have an opportunity to designate an emergency contact in the event they become missing. This contact can be updated at any time by the student through ISU AccessPlus. This contact information is maintained as confidential and will only be disclosed to law enforcement personnel in the case of a missing student investigation. The emergency contact will be notified within 24 hours after a student is determined to be missing. In the case of a missing student under the age of 18 that is not emancipated, their custodial parent or legal guardian must also be notified by the Dean of Students Office.

Reporting a Missing Student

A student is considered to be missing when their whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits, or routines. If there is reason to believe that a student residing in an on-campus residential facility is missing, the ISU Police Department is to be notified as soon as possible, but no later than 24 hours after the student's absence is noticed. A missing student may be reported by calling the ISU Police Department at 515-294-4428.

ISU Response

Upon receipt of a missing student report, the ISU PD will work closely with the Dean of Student's Office, the Department of Residence, the college and the department in which the missing student is enrolled, the department in which the missing student is employed, and law enforcement agencies where the student resides. Within 24 hours, the ISU PD will notify local law enforcement agencies.

Maintaining Your ISU Alert and Emergency Contact Information

ISU Alert Information	Emergency and Missing Person Contact Information
On the AccessPlus Home tab, click "ISU Alert" in the left navigation column.	On the AccessPlus Home tab, click "Emergency Contact" in the left navigation column.
The subsequent page will display your current: <ul style="list-style-type: none"> - Telephone number for voice alerts - Telephone number for test alerts - E-mail address for e-mail alerts 	The subsequent page will display your current: <ul style="list-style-type: none"> - Emergency contact information for up to 5 individuals - Missing person contact information (the first person on your contact list)
Check your ISU Alert information to ensure that it is accurate and that it includes the telephone numbers and e-mail address most likely to reach you in an emergency.	Add or change names, addresses, telephone numbers and e-mail addresses for persons to be contacted in an emergency.
If you don't wish to receive one or more of the alerts (voice, text, or e-mail), leave that item blank.	Change the order of your contacts using the up/down arrows.
If you leave ALL sections blank, you WILL NOT receive any ISU Alerts in an emergency.	If you do not submit information, the University may not have anyone to contact in the event you have an emergency or are missing.

Note: Changes made to your ISU Alert and Emergency Contact Information take effect each evening, Mon-Fri, excluding holidays.

Access to Facilities and Grounds and Access Restrictions

University facilities and grounds are generally open to public access except:

- When locked, or signs indicate closure to the public.
- Restricted areas with permission for access required of the building supervisor or superintendent.
- Individual residences or dwellings.
- Research laboratories or facilities.
- Farms and associated buildings.
- Animal storage and confinement facilities.
- Utility and maintenance closets, mechanical rooms, utility facilities, and tunnels.
- Storage areas.
- Hazardous materials waste storage and handling areas.
- Marked or fenced construction areas.
- Institutional food preparation areas.
- Private offices.
- Work rooms.
- Shops.
- Areas where medical, psychological or other consultation takes place.
- Radio and television studios.
- Intercollegiate athletics competition facilities.
- Other parties have leased the facilities and grounds.
- The Scheman Continuing Education Building, Stephens Auditorium, Fisher Theater, and the Iowa State University Research Park (which are managed by separate organizations regulating usage).
- Access to performance, art exhibits, museums and other exhibitions may be regulated by the payment of a fee for entry.
- Campus roads and parking are governed by university parking and traffic regulations.

The [policy](#) regarding usage of ISU facilities and grounds is available online.

Security and Access - Residence Housing Facilities

All residence halls and Frederiksen Court have hours where building exterior doors are locked and residents may only enter using their issued access card or key fob. When buildings are locked, follow these steps to use your Access Card to enter your assigned building:

- 1) Take your access card **OUT** of your wallet, purse, bag, etc.
- 2) If you keep your card in a RFID-blocking sleeve, take your card **OUT** of the sleeve.

- 3) Lightly “tap” your access card on the card reader panel.
- 4) The card reader will beep, the light will turn green, and the door will unlock. The door handle may not turn, but the door should pull open.
- 5) If the door won’t open, please wait 5 seconds before trying again. After 3 tries, if your card doesn’t work, call the posted number for a staff member to let you in.



Maintenance and Repair of Buildings and Facilities

Facilities Planning & Management (FP&M) provides professional, technical, and non-technical support and services to students, staff, faculty and visitors to create and maintain a comfortable, safe, and functional campus environment. The building maintenance service teams operate, repair and maintain the university academic, administrative and classroom facilities with support to the area research farms on a daily basis with a total area serviced and maintained in excess of 15 million square feet.

These service teams are experienced in all areas of building mechanical, electrical and building structural systems and respond on an “as needed” basis to building problems and perform routine maintenance and repairs to building systems for corrective measures. Building preventive maintenance activities are meant to be proactive to ensure that systems are reliable, safe

and operating at peak performance to meet the required needs of the university community. Day to day operations are provided Monday through Friday, from 7:30 a.m. to 4:00p.m.

Custodial and Maintenance Services of Residence Halls

Requests for maintenance and custodial services are generally handled by Department of Residence (DOR) staff. Depending on the nature of the request, assistance may be provided by FP&M, Environmental Health and Safety, or from a University approved outside contractor. Non-emergency requests for service can be submitted to the DOR Service Center by completing an [online form](#). When submitting a request for services, please keep the following in mind:

- You will receive a confirmation email and reference number which you should keep for any follow-up.
- You must be physically on-campus and within the ISU firewall to submit a request.
- By submitting your request you give DOR staff permission to enter your room/apartment without prior notification. As such, DOR staff will not submit a request on your behalf.
- The Service Center reserves the right to determine the priority of all service requests.



For emergency requests, call the DOR Service Center at 515-294-3322. If calling after hours, you will hear a message with detailed instructions on how to receive assistance. The DOR Service Center is located at 0347 Helser Hall and its hours are:

Monday through Friday from 7:00 a.m. to 7:00 p.m.
Saturday and Sunday from 8:00 a.m. to 5:00 p.m.
Closed University Holidays

Violence Against Women Act (VAWA)

In 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law, and it amended the Clery Act to consider domestic violence, dating violence, and stalking as Clery reportable crimes. Those definitions are below. The Clery definition for sexual assault has also been repeated in this section for clarity purposes.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature is dating violence. The existence of such a relationship shall be based on the reporting party's statement, with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, and does not include acts covered under the definition of domestic violence.

Domestic Violence

Domestic violence is violence committed by:

- a current or former spouse or intimate partner of the victim;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner;
- a person similarly situated to a spouse of the victim under the domestic family violence laws of the jurisdiction in which the crime of violence occurred; or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress.

- Course of conduct means 2 or more acts, including, but not limited to, acts which the stalker directly,

indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Assault

Any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes both males and females.
- **Fondling:** The touching of private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Iowa Code Jurisdictional Definitions

Dating Violence

Iowa State University will use the Iowa Code's assault criteria along with relationship factors to determine whether or not an incident constitutes dating violence under the Clery Act.

Domestic Abuse (Violence)

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is

protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual Abuse (Assault)

Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

- 1) The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
- 2) Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
- 3) Such other person is a child.

Pursuant to Iowa Code, the following people are unable to give consent:

- Persons who are asleep or unconscious.
- Persons who are incapacitated due to the influence of drugs, alcohol, or medication.
- Persons who are unable to communicate consent due to a mental or physical condition.
- Generally, minors under the age of 16.

Stalking

A person commits stalking when all of the following occur:

- 1) The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.
- 2) The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person's immediate family by the course of conduct.
- 3) The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.

Consent

There is no specific Iowa Code definition for consent.

(See the appendix on page 52 for Iowa Code sections pertaining to domestic abuse, sexual abuse, and stalking.)



Iowa State University Policy Definition of Consent

Consent between two or more people is defined as an affirmative agreement through clear actions or words to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of their actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent – it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent. Consent must be present throughout the sexual activity, and at any time a participant can communicate that they no longer consent to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

Prohibited Conduct Policies

Iowa State University does not tolerate sexual misconduct, sexual assault, sexual exploitation, sexual and/or gender-based harassment, sexual intimidation,

intimate partner violence, stalking, retaliation, or complicity in any of these acts. These unacceptable behaviors are collectively referred to as Prohibited Conduct. The entire ISU [policy on sexual misconduct](#) may be found online. It is the policy of ISU to provide an educational, working, living, and campus environment for its students, faculty, staff and visitors that is free from Prohibited Conduct, and all members of the University community are prohibited from engaging in Prohibited Conduct that violates law or policy.

In accordance with federal, state, and local law, the University will not tolerate Prohibited Conduct and will take appropriate action to stop, prevent, eliminate, and remedy Prohibited Conduct. The University provides comprehensive support, education, and reporting mechanisms to all members of the University community to address these critical issues.

The University will make educational opportunities readily available to all students and members of the University community regarding Prohibited Conduct, including initial and appropriate follow-up training. The Division of Student Affairs, the Office of Equal Opportunity, the Department of Public Safety, and other community resources provide educational trainings and information upon request.

ISU also prohibits all forms of discrimination and harassment on the basis of age, color, creed, disability, gender identity, genetic information, national origin, pregnancy, race, religion, sex, sexual orientation, and/or U.S. veteran status in its programs, activities, and/or employment. The complete [discrimination and harassment policy](#) may be found online.

Individuals can make a report and/or seek guidance from ISU's Title IX Coordinator and Office of Equal Opportunity (OEO) staff in person, by telephone, by email, or online (3410 Beardshear Hall, 515-294-7612, eoffice@iastate.edu).

A Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking and Intimate Partner Violence [Resource Guide](#) is available and is intended as an overview and summary of Iowa State University policy.

What to Do if You Experience Prohibited Conduct

Your safety and well-being are important. What happened to you is not your fault, and you have options to consider in regards to accessing resources and making a decision whether to report a crime.

- In an emergency, call 911. Crisis support is available 24/7 at 1-800-203-3488 (ACCESS Hotline).
- For your safety and well-being, immediate medical attention is encouraged. Medical professionals can treat any injuries, treat for sexually transmitted infections, obtain emergency contraception, and/or collect evidence using a sexual assault examination kit. A medical forensic exam is generally viable within 120 hours (5 days) after an incident but is most effective when performed as soon as possible after an incident. Individuals can contact medical professionals directly, or the University's Title IX Coordinator is available to assist in this process.
- Confidential resources (on and off-campus) are available to discuss your options, well-being, and support services.
- Even after the immediate crisis has passed, consider seeking professional counseling and on and/or off-campus support service such as a sexual assault recovery center or domestic violence safe house. This can help you recover from psychological effects and provide a safe environment for recovery.
- Victims of any sexual misconduct incident that might constitute a crime have the option and are encouraged to contact local law enforcement authorities.
- Preserve any evidence you have in case you decide to report the incident at a later time. Law enforcement can also speak with you about the preservation of evidence.
- Anyone with knowledge about an incident of Prohibited Conduct is encouraged to report it to ISU's Title IX Coordinator or a Deputy Title IX Coordinator. Responsible Employees of the University are required to report such incidents to the Title IX Coordinator.

Preserving Evidence

ISU encourages individuals who have experienced Prohibited Conduct to preserve evidence to the greatest extent possible. Even if you are unsure about pursuing internal University and/or external law enforcement action, you are encouraged to preserve evidence. Some suggestions include the following:

- Preserve evidence of electronic communications such as text messages, pictures, and social networking pages by saving them or taking screen shots.
- If there is suspicion that a drink may have been drugged, inform a medical provider and/or police as soon as possible so they can collect evidence from the drink, or through a urine or blood sample.
- Because evidence located on the body can dissipate quickly, consider going to a medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, use the bathroom, or eat before seeking medical attention.
- It may be helpful to gather bedding, linens, or unlaundered clothing and any other pertinent articles that may be used for evidence. These articles may be secured in a clean paper bag.
- If you have physical injuries, photograph the injuries or have them photographed with a date stamp on the photo.
- If able, try to remember and write down important details.

In Iowa, [evidence collection is provided free of charge](#) up to 120 hours after a reported sexual assault incident.



Accommodations

Iowa State University has many means of increasing safety, support, and accommodation for individuals impacted by Prohibited Conduct. These are accessible and available regardless of whether an individual files a

complaint with the University or law enforcement, and are available to complainants, respondents, and witnesses. Such accommodations and measures may include, but are not limited to:

- Issuing restricted contact notices designed to restrict contact and communication between individuals.
- University housing and dining modifications.
- Academic modifications and support.
- University employment modifications and support.
- Referral to resources which can assist with financial aid, visa, and immigration concerns.
- Transportation assistance, including the provision of escorts.
- Safety planning.
- Assistance in obtaining no contact orders or protective orders and honoring them.
- Assistance in obtaining a sexual assault forensic exam.
- Assistance in contacting and filing a report with local law enforcement.
- Access to counseling, health, mental health, and medical services.
- Referral to resources which can assist with advocacy and legal assistance.



Reporting Options

A victim of Prohibited Conduct may choose whether to report to law enforcement, Iowa State University, or neither.

- Internal ISU Prohibited Conduct investigations can occur at the same time as law enforcement investigations.
- ISU can help you file a police report and obtain and

enforce no contact orders entered by a state civil or criminal court, if you request such assistance.

- Reporting to law enforcement does not obligate you to testify in court.
- To encourage reporting and honest disclosure during the investigation process, the University generally does not hold complainants, respondents, or witnesses accountable for non-egregious student code violations (including alcohol or drug possession related violations) that may have occurred at the time of the reported Prohibited Conduct.
- All reports are handled in a sensitive and private manner. Information is shared only with those University employees who need to know in order to assist in the investigation and resolution of the matter.
- ISU prohibits retaliation of any kind as a result of an individual making a report or participating in an investigation of a report.
- ISU employees who have been designated Responsible Employees are required to report Prohibited Conduct concerns to the Title IX Coordinator.
- There is no time limit as to when an incident may be reported; however, to promote timely and effective review, the University strongly encourages the filing of reports as soon as possible.
- If you request that your name not be revealed or ask that ISU not investigate your report, this request normally can be respected. However, such requests may substantially limit the University's ability to respond fully to the incident, including pursuing disciplinary action. In some instances, the University may not be able to respect such requests in order to provide a safe and non-discriminatory campus environment.

You have the right to pursue civil and/or criminal remedies off-campus through law enforcement and the criminal justice system. This includes filing a criminal complaint or petition for a civil protection order. You also have the right to decline to notify law enforcement authorities. See page 30 for ISU Police Department and Ames Police Department contact information.

You have the right to report an incident to the University and request accommodations and/or a University investigation by contacting the Title IX

Coordinator. Anyone who has a concern about Prohibited Conduct, and anyone who has knowledge about possible Prohibited Conduct, is strongly encouraged to immediately report it to the Title IX Coordinator. See page 31 for contact information.

While anonymous reports are accepted and will be reviewed, the University's ability to address and respond to anonymous reports is significantly limited. Ordinarily, disciplinary measures are not possible in response to anonymous reports.

Privacy and Confidentiality

ISU handles Prohibited Conduct reports discreetly and protects parties' privacy. Information is shared only with those who need to know in order to investigate and resolve the matter. Generally, however, University offices and employees cannot promise complete confidentiality, and the University may be required to act in situations that present a possible threat to an individual or the campus community.



Some resources are able, with few exceptions, to maintain complete confidentiality with respect to reports of Prohibited Conduct. This means that these resources will not share with anyone (including law enforcement and University officials) any information relating to reports of Prohibited Conduct. This includes information that identifies or might be used to identify persons related to reports of Prohibited Conduct, unless the speaker consents to the disclosure in writing, or where there is an imminent threat to the safety of the speaker or others, or the information concerns conduct

involving suspected abuse or neglect of a minor under the age of 18. These confidential resources are identified on page 29-30.

During the investigation and resolution process, all parties are expected to keep the information related to the investigation and resolution process private, to the extent consistent with applicable law. This means that the parties involved in the process (complainant, respondent, witnesses and advisors) should not discuss the matter or share written materials related to the matter with anyone unless it is necessary to receive advice and counsel. Parties may discuss the matter with advisors, legal counsel, health professionals, family members, or support persons.

In cases where an individual reporting Prohibited Conduct does not wish to proceed with an investigation, or does not want their name disclosed, the University will attempt to honor that request. However, in some cases, the University may determine that it needs to proceed with an investigation based on concern for the safety or well-being of the broader University community (e.g., risk of future acts of sexual violence or a pattern of Prohibited Conduct). If the University determines that it must investigate a report despite an individual's request to the contrary, the University will inform the individual prior to initiating the investigation and will implement all necessary remedial and protective measures.

If you are unsure about whether you want to make a report or proceed with an investigation, a confidential resource can help you explore your options and provide additional resources, support and information.

Reporting Obligation

The University strongly urges all students, faculty, staff, and third parties to promptly report concerns of Prohibited Conduct, including sexual misconduct, discrimination, and harassment, to the Title IX Coordinator and the Office of Equal Opportunity.

University community members who are designated Responsible Employees are **required** to immediately report information they learn concerning Prohibited Conduct to the Title IX Coordinator or a Deputy Title IX Coordinator.

Responsible Employees include any employee who has authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct to the Title IX Coordinator; or whom a student could reasonably believe has this authority or duty.

At ISU, Responsible Employees include, but are not limited to:

- All instructors, including full-time professors, adjuncts, lecturers, adjunct instructors, and any others who offer classroom instruction or office hours to students;
- All advisors;
- All coaches, trainers, and other athletic staff that interact directly with students;
- All student affairs administrators;
- All residential hall staff;
- All employees who work in offices that interface directly with students; and
- All supervisors and university officials.

Confidential Employees (those specifically identified on campus as mental health counselors, those working in campus health care centers, and victim advocates) do not have an obligation to report information known to them, and students may speak to them with anonymity if desired. Confidential Employees will not share personally identifying information with others without an individual's written consent.

Complaint Investigation and Resolution

When the University receives a report of a potential incident of Prohibited Conduct, the ISU Title IX Coordinator, in the Office of Equal Opportunity (OEO), will schedule a meeting to discuss the concern with the complainant and discuss the complainant's rights, resources, and responsibilities. If the complainant files a formal complaint, or if the Title IX Coordinator determines that a formal complaint is appropriate, the University will initiate a prompt, thorough, fair, and impartial investigation and resolution process.

After meeting with the complainant, the OEO will notify the respondent (i.e., the person accused of misconduct) of the complaint and schedule a time to meet to discuss the allegations, the investigation and resolution process, and the respondent's rights, resources, and responsibilities.

University investigations are conducted by professional investigators who are trained in investigating sexual misconduct matters. During an investigation, the University does not take sides. The assigned investigator acts as a neutral fact-finder who attempts to gather all relevant information reasonably available regarding the alleged incident. Generally, this includes interviewing the Complainant, Respondent, and any



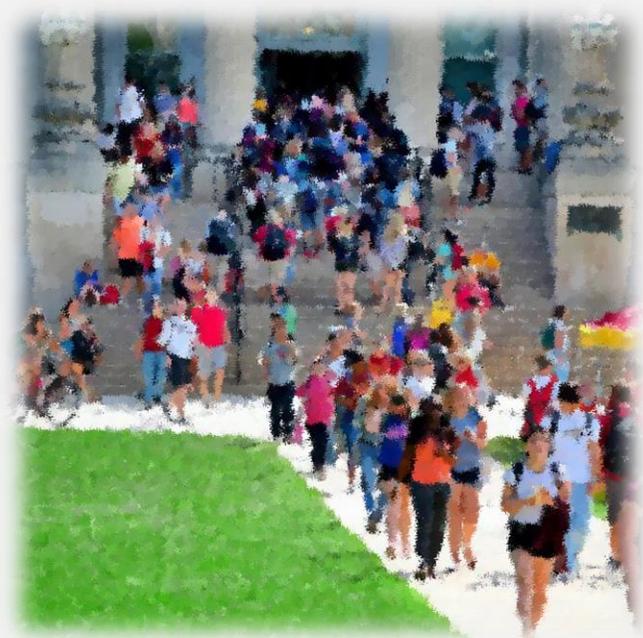
witnesses who are identified during the course of the investigation, as well as gathering available documentary, electronic, and physical evidence.

All parties in an investigation have corresponding rights, including the equal right to participate in the investigation, be accompanied by two advisor/support persons throughout the process, identify witnesses, provide evidence, review and comment on the investigative report, participate in any hearing (if necessary), provide an impact statement, and appeal final determinations and sanctions (if necessary).

At the conclusion of the investigation process, the parties meet with an appropriate University administrator in order to review the outcome of the investigation and discuss the applicable adjudication process (if applicable). All determinations of responsibility and any sanctions are made following a hearing before a Student Conduct Hearing Board. Determinations regarding responsibility are made based on the preponderance of evidence standard ("more likely than not").

Timeline

In all cases, the University will take prompt, fair, and appropriate steps to investigate reports and stop, prevent, and remedy the impact of any Prohibited Conduct. The University cannot guarantee a definite timeframe for this process, but in all matters the University will make a good-faith effort to complete a fair and impartial investigation in a timely manner based on the totality of the circumstances present. Factors that may impede the timing of the process include the complexity and severity of the matter, the number and availability of witnesses, or the need to identify and acquire physical or other evidence.



Advisors

All parties to an investigation, including the complainant, the respondent, and any witnesses are entitled to be accompanied and assisted by any two persons of their choosing and at their own expense at both formal and informal meetings, investigation interviews, and any necessary hearings. These persons are referred to as “advisors” or “support persons” during the process.

Support persons and advisors are limited to an advisory and supporting role only. While support persons and advisors may provide support and advice, they may not speak on behalf of the parties or otherwise directly participate in, or in any manner delay, disrupt, or interfere with the process.

Interference with an Investigation

Any person who knowingly and intentionally interferes with an investigation or adjudication is subject to disciplinary action. Interference with an investigation or adjudication may include, but is not limited to: attempting to coerce, compel, or prevent an individual from providing information; removing, destroying, or altering evidence relevant to the investigation; providing false or misleading information to an investigator, or encouraging others to do so.

Retaliation is Prohibited

Iowa State University strictly prohibits retaliation against any individual for reporting an incident of Prohibited Conduct, for opposing in a reasonable manner an act believed to constitute Prohibited Conduct, and for participating in an investigation or hearing related to a report of Prohibited Conduct.

Retaliation is any materially adverse action or threat of adverse action taken, directly or through others, against an individual because of the individual’s report, or participation in the investigation of a report of misconduct, or objecting to or resisting such misconduct. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from reporting Prohibited Conduct or from participating in any investigation or proceeding. Examples of retaliation include, but are not limited to: terminating someone’s employment; reducing a grade; removing someone from an organization; direct or indirect intimidation, threats or coercion; harassment; or other adverse treatment that is like to deter reasonable people from pursuing their rights.

Concerns of retaliation should be reported to the Office of Student Conduct, the Title IX Coordinator, and/or the Office of Equal Opportunity as soon as possible.

Confidential Resources

Under Iowa law and University policy, communications with certain individuals are considered completely confidential (or privileged). This means that, with very limited exceptions, any information shared by this party may not be shared with others or used against them.

Campus confidential resources are not responsible employees in relation to reports of Prohibited Conduct, do not have obligations to report Prohibited Conduct to

the Title IX Coordinator, and will not testify in any formal University proceeding. By visiting with campus confidential resources, an individual agrees that the campus confidential resource will not disclose the contents of their conversation or disclose personally identifiable information, unless given express written permission to do so. This agreement promotes access to resources and support, and helps provide a safe and neutral place for discussing concerns of a sensitive nature.

Reports made to confidential resources do not put the University on notice. If an individual wants to put the University on notice of a potential policy or legal violation (including reports of sexual misconduct/assault), they should contact the Title IX Coordinator, a Deputy Title IX Coordinator, ISU PD, or a designated responsible employee. Campus confidential resources can assist you in connecting with these individuals and offices.

Generally, confidentiality/privilege applies when a party seeks services from the following persons:

- Psychological counselor (including counselors at ISU Student Counseling Services).
- Health care provider (including medical professionals at ISU Thielen Student Health Center).
- Victim counselor/advocate, including advocates from ACCESS.
- Personal attorney.
- Religious/spiritual advisor.

Exceptions to confidentiality will be made in cases involving risk of serious harm to self or others and disclosures of child abuse.

Please note, campus confidential resources are not protected under Iowa law as confidential or privileged. Information shared with a campus confidential resource may be subject to legal subpoena and used as evidence in any external judicial or administrative proceeding.

Students should always confirm whether confidentiality applies to the communication with the individual with whom they are seeking services. Within the ISU community, the following resources are recognized confidential resources:

Confidential Counseling Resources

ACCESS (Assault Care Center Extending Shelter & Support)

Provides assistance and advocacy to victims of sexual abuse and domestic violence

Ames, Iowa (and other locations throughout Iowa)
Sexual Assault Crisis Line (24/7): 515-292-5378 or Toll Free 800-203-3488

Domestic Abuse Crisis Line (24/7): 515-294-0519 or Toll Free 855-983-4641

Housing/Sheltering Crisis Line (24/7): 515-292-0543 or Toll Free 855-696-2980

<https://www.assaultcarecenter.org>

ISU Student Counseling Services

Provides counseling and mental health services to all ISU students free of charge

Student Services Building, Third Floor
515-294-5056

<http://www.counseling.iastate.edu/counseling>

ISU Thielen Student Health Center

Provides general medical treatment and psychiatry services to all students

2647 Union Drive, Iowa State University
515-294-5801

After Hours Advice 800-524-6877

<http://www.health.iastate.edu>

Mary Greeley Medical Center

Provides emergency medical treatment and in-patient services

1111 Duff Avenue, Ames, Iowa
515-239-2011

<http://www.mgmc.org>

Student Legal Services

Provides legal advice and assistance to students in a variety of areas, including immigration issues. Not able to represent students in controversies involving the University or other ISU students, but may help students connect to other resources

Memorial Union, Office 0367
515-294-0978

<http://www.studentlegal.dso.iastate.edu/>

The Legal Aid Society of Story County

Provides legal assistance in civil matters to individuals who cannot afford to hire an attorney in private practice
937 6th Street, Nevada, Iowa 50201
515-382-2471
<http://www.legalaidstory.com/>

Center for LGBTQIA+ Student Success

Provides programs, services, referrals and resources focused on sexual orientation and gender identity/expression for students at Iowa State University.
3224 Memorial Union
515-294-5433
slosscenter@iastate.edu
<http://center.dso.iastate.edu/>

Margaret Sloss Women's Center (MSWC)

Provides support and information through educational outreach, appropriate referral services, and a safe space
Sloss House on the ISU Campus
515-294-4154
<http://www.mswc.dso.iastate.edu/>

Reporting Resources

If an individual wishes to report Prohibited Conduct to ISU, they may contact the following offices. These offices can also discuss the investigation process, accommodations, services, and other related information.

Office of Equal Opportunity

Coordinates the University's response to incidents of Prohibited Conduct
3410 Beardshear Hall
515-294-7612 Hotline: 515-294-1222
eooffice@iastate.edu
<http://www.eoc.iastate.edu>

Office of Student Assistance

Provides assistance in navigating processes and procedures at the University, and helps administer support and resources to students
1010 Student Services Building, First Floor
515-294-1020
studentassistance@iastate.edu
<http://www.studentassistance.dso.iastate.edu/>

Office of Student Conduct

Provides information on the student code of conduct and adjudication processes, and information regarding restricted contact notices
1010 Student Services Building, First Floor
515-294-1020
<http://www.studentconduct.dso.iastate.edu/>

Iowa State University Police Department

Provides assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for on-campus incidents
Armory Building, Room 55
Emergencies: 911
Non-Emergencies: 515-294-4428
<http://www.police.iastate.edu>

City of Ames Police Department

Assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for off-campus incidents
515 Clark Avenue
Ames, Iowa 50010
Emergencies: 911
Non-Emergencies: 515-239-5133
<http://www.cityofames.org/government/departments-divisions-i-z/police>

Story County Attorney's Office

Assistance in exploring and filing criminal charges, assistance in navigating the criminal justice process and court procedures, and victim/witness assistance
Ames Office
126 S. Kellogg
Suite 203
Ames, Iowa 50010
515-232-4185
Nevada Office
1315 South B Avenue
Nevada, Iowa 50201
515-382-7255
<http://www.storycountyiowa.gov/90/County-Attorney>

Title IX Coordinators

Individuals may report Prohibited Conduct and/or seek guidance by contacting:

Margo Foreman, Title IX Coordinator

Assistant Vice President for Diversity, Inclusion, and Equal Opportunity
Phone 515-294-7612
Email: mrforema@iastate.edu

Adrienne Lyles, Senior Deputy Title IX Coordinator

Associate Director of Equal Opportunity
Phone 515-294-0044
Email: alyles@iastate.edu

Dawn Bratsch-Prince, Deputy Title IX Coordinator for Academic Affairs

Associate Provost
Phone: 515-294-6410
Email: deprince@iastate.edu

Sara Kellogg, Deputy Title IX Coordinator for Student Affairs

Director of Office of Student Conduct
Phone 515-294-1021
Email: skellogg@iastate.edu

Charles Small, Deputy Title IX Coordinator for Athletics

Senior Associate Director of Athletics
Phone: 515-357-0168
Email: csmall@iastate.edu

Judith Strand, Deputy Title IX Coordinator for the Graduate College

Program Coordinator
Phone: 515-294-5285
Email: jstrand@iastate.edu

Monica Howard-Martin, Deputy Title IX Coordinator for Veterinary Medicine

Director of Student Programs
Phone: 515-294-0391
Email: moonward@iastate.edu

Sexual Misconduct Allegations

Iowa State University has a [comprehensive policy](#) outlining Student Disciplinary Regulations (Code of Conduct), including sexual misconduct.



Disclosure

Iowa State University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 15 of title 18, United States Code) the results of any disciplinary proceeding conducted by ISU against a student who is the alleged perpetrator of such a crime or offense. Pursuant to the Office of the Registrar's release of information policy for a deceased student, if the victim is deceased as a result of such crime or offense then the next of kin shall be treated as the alleged victim for purposes of notification and may be informed of the results of the disciplinary proceeding.

The previous paragraph does not apply to victims of dating violence, domestic violence sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without making a written request.

Sex Offender Registry

Iowa law requires a person convicted of a sex offense crime to register with the sheriff in their county of residence. If the person works for an institution of higher education, they must register with the sheriff in the county in which the institution is located. To obtain information regarding registered sex offenders in Story County, contact:

Story County Sheriff's Office
1315 South B Avenue
Nevada, IA 50201
Phone: 515-382-6566

The Iowa Department of Public Safety maintains a [statewide sex offender registry](#).

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.



Iowa State University has initiated the Green Dot Bystander Intervention Program. This is a bystander education approach that engages the community to become aware of the nature and frequency of violence,

and educates on how to intervene to reduce the risk of violence. Green Dot aims to decrease power-based personal violence on campus by utilizing education, outreach, and development as mechanisms for increasing awareness and competency around bystander intervention skills.

The Green Dot symbol represents an action that promotes safety, and is any choice, behavior, word or attitude that promotes safety for everyone and communicates utter intolerance for power-based personal violence. The two types of responses endorsed by Green Dot are proactive and reactive. A proactive response is one intended to prevent a harmful situation from occurring, and a reactive response is an intervention in a potentially harmful situation. Green Dot training is offered to both staff and students at Iowa State University in two different formats.

The Student Wellness Center sponsored Green Dot Action Week 2.0 during the week of October 15, 2018. Events included:

- facilitating a confidential question session on sexual health and relationships with the Thielen Student Health Center,
- sponsoring a screening and panel discussion for the documentary "The Witness,"
- promoting conversations around mental health support and how to be an active bystander,
- learning about the connections of violence to health and hunger,
- encouraging awareness about the Parks Library guide book displays about survivor healing and support as well as other topics,
- participating in the campus Lecture Series with a featured speaker, and
- making students and staff aware of the availability of Green Dot training to become Bystander Certified.

Sexual Assault Awareness and Prevention Month

April is designated as Sexual Assault Awareness and Prevention Month. The university and ISU PD participate in many activities and public education opportunities during the month. During April 2019, the following occurred:

- Teal ribbons and information about consent and bystander intervention were distributed,
- The Sloss Center for Women and Gender Equity

sponsored a “What I Was Wearing” Exhibit to provide stories from survivors of sexual assault and sponsored other activities to promote awareness,

- “Get a Yes” magnets and 29-Alert magnets promoting the 24-hour crisis line and 24-hour advocacy line were distributed, and
- A lecture, “Beyond consent: How Reclaiming Sexuality Combats Sexual Violence” was presented by author Jacklyn Friedman.
- April 3rd was Start by Believing Day, and an event from 1100-1300 was held outside of Parks Library.



Alcohol and Drug Policies

Iowa State University prohibits the unlawful or unauthorized possession, use, sale, manufacture, or distribution of alcoholic beverages and illegal drugs on campus. The ISU Police Department will enforce state underage drinking laws as well as federal and state drug laws.

Alcohol Possession or Consumption

Possession and consumption of alcoholic beverages is permitted in University housing according to policies established by the Department of Residence, and only for those of legal drinking age in the state of Iowa. These policies may be found in the [DOR Conduct Policies](#) for Residence Halls and University Owned/Operated Apartments.

The complete [policy for alcohol possession or consumption](#) on campus is available in the ISU Policy Library.

Iowa State University is committed to maintaining an environment conducive to healthy lifestyles. Members of the ISU community are accountable for their own actions and are expected to make responsible, lawful decisions regarding the use of alcohol.

Drugs and Other Intoxicants

Drugs that are not legally available shall not be used, possessed, sold, or distributed on campus. The unauthorized distribution of prescription drugs on campus is also prohibited.

Medical Marijuana

The state of Iowa has legalized low-TCH cannabis oil for usage with certain specified medical conditions. However, the possession and usage of marijuana in any form remains a crime under federal law. Marijuana-based medications and oils are not permitted at Iowa Board of Regents Institutions.

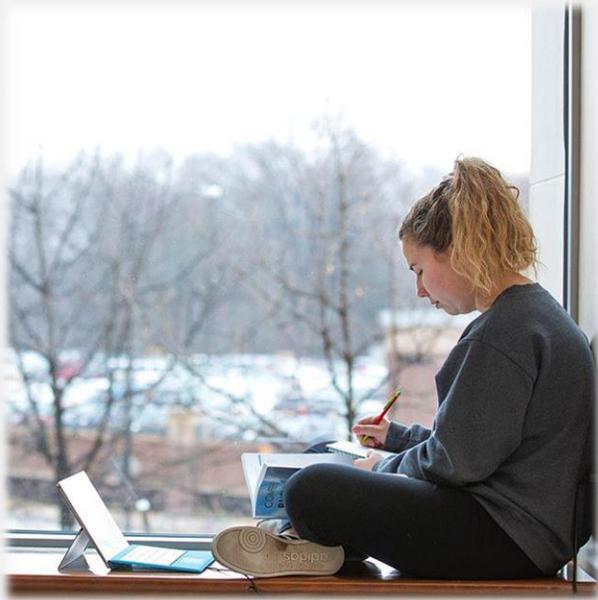
Alcohol and Drug Prevention Programs

Iowa State University, in compliance with the Drug-Free Schools and Communities Act of 1989, publishes a [Biennial Review of ISU’s Alcohol and other Drugs Program Elements](#). Prevention Programming at ISU includes:

- Alcohol EDU online program for incoming students,
- Alcohol free programming from the Department of Residence including:
 - ISU AfterDark
 - Cyclone Cinema
 - Paint Your Own Pottery/Drop-In Crafts

The Biennial Review also contains information relating to sanctioning from student disciplinary regulations, as well as treatment and intervention resources. The Student Wellness Center focuses on health promotion, prevention, and following a holistic wellness model. Peer Wellness Educators facilitate a presentation on alcohol use and harm reduction called Party Like a Cyclone. Student Wellness has also developed a resource guide for students related to alcohol use, and has partnered with the DOR to create a social marketing campaign around safe alcohol usage for all students living on campus. The Wellness Center

has established a Collegiate Recovery Program to foster a sense of community within a population that is focusing on recovery from drug and alcohol abuse. The Department of Residence spends a significant amount of time training Community Advisers on addressing alcohol and other drug related offenses. Community Advisers host alcohol education programs and alternative events during the year for residents in their houses.



The Office of Student Conduct offers several presentations that are specific to alcohol and other drugs with a focus on the Greek Community, Orientation, Academic Program for Excellence, and student athletes.

The Iowa State University Athletics Department dedicates a substantial amount of time to educate student athletes about alcohol and other drug use, decision making, NCAA drug testing procedures and protocols, and other campus safety issues.

Code of Conduct-Student Disciplinary Regulations

Iowa State University encourages the intellectual and personal growth of its students as scholars and citizens. The University recognizes that the transmission of knowledge, the pursuit of truth, and the development of individuals require the free exchange of ideas, self-expression, and the challenging of beliefs and customs.

In order to maintain an environment where these goals can be achieved safely and equitably, the University promotes civility, respect and integrity among all members of the community. [The Student Conduct Code](#) and student disciplinary system promotes individual and social responsibility, and each member of the ISU community is obligated to a code of civilized behavior.

The student disciplinary regulations set forth the specific authority and responsibility of the University in maintaining social discipline, establish guidelines that facilitate a just and civil campus community, and outline the educational process for determining student and student/campus organization responsibility for alleged violations of university regulations. This disciplinary process will follow established procedures for ensuring fundamental fairness and an educational experience that facilitates the development of the individual and of the student/campus organization.

Educational Programming Offered by the ISU PD

The ISU Police Department seeks to enhance campus security for the community by presenting educational programs regarding campus security procedures and practices, the prevention of crimes, alcohol and drug usage, personal safety and situational awareness, and self-defense. The University encourages students and employees to be responsible for their own security and the security of others. All presentations are provided upon request, or as required by the University.

Violent Incident Response Training (VIRT)

Violent incidents in society, while rare, can seem like they are becoming more mainstream around the nation and world. It is unfortunate we have to discuss a subject of this nature, however; ISU and the ISU PD believe your safety is the most important responsibility with which we are charged.

VIRT utilizes the Avoid, Deny, Defend technique. This is a flexible set of principles that may be adapted to any violent encounter. Preparation is key for any situation we face in life; the more prepared we are, the better we perform. The goal of this training is to begin your mental preparation of recognizing, assessing, and responding to threats against you.

Society has trained us to react to fires, earthquakes, tornados, floods, and other types of disasters. This program is no different. By studying what has worked in past violent incidents around the world, it has been found that certain techniques work and others don't. This training is not designed to scare you into thinking there is a violent situation lurking around every corner. It is designed to provide you with options should you be in a violent situation.

Recognizing and Reporting Disturbing Behavior (RRDB)

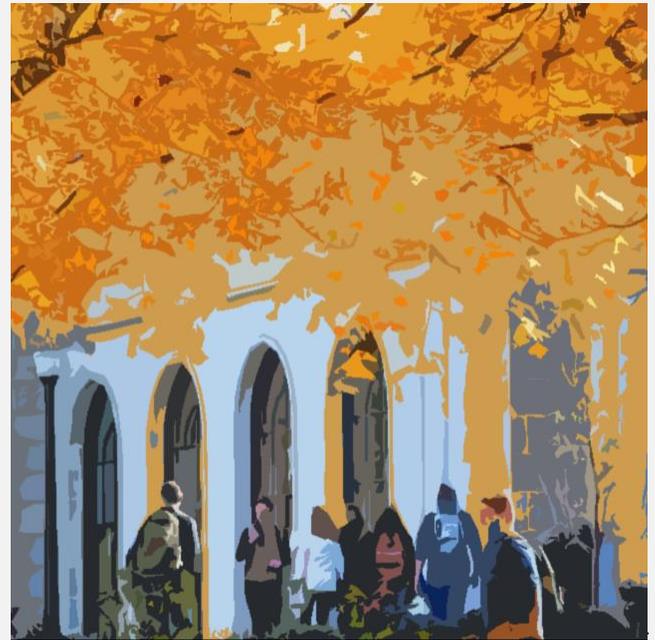
This training is sometimes referred to as a precursor to VIRT, in that the warning signs or "red flags" observed can help to mitigate the tragedies that have become all too common in this day and age. The presentation is delivered via PowerPoint, and the length depends largely on audience interaction and participation. Many of the principles taught during VIRT are touched on with this presentation as well, but RRDB will deal more with creating awareness as well as ways to mitigate acts of violence from happening before the onset of the problem(s) become(s) too unmanageable. Proactive approaches are stressed over reactive ones. Just like in VIRT, information is the best weapon against violence. Information provides knowledge, which provides options for survival during a crisis. There are many reactions possible during these types of violent incidents. The only bad reaction is no reaction at all.

Since past behavior often predicts future behavior, some case studies will be examined as part of the presentation. There is, however, no such thing as the perfect response to violent acts. Don't try to make sense out of something that is senseless. The best thing that can be done is to adapt a flexible psyche and be willing to do whatever it takes to survive an encounter. The presentation is not overly-rooted on statistics. Statistics can be important when studying trends, but they also tend to make people too narrow-sighted as they can remove the human element from the equation. Instead it is recommended the focus be placed on potential, not statistics.

Sexual Assault Response Team (SART)

The Story County SART (Sexual Assault Response Team) consists of specially trained professionals from multiple agencies who work together to provide a community coordinated response to reports of sexual assault. Members of SART represent the fields of law enforcement, health care, advocacy, and prosecution

and are employed in the public and private sectors (university, city and county governments, medical clinics, and non-profits). Informational programming on sexual assault response and related topics is provided upon request.



Personal Safety and Situational Awareness

In today's society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training. It also covers factors affecting loss of awareness, the OODA Loop (observe, orient, decide and act), response options, threat assessment principles, and both general and specific safety tips.

International Student Orientation

Our international student orientation program covers departmental information, personal safety, harassment and assault, protecting your property, identity theft, online safety, crime prevention, driving laws, alcohol laws, ISU Alert, contacting law enforcement, bystander intervention, reporting suspicious and concerning behavior, ISU Police safety services, liaison programming, and outreach services.

New Student/Employee Orientation

This presentation is done in partnership with the Dean of Students Office. The presentation covers services and contact information, ISU Police departmental

information, crime prevention, safety tips, ISU Alert, bystander intervention, reporting suspicious and concerning behavior, ISU Police safety services, liaison programming, and outreach services.

Self Defense/Defensive Tactics

This presentation is taught by ISU Police Defensive Tactics Instructors. This one-hour program provides a common sense blend of threat avoidance, resistance, and mindset training meant to improve self-awareness and build confidence.



In today's society, people need to be aware that they are responsible for their own safety. This course defines situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training. The course also covers factors affecting loss of awareness, the OODA Loop, response options, threat assessment principles, and both general and specific safety tips.

Social Media

This presentation covers the potential dangers of social media use, while including safety tips and things to consider when using social media. This training covers the different types and kinds of social media and the potential for danger, like cyber bullying, stalking, harassment, invasion of privacy, and sexual exploitation.

How Not to Get Arrested/Alcohol and Drugs

This presentation covers the concerns surrounding alcohol and drugs that our department encounters. The discussion begins with an overview of the penalties and risks associated with underage alcohol possession and consumption. Stemming off of this is a discussion about appropriate interaction with law enforcement including the use of false identification, interference with official acts, and harassment of a public official. Concerning behaviors leading to public intoxication arrests are shared and an emphasis is put on our attention to the long-term safety of the subject. Finally, the dangers and fines associated with operating while intoxicated are discussed. Participants are reminded that, despite laws in other states, marijuana is still largely illegal in Iowa. A brief discussion about the types of drugs present on campus and in our community is followed by advice on how to respond should students observe illegal drug activity taking place.

2018 ISU PD Outreach Presentations

During 2018, the ISU PD made 355 presentations to a total of 49,087 attendees. Requests for presentations may be made through the [ISU PD Community Outreach Team](#).

Safety Services Offered

Rave Guardian App

This app allows students to share their location with a group of friends or family and request a virtual safety escort. The user can set a timer and notify a "guardian" of their destination. If the individual has not reached their destination by the end of the timer, a text message is sent to the "guardian" to let them know their friend or family member did not reach their destination. The ISU PD is available to act as a guardian from 6:00 p.m. to 5:30 a.m.

Other safety features of the app include:

- the ability to send tips to the ISU PD,
- access to the entire crisis resource directory,
- notification of a crisis in the area, and
- a button linking directly with a 911 dispatcher.

The Rave Guardian app is available in the Apple store and in Google Play. All smart phones support the app and anyone with an Iowa State NetID is able to use it.

Blue Emergency Posts

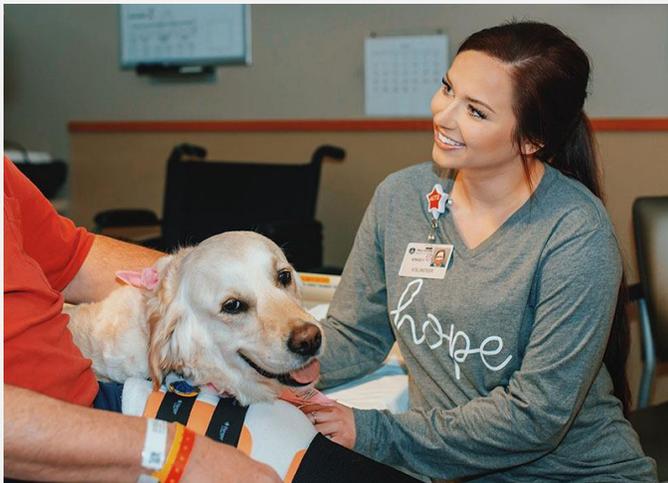
Blue emergency posts are located around campus and have a button and a speaker. They provide a way to communicate with the ISU PD in case of an emergency.

SafeRide

Free rides are provided to students, staff, and visitors travelling throughout campus and other university areas including Greek parking lots and the basketball practice facility. This service can be requested through the SafeRide ISU app, or by calling a dispatcher at 515-294-4444. This service is available every day from 6 p.m. until 5:30 a.m. There are two vehicles operating in the program, so long waits can occur. During 2018, around 23,000 people were provided rides.

Safety Planning

A safety plan can help an individual deal with physical, emotional and psychological fears by assisting them to identify tools they possess to feel safer by avoiding dangerous situations and knowing the best way to react if they are in danger. Having a safety plan and knowing how to implement it in advance of a situation occurring can be beneficial. Any individual with a concern for their personal safety can request to meet with an ISU PD officer to establish a safety plan.



Residence Hall Liaisons

Every ISU residence hall on campus has an ISU police officer assigned to it as a liaison officer. That officer is responsible for providing training on alcohol awareness, sexual assault response, defensive tactics, and criminal law to the residents and staff.

Officers frequently attend floor meetings to address questions and concerns. They also regularly visit the residence halls to develop positive relationships with residents and staff.

Campus Safety Walk

Every fall, the ISU PD partners with Student Government and Facilities Planning and Management (FP&M) staff to tour the campus grounds on the lookout for potential safety issues. Problem areas are identified (such as overgrown shrubbery or burned out lights) and then prioritized with FP&M staff.

Bicycle Registration

The Parking Division of the ISU Department of Public Safety offers bicycle registration for students. In the case that your bicycle is stolen or impounded, proper registration can aid in the return of your property.

Help Van

Any student, faculty, staff or visitor to ISU is eligible for assistance from the campus Help Van. Dial 294-4444 and the Help Van is dispatched to help with the following:

- Jump-start a vehicle.
- Tools needed to change a flat tire.
- Ride to and from the nearest service station for fuel.
- Shovel to allow you to scoop snow.

Annual Fire Safety Report

Fire Safety Policy Statement

Environmental Health and Safety (EH&S) oversees fire safety and prevention programs at ISU, including identification of fire hazards, enforcing fire prevention rules, fire emergency planning, and fire/incident investigations. Iowa State's [complete fire safety policy](#) is available in the Policy Library. For the purposes of fire safety reporting, a fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Use of Candles and Open Flames

The use of candles and open flames is not allowed in campus buildings, on University grounds, or in association with University-sponsored events or functions, with some exceptions. The policy regarding [candles and open flames](#) is available in the ISU Policy Library. Wickless candles and warmers are permitted in residence halls and University owned apartments.

Fireworks and Incendiary Devices

Additionally, possession and use of fireworks and incendiary devices is forbidden unless specifically approved for an ISU-related event held by a sponsoring organization.

Smoke-Free Campus

The entire University grounds and properties of ISU are declared to be a smoke-free campus. Smoking is prohibited in public buildings and vehicles owned, leased, operated by or under the control of the University. Smoking is prohibited on the entire grounds of the University, including enclosed areas and outdoor areas. An exception will be allowed in an enclosed area within the University where medical or scientific research is being conducted, or for the purposes of a therapy program if smoking is an integral part of the program.

Electrical Appliances

Small portable electrical appliances are allowed as long as they are used for their intended use and plugged in properly.

Inspectors from the State Fire Marshal's Office conduct periodic fire safety audits of campus and residential buildings for compliance with state building codes. ISU employees are required to cooperate with these

inspections and comply with fire safety and building code requirements.

All fires and fire hazards must be reported to EH&S. It is ISU's policy to be in compliance with the Higher Education Opportunity Act (HEOA) Fire Safety Regulations for all on-campus student housing facilities. EH&S and the Department of Residence have established fire safety procedures consistent with HEOA regulations. All employees, students and visitors must follow University fire safety procedures.

Report Fires Occurring in Department of Residence Facilities to:

Nick Swanson

0341 Helser Hall

Phone: 515-294-9792 or E-mail: nswan@iastate.edu

Fire Safety Procedures

In the event that a fire alarm sounds in your building, do not panic. Calmly do the following:

- Exit your room, closing and locking your room door behind you.
- Leave the building immediately. Use the stairs if you are on an upper floor. Do not use the elevators.
- If there is smoke in the air, keep low. Smoke, heat and toxic gases normally rise to the ceiling.
- Once outside, assemble a safe distance from the building (at least 150 feet).
- Make certain that emergency response personnel and equipment are not blocked from entering the building.
- Try to account for residents and staff known to have been in the building.
- Provide fire and rescue personnel information and location of the fire.
- Do not re-enter the building until the fire department has declared the building safe.

A bright orange Fire/Emergency/Tornado Procedure sticker has been placed on the back of all student room doors in the Residence Halls, Frederiksen Court and Schilletter and University Village Apartments.

Emergency Evacuation of Mobility Impaired Persons

Some members of the residential community may need help in evacuating the building. We ask that you provide assistance, to the extent you are able, to get

these individuals to a safe location.

- Assist the person by helping them move to the nearest marked exit. In case of a fire, do not use the elevator.
- If the person's disability prevents them from exiting the building, they should be left in a stairwell. Stairwell landings will provide temporary shelter from fire and smoke and shall be considered an "Area of Refuge."
- Upon exiting the building, immediately inform fire and rescue personnel of the exact location of a non-ambulatory person that was left in a stairwell or student room. Firefighters will assist persons unable to evacuate.
- Do not re-enter the building until the fire department has declared the building safe.

Mobility impaired students may use the elevator once it is back in operation to return to their room. Hall Directors have the override key to the elevator to return them to service.

Emergency Evacuation Maps

Evacuation maps are posted throughout the residence halls near elevators and entrances and show stairwells and exits. Resident students are expected to learn the location of the exit stairwells and doors and plan more than one exit route.

Emergency Generators

The Department of Residence has emergency generators for each Residence Hall. In case of a power outage or interruption, these generators provide power to the hallway lights, emergency lighting, exit lights, exhaust fans, dampers, sprinkler pumps, smoke and heat detection system. The generators are tested monthly by the maintenance staff.

Fire Alarms and Drills

Alarm pull stations and fire bells or horns are located in hallways and other common areas throughout the Residence Halls. A building's fire alarm will sound when an alarm station is pulled. The alarm signal is transmitted to the Department of Residence Service Center and ISU Police. ISU Police dispatch will process the signal and then contact the Ames Fire Department (AFD) and request that they respond to the building in alarm. Automatic fire alarms are similar in their procedure for emergency response. When a heat or

smoke detector is activated automatically, the Service Center and ISU Police are notified electronically through Metasys. ISU Police will then contact the AFD for response. ISU Police Officers will also often respond and be on site when a building is in alarm. Alarm systems are inspected and tested twice annually by a certified fire alarm inspection company.



Designated rooms in the Residence Halls are equipped with assistive devices such as bed shakers, or strobe lights for students with a disability or physical impairment. These devices are wired into the fire alarm system and will activate when the building goes into alarm. When the building's alarm system is temporarily out of operation, a firewatch (walking patrol of the building by staff with airhorns and radios to warn residents of a need to evacuate) is maintained until the system is restored.

The Department of Residence conducts a fire drill at the beginning of each semester. Fire drills are announced through postings and at house meetings. The DOR policy handbook states the following: "You and your guests are required to evacuate the building when a fire alarm is sounded, and reenter the building only when fire department staff gives permission to do so. Failure to do so endangers not only you, but residence and fire department staffs as well. If you (or your guests) do not evacuate the building when the fire alarm sounds, or if you (or your guests) re-enter before permission has

been granted, you will be held accountable through the judicial system.”

Fire Equipment Abuse

The fire alarm system, fire extinguishers, fire department standpipes, sprinklers, and exit lights are installed for your protection. Report immediately to the Service Center 515-294-3322 any apparent defects in fire safety equipment. Tampering with fire equipment, including the removal of batteries in smoke alarms, the removal of glass box hammers, or tampering with smoke doors and Knox boxes (small boxes attached to the exterior of buildings), is a violation of state law and will lead to University disciplinary action. In the event of a fire extinguisher being used, call the Service Center for recharging, checking, and replacing if appropriate.

Fire Extinguishers and Training

Fire extinguishers are to be used only for their intended use of extinguishing small fires. Any extinguisher found to be faulty, discharged or missing must be reported to EH&S. In the event of a fire, only trained individuals may attempt to use fire extinguishers. Fire extinguisher training is required on an annual basis. The training is required for all ISU employees. It is recommended for those employees having jobs involving laboratory

processes, hot work, or similar duties. The Fire Safety and Fire Extinguisher training classroom course allows hands-on practice using a fire extinguisher. The Fire Safety and Fire Extinguisher training online course can be taken to fulfill the subsequent annual requirement.

Sprinkler Systems

Sprinkler Systems are inspected quarterly by a certified building sprinkler inspection company. Hood suppression systems located in ISU Dining kitchens and residence hall kitchenettes are inspected twice a year. Residents are reminded to not hang items from sprinkler heads in their rooms. Also, residents should not block the path of the pre-designed sprinkler spray pattern. All items should be kept at least 18 inches below the bottom of all sprinkler heads.

Campus Fire Safety Day is held during September, which is Campus Fire Safety Month. During this month, the goal is to raise awareness of fire and life safety on college campuses. During Fire Safety Day on campus students have an opportunity to put out a simulated fire, learn fire safety tips, and meet City of Ames fire fighters.



On-Campus Student Housing Facility Fire Safety System

Building(s)/Addresses	Total Sq. Ft.	Sq. Ft. Sprinkled
Barton Hall – 260 Richardson Court Lyon Hall – 358 Carrie Lane Court Freeman Hall – 315 Carrie Lane Court	73,820	73,820
Birch Hall – 244 Richardson Court Welch Hall – 380 Carrie Lane Court Robert Hall – 372 Carrie Lane Court	118,516	118,516
Buchanan Hall – 2160 Lincoln Way	93,739	93,739
Eaton Hall – 135 Beyer Court	84,000	84,000
Frederiksen Court Apartments – Hawthorn Court Drive	499,928	499,928
Friley Hall – 2424 Union Drive	364,149	364,149
Helser Hall – 221 Beyer Court	150,605	150,605
Geoffroy Hall – 2152 Lincoln Way	182,484	182,484
Larch Hall – 140 Beach Road	101,228	101,228
Legacy Towers – 119 Stanton Avenue	186,391	186,391
Linden Hall – 218 Richardson Court	119,829	119,829
Maple Hall – 204 Beach Road	103,778	103,778
Martin Hall – 131 Beyer Court	84,000	84,000
Oak-Elm Hall – 326 Richardson Court	137,120	137,120
Schilletter Village Apts. – Edenburn Drive	N/A	N/A
University Village Apts. – Stotts Road	N/A	N/A
Wallace Hall – 917 Welch Road	103,778	103,778
Willow Hall – 236 Beach Road	101,229	101,229
Wilson Hall – 926 Hayward Avenue	103,778	103,778



Residence Hall Fire Statistics 2016

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage
Barton Hall	0	N/A	N/A	N/A	N/A
Lyon Hall	0	N/A	N/A	N/A	N/A
Freeman Hall	0	N/A	N/A	N/A	N/A
Birch Hall	0	N/A	N/A	N/A	N/A
Buchanan Hall	1	Intentional — burned photo on hallway wall	N/A	N/A	\$0-\$99
Eaton Hall	0	N/A	N/A	N/A	N/A
Frederiksen Court Apts.	0	N/A	N/A	N/A	N/A
Friley Hall	0	N/A	N/A	N/A	N/A
Helser Hall	0	N/A	N/A	N/A	N/A
Larch Hall	1	Intentional—burned paper on a bulletin board	N/A	N/A	\$0-\$99
Legacy Towers	0	N/A	N/A	N/A	N/A
Linden Hall	0	N/A	N/A	N/A	N/A
Maple Hall	0	N/A	N/A	N/A	N/A
Martin Hall	0	N/A	N/A	N/A	N/A
Oak Hall	0	N/A	N/A	N/A	N/A
Elm Hall	0	N/A	N/A	N/A	N/A
Schilleter Apts.	3	Unintentional — Plastic dishes burned in oven Unintentional — Grease fire on stove top Unintentional — Cooking materials burned on stove	N/A N/A N/A	N/A N/A N/A	\$500 \$0 \$500
Wallace Hall	0	N/A	N/A	N/A	N/A
Willow Hall	0	N/A	N/A	N/A	N/A
Wilson Hall	0	N/A	N/A	N/A	N/A
Welch Hall	0	N/A	N/A	N/A	N/A
Roberts Hall	0	N/A	N/A	N/A	N/A
University Village Apts.	0	N/A	N/A	N/A	N/A

Residence Hall Fire Statistics 2017

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage
Barton Hall	0	N/A	N/A	N/A	N/A
Lyon Hall	0	N/A	N/A	N/A	N/A
Freeman Hall	0	N/A	N/A	N/A	N/A
Birch Hall	0	N/A	N/A	N/A	N/A
Buchanan Hall	0	N/A	N/A	N/A	N/A
Eaton Hall	0	N/A	N/A	N/A	N/A
Frederiksen Court Apts.	3	Unintentional— cooking materials burned on stove (Building 42)	N/A	N/A	\$0
		Unintentional – cooking materials burned on stove (Building 24)	N/A	N/A	\$500
		Unintentional – hot pan ignited heat pad (Building 81)	N/A	N/A	\$100
Friley Hall	0	N/A	N/A	N/A	N/A
Geoffroy Hall	0	N/A	N/A	N/A	N/A
Helser Hall	0	N/A	N/A	N/A	N/A
Larch Hall	0	N/A	N/A	N/A	N/A
Legacy Towers	0	N/A	N/A	N/A	N/A
Linden Hall	0	N/A	N/A	N/A	N/A
Maple Hall	0	N/A	N/A	N/A	N/A
Martin Hall	0	N/A	N/A	N/A	N/A
Oak Hall	0	N/A	N/A	N/A	N/A
Elm Hall	0	N/A	N/A	N/A	N/A
Schilletter Apts.	1	Unintentional – cooking materials burned on stove (Building 110)	N/A	N/A	\$0
Wallace Hall	0	N/A	N/A	N/A	N/A
Willow Hall	0	N/A	N/A	N/A	N/A
Wilson Hall	0	N/A	N/A	N/A	N/A
Welch Hall	0	N/A	N/A	N/A	N/A
Roberts Hall	0	N/A	N/A	N/A	N/A
University Village Apts.	0	N/A	N/A	N/A	N/A

Residence Hall Fire Statistics 2018

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage
Barton Hall	0	N/A	N/A	N/A	N/A
Lyon Hall	0	N/A	N/A	N/A	N/A
Freeman Hall	1	Unintentional - burnt food	N/A	N/A	\$0
Birch Hall	0	N/A	N/A	N/A	N/A
Buchanan Hall	0	N/A	N/A	N/A	N/A
Eaton Hall	0	N/A	N/A	N/A	N/A
Frederiksen Court Apts.	0	N/A	N/A	N/A	N/A
Friley Hall	0	N/A	N/A	N/A	N/A
Helser Hall	0	N/A	N/A	N/A	N/A
Larch Hall	0	N/A	N/A	N/A	N/A
Legacy Towers	0	N/A	N/A	N/A	N/A
Linden Hall	0	N/A	N/A	N/A	N/A
Maple Hall	0	N/A	N/A	N/A	N/A
Martin Hall	0	N/A	N/A	N/A	N/A
Oak Hall	0	N/A	N/A	N/A	N/A
Elm Hall	0	N/A	N/A	N/A	N/A
Schilletter Apts.	0	N/A	N/A	N/A	N/A
Wallace Hall	0	N/A	N/A	N/A	N/A
Willow Hall	0	N/A	N/A	N/A	N/A
Wilson Hall	0	N/A	N/A	N/A	N/A
Welch Hall	0	N/A	N/A	N/A	N/A
Roberts Hall	0	N/A	N/A	N/A	N/A
University Village Apts.	0	N/A	N/A	N/A	N/A

Annual Security Report - Rome, Italy Campus

All policies and procedures of the main ISU campus will apply unless noted below.

Student Housing

The majority of program housing is provided through Boarding House International in a near-by neighborhood. Occasionally students are hosted at the campus facility.

Reporting Crimes

Victims of crime on the Rome campus are instructed to report immediately to the Resident Director (Pia Schneider) and the Italian police (emergency, call 112). If the crime occurred at a residence, staff and students are instructed to contact the police (Carabinieri) station at Via Felice Cavallotti in Rome (phone 06 583 9131) or any other close-by Carabinieri station. The police report must be filed within three months of the date the crime occurred (in the event of a sexual assault, the report must be filed within six months). If you have difficulties filing your report with Italian officials, contact the [U.S. Embassy or Consulate](#) (phone 06.46741) immediately.

Facility Hours and Access

The studio is generally open between 8:00 a.m. and 10:00 p.m. Exceptions to the closing hour will typically be made for the days immediately preceding a major deadline or at the discretion of the program leaders and the resident director.

The studio is a large facility containing diverse spaces that are generally separated from one another. Students and staff are asked to monitor the studio for unescorted visitors and intruders. Students and staff are expected to keep their keys in their possession because the main door remains locked at all times. Only authorized personnel have key access to the facility. Students and staff are asked to avoid being in the facility alone. The last people to leave the studios should close all windows and terrace doors and assure that the shutter-locks are secured.

Maintaining Campus Facilities

The studio spaces and lecture room are cleaned on a regular basis by contracted cleaning personnel.

Students are asked to keep the floor area around tables as clear as possible and take responsibility for cleaning up before leaving the studio facility each day. Anything left on the floor overnight will be considered trash.

Timely Warnings

Whenever a situation arises on or off campus that in the judgment of the Resident Director constitutes an ongoing or continuous threat, a campus wide timely warning will be issued. This may take the form of an e-mail, WhatsApp message, and/or an announcement made in the classrooms and studios. A second announcement will be made when the threat no longer exists.

Alcohol Policy

The consumption of alcohol in the studio is prohibited, with exceptions made only for special group events, such as receptions and exhibition openings. The legal age for purchasing alcohol in Italy is 16; however, there is no minimum legal drinking age. Applicable Italian laws regarding alcohol include:

- From 10:00 p.m. to 7:00 a.m.: It is forbidden to sell take-away alcoholic beverages, even from automatic machines.
- From 10:00 p.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in glass containers on the streets.
- From 12:00 a.m. to 7:00 a.m.: It is forbidden to drink alcoholic beverages in any kind of container on the streets.
- From 2:00 a.m. to 7:00 a.m.: It is forbidden to sell alcoholic beverages.

Drug Policy

Possession of illegal drugs is prohibited in Italy and punishable by administrative sanctions in instances of personal use and by prison sentences when dealing or trafficking is involved. Information regarding [Italian National Drug Laws](#) can be found online.

Evacuating the Studios

Should there be a fire, gas leak, flood, or any other emergency compromising the general health and safety of persons present at the Iowa State University College of Design Rome Program and no member of the faculty/staff is present, you must sound the alarm, warn others of the danger, and evacuate the building immediately. In case of such emergency, evacuation of the premises is required by the Italian safety code (D.L. 81/08), even in the absence

or failure of alarm systems or in the absence of a member of the Rome Program staff or faculty.

- Sound the alarm (located in the corridor next to the telephone, opposite the office). This signifies that everyone must immediately evacuate the premises.
- Check the Evacuation Plan on the wall of each room for a clear indication of escape routes.
- When evacuating, proceed calmly and in an orderly fashion to the nearest accessible exit, following specific instructions of ISU staff or faculty if present. If no member of the staff or faculty is present, please lead other students and any guests out of the building.
- In case of a fire or explosion, distance yourselves as far as possible from the hazard. Do NOT remain near the building or windows that may explode in shards of glass.
- In a fire, turn off the circuit breaker (on the electrical panel in the corridor).

The primary fire exit is through the front door and down the staircase. The place of secure refuge is the terrace

off the back rooms. If both the front exit and the secure refuge are blocked, an alternative route is down the back staircase by the office, which leads to the ground floor and into the piazza.

Fire Safety Report

The Rome Campus building does not have a sprinkler system. There are fire extinguishers placed throughout the building on stands with flags so that they are highly visible. Students and staff are required to undergo fire safety training and an annual fire drill.

Smoking is not allowed in the building. Also, in accordance with University policy; flammable liquids, candles, and open flames are prohibited within the building. Hazardous materials are stored outside in metal cabinets. A safety consultant visits the campus every 3 months to monitor the maintenance of the buildings. The local fire department would respond in the case of any fires in the campus building.

There were no fires on the Rome campus during the 2016, 2017, or 2018 calendar years.



Iowa State University Clery Reportable Crimes 2016-2018 – Rome Campus

CRIMES	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2016			2017			2018			2016	2017	2018	2016	2017	2018	2016	2017	2018
	Resid	Other	Total	Resid	Other	Total	Resid	Other	Total									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS																		
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS																		
Liquor Violation Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA CRIMES																		
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes: There were no hate crimes reported during calendar years 2016, 2017, or 2018.

Unfounded Crimes: There were no crimes unfounded during calendar years 2016, 2017, or 2018.

Annual Security and Fire Safety Report – Uganda Center for Sustainable Rural Livelihoods

All policies and procedures of the main ISU campus will apply unless noted below.

Reporting Crimes

Crimes on the Uganda Center for Sustainable Rural Livelihoods (CSRL) campus should be reported to the campus Security Officer and Fleet Manager. The Fleet Manager would then contact the Uganda police to facilitate a criminal investigation. All information in reference to criminal activities will be forwarded to the ISU CSRL Director, Associate Dean for Global Programs, and the Associate Director of Education Programs for the CSRL, College of Agriculture and Life Sciences at ISU who will then notify the ISU Police Department for Clery purposes.

Facilities Hours and Access

The Uganda campus is composed of academic/meeting halls and residence halls. The main campus is surrounded by a concrete wall with razor wire mounted on top of the structure. The campus extends outside the walls and include several small farm demonstrations and athletic fields/courts. Gates to the greater campus are unlocked during daylight hours. A team of 4 security guards monitor the gates and campus 24 hours a day.

Timely Warnings/Emergency Notification, Response and Evacuation

Warnings on the Uganda campus are communicated in a variety of methods in the case of impending emergencies such as fire or inclement weather. Students and faculty receive email or mobile safety and security notifications from ISU. Less urgent messages are communicated in person during nightly meetings. Each block of buildings has a panic button that notifies the guard on duty with the sound of a siren. There are two exits to evacuate the campus and one of the gates leads to the main road. The National Director in Kamuli has a satellite telephone to use if local telecommunication systems are not operating.

Drugs and Alcohol

The possession or use of any quantity of illegal substance is strictly prohibited, including marijuana. The consequences of substance abuse or other illegal

activity at any time during the program include immediate expulsion, forfeiture of all fees, loss of academic credit, and total responsibility for the cost of any legal fees and return trip to the intern or student's permanent home.

No alcoholic beverages are allowed in the ISU Uganda CSRL program, service learning program housing, and office facility. Interns and students must follow the rules of ISU – students under the age of 21 are not allowed to consume alcohol at any time.



Crime Statistics – Uganda Campus

The chart on the following page depicts offenses reported by officials of the ISU Uganda Study Abroad programs, which is part of the College of Agriculture and located in the Kamuli District, Uganda. These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and obtained from the Associate Director of Education Programs for CSRL in the College of Agriculture and Life Sciences.

Fire Safety Report

The Uganda campus has two separate residence halls for male and female students, and faculty housing. All residence halls have smoke detectors and none have sprinkler systems. The ISU Uganda Program's code of conduct requires that interns and students will participate in all safety drills, similar to living in the residence hall at ISU, and when required by program leaders. To protect residents from fire and in accordance with university policy; flammable liquids, candles and open flames are prohibited within the residence halls. Fire extinguishers are provided in all residence, meeting, and kitchen facilities. The local fire department will respond to fires within the campus.

There were no residence hall fires on the Uganda campus during the 2016, 2017, or 2018 calendar years.

Iowa State University Clery Reportable Crimes 2016-2018 – Uganda Campus

	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2016			2017			2018			2016	2017	2018	2016	2017	2018	2016	2017	2018
	Resid	Other	Total	Resid	Other	Total	Resid	Other	Total									
CRIMES																		
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS																		
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS																		
Liquor Violation Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA CRIMES																		
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes: There were no hate crimes reported during calendar years 2016, 2017, or 2018.

Unfounded Crimes: There were no crimes unfounded during calendar years 2016, 2017, or 2018.

Internet Links Used within this Report

2018 Annual Safety and Fire Security Report: <http://www.police.iastate.edu/wp-content/uploads/2019/09/2018-Annual-Security-and-Fire-Safety-Report-ISU.pdf>

Department of Education Security Statistics: <https://ope.ed.gov/campussafety/#/>

ISU Policy Library: <https://www.policy.iastate.edu/policy>

Iowa Board of Regents Policy 4.13 regarding campus safety: <https://www.iowaregents.edu/plans-and-policies/board-policy-manual/413-comprehensive-campus-safety-and-security-policy/>

Iowa Code Section 262.13 Regarding Peace Officers at Board of Regents Institutions: <https://www.legis.iowa.gov/docs/code/262.13.pdf>

ISU Crime Log on the ISU Police Department web site: <https://www.police.iastate.edu/crime-log/>

Iowa Code Section 262.9(37) Regarding Policies for Board of Regents Employees Encountering Suspected Child Abuse: <https://www.legis.iowa.gov/docs/code/262.9.pdf>

ISU Online Reporting Form for Compliance and Ethics Violations: <https://www.policy.iastate.edu/ethics-hotline/online-report>

Campus Security Authority Crime Report Form: <http://isupolice.wpengine.com/clery-report-form/>

ISU Alert Instructions: <https://www.isualert.iastate.edu/>

ISU Missing Student Policy: <https://www.policy.iastate.edu/policy/missingstudent>

ISU Facilities and Grounds Usage Policy: <https://www.policy.iastate.edu/policy/facilities/use#access>

Non-emergency requests for custodial and maintenance service on line form: https://restma.its.iastate.edu/create_pages/main_request_create.html

ISU Sexual Misconduct Policy: <https://www.policy.iastate.edu/policy/students/sexualmisconduct>

ISU Policy on Discrimination and Harassment: <https://www.policy.iastate.edu/policy/discrimination>

Sexual Misconduct/Assault/Harassment, Stalking and Intimate Partner Violence Resource Guide: <https://www.eoc.iastate.edu/sites/default/files/uploads/Title%20IX%20General%20Resource%20Guide.pdf>

Iowa Sexual Abuse Examination Payment Program: https://www.iowaattorneygeneral.gov/media/cms/SAE_brochure_32015_BB113F9D4DE6E.pdf

ISU Student Disciplinary Policy (Code of Conduct): <https://www.policy.iastate.edu/policy/SDR>

Iowa Sex Offender Registry: <https://www.iowasexoffender.gov/>

ISU Policy for alcohol possession or consumption: <https://www.policy.iastate.edu/policy/drugs>

ISU Biennial Review of ISU's Alcohol and other Drugs Program Elements: <https://www.studentwellness.iastate.edu/alcohol-data/>

ISU PD Community Outreach: <https://www.police.iastate.edu/community-outreach/>

ISU Fire Safety Policy: <https://www.policy.iastate.edu/policy/firesafety>

ISU Policy on Candles and Open Flames: <https://www.policy.iastate.edu/policy/candles/>

U.S. Embassy & Consulates in Italy U.S. Citizen Services: <https://it.usembassy.gov/u-s-citizen-services/victims-of-crime/>

Italy Drug Laws: http://www.emcdda.europa.eu/countries/drug-reports/2018/italy/drug-laws-and-drug-law-offences_en

Clery Program Contact Information

This document has been prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. All of the information contained within the document has been verified. If there are any questions regarding this document or Iowa State University's compliance with the Clery Act, please call Alice Fulk Wisner, ISU Police at 515-294-2418, or email at wisneraf@iastate.edu.

Appendix

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Legal Definitions and Code State of Iowa - Domestic Abuse, Sexual Abuse, Stalking

236.2 DOMESTIC ABUSE DEFINITIONS

For purposes of this chapter, unless a different meaning is clearly indicated by the context:

1. "Department" means the department of justice.
2. "Domestic abuse" means committing assault as defined in section 708.1 under any of the following circumstances:
 - a. The assault is between family or household members who resided together at the time of the assault.
 - b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
 - c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
 - d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
 - e. (1) The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the court may consider the following nonexclusive list of factors:
 - (a) The duration of the relationship.
 - (b) The frequency of interaction.
 - (c) Whether the relationship has been terminated.
 - (d) The nature of the relationship, characterized by either party's expectation of sexual or romantic involvement.
 - (2) A person may be involved in an intimate relationship with more than one person at a time.
3. "Emergency shelter services" include but are not limited to secure crisis shelters or housing for victims of domestic abuse.
4.
 - a. "Family or household members" means spouses, persons cohabiting, parents, or other persons related by consanguinity or affinity.
 - b. "Family or household members" does not include children under age eighteen of persons listed in paragraph "a".
5. "Intimate relationship" means a significant romantic involvement that need not include sexual involvement. An intimate relationship does not include casual social relationships or associations in a business or professional capacity.
6. "Plaintiff" includes a person filing an action on behalf of an unemancipated minor.
7. "Pro se" means a person proceeding on the person's own behalf without legal representation.
8. "Support services" include but are not limited to legal services, counseling services, transportation services, child care services, and advocacy services.

708.2A Domestic abuse assault — mandatory minimums, penalties enhanced — extension of no-contact order.

1. For the purposes of this chapter, "domestic abuse assault" means an assault, as defined in section 708.1, which is domestic abuse as defined in section 236.2, subsection 2, paragraph "a", "b", "c", or "d".
2. On a first offense of domestic abuse assault, the person commits:
 - a. A simple misdemeanor for a domestic abuse assault, except as otherwise provided.
 - b. A serious misdemeanor, if the domestic abuse assault causes bodily injury or mental illness.
 - c. An aggravated misdemeanor, if the domestic abuse assault is committed with the intent to inflict a serious injury upon another, or if the person uses or displays a dangerous weapon in connection with the assault. This paragraph does not apply if section 708.6 or 708.8 applies.
 - d. An aggravated misdemeanor, if the domestic abuse assault is committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person.
3. Except as otherwise provided in subsection 2, on a second domestic abuse assault, a person commits:
 - a. A serious misdemeanor, if the first offense was classified as a simple misdemeanor, and the second offense would otherwise be classified as a simple misdemeanor.
 - b. An aggravated misdemeanor, if the first offense was classified as a simple or aggravated misdemeanor, and the second offense would otherwise be classified as a serious misdemeanor, or the first offense was classified as a

serious or aggravated misdemeanor, and the second offense would otherwise be classified as a simple or serious misdemeanor.

4. On a third or subsequent offense of domestic abuse assault, a person commits a class "D" felony.
5. For a domestic abuse assault committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person, and causing bodily injury, the person commits a class "D" felony.
6.
 - a. A conviction for, deferred judgment for, or plea of guilty to, a violation of this section which occurred more than twelve years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second or subsequent offense.
 - b. For the purpose of determining if a violation charged is a second or subsequent offense, deferred judgments issued pursuant to section 907.3 for violations of section 708.2 or this section, which were issued on domestic abuse assaults, and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and can therefore be considered corresponding statutes. Each previous violation on which conviction or deferral of judgment was entered prior to the date of the offense charged shall be considered and counted as a separate previous offense.
 - c. An offense shall be considered a prior offense regardless of whether it was committed upon the same victim.
7.
 - a. A person convicted of violating subsection 2 or 3 shall serve a minimum term of two days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence. The minimum term shall be served on consecutive days. The court shall not impose a fine in lieu of the minimum sentence, although a fine may be imposed in addition to the minimum sentence. This section does not prohibit the court from sentencing and the person from serving the maximum term of confinement or from paying the maximum fine permitted pursuant to chapters 902 and 903, and does not prohibit the court from entering a deferred judgment or sentence pursuant to section 907.3, if the person has not previously received a deferred sentence or judgement for a violation of section 708.2 or this section which was issued on a domestic abuse assault.
 - b. A person convicted of a violation referred to in subsection 4 shall be sentenced as provided under section 902.13.
8. If a person is convicted for, receives a deferred judgment for, or pleads guilty to a violation of this section, the court shall modify the no-contact order issued upon initial appearance in the manner provided in section 664A.5, regardless of whether the person is placed on probation.
9. The clerk of the district court shall provide notice and copies of a judgment entered under this section to the applicable law enforcement agencies and the twenty-four hour dispatcher for the law enforcement agencies, in the manner provided for protective orders under section 236.5. The clerk shall provide notice and copies of modifications of the judgment in the same manner.
10. In addition to the mandatory minimum term of confinement imposed by subsection 7, paragraph "a", the court shall order a person convicted under subsection 2 or 3 to participate in a batterers' treatment program as required under section 708.2B. In addition, as a condition of deferring judgment or sentence pursuant to section 907.3, the court shall order the person to participate in a batterers' treatment program. The clerk of the district court shall send a copy of the judgment or deferred judgment to the judicial district department of correctional services.

709.1 SEXUAL ABUSE DEFINED.

Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

1. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
2. Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
3. Such other person is a child.

709.1A INCAPACITATION.

As used in this chapter, "*incapacitated*" means a person is disabled or deprived of ability, as follows:

1. "*Mentally incapacitated*" means that a person is temporarily incapable of apprising or controlling the person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance.
2. "*Physically helpless*" means that a person is unable to communicate an unwillingness to act because the person is unconscious, asleep, or is otherwise physically limited.
3. "*Physically incapacitated*" means that a person has a bodily impairment or handicap that substantially limits the person's ability to resist or flee.

709.2 SEXUAL ABUSE IN THE FIRST DEGREE.

1. A person commits sexual abuse in the first degree when in the course of committing sexual abuse the person causes another serious injury.
2. Sexual abuse in the first degree is a class "A" felony.

709.3 SEXUAL ABUSE IN THE SECOND DEGREE.

1. A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:
 - a. During the commission of sexual abuse the person displays in a threatening manner a dangerous weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.
 - b. The other person is under the age of twelve.
 - c. The person is aided or abetted by one or more persons and the sex act is committed by force or against the will of the other person against whom the sex act is committed.
2. Sexual abuse in the second degree is a class "B" felony.

709.4 SEXUAL ABUSE IN THE THIRD DEGREE.

1. A person commits sexual abuse in the third degree when the person performs a sex act under any of the following circumstances:
 - a. The act is done by force or against the will of the other person, whether or not the other person is the person's spouse or is cohabiting with the person.
 - b. The act is between persons who are not at the time cohabiting as husband and wife and if any of the following are true:
 - (1) The other person is suffering from a mental defect or incapacity which precludes giving consent.
 - (2) The other person is twelve or thirteen years of age.
 - (3) The other person is fourteen or fifteen years of age and any of the following are true:
 - a) The person is a member of the same household as the other person.
 - b) The person is related to the other person by blood or affinity to the fourth degree.
 - c) The person is in a position of authority over the other person and uses that authority to coerce the other person to submit.
 - d) The person is four or more years older than the other person.
 - c. The act is performed while the other person is under the influence of a controlled substance, which may include but is not limited to flunitrazepam, and all of the following are true:
 - (1) The controlled substance, which may include but is not limited to flunitrazepam, prevents the other person from consenting to the act.
 - (2) The person performing the act knows or reasonably should have known that the other person was under the influence of the controlled substance, which may include but is not limited to flunitrazepam.
 - d. The act is performed while the other person is mentally incapacitated, physically incapacitated, or physically helpless.
2. Sexual abuse in the third degree is a class "C" felony.

708.11 STALKING.

1. As used in this section, unless the context otherwise requires:
 - a. "Accompanying offense" means any public offense committed as part of the course of conduct engaged in while

committing the offense of stalking.

b. "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose, repeatedly utilizing a technological device to locate, listen to, or watch a person without legitimate purpose, or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.

c. "Immediate family member" means a spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person.

d. "Repeatedly" means on two or more occasions.

2. A person commits stalking when all of the following occur:

a. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened or to fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.

b. The person has knowledge or should have knowledge that a reasonable person would feel terrorized, frightened, intimidated, or threatened or fear that the person intends to cause bodily injury to, or the death of, that specific person or a member of the specific person's immediate family by the course of conduct.

3. a. A person who commits stalking in violation of this section commits a class "C" felony for a third or subsequent offense.

b. A person who commits stalking in violation of this section commits a class "D" felony if any of the following apply:

(1) The person commits stalking while subject to restrictions contained in a criminal or civil protective order or injunction, or any other court order which prohibits contact between the person and the victim, or while subject to restrictions contained in a criminal or civil protective order or injunction or other court order which prohibits contact between the person and another person against whom the person has committed a public offense.

(2) The person commits stalking while in possession of a dangerous weapon, as defined in section 702.7.

(3) The person commits stalking by directing a course of conduct at a specific person who is under eighteen years of age.

(4) The offense is a second offense.

c. A person who commits stalking in violation of this section commits an aggravated misdemeanor if the offense is a first offense which is not included in paragraph "b".

4. Violations of this section and accompanying offenses shall be considered prior offenses for the purpose of determining whether an offense is a second or subsequent offense. A conviction for, deferred judgment for, or plea of guilty to a violation of this section or an accompanying offense which occurred at any time prior to the date of the violation charged shall be considered in determining that the violation charged is a second or subsequent offense. Deferred judgments pursuant to section 907.3 for violations of this section or accompanying offenses and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to this section or accompanying offenses shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in this section and its accompanying offenses and can therefore be considered corresponding statutes. Each previous violation of this section or an accompanying offense on which conviction or deferral of judgment was entered prior to the date of the violation charged shall be considered and counted as a separate previous offense. In addition, however, accompanying offenses committed as part of the course of conduct engaged in while committing the violation of stalking charged shall be considered prior offenses for the purpose of that violation, even though the accompanying offenses occurred at approximately the same time. An offense shall be considered a second or subsequent offense regardless of whether it was committed upon the same person who was the victim of any other previous offense.

5. Notwithstanding section 804.1, rule of criminal procedure 2.7, Iowa court rules, or any other provision of law to the contrary, upon the filing of a complaint and a finding of probable cause to believe an offense has been committed in violation of this section, or after the filing of an indictment or information alleging a violation of this section, the court shall issue an arrest warrant, rather than a citation or summons. A peace officer shall not issue a citation in lieu of arrest for a violation of this section. Notwithstanding section 804.21 or any other provision of law to the contrary, a person arrested for stalking shall be immediately taken into custody and shall not be released pursuant to pretrial release

guidelines, a bond schedule, or any similar device, until after the initial appearance before a magistrate. In establishing the conditions of release, the magistrate may consider the defendant's prior criminal history, in addition to the other factors provided in section 811.2.

6. For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.

State of Iowa Alcohol Laws

123.47 PERSONS UNDER EIGHTEEN YEARS OF AGE, PERSONS EIGHTEEN, NINETEEN, OR TWENTY YEARS OF AGE, AND PERSONS TWENTY-ONE YEARS OF AGE AND OLDER.

1. A person shall not sell, give, or otherwise supply alcoholic liquor, wine, or beer to any person knowing or having reasonable cause to believe that person to be under legal age.
2. a. Except for the purposes described in subsection 3, a person who is the owner or lessee of, or who otherwise has control over, property that is not a licensed premises, shall not knowingly permit any person, knowing or having reasonable cause to believe the person to be under the age of eighteen, to consume or possess on such property any alcoholic beverage.
 - b. A person who violates this subsection commits the following:
 - (1) For a first offense, a simple misdemeanor punishable as a scheduled violation under 805.8C, subsection 8.
 - (2) For a second or subsequent offense, a simple misdemeanor punishable by a fine of five hundred dollars.
 - c. This subsection shall not apply to any of the following:
 - (1) A landlord or manager of the property.
 - (2) A person under legal age who consumes or possesses any alcoholic beverage in connection with a religious observance, ceremony, or rite.
3. A person or persons under legal age shall not purchase or attempt to purchase, consume, or individually or jointly have alcoholic beverages in their possession or control; except in the case of any alcoholic beverage given or dispensed to a person under legal age within a private home and with the knowledge, presence, and consent of the parent or guardian, for beverage or medicinal purposes or as administered to the person by either a physician or dentist for medicinal purposes and except to the extent that a person under legal age may handle alcoholic beverages during the regular course of the person's employment by a liquor control licensee, or wine or beer permittee under this chapter.
4. a. A person who is eighteen, nineteen, or twenty years of age, other than a licensee or permittee, who violates this section regarding the purchase of, attempt to purchase, or consumption of any alcoholic beverage, or possessing or having control of any alcoholic beverage, commits the following:
 - (1) A simple misdemeanor punishable as a scheduled violation under section 805.8C, subsection 7.
 - (2) A second offense shall be a simple misdemeanor punishable by a fine of five hundred dollars. In addition to any other applicable penalty, the person in violation of this section shall choose between either completing a substance abuse evaluation or the suspension of the person's motor vehicle operating privileges for a period not to exceed one year.
 - (3) A third or subsequent offense shall be a simple misdemeanor punishable by a fine of five hundred dollars and the suspension of the person's motor vehicle operating privileges for a period not to exceed one year.
- b. The court may, in its discretion, order the person who is under legal age to perform community service work under section 909.3A, of an equivalent value to the fine imposed under this section.
- c. If the person who commits a violation of this section is under the age of eighteen, the matter shall be disposed of in the manner provided in chapter 232.
5. Except as otherwise provided in subsections 6 and 7, a person who is of legal age, other than a licensee or permittee, who sells, gives, or otherwise supplies any alcoholic beverage to a person who is under legal age in violation of this section commits a serious misdemeanor punishable by a minimum fine of five hundred dollars.
6. A person who is of legal age, other than a licensee or permittee, who sells, give, or otherwise supplies any alcoholic beverage to a person who is under legal age in violation of this section which results in a serious injury to any person commits an aggravated misdemeanor.
7. A person who is of legal age, other than a licensee or permittee, who sells, gives, or otherwise supplies any alcoholic beverage to a person who is under legal age in violation of this section which results in the death of any person commits

a class “D” felony.

8. Upon the expiration of two years following conviction for a violation of subsection 3 or of a similar local ordinance, a person may petition the court to expunge the conviction, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of chapter 321 during the two-year period, the conviction shall be expunged as a matter of law. The court shall enter an order that the record of the conviction be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction has been expunged for a violation of subsection 3, the record of conviction shall be removed from the criminal history data files maintained by the department of public safety. An expunged conviction shall not be considered a prior offense for purposes of enhancement under subsection 4 or under a local ordinance unless the new violation occurred prior to entry of the order of expungement

123.46 CONSUMPTION OR INTOXICATION IN PUBLIC PLACES — NOTIFICATIONS — CHEMICAL TESTS—EXPUNGEMENT.

1. As used in this section unless the context otherwise requires:

- a. “Arrest” means the same as defined in section 804.5 and includes taking into custody pursuant to section 232.19.
- b. “Chemical test” means a test of a person’s blood, breath, or urine to determine the percentage of alcohol present by a qualified person using devices and methods approved by the commissioner of public safety.
- c. “Peace officer” means the same as defined in section 801.4.

2. A person shall not use or consume alcoholic liquor, wine, or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor in any public place except premises covered by a liquor control license. A person shall not possess or consume alcoholic liquors, wine, or beer on public school property or while attending a public or private school-related function. A person shall not be intoxicated in a public place. A person violating this subsection is guilty of a simple misdemeanor.

3. A person shall not simulate intoxication in a public place. A person violating this subsection is guilty of a simple misdemeanor.

4. When a peace officer arrests a person on a charge of public intoxication under this section, the peace officer shall inform the person that the person may have a chemical test administered at the person’s own expense. If a device approved by the commissioner of public safety for testing a sample of a person’s breath to determine the person’s blood alcohol concentration is available, that is the only test that need be offered the person arrested. In a prosecution for public intoxication, evidence of the results of a chemical test performed under this subsection is admissible upon proof of a proper foundation. The percentage of alcohol present in a person’s blood, breath, or urine established by the results of a chemical test performed within two hours after the person’s arrest on a charge of public intoxication is presumed to be the percentage of alcohol present at the time of arrest.

5. a. A peace officer shall make a reasonable effort to identify a person under the age of eighteen who violates this section and refer the person to juvenile court.

b. A juvenile court officer shall notify the person’s custodial parent, legal guardian, or custodian of the violation. In addition, the juvenile court officer shall make a reasonable effort to identify the elementary or secondary school the person attends, if any, and to notify the superintendent of the school district or the superintendent’s designee, or the authorities in charge of the nonpublic school, of the violation. A reasonable attempt to notify the person includes, but is not limited to, a telephone call or notice by first-class mail.

6. Upon the expiration of two years following conviction for a violation of this section and a violation of a local ordinance that arose from the same transaction or occurrence, a person may petition the court to expunge the conviction including the conviction for a violation of a local ordinance that arose from the same transaction or occurrence, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of chapter 321 during the two-year period, the conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence shall be expunged as a matter of law. The court shall enter an order that the record of the conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence has been expunged, the record of conviction and the conviction for a violation of a local ordinance that arose from the same transaction or occurrence shall be removed

from the criminal history data files maintained by the department of public safety if such a record was maintained in the criminal history data files.

State Laws: Prohibited Acts

124.401 PROHIBITED ACTS — MANUFACTURE, DELIVER, POSSESSION — COUNTERFEIT SUBSTANCES, SIMULATED CONTROLLED SUBSTANCES, IMITATION CONTROLLED SUBSTANCES— PENALTIES.

1. Except as authorized by this chapter, it is unlawful for any person to manufacture, deliver, or possess with the intent to manufacture or deliver, a controlled substance, a counterfeit substance, a simulated controlled substance, or an imitation controlled substance, or to act with, enter into a common scheme or design with, or conspire with one or more other persons to manufacture, deliver, or possess with the intent to manufacture or deliver a controlled substance, a counterfeit substance, a simulated controlled substance, or an imitation controlled substance.

a. Violation of this subsection, with respect to the following controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances, is a class “B” felony, and notwithstanding section 902.9, subsection 1, paragraph “b”, shall be punished by confinement for no more than fifty years and a fine of not more than one million dollars:

(1) More than one kilogram of a mixture or substance containing a detectable amount of heroin.

(2) More than five hundred grams of a mixture or substance containing a detectable amount of any of the following:

(a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine and their salts have been removed.

(b) Cocaine, its salts, optical and geometric isomers, or salts of isomers.

(c) Ecgonine, its derivatives, their salts, isomers, or salts of isomers.

(d) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) through (c).

(3) More than two hundred grams of a mixture or substance described in subparagraph (2) which contains cocaine base.

(4) More than one hundred grams of phencyclidine (PCP) or one kilogram or more of a mixture or substance containing a detectable amount of phencyclidine (PCP).

(5) More than ten grams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD).

(6) More than one thousand kilograms of a mixture or substance containing a detectable amount of marijuana.

(7) More than five kilograms of a mixture or substance containing a detectable amount of any of the following:

(a) Methamphetamine, its salts, isomers, or salts of isomers.

(b) Amphetamine, its salts, isomers, and salts of isomers.

(c) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) and (b).

(8) More than ten kilograms of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

b. Violation of this subsection with respect to the following controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances is a class “B” felony, and in addition to the provisions of section 902.9, subsection 1, paragraph “b”, shall be punished by a fine of not less than five thousand dollars nor more than one hundred thousand dollars:

(1) More than one hundred grams but not more than one kilogram of a mixture or substance containing a detectable amount of heroin.

(2) More than one hundred grams but not more than five hundred grams of any of the following:

a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine and their salts have been removed.

b) Cocaine, its salts, optical and geometric isomers, or salts of isomers.

c) Ecgonine, its derivatives, their salts, isomers, or salts of isomers.

d) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) through (c).

(3) More than forty grams but not more than two hundred grams of a mixture or substance described in subparagraph (2) which contains cocaine base.

(4) More than ten grams but not more than one hundred grams of phencyclidine (PCP) or more than one hundred grams but not more than one kilogram of a mixture or substance containing a detectable amount of phencyclidine (PCP).

(5) Not more than ten grams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD).

(6) More than one hundred kilograms but not more than one thousand kilograms of marijuana.

(7) More than five grams but not more than five kilograms of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine, or any compound, mixture, or preparation which contains any quantity or detectable amount of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine.

(8) More than five grams but not more than five kilograms of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity or detectable amount of amphetamine, its salts, isomers, or salts of isomers.

(9) More than five kilograms but not more than ten kilograms of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

c. Violation of this subsection with respect to the following controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances is a class "C" felony, and in addition to the provisions of section 902.9, subsection 1, paragraph "d", shall be punished by a fine of not less than one thousand dollars nor more than fifty thousand dollars:

(1) One hundred grams or less of a mixture or substance containing a detectable amount of heroin.

(2) One hundred grams or less of any of the following:

(a) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine and their salts have been removed.

(b) Cocaine, its salts, optical and geometric isomers, or salts of isomers,

(c) Ecgonine, its derivatives, their salts, isomers, or salts of isomers.

(d) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraph divisions (a) through (c).

(3) Forty grams or less of a mixture or substance described in subparagraph (2) which contains cocaine base.

(4) Ten grams or less of phencyclidine (PCP) or one hundred grams or less of a mixture or substance containing a detectable amount of phencyclidine (PCP).

(5) More than fifty kilograms but not more than one hundred kilograms of marijuana.

(6) Five grams or less of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine, or any compound mixture, or preparation which contains any quantity or detectable amount of methamphetamine, its salts, isomers, or salts of isomers, or analogs of methamphetamine.

(7) Five grams or less of amphetamine, its salts, isomers, or salts of isomers, or any compound, mixture, or preparation which contains any quantity or detectable amount of amphetamine, its salts, isomers, or salts of isomers.

(8) Five kilograms or less of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9.

(9) Any other controlled substance, counterfeit substance, simulated controlled substance, or imitation controlled substance classified in schedule I, II, or III, except as provided in paragraph "d".

d. Violation of this subsection, with respect to any other controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances classified in schedule IV or V is an aggravated misdemeanor. However, violation of this subsection involving fifty kilograms or less of marijuana or involving flunitrazepam is a class "D" felony.

e. A person in the immediate possession or control of a firearm while participating in a violation of this subsection

shall be sentenced to two times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be deferred or suspended.

- f. A person in the immediate possession or control of an offensive weapon, as defined in section 724.1, while participating in a violation of this subsection, shall be sentenced to three times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be deferred or suspended.
2. If the same person commits two or more acts which are in violation of subsection 1 and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan, or conspiracy, the acts may be considered a single violation and the weight of the controlled substances, counterfeit substances, simulated controlled substances, or imitation controlled substances involved may be combined for purposes of charging the offender.
3. It is unlawful for any person to sell, distribute, or make available any product containing ephedrine, its salts, optical isomers, salts of optical isomers, or analogs of ephedrine, or pseudoephedrine, its salts, optical isomers, salts of optical isomers, or analogs of pseudoephedrine, if the person knows, or should know, that the product may be used as a precursor to any illegal substance or an intermediary to any controlled substance. A person who violates this subsection commits a serious misdemeanor.
4. A person who possesses any product containing any of the following commits a class "D" felony, if the person possesses with the intent that the product be used to manufacture any controlled substance:
 - a. Ephedrine, its salts, optical isomers, salts of optical isomers, or analogs of ephedrine.
 - b. Pseudoephedrine, its salts, optical isomers, salts of optical isomers, or analogs of pseudoephedrine.
 - c. Ethyl ether.
 - d. Anhydrous ammonia.
 - e. Red phosphorus.
 - f. Lithium.
 - g. Iodine.
 - h. Thionyl chloride.
 - i. Chloroform.
 - j. Palladium.
 - k. Perchloric acid.
 - l. Tetrahydrofuran.
 - m. Ammonium chloride.
 - n. Magnesium sulfate.
 - o. Sodium hydroxide.
 - p. Ammonia nitrate.
 - q. Ammonia sulfate.
 - r. Light or medium petroleum distillates.
5. It is unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this chapter. Any person who violates this subsection is guilty of a serious misdemeanor for a first offense. A person who commits a violation of this subsection and who has previously been convicted of violating this chapter or Chapter 124B or 435B, or chapter 124A as it existed prior to July 1, 2017, is guilty of an aggravated misdemeanor. A person who commits a violation of this subsection and has previously been convicted two or more times of violating this chapter or chapter 124B or 435B, or chapter 124A as it existed prior to July 1, 2017, is guilty of a class "D" felony.

If the controlled substance is marijuana, the punishment shall be by imprisonment in the county jail for not more than six months or by a fine of not more than one thousand dollars, or by both such fine and imprisonment for a first offense. If the controlled substance is marijuana and the person has been previously convicted of a violation of this subsection in which the controlled substance was marijuana, the punishment shall be as provided in section 903.1, subsection 1, paragraph "b". If the controlled substance is marijuana and the person has been previously convicted two or more times of a violation of this subsection in which the controlled substance was marijuana, the person is guilty of an aggravated misdemeanor.

A person may knowingly or intentionally recommend, possess, use, dispense deliver, transport, or administer cannabidiol if the recommendation, possession, use, dispensing, delivery, transporting, or administering is in accordance with the provisions of chapter 124E. For purposes of this paragraph, “cannabidiol” means the same as defined in section 124E.2.

All or any part of a sentence imposed pursuant to this subsection may be suspended and the person placed upon probation upon such terms and conditions as the court may impose including the active participation by such person in a drug treatment, rehabilitation or education program approved by the court.

If a person commits a violation of this subsection, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. If the person is not sentenced to confinement under the custody of the director of the department of corrections, the terms and conditions of probation shall require submission to random drug testing. If the person fails a drug test, the court may transfer the person’s placement to any appropriate placement permissible under the court order.

If the controlled substance is amphetamine, its salts isomers, or salts of its isomers, or methamphetamine, its salts, isomers, or salts of its isomers, the court shall order the person to serve a term of imprisonment of not less than forty-eight hours. Any sentence imposed may be suspended, and the court shall place the person on probation upon such terms and conditions as the court may impose. The court may place the person on intensive probation. However, the terms and conditions of probation shall require submission to random drug testing. If the person fails a drug test, the court may transfer the person’s placement to any appropriate placement permissible under the court order.

Federal Drug Laws

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p>First Offense: Not less than 4 years, and not more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense: Not less than 10 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: Not less than 10 years, and not more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
II	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity		Penalty		
Any Amount of Other Schedule I & II Substances		<p>First Offense: Not less than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV)				
Any Amount of Other Schedule III Drugs		<p>First Offense: Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p>		
Any Amount of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount of All Schedule V Drugs		<p>First Offense: Not more than 1 year. Fine not more than \$100,00 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

Marijuana: 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants.	<p>First Offense: Not more than 10 years or more than life. If death or serious bodily injury, not less than 20 years, or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana: 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.</p>
Marijuana: 50 to 99 kilograms marijuana mixture or 50 to 99 marijuana plants. Hashish: more than 10 kilograms. Hashish Oil: more than 1 kilogram.	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Marijuana: less than 50 kilograms (but does not include 60 or more marijuana plants regardless of weight) or 1 to 49 marijuana plants. Hashish: 10 kilograms or less. Hashish Oil: 1 kilogram or less.	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than an individual.</p>

Penalties Under Iowa Law for Manufacturing, Delivering, or Possessing with the Intent to Deliver a Controlled Substance, a Counterfeit Substance or a Simulated Controlled Substance

General Offense Misdemeanor Classification	Special Class "B" Felony section 124.401(1)(a)	Special Class "B" Felony section 124.401(1)(b)	Special Class "C" Felony section 124.401(1)(c)	Special Class "D" Felony section 124.401(1)(d)	Aggravated Misdemeanor section 124.40(1)(d)	Special Class Serious section 124.401
Penalty Substance	Not greater than 50 years and a fine of not greater than \$1 mil	Not greater than 25 years and a fine of not less than \$5,000 and not greater than \$100,000	Not greater than 10 years and a fine of not less than \$1,000 and not greater than \$50,000	Not greater than 5 years and a fine of not less than \$750,000 and not greater than \$7,500	Not greater than 2 years or a fine of not greater than \$5,000 or both	Not greater than 6 months or a fine of not greater than \$10,000 or both
LSD	Greater than 10g	Not greater than 10 g				
Cocaine Base "Crack"	Greater than 200g	Greater than 40g but not greater than 200g	Less than or equal to 40g			
Cocaine	Greater than 500g	Greater than 100g but not greater than 500g	Less than or equal to 100g			
PCP (Pure)	Greater than 100g	Greater than 10g but not greater than 100g	Less than or equal to 10g			
PCP (Mixed)	Greater than 1kg	Greater than 100g but not greater than 1kg	Less than or equal to 100g			
Heroin	Greater than 1 kg	Greater than 100g but not greater than 1kg	Less than or equal to 100g			
Marijuana	Greater than 1,000 kg	Greater than 100kg but not greater than 1000kg	Greater than 50kg, but not greater than 100kg	Less than 50kg		Less than or equal to ½ oz (not offered for sale)
Methamphetamine Amphetamine	Greater than 5 kg	Greater than 5g but not greater than 5kg	Less than or equal to 5g			
Salvia Divinorum					Any amount	
Synthetic Cannabinoids					Any amount	
Synthetic Cathinones					Any amount	
Other Schedule I, II, and III Substances			Any amount			
Schedule IV and V Substances					Any amount	

Special Class “B” Felony—§ 124.401(1)(a) are non-bailable offenses after conviction and while awaiting appeal. Iowa Code § 811.1(2). Note: must be a second or subsequent offense of § 124.401(1)(c) to qualify as non-bailable.

Note that the Iowa Supreme Court has determined that the minimum fines set out for violations of §124.401(1) may be suspended or deferred under chapter 907 of the Iowa Code. *State v. Grey*, 514 N.W.2d 78 (Iowa 1994).

Special Class Serious—§ 124.401(1) is the accommodation offense. It only includes delivery and possession with intent to deliver less than or equal to 1/2 ounce of marijuana, which was NOT offered for sale. Manufacturing marijuana is not included. An offender under this subsection is sentenced as if convicted of § 124.401(5) (possession of marijuana).

Deferred judgments, deferred sentences, and suspended sentences are NOT available in § 124.401(1)(a) when the substance is methamphetamine. Iowa Code § 907.3(1), (2) & (3).

If first offense for amphetamine or methamphetamine, then sentence may be suspended and defendant ordered to drug court or community based corrections for 1 year or until maximum benefits. §124.401E

Examples of other Schedule I, II and III controlled substances include mescaline, morphine, fentanyl, hashish, hashish oil, methaqualone, Seconal, Nembutal. *State v. Kaufman*, 265 N.W.2d 610 (Iowa 1978).

Examples of Schedule IV and V controlled substances include phenobarbital, Tylenol with codeine, meprobamate, Valium and ephedrine.

PENALTIES UNDER IOWA LAW FOR POSSESSION OF CONTROLLED SUBSTANCES

§ 124.401(5) (Includes minimum imprisonment of 48 hours, which can be suspended)

Note: The reduced penalties for marijuana would appear to apply only if the present offense and all previous convictions were for marijuana, otherwise the penalties for the "other than marijuana" would apply. Convictions for violations of Chapters 124, 1245B, and 453B can be used to enhance second and subsequent offenses in the "other than marijuana" category.

	Marijuana	Other than Marijuana
First Offense	6 month, \$1,000 fine	Serious Misdemeanor
Second Offense	Serious Misdemeanor	Aggravated Misdemeanor
Third or Greater Offense	Aggravated Misdemeanor	Class “D” Felony

AGGREGATION OF WEIGHTS Iowa Code § 124.401(2)--If the same person commits 2 or more acts which are in violation of § 124.401(1) and the acts occur in approximately the same location or time period so that the acts can be attributed to a single scheme, plan or conspiracy, the acts may be considered a single violation and the weight of the controlled substances involved may be combined for purposes of charging the offender and enhancing the criminal penalties. This is done at the discretion of the prosecutor. *State v. Robinson*, 506 N.W.2d 769 (Iowa 1993).

FIREARM AND OFFENSIVE WEAPON ENHANCEMENT Iowa Code § 124.401(1)(e) and (f)--If in the immediate possession of a firearm while participating in a violation of § 124.401(1), the penalty shall be 2 times the term otherwise imposed or granted. If in the immediate possession or control of an offensive weapon while participating in a violation of § 124.401(1), the penalty shall be 3 times the term imposed by law. A judgment or sentence under the firearm or offensive weapon enhancement cannot be deferred or suspended. *State v. Goodson*, 503 N.W.2d 395 (Iowa 1993).

SCHOOL OR PUBLIC RECREATION ZONE ENHANCEMENT Iowa Code § 124.401A and § 124.401B--If convicted of distributing or possessing with the intent to distribute a Schedule I, II, or III controlled substance (includes both a counterfeit and a simulated controlled substance) to a person greater than or equal to 18 years, and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional term of 5 years (§ 124.401A). If convicted of possessing a Schedule I, II, or III controlled substance (includes a simulated controlled substance, but the "counterfeit substance" language was omitted from the statute) and the offense is within 1000 feet of a public or private elementary or secondary school, public park, public swimming pool, public recreation center, or on a marked school bus, then the offender may be sentenced to an additional penalty of 100 hours of community service work for a public agency or a nonprofit charitable organization (§ 124.401B).

MANUFACTURING METHAMPHETAMINE IN PRESENCE OF A MINOR Iowa Code § 124.401C--If someone greater than or equal to 18 years manufactures methamphetamine 1) in the physical presence of a minor; 2) at the residence of a minor; 3) in a building where a minor might reasonably be present; 4) in a public accommodation (hotel, motel, etc.); or 5) in a multi-unit dwelling (apartment, condo, duplex, etc.), they shall be sentenced to an additional 5 years imprisonment.

MANUFACTURING OR DELIVERY OF AMPHETAMINE OR METHAMPHETAMINE TO A MINOR Iowa Code § 124.401D--If someone greater than or equal to 18 years delivers, possesses with the intent to deliver, conspires to deliver or possess with intent to deliver, or conspires to manufacture methamphetamine for delivery to someone < 18 years: 1st offense = 99 years; 2nd or subsequent offense = Class "A" felony (life imprisonment). § 902.9(1)(a). If 1st offense, then not eligible for parole until a minimum of 10 years served. § 902.8A.

TAMPERING WITH, POSSESSING OR TRANSPORTING ANHYDROUS AMMONIA Iowa Code § 124.401F--It is a serious misdemeanor to tamper with anhydrous ammonia equipment, or to possess or transport anhydrous ammonia in a container not approved by the secretary of agriculture. A civil penalty of not more than \$1500 may also be imposed.

SECOND OR SUBSEQUENT OFFENSES Iowa Code § 124.411(1)--If previously convicted of any state or federal drug statute, and subsequently convicted under Chapter 124, that person may be imprisoned for a period not to exceed 3 times the term otherwise authorized, or that person may be fined not more than 3 times the amount otherwise authorized, or both. The enhancement may be less than the triple amount and it also multiplies any other enhancements (such as the firearm enhancement) that may be imposed. *State v. Rodgers*, 560 N.W.2d 585 (Iowa 1997). Does not apply to violations of § 124.401(5).

MANDATORY MINIMUM SENTENCE Iowa Code § 124.413 (in reality a limitation on eligibility for parole and work release)--A person sentenced pursuant to § 124.401(1)(a),(b), (e) or (f), shall not be eligible for parole or work release until the person has served a minimum period of confinement of one-third of the maximum indeterminate sentence prescribed by law. This provision does not apply to marijuana, Schedule IV or V controlled substances under § 124.401(1)(d). If this is a first offense under § 124.413, the court may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.) Probation is still a possibility. *State v. Farley*, 351 N.W.2d 537 (Iowa 1989); *State v. Draper*, 457 N.W.2d 600 (Iowa 1990); *Kinnersley v. State*, 494 N.W.2d 698 (Iowa 1993). If the conviction is under § 124.401(1) (b) or (c), the court may further lower the minimum eligibility for parole or work release from one-half of the minimum 1/3 to the full 1/3 minimum to serve of the maximum sentence. Iowa Code 124.413(3).

PERSONS SEEKING MEDICAL ASSISTANCE Iowa Code §124.418. Provides protection for use of information derived from report by person's good faith reporting drug overdose to seek medical attention for another subject to conditions and not applicable to deliver charges unless delivery to victim was sharing of drugs without profit.

RESTRICTION ON THE REDUCTION OF A MANDATORY MINIMUM SENTENCE Iowa Code § 901.10(2)--A person convicted of an amphetamine or a methamphetamine offense under § 124.401(1)(a) or (b), (i.e., greater than 5 grams), is not eligible for a reduction of the mandatory minimum period of confinement imposed pursuant to § 124.413, unless the person pleads guilty, and then, the mandatory minimum may only be reduced by a maximum of one-third. In addition, if the defendant cooperates with the prosecution of others AND the prosecutor recommends it, the court may reduce the remaining mandatory minimum sentence by up to one-half. If the violation is for § 124.401D, the same applies, but there is apparently no "one half" limit on reduction if the prosecutor requests further reduction.

RECONSIDERATION OF FELONY SENTENCE Iowa Code § 902.4--The District Court retains jurisdiction for a period of ninety (90) days to reconsider a felon's sentence (other than a Class A felony or for which a mandatory minimum is imposed). The Court shall not disclose its decision to reconsider or not to reconsider until the date reconsideration is ordered, or the 90 day period for reconsideration is past. If an individual is sentenced for a violation of § 124.401 and § 124.413, he would not be eligible for reconsideration. *State Canas, 571 N.W.2d 20 (Iowa 1997)*. However, if it is a first offense and the mandatory minimum is not imposed (see above), then the Court may reconsider.

REOPENING OF 99 YEAR SENTENCE Iowa Code § 901.5A--The Court may reopen a 99 year sentence if the prosecutor requests it and the Court finds that the defendant cooperated in the prosecution of others. Any reduction in sentence is based on § 901.10(3). Reopening of the sentence does NOT toll or stay any other proceedings or time deadlines.

COMMITMENT FOR TREATMENT Iowa Code § 124.409--When someone is charged under §124.401 and they consent thereto, or upon a conviction of §124.401, the Court may find that someone is addicted to, dependent upon, or a chronic abuser of controlled substances, and the Court may order commitment for treatment and rehabilitation. If successful at rehabilitation, the Court may remit all or part of the sentence and place the individual on probation.

POSSESSION OF CERTAIN SUBSTANCES WITH INTENT TO MANUFACTURE Iowa Code § 124.401(4)--It is a Class "D" felony to possess the following with the intent to manufacture a controlled substance: ephedrine, pseudoephedrine, ethyl ether, anhydrous ammonia, red phosphorous, lithium, iodine, thionyl chloride, chloroform, palladium, perchloric acid, tetrahydrofuran, ammonium chloride and magnesium sulfate.

POSSESSION OF A CONTROLLED SUBSTANCE Iowa Code § 124.401(5)--A first offense conviction for possession of any controlled substance (except marijuana) is a serious misdemeanor with a fine of at least \$250, but not more than \$1,500; in addition, the court may order imprisonment up to one year. Maximum penalty for a first offense conviction for possession of marijuana is imprisonment for 6 months and/or a \$1,000 fine. All or part of the sentence may be suspended and the person placed on probation, with conditions that may include participation in a drug treatment, rehabilitation or education program. If first offense, sentence may be deferred. (See § 124.409.) For second and subsequent offenses, see chart on previous page. Aggravated misdemeanors are punishable by a fine of at least \$500, but not more than \$5,000; in addition, the court may order imprisonment up to two years. A Class "D" Felony is punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, is punishable by a fine of at least \$500, but not more than \$7,500.

DRUG PARAPHERNALIA Iowa Code § 124.414--It is a simple misdemeanor for any person to knowingly or intentionally manufacture, deliver, sell, or possess drug paraphernalia. Drug paraphernalia is defined as all equipment, products, or materials of any kind used or attempted to be used in combination with a controlled substance, to knowingly and intentionally and primarily:

1. manufacture a controlled substance;
2. inject, ingest, inhale, or otherwise introduce into the human body a controlled substance;
3. test the strength, effectiveness, or purity of a controlled substance;

4. enhance the effect of a controlled substance. There is an exception for items used with lawful controlled substances and hypodermic needles or syringes used for a lawful purpose.

DISTRIBUTION TO MINORS Iowa Code § 124.406

1. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule I or II controlled substance to someone less than 18 years, the offense is a Class "B" Felony and the person shall serve a minimum 5 years. If it is a counterfeit or a simulated controlled substance, then no minimum 5 years. However, if the offense occurs within a school or a public recreation zone, and it is a controlled substance (but not a counterfeit or simulated controlled substance) then the person shall serve a minimum 10 years if it is a controlled substance.
2. If someone greater than or equal to 18 years distributes or possesses with the intent to distribute a Schedule III controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is a Class "C" Felony.
3. If someone greater than or equal to 18 years distributes a Schedule IV or V controlled substance (includes a counterfeit or a simulated controlled substance) to someone less than 18 years and there is greater than or equal to 3 years difference, the offense is an Aggravated Misdemeanor.
4. If someone delivers a controlled substance to another in order to act with, enter into a common scheme or design with, conspire with, or recruit that other person to deliver any Schedule I, II, III, IV, or V controlled substance to someone less than 18 years, the offense is a Class "D" Felony.
5. A court sentencing a person for the first time under § 124.406 may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record. (See § 901.10.)

RECRUITMENT OF MINORS Iowa Code § 124.406A—If someone greater than or equal to 18 years conspires with or recruits someone less than 18 years to deliver or manufacture a Schedule I through IV controlled substance, the offense is a Class "C" Felony.

GATHERINGS WHERE CONTROLLED SUBSTANCES UNLAWFULLY USED Iowa Code § 124.407—It is unlawful for any person to sponsor, promote or aid, or assist in a meeting, gathering, or assemblage with the knowledge or intent that a controlled substance be distributed, used or possessed there. If it is anything other than marijuana, it is a Class "D" Felony. If it is marijuana, it is a Serious Misdemeanor. Injunctions may also be issued.

DATE RAPE DRUG PENALTIES Iowa Code § 709.4(3)—It is Sex Abuse in the Third Degree (a Class "C" Felony) when an individual performs a sex act on a person who is under the influence of a controlled substance, including flunitrazepam (Rohypnol), and 1) the controlled substance prevents the victim from consenting, and 2) the accused knows or should reasonably know that the victim is under the influence of the controlled substance.

GAMMA-HYDROXYBUTYRATE (GHB) Iowa Code § 126.27—Unless covered by a legitimate prescription, it is unlawful to possess gamma-hydroxybutyrate (an Aggravated Misdemeanor). Furthermore, it is an Aggravated Misdemeanor to distribute or possess with the intent to distribute gamma-hydroxybutyrate when it is intended to promote its unlawful use, or it is known that the other will use it for unlawful purposes.

DENIAL OF FEDERAL AND STATE BENEFITS Iowa Code § 901.5(11)—The Court shall consider 21 U.S.C.A. § 862 (see below), and may order the denial of federal benefits, such as school loans, grants, contracts, professional or commercial licenses. Does not include retirement, welfare, Social Security, health, disability, veterans benefits, public housing, or similar benefits. For any violation of Chapter 124, the Court shall consider the denial of state benefits and may order their denial comparable to the federal benefits. Iowa Code § 901.5(12).

DENIAL OF FEDERAL BENEFITS TO DRUG TRAFFICKERS AND POSSESSORS

	Drug Traffickers	Drug Possessors
First Offense	Ineligible for any or all federal benefits up to 5 years	1)ineligible for any or all federal benefits for up to 1 year; and/or 2)successfully complete an approved drug treatment program with periodic future testing; and/or 3) perform appropriate community service
Second Offense	Ineligible for any or all federal benefits for up to 10 years	1)ineligible for any or all federal benefits for up to 5 years; and/or 2)successfully complete an approved drug treatment program with periodic future testing; and/or 3)perform appropriate community service
Third or Greater Offense	Permanently ineligible for all federal benefits	N/A

NOTE: The period of ineligibility referred to above may be suspended if the individual has completed a supervised drug rehabilitation program or otherwise has been rehabilitated. These penalties do not apply to any individual who cooperates or testifies for the government.

CONTROLLED SUBSTANCE TAX STAMP Iowa Code Chapter 453B--If certain minimum levels of various controlled substances are possessed, then a tax is due according to the schedule below. If the tax is not paid when first due, there is an immediate 100% penalty also assessed. In addition, it is a Class "D" Felony, punishable by an indeterminate term of imprisonment of not more than 5 years, and in addition, punishable by a fine of at least \$500, but not more than \$7,500, for failure to properly affix the tax stamp to the controlled substance.

Taxable Substance	Unprocessed Marijuana Plants	Processed Marijuana	Other than Marijuana Sold by Weight	Other than Marijuana Sold by Dosage Unit
Minimum Triggering Amount	1 plant	42 ½ grams	7 grams	10 dosage units
Tax Rate	\$750 per plant	\$5 per gram or portion thereof	\$250 per gram or portion thereof	\$400 per 10 units or portion thereof