



# **IOWA STATE UNIVERSITY**

**Uganda Campus**

**Rome Campus**

**Montana Campus**

**St. John's Virgin Islands Campus**

## **2022 Annual Security and Fire Safety Report**

**Published 10/1/2023**

**Containing statistics for calendar years 2020, 2021 and 2022**

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### Message from Chief Newton

Every year ushers in new situations and challenges at Iowa State University. One thing that remains constant is that the ISU Police Department remains dedicated to serve and committed to ensuring the safety and well-being of all on our campus. This 2022 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 made changes to include the disclosure of statistics related to dating violence, domestic violence, sexual assault, stalking incidents, and hate crimes. Within this report you will find Clery crime statistics for the calendar years 2020-2022 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 crime warnings and how those are issued at ISU,
- information from the current Title IX Resource Guide,
- counseling and reporting resources available,
- policy statements on the usage of alcohol, drugs, and other intoxicants,
- the fire safety report for the ISU campus, and
- information on ISU campuses located in Montana, St. Johns in the Virgin Islands, Uganda, and Rome.

Here at the Police Department we are very proud of our commitment to collaborate with all 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, 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,

A handwritten signature in black ink that reads "Michael Newton". The signature is written in a cursive, flowing style.

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 U.S. Department of Education;
- 7) maintain a crime log and a fire log that is available to the public; 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 1<sup>st</sup> 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 ISU campus properties, and law enforcement agencies in certain areas where ISU students travel.



An e-mail notification with a direct link to the report is sent to all current students and employees 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 at the ISU Policy Library](#).

## Definitions of Clery Reportable Crimes

For Clery Act reporting, crimes are defined according to the FBI's Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions 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.

## Iowa State University Clery Reportable Crimes 2020-2022

CRIMES	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2020			2021			2022			2020	2021	2022	2020	2021	2022	2020	2021	2022
	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	9	0	9	17	1	18	14	1	15	1	4	3	0	0	0	10	22	18
Fondling	4	0	4	5	0	5	3	2	5	0	2	1	0	0	0	4	7	6
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	1	0	1	1	1	2	0	0	0	0	0	1	0	0	0	1	2	1
Burglary	8	5	13	3	13	16	2	1	3	2	5	1	0	0	0	15	21	4
Motor Vehicle Theft	0	5	5	0	8	8	0	3	3	0	3	0	0	0	0	5	11	3
Arson	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
<b>ARRESTS</b>																		
Liquor Law Violations	6	10	16	1	91	92	8	212	220	1	0	2	31	27	36	48	119	258
Drug Abuse Violations	25	19	44	24	16	40	20	19	39	1	1	0	20	15	36	65	56	75
Weapons Law Violations	0	1	1	0	1	1	0	1	1	0	0	0	1	1	5	2	2	6
<b>REFERRALS</b>																		
Liquor Violation Referrals	254	0	254	343	0	343	231	0	231	0	0	0	0	2	0	254	345	231
Drug Abuse Referrals	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA CRIMES</b>																		
Dating Violence	6	2	8	5	0	5	4	1	5	0	0	1	0	0	0	8	5	6
Domestic Violence	2	0	2	1	0	1	5	1	6	2	0	0	0	1	0	5	2	6
Stalking	15	7	22	14	16	30	8	12	20	0	2	1	0	0	0	22	32	21



## Hate Crimes:

- 2020** 2 hate crimes were reported:
- 1 hate crime occurred in an on-campus residential facility and was classified as burglary motivated by race.
  - 1 hate crime occurred in an on-campus residential facility and was classified as vandalism motivated by race.
- 2021** There were no hate crimes reported.
- 2022** There were no hate crimes reported.

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 Act 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.

## Unfounded Reports:

- 2020** 3 Clery crime reports were unfounded (2 burglaries and 1 motor vehicle theft).
- 2021** There were no unfounded Clery crime reports.
- 2022** 1 Clery crime report was unfounded (1 motor vehicle theft).

For Clery Act purposes, a crime is considered unfounded only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. The determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.



## Maintaining Your ISU Alert and Emergency Contact Information

ISU Alert Information for Students, Faculty and Staff	Emergency and Missing Person Contact Information (For Students Only)
On the AccessPlus Home tab, click "ISU Alert" in the left navigation column or pull up the "ISU Alert" web page.	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"> <li>- Telephone number for voice alerts</li> <li>- Telephone number for text alerts</li> <li>- Email address for email alerts</li> </ul>	The subsequent page will display your current: <ul style="list-style-type: none"> <li>- Emergency contact information for up to 5 individuals</li> <li>- Missing person contact information (the first person on your contact list)</li> </ul>
Check your ISU Alert information to ensure that it is accurate and that it includes the telephone numbers and email address most likely to reach you in an emergency.	Add or change names, addresses, telephone numbers and email 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 email), leave that item blank.	Change the order of your contacts using the up/down arrows.
If you leave ALL sections blank, you <b>WILL NOT</b> 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. **ISU employees are directed to utilize WorkDay to enter Emergency Contacts. There are plans for AccessPlus to migrate to WorkDay for students in the future, but as of the publication of this report AccessPlus is still in use for students.**

## 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 non-campus 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.

In addition to the main campus in Ames, Iowa State University maintains four separate campuses in Rome, Italy, Uganda, St. John in the U.S. Virgin Islands, and Montana. The Annual Security and Fire Safety Report is on page 38 for the Rome campus, page 41 for the Uganda campus, page 43 for the St John campus, and page 45 for the Montana 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 institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. Certain 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 are within the campus, or immediately adjacent to and accessible from the 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 Department of Public Safety

The ISU Police Department provides professional law enforcement services on a 24/7 basis 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. The Department maintains several avenues to provide outreach to the University community including student Community Safety Ambassadors, educational programs and training emphasizing crime prevention and safety, 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 patrol by vehicle, bicycle and foot. Also, 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 and 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 in our jurisdiction. On average, around 650 arrests are made each year by the ISU Police.

### Memorandum of Agreement – City of Ames

While ISU Police’s 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 the main campus jurisdiction. When necessary, 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 ISU.

### Working Relationship with Law Enforcement Agencies

In addition to the Ames Police Department, the ISU PD maintains 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. The log must be updated within two business days of a report being received 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 Criminal Misconduct and/or Violence

Keeping the ISU campus safe for students, faculty, staff, and visitors is a responsibility for all to share. To report a crime in progress, suspicious activity, or other emergency, **call 911**. To report a crime that has already occurred or other non-emergency situation on campus call the ISU PD number **515-294-4428**. If incidents are not on the Ames ISU campus, local police authorities should be called. It is especially important to report any suspected crime that may result in 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 ISU campus, local police authorities should also be called. 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.

### Reporting Responsibility - Violations

According to ISU policy, it is the responsibility of students, employees and visitors to report known or suspected violations of policies, regulations, and laws. The code of business and fiduciary conduct outlines the responsibility of bringing 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. Retaliation for reporting is not allowed by ISU policy, and reports made in good faith will not jeopardize the reporter's position or employment.

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 and visitors to ISU property.

### Professional Confidentiality Obligations

All employees have the obligation to report violations except for employees designated as having obligations of professional/legal confidentiality. These include:

- Employees of the office of the ombuds, as required by the institution accepted ombuds charter,
- Clergy, including any chaplains, as required by

accepted standards of ethics, and

- Attorneys, as required by the rules of professional responsibility, including attorneys providing legal assistance to students, and
- Professional mental health service providers, as required by accepted professional and legal standards.



### Standard for Good Faith Reporting

Reporters are expected to provide truthful information. Knowingly making a materially false report in bad faith is prohibited by University policy. To the extent known by the reporter, reports should include:

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

### 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 – Compliance and Ethics Hotline

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

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 act 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, athletics coaches (including part-time employees and graduate assistants), and athletic trainers,
- A faculty advisor to a student organization,
- A student resident advisor or assistant,

- A student monitoring access to residence halls or buildings owned by recognized student organizations,
- A coordinator of Greek affairs,
- A Title IX coordinator,
- A 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. 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.

Depending on the role of the CSA, there are a variety of channels for reporting crimes including but not limited to the Department of Residence, the Office of Equal Opportunity, the Dean of Student's Office, a Title IX coordinator and the ISU Police Department. The type of crime committed, location of the crime, date the crime occurred, and any other pertinent information should be reported. Crimes may also be [reported on a CSA report form](#). All of these sources are used to compile data for the number of Clery crimes that have occurred within ISU's Clery reportable geography (see crime data on page 6 of this report). Crimes are reviewed to determine if a timely warning needs to be issued to the campus community to 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. ISU encourages accurate and prompt reporting of all crimes.

The purpose of making an anonymous report would be to allow the University to take steps to enhance the future safety of the community. With such information, ISU can keep an accurate record of the number of incidents involving students, employees, and visitors; determine if there is a pattern of crime regarding 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 who are not required to report crimes:

- Pastoral Counselor: A person associated with a religious order or denomination who 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, when deemed appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis.

### 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. The intent is to enable informed decisions regarding personal safety and prevention of similar crimes. Timely warnings should be issued as soon as pertinent information is confirmed, and 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 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 email 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, and local television and radio stations would provide additional strategies for informing the campus and larger community.
- 4) 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 in relation to the same circumstances. 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 pertinent local law enforcement of the emergency if they are not already aware of it. Local media outlets will also be notified 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 email. 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.
- **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 website:** Updated information following a message notifying the campus of an emergency will be found on the University website. In cases of extreme emergency, there will be a designated page for emergency communications only. Additionally, the University will share information and updates through the following social media accounts: @IowaStateU, @IowaStateUNews and @ISUPD.
  - **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 to use 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.

All members of the ISU community are encouraged to keep their ISU Alert contact information up to date. 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 within the Workday and AccessPlus systems, which is used by authorized personnel for contact in the event the participant is missing or otherwise unable to contact others.

### 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 undergo an internal quiet test every day, and an actual live test on the first Wednesday of every month (weather permitting) at 10:00 a.m.

### 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. This policy is available through websites designed to convey emergency or law enforcement information and is incorporated into the Residence Life website and Department of Residence newsletters, assuring that students should know of its provisions.

### 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, is maintained as confidential, and will only be disclosed to public safety and 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 additionally be notified by the Dean of Students Office within 24 hours after the student is determined to be missing.

### 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 to a Missing Student Report

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, any department in which the missing student is employed, and law enforcement agencies where the student resides. Within 24 hours, the ISU PD will notify pertinent local law enforcement agencies, unless the local law enforcement agency originally made the determination that the student was missing.



### Access to Facilities and Grounds and Access Restrictions

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

- When locked or signs state they are closed 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 ISU 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

Every public accessible entrance to residence halls are on electronic card access. Residents of the building swipe their student identification and access card (ISUCard) to gain entry. There is a \$25 replacement fee for a lost or stolen card. A damaged card may be replaced for free.

### Maintenance and Repair of Buildings and Facilities

ISU maintenance teams provide 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 academic, administrative and classroom facilities along with support to the area research farms. Over 15 million square feet are serviced and maintained daily.

Service teams are experienced in all areas of building mechanical, electrical, and building structural systems, 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. 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 5:00 p.m.  
Saturday and Sunday from 8:00 a.m. to 2:00 p.m.  
Call for Holiday Hours

## Violence-Free University

Violence, threats, or implied threats of violence, and intimidation (verbal or physical acts intended to frighten or coerce) impede the goal of providing a safe environment and will not be tolerated at Iowa State University. In addition, abuse of children or dependent adults, or any other vulnerable population is specifically prohibited.

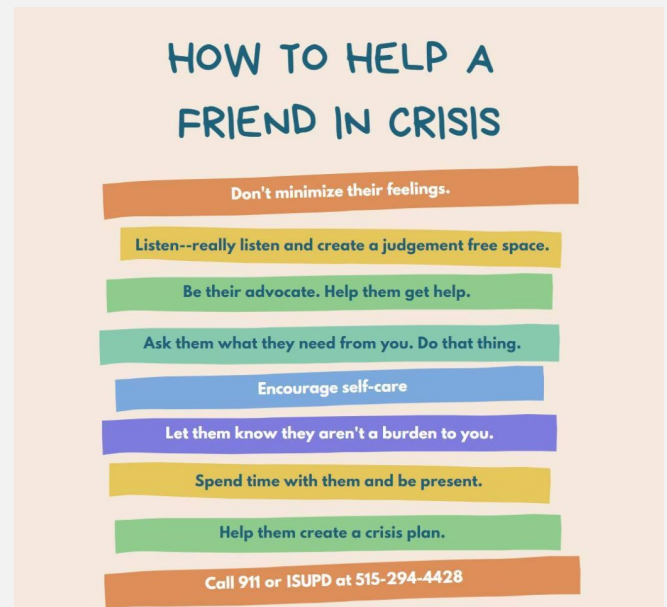
## Violence Against Women Act (VAWA)

In 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law amending the Clery Act to include domestic violence, dating violence, and stalking as Clery reportable crimes. The Clery definitions for these VAWA crimes are included here.

## 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.

## Iowa Code Jurisdictional Definitions

### Dating Violence

There is no specific Iowa Code definition for dating violence.

### 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 who 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 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 48 for Iowa Code sections pertaining to domestic abuse, sexual abuse, and stalking.)

## Iowa State University Policy Definition of Consent

The University defines consent for purposes of prohibited sexual assault as an informed, voluntary, and active agreement expressed through affirmative words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time.

Consent must be:

- Informed: the individuals know about and understand the specific sexual activity that they are agreeing to.

- Voluntary: the individuals agree to the specific sexual activity freely without coercion, intimidation, or undue influence.
- Active: the individuals communicate their agreement to engage in the specific sexual activity through affirmative words and/or actions that are reasonably recognizable, i.e., not silence, passivity, lack of resistance, or the absence of no.



### Prohibited Sexual Harassment Policy

Consistent with applicable federal regulations, Iowa State University implemented an updated Title IX – Non-Discrimination and Anti-Harassment Policy on August 14, 2020. The complete [policy and its procedures, applications, and guidance](#) may be found online. Pursuant to this policy, ISU does not tolerate sexual harassment, sexual assault, dating violence, domestic violence, or stalking in its education programs or activities. These unacceptable behaviors are collectively referred to as Prohibited Sexual Harassment.

All members of the ISU community are prohibited from engaging in Prohibited Sexual Harassment that violates law or policy. 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 protected U.S. veteran status in its programs, activities, or employment. In accordance with federal, state, and local law, the University will not tolerate Prohibited Sexual Harassment and will take appropriate action to stop,

prevent, eliminate, and remedy it. A Resource Guide from the Office of Equal Opportunity is available and is intended as an overview and summary of ISU policy. A written copy of this is provided to victims of Prohibited Sexual Harassment and contains information for resources available on the ISU campus and within the larger University community.

While this document contains a summary of the Prohibited Sexual Harassment policy and Resource Guide, the full policy should be consulted for the most accurate and complete information.

### Education Programs

ISU is committed to the prevention of Prohibited Sexual Conduct through regular and ongoing education and awareness programs. All new students (freshman, transfer, and graduate), faculty, and staff receive initial prevention and awareness programming as part of their orientation. Returning students and current employees receive ongoing training and related education. Educational programs include information on how and where to report incidents of Prohibited Sexual Harassment, resources and services available to all those impacted by Prohibited Sexual Harassment, how to prevent and identify Prohibited Sexual Harassment, and safe and positive options for bystander intervention. Special training is provided to those community members involved in receiving reports, investigating, adjudicating and responding to reports of Prohibited Sexual Harassment at the University.

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.

### If You Experience Prohibited Sexual Harassment

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

- In an emergency, call **911**. The Sexual Abuse Crisis Line through ACCESS is available 24/7 at **1-800-203-3488**.
- Immediate medical attention is encouraged. Medical professionals can treat any injuries, treat for sexually transmitted infections, provide 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 a University 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.
- Consider seeking professional counseling and a support service such as a sexual assault recovery center or domestic violence safe house to help you recover from psychological effects and provide a safe environment for recovery.
- Victims of any prohibited sexual harassment 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 later. Law enforcement can also speak with you about the preservation of evidence.
- Individuals can make a report and/or seek guidance from an ISU Title IX Coordinator and Office of Equal Opportunity (OEO) staff in person, by telephone, by email, or online (3410 Beardshear Hall, 515-294-7612, [eooffice@iastate.edu](mailto:eooffice@iastate.edu)).

### Preserving Evidence

ISU encourages individuals who have experienced Prohibited Sexual Harassment 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 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.

The State of Iowa [pays for a sexual assault examination](#) regardless of whether the victim reports the crime to law enforcement. This is done to ensure that prosecutors and law enforcement officers will have evidence efficiently and effectively collected if the victim later reports the crime. A sexual assault evidence kit may be collected up to approximately 120 hours after an assault, but additional exam services may be available well beyond the initial 120 hours.

### Reporting Obligation

The University strongly urges all students, faculty, staff, and third parties to promptly report concerns of Prohibited Sexual Harassment to the Title IX Coordinator. University community members who are designated Responsible Employees are **required** to immediately report information they learn concerning Prohibited Sexual Harassment to the Title IX Coordinator or a Deputy Title IX Coordinator. ISU will respond in a reasonable manner to all reports of Prohibited Sexual Harassment.

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 and Campus Confidential Resources do not have an obligation to report information known to them, and students may speak to them with anonymity

if confidentiality is desired. Confidential and Campus Confidential Resources will not disclose information about Prohibited Title IX Sexual Harassment unless the individual approves such disclosure in writing, or they are required to do so by law.

### **Reporting Options**

A victim of Prohibited Sexual Harassment may choose whether to report to law enforcement, Iowa State University, or neither. Internal ISU Prohibited Sexual Harassment investigations can occur at the same time as law enforcement investigations. ISU can help you file a police report 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) occurring at the time of the reported Prohibited Sexual Harassment. There is no time limit for 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.

### **Privacy and Confidentiality**

ISU handles Prohibited Sexual Harassment reports discreetly, and information is shared only with those who need to know to investigate and respond to the matter. When an individual reporting Prohibited Sexual Harassment 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 decide 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 Sexual Harassment). If the University determines that it must investigate a report despite an individual's request not to, the individual will be informed prior to initiating the investigation.

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 unnecessarily share information related to the matter 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.



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

### **Supportive Measures**

Iowa State University offers individualized supportive measures, as appropriate and reasonably available, without fee or charge to complainants, respondents, and witnesses. These are available before or after the filing of a formal complaint. Supportive measures may include, but are not limited to:

- Information about and access to counseling, mental health, and medical resources.
- Extension of deadlines or other course-related adjustments.
- Modifications of work or class schedules.
- Campus escort services.
- Mutual restricted contact notices designed to restrict contact and communication between individuals.
- Assistance in requesting no contact orders or protective orders under Iowa law.
- Changes in work or housing or dining locations.



- Leaves of absence.
- Increased security or monitoring of certain areas of campus.
- Referral to resources which can assist with financial aid, visa, and immigration concerns.
- Safety planning.
- Assistance in obtaining a sexual assault forensic exam.
- Assistance in contacting and filing a report with local law enforcement.

### Complaint Investigation

A formal complaint may be initiated by a complainant, or the Title IX Coordinator may decide it is necessary and appropriate to initiate a formal complaint and investigation based on the totality of the information. After the receipt of a formal complaint that involves potential Prohibited Sexual Harassment, an initial assessment meeting with the complainant to gain a basic understanding of the allegations will be requested. At this time, the complainant will be provided with information regarding University policies, the investigation and hearing process, and information about available supportive measures.



In reviewing a formal complaint, the Title IX Coordinator will determine whether it falls within the scope of the Prohibited Sexual Harassment policy and if it rises to the level of a plausible violation of the policy. If it is determined that a report does not violate the Prohibited Sexual Harassment policy, an investigation under the Prohibited Sexual Harassment Policy will not proceed and the complainant will be notified in writing of this and the reasons why. The Title IX Coordinator may refer the matter to a different University office/administrator for assessment under a different, potentially applicable, University policy. An informal resolution of the complaint may be facilitated by the University in appropriate circumstances but can only be pursued if a formal complaint has been made.

### Written Notification of an Investigation

If a formal investigation is requested and merited, written notifications to the complainant and respondent will be given including details of the complaint and the individuals' rights and responsibilities. These rights include:

- To be treated with respect by University officials throughout the process.
- To be informed of all applicable University policies and procedures as well as the nature and extent of all reported violations contained within the complaint.
- To have the University keep their name and other information as private as possible, generally only sharing information with individuals who "need-to-know."
- To receive assistance from the University in contacting law enforcement if the individual so chooses, and to be notified of potentially available supportive measures.
- To request reasonable disability accommodations.
- To be accompanied and assisted by an adviser/support person (who may be but is not required to be an attorney) of the individual's choosing at any meetings, interviews, and any necessary hearings. An adviser/support person's role and participation in any meetings, interviews, and hearings is limited by this policy and rules of decorum apply.
- To receive proper notice of any investigation, hearing, decision, sanction, and/or appeal.
- To receive a fair, reliable, and impartial investigation and appropriate resolution process of all reports of Prohibited Sexual Harassment.
- To have reports of Prohibited Sexual Harassment investigated by individuals who are properly trained to investigate and resolve such reports.
- To request that an individual with a conflict of interest not participate in the University's process.
- To have the opportunity to participate equitably in any investigation or hearing process; including the equal opportunity to identify witnesses, provide evidence, review, and comment on the draft investigative report; participate in any hearing, provide an impact statement, and appeal final determinations and sanctions.
- To be protected from retaliation.
- To discuss experiences, including any concerns regarding the University's process with the Title IX

Coordinator, any other appropriate University official, or someone external to the University.

- Safety planning.

University investigations are conducted by professional investigators who are trained in investigating prohibited sexual harassment matters. During an investigation, the University does not take sides. The investigator acts as a neutral factfinder 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 investigation, as well as gathering available evidence.

At the conclusion of the investigation, a written preliminary investigative report will be provided to the complainant, the respondent, and their advisers. Five calendar days will be allowed for written response to the investigator, which will then be reviewed and considered. The investigator will incorporate any necessary revisions or new information and evidence into a final investigative report. This final report and all directly related evidence will be delivered to the parties and their advisers, the Title IX Coordinator, and relevant hearing administrators. After delivery of the final report, written responses can be made within five business days by the complainant and respondent, and each will be met with individually to review the final report, explain the next steps in the process, and address any questions. If an informal resolution is not possible a hearing board will be convened.

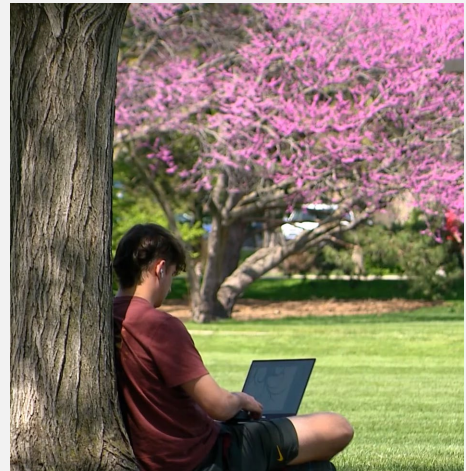
### **Hearing Procedures**

A live hearing process will be used to determine responsibility or non-responsibility for alleged violations of the Prohibited Sexual Harassment policy and will be presided over by a decision maker of the University's choosing that will not be the Title IX Coordinator or investigator. This hearing will be closed to the general public. The complainant and respondent are permitted and encouraged to attend and participate in the hearing but are not required to.

### **Preponderance of Evidence**

The University applies the preponderance of the evidence standard in determining whether a respondent is responsible for a violation. This means that weighing all relevant evidence and reasonable inferences from that evidence, the greater weight of

information indicates that it is more likely than not that the respondent violated policy.



### **Possible Sanctions**

If it is determined that the respondent is responsible for one or more policy violations, appropriate sanctions will be recommended that should be designed to eliminate the Prohibited Sexual Harassment, prevent its recurrence, and remedy its effects while affirming the University's core values and principals.

### **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, US 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 because 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 disciplinary proceeding results.

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.

### **Appeal Process**

The complainant and respondent have the right to appeal final determinations of responsibility, the resulting sanctions, and the University's decision to dismiss a formal complaint, all based on limited grounds. If the appeal is denied, the original

decision/determination is considered the final decision of the University. If the appeal is granted, one of the following may occur:

- A newly convened hearing will re-hear the matter for determination of responsibility, and if necessary, sanctioning if the appeal is granted to procedural irregularity affecting the outcome.
- The matter will be returned to the original decision-maker if new evidence is presented that was not reasonably available at the time the determination regarding responsibility was made.
- A statement will be provided in the case of a conflict of interest or bias for or against a complainant or respondent that affected the outcome of the matter, and remediation measures will be enacted within a new process to determine responsibility.
- An appropriate senior administrator will modify the hearing sanction if it was deemed outside the University's sanction range for such violations and was not justified given the totality of the circumstances.

#### **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 Sexual Harassment. The University cannot guarantee a definite timeframe for this process but will make a good-faith effort to complete a fair and impartial investigation in a timely manner. 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.

#### **Advisers**

All parties to an investigation, including the complainant, the respondent, and any witnesses are entitled to be accompanied and assisted by any adviser of their choosing and at their own expense at all related meetings, investigation interviews, and any necessary hearings. Advisers are not permitted to speak for the party, and all individuals are required to comply with rules of decorum. An adviser may be disallowed if they are identified as a witness related to the matter or another conflict of interest is present. Advisers have the right to inspect evidence, and advisers must be allowed to cross-examine witnesses and the other

complainant during the live hearing.

#### **Interference with an Investigation and Retaliation**

Any person who knowingly and intentionally interferes with an investigation or adjudication is subject to disciplinary action. Iowa State University strictly prohibits retaliation against any individual for reporting an incident of misconduct, for opposing in a reasonable manner an act believed to constitute Prohibited Sexual Harassment, and for participating in an investigation or hearing related to a report of Prohibited Sexual Harassment.

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 Sexual Harassment 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 Sexual Harassment, do not have obligations to report Prohibited Sexual Harassment 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 prohibited sexual harassment/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. Confidential resources recognized within the ISU community are listed.

### **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 Iowa)

Sexual Abuse Crisis Line (24/7): 515-292-5378 or Toll Free 800-203-3488

Domestic Violence Crisis Line (24/7): 515-292-0519 or

Toll Free 855-983-4641

Shelter Services 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 2505 Union Drive  
515-294-5056

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

#### **ISU Thielen Student Health Center**

*Provides general medical treatment and psychiatry services to all students*

2647 Union Drive

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

515-239-2011

First Nurse: 515-239-6877 or 1-800-524-6877

<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*

6580 Memorial Union 2229 Lincoln Way

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*

220 H Avenue, 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 ISU students*

4600 Memorial Union 2229 Lincoln Way

515-294-5433

Email: [center@iastate.edu](mailto:center@iastate.edu)

<http://center.dso.iastate.edu>



**Margaret Sloss Center for Women and Gender Equity**

*Provides support and information through educational outreach, appropriate referral services, and a safe space*

205 Sloss House

515-294-4154

Email: [slosscenter@iastate.edu](mailto:slosscenter@iastate.edu)

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

**Reporting Resources**

If an individual wishes to report Sexual Harassment 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 Sexual Harassment*

3410 Beardshear Hall 515 Morrill Road

515-294-7612 Hotline: 515-294-1222

Email: [eooffice@iastate.edu](mailto: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

Email: [studentassistance@iastate.edu](mailto:studentassistance@iastate.edu)

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

**Office of Student Conduct**

*Provides information on the student code of conduct, adjudication processes, and restricted contact notices*

2505 Union Drive

1010 Student Services Building, First Floor

515-294-1020

Email: [knowthecode@iastate.edu](mailto:knowthecode@iastate.edu)

<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

Email: [dpsinfo@iastate.edu](mailto:dpsinfo@iastate.edu)

<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, 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 Sexual Harassment and/or seek guidance by contacting:

**Mary Howell Sirna, Interim Director Title IX**

Administrative Advisor

Phone: 515-294-4428

Email: [eooffice@iastate.edu](mailto:eooffice@iastate.edu)

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

Associate Provost

Phone: 515-294-6410

Email: [deprince@iastate.edu](mailto:deprince@iastate.edu)

**Sara Kellogg, Deputy Title IX Coordinator for Student Affairs**

Assistant Dean and Director of Office of Student Conduct

Phone 515-294-1021

Email: [skellogg@iastate.edu](mailto:skellogg@iastate.edu)

**Shamaree Brown, Deputy Title IX Coordinator for Athletics**

Senior Associate Director of Athletics

Phone: 515-294-3662

Email: [shamaree@iastate.edu](mailto:shamaree@iastate.edu)

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

Director of Student Programs

Phone: 515-294-0391

Email: [mohoward@iastate.edu](mailto:mohoward@iastate.edu)

**Andrea Little, Deputy Title IX Coordinator for Human Resources**

Associate Director of Human Resources

Phone: 515-294-8915

Email: [alittle@iastate.edu](mailto:alittle@iastate.edu)

**Kaela Black, Deputy Title IX Coordinator for the Provost**

Senior Vice President & Provost

Phone: 515-294-8236

Email: [kblack@iastate.edu](mailto:kblack@iastate.edu)

**Linda Svenson, Deputy Title IX Coordinator for Housing**

Senior Residence Life Coordinator

Phone: 515-294-7708

Email: [lsvenson@iastate.edu](mailto:lsvenson@iastate.edu)

**Jamie Williams, Deputy Title IX Coordinator for Graduate College**

Phone: 515-294-2774

Email: [jwill@iastate.edu](mailto:jwill@iastate.edu)

**Iowa 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 where the institution is located. To obtain offender information 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](#). The ISU PD also maintains a list of sex offender registrants who are students or working at Iowa State University.

**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 utilizes 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 throughout the year.

October is Green Dot Action Month. Departments and student organizations are encouraged to host their own Green Dot Day to help promote safety. Activities to mark this month in 2023 may include a Green Dot Network Gala and a Green for Trot 5k.

### **Sexual Assault Awareness and Prevention Month**

April is designated as Sexual Assault Awareness and Prevention Month. The University and ISU PD usually participate in many activities and public education opportunities during the month. The first Tuesday in April is recognized as the Day of Action. April 5, 2023, was recognized as Start by Believing Day. Several departments (including the ISU PD) across campus hosted, participated, and assisted with a variety of events and educational opportunities related to sexual assault awareness and prevention.

Denim Day is marked on the last Wednesday in April. Denim Day began in 1992 after an Italian Supreme Court ruling overturned a rape conviction because the eighteen-year-old survivor was “wearing too tight of jeans.” The following day, women in the Italian Parliament came to work wearing jeans in solidarity with the survivor. Green Dot bystander training was also held on Denim Day.

In addition, two community events were held. On April 28 a public symposium entitled Heralds: A Symphony of Women’s Voice Auguring Change was held at the Ames Public Library. On April 29 there was an orchestral Performance of Heralds: A Symphony of Women’s Voices Auguring Change at the Simon Estes Music Hall.

### **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-THC 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](#). ISU implements a comprehensive set of evidence-based and best practice strategies as part of its Alcohol and other Drugs program. Elements include prevention, education, enforcement, sanctioning and treatment.

The Department of Residence (DOR) spends a significant amount of time training Resident Assistants on addressing alcohol and drug related offenses. Resident Assistants host alcohol education programs and alternative events during the year for residents. Sororities and fraternities also offer alcohol-free programs during the academic year for members.

Programming offered by the Student Activities Center include ISU AfterDark, Cyclone Cinema, and Paint Your Own Pottery/Drop-In Crafts. Recreation Services offers many substance free opportunities for students including an extensive intramural program, as well as weekend and extended trip options.

Student Wellness focuses on health promotion, prevention, and following a holistic wellness model. Student Wellness staff facilitate presentations on alcohol use and harm reduction. Student Wellness offers confidential, one on one programming through

the Wellbeing Coaching program that focuses on helping students reduce substance use. In addition, Student Wellness launched the Collegiate Recovery Community Program to be a support-based, student-focused, all-encompassing program connecting students in recovery or seeking recovery to support resources and substance free spaces.

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 is 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.

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 and Safety Services 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. Iowa State University 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 better than others. 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 tragedies. 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 prevent 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)**

Informational programming on sexual assault response and related topics is provided upon request. 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 facilities, and non-profits).

### **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.

Safety Planning can also be requested to be presented in a group setting. Planning focuses on defining situational awareness, levels of situational awareness, scanning strategy, comprehension, understanding your surroundings, and mindset training. Also covered are 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**

The 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**

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. This course incorporates the elements presented in Safety Planning.

### **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 of social media and the potential for danger including cyber bullying, stalking, harassment, invasion of privacy, and sexual exploitation.

### **2022 ISU PD Outreach Presentations**

During 2022, the ISU PD made over 300 presentations to more than 35,000 attendees. Requests for presentations may be made through the [ISU PD Community Outreach Team](#).

### **Iowa State Safe**

This free safety app is available for faculty, staff and students as well as campus visitors.

Safety features of the app include:

- Mobile BlueLight- a one-touch button that acts as a silent alarm, serving the same function as the former outdoor blue light phone stations for when a user feels unsafe. A location is pulled up on Google Maps showing the ISU PD a name and phone number and an officer will be dispatched.
- Friend Walk allows the user to send a text letting a friend know where they are walking to on campus and allowing that friend to monitor their walk on Google Maps.
- Virtual Walkhome operates similarly to Friend Walk, but ISU PD dispatch receives the notification and monitors the individual.
- SafeRide allows people to request a SafeRide pickup on campus from 6 p.m. to 5:30 a.m. daily.
- Safety toolbox allows users to chat with ISU police , share their location with friends, or report an incident.

The app has an option to send ISU PD a crime tip, request help with a locked vehicle, report a non-emergency crime, or schedule a therapy dog session. Emergency response aids provide information on how to deal with situations from severe weather to fires and an active shooter.

The app also has one-touch buttons to connect users to many ISU resources including the ISU PD, several student health resources, CyRide, academic resources, the residence department, ISU Dining, student financial aid, the Office of Equal Opportunity and the Military-Affiliated Student Center.

### **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.

### **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, the Iowa State Safe 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 2022, over 12,500 safe rides were provided.



### **Residence Hall Liaisons**

As staffing levels allow, ISU residence halls have an ISU police officer assigned 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**

Usually once a year, the ISU PD partners with Student Government and Facilities Planning and Management (FP&M) staff to tour the campus grounds to identify potential safety issues. The purpose of a safety walk is to identify problem areas (such as overgrown shrubbery or burned-out lights) which are then prioritized with FP&M staff.

### **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.

## Threat Assessment and Management (TAM)

### TAM Team

The ISU PD TAM Team is staffed with a Threat Assessment Coordinator, one Lieutenant, one Detective, two Mental Health Advocates (MHA), and one Administrative Advisor with a legal background. Primary duties of the team include:

- Coordinating follow up with patrol officers,
- Investigating threat cases,
- Working with an MHA to coordinate appropriate support resources,
- Serving as a point of contact for community members regarding individuals of concern.

Other duties include providing educational programs on workplace violence and other related topics, providing dignitary protection for high profile individuals with known threats against them, and meeting with faculty and staff to develop solutions to behavior-based problems within the classroom and lab spaces.

## 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 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](mailto:wisneraf@iastate.edu).



## 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

Possession and use of fireworks and incendiary devices are forbidden unless specifically approved for an ISU-related event held by a sponsoring organization. The [fireworks, pyrotechnics, and flame effects policy](#) contains information related to insurance and responsibilities related to fireworks displays.

### 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 if they are used for their intended use and plugged in properly.

### State Inspections

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:

Greg Cross

0341 Helser Hall

Phone: 515-294-9792 or email: [gcross@iastate.edu](mailto:gcross@iastate.edu)

### Fire Safety Procedures

If 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.

Fire/Emergency/Tornado Procedure stickers have been placed on the back of all student room doors in the Residence Halls, Frederiksen Court and Schilleter and University Village Apartments.

### Emergency Evacuation Maps

Evacuation maps should be 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 Residence Halls. In case of a power outage or interruption, these generators could provide power. The generators are tested monthly by Department of Residence 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 Phoenix. 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 once 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, ISU has provisions for firewatch when required by the International Fire Code (state law).

The Department of Residence conducts a fire drill at the beginning of each academic semester and will make every effort in subsequent years to abide by the International Fire Code requirements. 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 (or enter a work order) 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 can 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 DOR. EH&S is the central maintenance and repair facility for campus fire extinguishers. Iowa State University provides training free of cost for proper extinguisher usage, and the Fire Safety and Fire Extinguisher training classroom course allows hands-on practice using a fire extinguisher. Training is recommended for those employees having jobs involving laboratory process, hot work, or similar duties. 2015 International Fire Code requires that every campus building contain fire extinguishers.

### **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.

### **Future Improvements**

At this time, no future fire safety improvements for the ISU campus have been planned.

## 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 Roberts 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 (lease ended 8/1/2019)	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	Apartment sizes vary between 563.7 – 612.1 square feet	Units are not sprinkled but have smoke detectors, carbon monoxide detectors and fire extinguishers
University Village Apts. – Stotts Road	Apartments are 712.1 square feet	Units are not sprinkled but have smoke detectors, carbon monoxide detectors and fire extinguishers
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 2020

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.	1	Unintentional— cooking materials	0	0	\$500
Friley Hall	1	Unintentional – cardboard box under heat lamp (Dining Hall)	0	0	\$0
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
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	1	Unintentional— cooking materials	0	0	\$0
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.	1	Unintentional— cooking materials	0	0	\$500

**Note – Oak, Elm, and Linden Halls were closed June 2020 and used as covid quarantine housing.**

### Residence Hall Fire Statistics 2021

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage	# of Fire Drills
Barton Hall	0	N/A	N/A	N/A	N/A	2
Lyon Hall	0	N/A	N/A	N/A	N/A	2
Freeman Hall	0	N/A	N/A	N/A	N/A	2
Birch Hall	0	N/A	N/A	N/A	N/A	2
Buchanan Hall	0	N/A	N/A	N/A	N/A	2
Eaton Hall	0	N/A	N/A	N/A	N/A	2
Frederiksen Court Apts.	0	N/A	N/A	N/A	N/A	2
Friley Hall	0	N/A	N/A	N/A	N/A	2
Geoffroy Hall	0	N/A	N/A	N/A	N/A	2
Helser Hall	0	N/A	N/A	N/A	N/A	2
Larch Hall	0	N/A	N/A	N/A	N/A	2
Linden Hall	0	N/A	N/A	N/A	N/A	N/A
Maple Hall	0	N/A	N/A	N/A	N/A	2
Martin Hall	0	N/A	N/A	N/A	N/A	2
Oak Hall	0	N/A	N/A	N/A	N/A	1
Elm Hall	0	N/A	N/A	N/A	N/A	1
Schilletter Apts.	1	Unintentional— cooking materials	0	0	\$500	N/A
Wallace Hall	0	N/A	N/A	N/A	N/A	1
Willow Hall	0	N/A	N/A	N/A	N/A	2
Wilson Hall	0	N/A	N/A	N/A	N/A	1
Welch Hall	0	N/A	N/A	N/A	N/A	2
Roberts Hall	0	N/A	N/A	N/A	N/A	2
University Village Apts.	0	N/A	N/A	N/A	N/A	N/A

**Note – Oak and Elm Halls were utilized as covid quarantine housing for the spring semester of 2021 and reopened for student housing for the fall semester of 2021.**

**Note – Linden Hall was utilized as covid quarantine housing for all of 2021.**

**Note - Wallace and Wilson Halls were both closed during the fall semester of 2021.**

**Note – Fire drills are not required for Schilletter and University Village Apartments.**



## Residence Hall Fire Statistics 2022

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage	# of Fire Drills
Barton Hall	0	N/A	N/A	N/A	N/A	3
Lyon Hall	0	N/A	N/A	N/A	N/A	3
Freeman Hall	0	N/A	N/A	N/A	N/A	3
Birch Hall	0	N/A	N/A	N/A	N/A	3
Buchanan Hall	0	N/A	N/A	N/A	N/A	3
Eaton Hall	0	N/A	N/A	N/A	N/A	3
Frederiksen Court Apts.	2	Unintentional-cooking materials (both incidents)	0	0	\$0	5
Friley Hall	0	N/A	N/A	N/A	N/A	3
Geoffroy Hall	0	N/A	N/A	N/A	N/A	3
Helser Hall	0	N/A	N/A	N/A	N/A	3
Larch Hall	0	N/A	N/A	N/A	N/A	3
Linden Hall	1	Laptop Battery Fire Ignited Desk	0	0	\$1,500	2
Maple Hall	0	N/A	N/A	N/A	N/A	3
Martin Hall	0	N/A	N/A	N/A	N/A	3
Oak Hall	1	Unintentional – candle ignited trash	0	0	\$0	3
Elm Hall	1	Vandalism – Paper on Bulletin Board Set on Fire	0	0	\$1,500	3
Schilletter Apts.	0	N/A	N/A	N/A	N/A	N/A
Wallace Hall	0	N/A	N/A	N/A	N/A	2
Willow Hall	0	N/A	N/A	N/A	N/A	3
Wilson Hall	0	N/A	N/A	N/A	N/A	N/A
Welch Hall	0	N/A	N/A	N/A	N/A	3
Roberts Hall	0	N/A	N/A	N/A	N/A	3
University Village Apts.	0	N/A	N/A	N/A	N/A	N/A

**Note – Wilson Hall was closed during all of calendar year 2022.**

**Note – Wallace Hall was closed during the spring semester of 2022 and reopened in August of 2022.**

**Note – Linden Hall was utilized as covid quarantine housing during the spring semester of 2022 and reopened in August of 2022.**

**Note – Fire drills are not required for Schilletter and University Village Apartments.**

## 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 different 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 email, 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.

### 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.

### Crime Statistics – Rome Campus

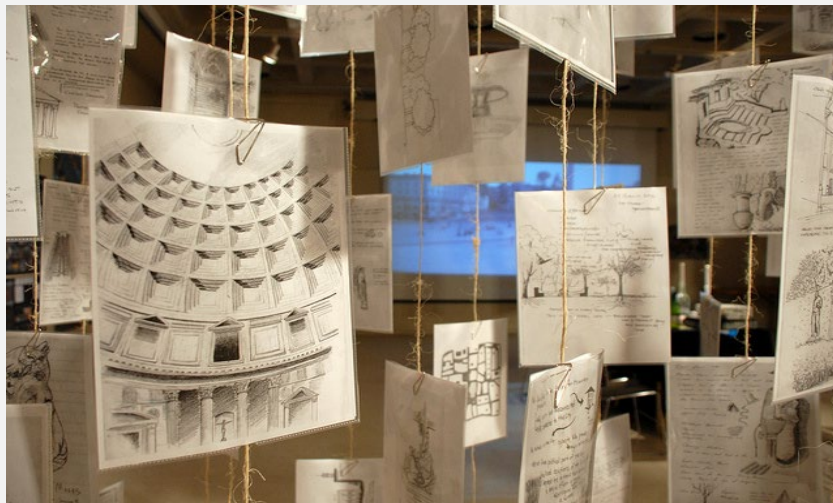
The chart on page 40 depicts offenses reported by officials of the ISU Rome Campus, which is part of the College of Design. These offenses are compiled as required by provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and obtained from the Rome Program Resident Director.

### 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 2020, 2021, or 2022 calendar year.



## Iowa State University Clery Reportable Crimes 2020-2022 – Rome Campus

[illegible]

**Hate Crimes:** There were no hate crimes reported during calendar years 2020, 2021, or 2022.

**Unfounded Crimes:** There were no crimes unfounded during calendar years 2020, 2021, or 2022.



## 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 includes 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 Iowa State University – students under the age of 21 are not allowed to consume alcohol at any time.



### Crime Statistics – Uganda Campus

The chart on page 42 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 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 2020 and 2021 calendar years. There was one fire during the 2022 calendar year in the residential facility.

Residential Facility	# of Fires	Cause of Fire	# of Injuries Requiring Medical Treatment	# of Fire Related Deaths	Value of Property Damage
Uganda Campus Residence Building	1	Electrical	0	0	\$11,700

## Iowa State University Clery Reportable Crimes 2020-2022 – Uganda Campus

	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2020			2021			2022			2020	2021	2022	2020	2021	2022	2020	2021	2022
CRIMES	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 2020, 2021, or 2022.

**Unfounded Crimes:** There were no crimes unfounded during calendar years 2020, 2021, or 2022.

## **Annual Security and Fire Safety Report – Virgin Islands EARTH Program – Fork in the Road Facility**

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

### **Reporting Crimes**

In the event of a crime occurring at the Fork in the Road Facility, students and staff should call 911 (the Virgin Island Police Department) as well as informing the EARTH Program Coordinator, Assistant Teaching Professor Louis Hilgemann, who is located on site at the facility.

All information in reference to criminal activities will be forwarded to the ISU College of Agriculture and Life Sciences ISU Center for Sustainable Rural Livelihoods Director, Associate Dean for Global Programs, and the Associate Director of Education Programs for the CSRL. The ISU Police Department will then be informed for Clery purposes.

### **Facilities Hours and Access**

The Fork in the Road is a research residential facility operated by the Iowa State University College of Agriculture and Life Sciences located on St. John in the U.S. Virgin Islands. It is surrounded by a perimeter fence, a main gate, and two side gates. The side gates always remain locked for security. The main gate is unlocked in the morning and then locked in the evening. There are surveillance cameras on the campus.

### **Timely Warnings/Emergency Notification, Response and Evacuation**

Students are notified via text or phone call in the event of an emergency or crime. Meetings are held with each student group staying at the Fork in the Road Facility regarding safety and fire procedures.

Potential hurricane storms are closely tracked through the National Hurricane Center. In the event that a storm is growing and heading for the U.S. Virgin Islands, staff on campus are contacted and a meeting is held to discuss if students should be evacuated. There is a storm shelter on site.

### **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-EARTH Program facilities and leased property. Students must follow the rules of Iowa State University – students under the age of 21 are not allowed to consume alcohol at any time.



### **Crime Statistics – U.S. Virgin Islands Campus**

The chart on page 44 depicts offenses reported by officials of the ISU Virgin Islands Study Abroad program for the calendar year 2022. 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 EARTH Program Coordinator.

### **Fire Safety Report**

The St. Johns campus consists of three primary buildings on approximately one acre on the island of St. John in the U.S. Virgin Islands. The facility has three small buildings providing overnight student and faculty accommodation spaces. All residence halls have smoke detectors, and multiple fire extinguishers. There are no sprinkler systems in the buildings. All student groups staying at the Fork in the Road Facility participate in a fire safety training and fire drill upon arrival. Fire extinguishers are inventoried and inspected annually to ensure they are working properly.

There were no residence hall fires on the St. John's campus during the 2022 calendar year.

## Iowa State University Clery Reportable Crimes 2022 – Virgin Islands EARTH Program – Fork in the Road Facility

	On Campus Property			Non Campus Property	Public Property	TOTAL
	2022			2022	2022	2022
CRIMES	Resid	Other	Total			
Murder/Non						
Negligent						
Manslaughter	0	0	0	0	0	0
Negligent						
Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated						
Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle						
Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
ARRESTS						
Liquor Law						
Violations	0	0	0	0	0	0
Drug Abuse						
Violations	0	0	0	0	0	0
Weapons Law						
Violations	0	0	0	0	0	0
REFERRALS						
Liquor						
Violation						
Referrals	0	0	0	0	0	0
Drug Abuse						
Referrals	0	0	0	0	0	0
Weapons						
Referrals	0	0	0	0	0	0
VAWA CRIMES						
Dating						
Violence	0	0	0	0	0	0
Domestic						
Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

**Note:** Calendar year 2022 is the first year this facility met the criteria as a separate campus for Clery purposes.

**Hate Crimes:** There were no hate crimes reported during calendar years 2022.

**Unfounded Crimes:** There were no crimes unfounded during calendar years 2022.



## **Security and Fire Safety Report – Rod and Connie French Conservation Camp (Montana)**

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

### **Reporting Crimes**

In the event of a crime occurring at the Camp, students and staff should call 911 (Mineral County Sheriff's Office) as well as the camp director Jennifer Schieltz. All information in reference to criminal activities will be forwarded to the ISU CSRL Director.

### **Facilities Hours and Access**

The Rod and Connie French Conservation Camp is approximately 50 miles west of Missoula, Montana and located in the Fish Creek Valley. It is equipped to accommodate up to 50 students and instructors with an office building containing three faculty apartments, 6 student cabins, and a dining hall/kitchen. Additionally, there are two shops used for maintenance and storage.

Surrounding the property is a partial fence along the road and a gate at the entrance of the Camp. The remaining perimeter of the property is bordered by a river and steep mountain slope. The gate is kept closed during times when the camp is not in use.

### **Timely Warnings/Emergency Notification, Response and Evacuation**

Student courses at the camp are generally 2-4 weeks long. Emergency notifications would be done with announcements and/or signs posted in the dining hall and classrooms. Instructors have daily contact with students and will provide notification of any situation requiring campus response.

### **Safety Procedures**

When students are hiking or doing fieldwork in areas with no cell phone reception, the camp has Garmin InReach devices allowing the transmission of text messages along with GPS location coordinates. These devices also have an SOS button in case of emergency that transmits location coordinates to emergency personnel/first responders.

Students leaving the campus property for any reason are required to inform their instructor(s) and sign out through the office. Students are not allowed to leave the camp alone and must travel with at least one other student.

### **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 at the Rod and Connie French Conservation Camp. Students must follow the rules of Iowa State University – students and interns under the age of 21 are not allowed to consume alcohol at any time.

### **Crime Statistics – French Conservation Camp**

The chart on page 46 depicts offenses reported in relation to the Conservation Camp by ISU officials. The Camp is part of the ISU College of Agriculture. 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 and the Camp Director.

### **Fire Safety Report**

Fire extinguishers are located under the sinks in all cabins and buildings. Shops have fire extinguishers at all entrance doors and there is a sprinkler-type fire suppression system for the kitchen hood. A gathering point on the gravel driveway between the cabins and dining hall has been designated in the case of a structure fire. The local fire department would be called to respond to the campus in the case of a fire.

There were no residence hall fires on the Montana campus during the 2020, 2021, or 2022 calendar year.

## Iowa State University Clery Reportable Crimes 2020-2022 – Rod and Connie French Conservation Camp (Montana)

	On Campus Property									Non Campus Property			Public Property			TOTAL		
	2020			2021			2022			2020	2021	2022	2020	2021	2022	2020	2021	2022
CRIMES	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 2022.

**Unfounded Crimes:** There were no crimes unfounded during calendar years 2022.



## Internet Links Used within this Report

ISU PD Website: <https://www.police.iastate.edu/about-us/clery/>

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

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: <https://www.police.iastate.edu/services/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](https://restma.its.iastate.edu/create_pages/main_request_create.html)

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

Iowa Sexual Abuse Examination Payment Program:  
[https://www.iowaattorneygeneral.gov/media/documents/SAE\\_Brochure\\_822\\_37176FF127FBF.pdf](https://www.iowaattorneygeneral.gov/media/documents/SAE_Brochure_822_37176FF127FBF.pdf)

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

Department of Residence Conduct Policies: <https://www.housing.iastate.edu/behavioral-policies/>

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/wp-content/uploads/2023/03/aod-2020-22.pdf>

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

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/>

ISU Policy on Fireworks and Incendiary Devices: <https://www.policy.iastate.edu/policy/fireworks/>

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

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## **City of Ames Local Ordinances (Nuisance Party Regulations, Prevention of Consumption of Alcoholic Beverages by Underage Persons at Parties)**

### **Sec 17.30 Nuisance Party Regulations**

- (1) Nuisance Party Defined. A social gathering or party which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in any one or more of the following conditions of events occurring at the site of the said party or social gathering, or on neighboring public or private property: public intoxication; unlawful consumption of beer, wine or alcoholic beverages in a public place; outdoor urination or defecation in a public place; the unlawful sale, furnishing, dispensing or consumption of beer, wine or alcoholic beverages; underage or unlawful possession of beer, wine, or alcoholic beverages; the unlawful deposit of litter or refuse; the damage or destruction of property without the consent of the property owner; unlawful pedestrian or vehicular traffic; standing or parking of vehicles that obstructs the free flow of traffic on the public streets and sidewalks or that impedes the ability to render emergency services; unlawfully loud noise; fighting; or, any other conduct or condition that threatens injury to persons or damage to property is hereby declared to be an unlawful public nuisance.
- (2) Duty to Control Premises. Any person who is an owner, occupant, tenant, or otherwise having any possessory control, individually or jointly with others, of any premises who either sponsors, conducts, hosts, invites, or permits a social gathering or party on said premises which is or becomes a public nuisance as defined in subsection (1) above, and which nuisance is either the intentional result of, or within the reasonable expectations of, the person or persons having such possessory control is deemed to be in violation of this section.
- (3) A party or social gathering that is or becomes a public nuisance as defined in subsection (1) above shall cease and disperse immediately upon the order of any officer of the Ames Police Department; and, all persons not domiciled at the site of such social gathering or party shall leave the premises immediately. Any person who fails or refuses to obey and abide by such order shall be guilty of a violation of this section.
- (4) Except on dates specified by an Enhanced Penalties for Nuisance Parties Resolution of City Council, violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation. Alternatively, violation of this section can be charged by a peace officer of the City as a simple misdemeanor.
- (5) The City Council may establish by Resolution enhanced penalties for nuisance parties occurring on certain dates. A violation of this section during the effective dates of an Enhanced Penalties for Nuisance Parties Resolution shall be a municipal infraction with a fine of \$650 for the first violation, and \$855 for each repeat violation. Alternatively, violation of this section can be charged by a peace officer of the City as a simple misdemeanor with a fine of \$650 for the first violation and \$855 for each repeat violation.

### **Sec 17.32 Prevention of Consumption of Alcoholic Beverages by Underage Persons at Parties**

- (1) Any person who is an owner, occupant, tenant, or otherwise having a possessory control, individually or jointly with others, of any premises, who either sponsors, conducts, hosts, invites, or permits a social gathering or party on said premises shall take reasonable measures to prevent persons under the legal age from consuming or obtaining on said premises any beer, wine or alcoholic beverage except in the case of beer, wine, or alcoholic beverage given or dispensed to a person under the legal age within a private home and with the knowledge, presence, and consent of the parent or guardian. Said reasonable measures shall include, by way of specification but not limitation, summoning police to the premises to aid in ending and dispersing the social gathering or party at which it appears likely that underage persons either have or will obtain or consume beer, wine, or other alcoholic beverages.
- (2) If there has been an arrest of a person or persons of less than the legal age for possession and consumption of alcoholic beverages for obtaining said beverages at a certain party or social gathering, the said Chief of Police or designee shall order that party or social gathering to end, and shall order all persons not domiciled at the site of such social gathering or party to leave the premises immediately. Any person who fails or refuses to obey and abide by such order shall be guilty of a violation of this section.

- (3) Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person's first violation thereof and \$200 for each repeat violation. Alternatively, violation of this section can be charged by a peace officer of the City as a simple misdemeanor.

## **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.

### **708.1 Assault defined.**

1. An assault as defined in this section is a general intent crime.
2. A person commits an assault when, without justification, the person does any of the following:
  - a. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.
  - b. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.
  - c. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon toward another.
  - d. (1) Intentionally points a laser emitting a visible light beam at another person with the intent to cause pain or injury to another. For purposes of this paragraph, "laser" means a device that emits a visible light beam amplified by the stimulated emission of radiation and any light which simulates the appearance of a laser.  
(2) This paragraph does not apply to any of the following:

(a) A law enforcement officer who uses a laser in discharging or attempting to discharge the officer's official duties.

(b) A health care professional who uses a laser in providing services within the scope of practice of that professional or any other person who is licensed or authorized by law to use a laser or who uses a laser in the performance of the person's official duties.

(c) A person who uses a laser to play laser tag, paintball, and other similar games using light-emitting diode technology.

3. An act described in subsection 2 shall not be an assault under the following circumstances:

a. If the person doing any of the enumerated acts, and such other person, are voluntary participants in a sport, social or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace.

b. If the person doing any of the enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation, that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds, or at an official school function regardless of the location, whether the fight or physical struggle or other disruptive situation is between students or other individuals, if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

#### **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 a child.
  - 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 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 retail alcohol 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 7 and 8, 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 shall not be charged or prosecuted for a violation of subsection 3 or 4 if the person is immune from charge or prosecution pursuant to section 701.12
7. 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.
8. 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.
9. 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 retail liquor 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 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, the record of conviction 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.
7. A person shall not be charged or prosecuted for a violation of this section if the person is immune from charge or prosecution pursuant to section 701.12.



## 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 hundred grams 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) Five 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. a. 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 453B, or chapter 124A as it existed prior to July 1, 2017, is guilty of a class "D" felony.

b. 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.

c. 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.

d. 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.

e. 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.

f. 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.

6. Notwithstanding any other provision in this section to the contrary, a person may produce, possess, use, harvest, handle, manufacture, market, transport, deliver, or distribute any of the following:

a. Hemp that is hemp seed delivered for planting at a licensed crop site, or hemp that is or was produced at the site, by a person operating under a hemp license issued by the department of agriculture and land stewardship in accordance with the provisions of chapter 204.

b. Hemp that was produced in another state in accordance with the federal hemp law and other applicable law.

c. A hemp product as provided in chapter 204.

## 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	<b>First Offense:</b> Not less than 5 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. <b>Second Offense:</b> 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.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> 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. <b>Second Offense:</b> 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. <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
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		<b>First Offense:</b> Not more 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. <b>Second Offense:</b> 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.		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV)				
Any Amount of Other Schedule III Drugs		<b>First Offense:</b> 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. <b>Second Offense:</b> Not more than 20 years. If death or serious injury, not more than 30 years. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount of All Other Schedule IV Drugs		<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Flunitrazepam (Schedule IV) Other than 1 gram more				
Any Amount of All Schedule V Drugs		<b>First Offense:</b> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		



### Federal Trafficking Penalties for Marijuana

Marijuana: 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants.	<b>First Offense:</b> Not less 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. <b>Second Offense:</b> 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.
Marijuana: 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<b>First Offense:</b> 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. <b>Second Offense:</b> Not less than 10 yrs. 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.
Marijuana: 50 to 99 kilograms marijuana mixture or 50 to 99 marijuana plants. Hashish: more than 10 kilograms. Hashish Oil: more than 1 kilogram.	<b>First Offense:</b> Not less 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. <b>Second Offense:</b> Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
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.	<b>First Offense:</b> Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual. <b>Second Offense:</b> Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than an individual.

### 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.