

## Stop Street Harassment

### Iowa

A variety of forms of street harassment are illegal in Iowa, including verbal harassment, up-skirt photos, indecent exposure, following, groping, and hate crimes. Here are the laws and reporting procedures you need to know.

#### Verbal Harassment

In Iowa, there are four laws that prohibit some forms of verbal street harassment.

##### **Assault**

[Title XVI, Subtitle 1, Chap. 708 §708.1](#)

Iowa's assault statute protects you against injurious or offensive physical contact – covered under groping – as well as the *threat* of injurious or offensive physical contact.

If a street harasser takes any action that is *either* intended to cause you pain, injury, or offensive physical contact, *or* that is intended to cause you *fear of* pain, injury, or offensive physical contact, and you think that s/he is in fact able to touch you or hurt you, you can report the harasser for assault in Iowa. Such threatening actions might include verbal threats, following you, or other actions.

If you believe that someone is following you or will attempt to hurt you, you can call 911 as soon as you are safe to do so.

**Penalty:** An assault that does not result in injury is a simple misdemeanor, punishable by a fine of between \$65 and \$625 and/or up to 30 days in jail. Assault with intent to commit sexual abuse – meaning that the harasser intended to have sexual contact with you or commit a sex act without your consent – is an aggravated misdemeanor, punishable by a fine of between \$625 and \$6,250 and/or up to 2 years in prison. An assault that does result in some bodily injury to you can range from an aggravated misdemeanor to a class C felony, with penalties as high as a fine of \$10,000 and/or 10 years in prison.

##### **Disorderly Conduct**

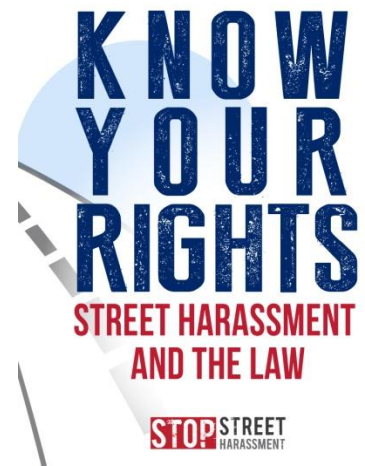
[Title XVI, Subtitle 1, Chap. 723 §723.4](#)

In Iowa, it's illegal to:

- Engage in any fighting or violent behavior in public.
- Obstruct any sidewalk, street, or other public way in order to prevent its lawful use by others.
- Direct abusive epithets against someone (say abusive or insulting things about the person) or make any threatening gesture to the person that is likely to cause a violent reaction.

If a street harasser insults you, uses abusive language to or about you, does anything that indicates s/he may become violent, or obstructs your path on the sidewalk, you can report him/her.

Note: The “likely to cause a violent reaction” part makes it a “[fighting words](#)” law. Since street harassment rarely results in the harassed person fighting back, these laws usually have not been



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used to address street harassment. But you can still try using it, and if enough people make a case for why it should be used, then it might be applied more often.

Penalty: Disorderly conduct is a simple misdemeanor in Iowa, punishable by a fine of between \$65 and \$625 and/or up to 30 days in jail.

### **Harassment**

[Title XVI, Subtitle 1, Chap. 708 §708.7](#)

Iowa law prohibits an encounter “in which two or more people are in visual or physical proximity to each other” and one person, “purposefully and without legitimate purpose,” intentionally threatens, intimidates, or alarms the other person.

A threatening, intimidating, or alarming action could include:

- Verbal harassment
  - Insults
  - Obscene or explicit language
  - Racial, homophobic, or transphobic slurs
- Other nonverbal actions such as following you or obstructing pathways.

If a street harasser does something that is clearly threatening, intimidating, or alarming, you can report him/her.

Penalty: Harassment in the third degree is a simple misdemeanor, punishable by a fine of between \$65 and \$625 and/or up to 30 days in jail.

### **Prostitution**

[Title XVI, Subtitle 1, Chap. 725 §725.1](#)

Offering to pay someone for prostitution is illegal in Iowa. If a street harasser solicits sexual activity from you, you can report him/her.

You can also make the case that harassers who yell, “How much?!” or offer you money, or anything else, for sex, even in jest, are soliciting prostitution.

Stop Street Harassment doesn’t oppose consensual sex work, but we do think it’s inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Prostitution is an aggravated misdemeanor in Iowa, punishable by a fine of between \$625 and \$6,250 and/or up to 2 years in prison.

## **Unlawful Filming/Photographing**

### ***Invasion of Privacy – Nudity***

[Title XVI, Subtitle 1, Chap. 709 § 709.21](#)

In Iowa, it is illegal for someone to photograph or film a non-consenting person if that person is fully or partially nude and has a reasonable expectation of privacy.

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If a harasser films or photographs you while you are in a public restroom, dressing room, locker room, hotel room, or a similar location, you can report him/her.

Penalty: Invasion of privacy – nudity is a serious misdemeanor, punishable by a fine of between \$315 and \$1,875 and/or up to 1 year in jail.

## **Indecent Exposure**

### ***Indecent Exposure***

[Title XVI, Subtitle 1, Chap. 709 §709.9](#)

It is illegal in Iowa for anyone to expose his or her genitals for the purpose of arousing or satisfying sexual desires when that person knows that his or her act will be offensive to the viewer.

If a street harasser intentionally flashes or exposes his or her genitals to you in public, such as on public transportation, in a public park, or in any other public place, you can report him/her.

Penalty: Indecent exposure is a serious misdemeanor in Iowa, punishable by a fine of between \$315 and \$1,875 and/or up to 1 year in jail.

## **Following**

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

### ***Stalking***

[Title XVI, Subtitle 1, Chap. 708 §708.11](#)

Stalking is illegal in Iowa. The actions that constitute stalking in Iowa are similar to those that constitute harassment, but the harassment must be repeated and intentional, must cause you fear of bodily injury (or injury to a member of your family), and must be something that the harasser knows or should reasonably know will cause you such fear.

If the same person, on more than one occasion, follows you or harasses you and you feel threatened and unsafe, you can report that person.

Penalty: Stalking is an aggravated misdemeanor, punishable by a fine of between \$625 and \$6,250 and/or up to 2 years in prison.

## **Groping**

### ***Assault***

[Title XVI, Subtitle 1, Chap. 708 §708.1](#)

Iowa's assault statute outlaws any physical contact that is insulting or offensive.

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If a street harasser does touch you in an offensive way – such as grabbing or touching your crotch, butt, or breasts – or does something to make you fear that s/he intends to touch you in a sexual or offensive way, you can report him/her.

**Penalty:** Assault without injury in general is a simple misdemeanor, punishable by a fine of between \$65 and \$625 and/or up to 30 days in jail.

### ***Indecent Contact with a Child***

[Title XVI, Subtitle 1, Chap. 709 §709.12](#)

It is illegal in Iowa for anyone over the age of 18 to fondle or touch, either over or under clothing, the inner thigh, groin, buttock, anus, or breast of anyone under the age of 18.

If you are under 18 years old and a street harasser gropes you or grabs you in any way, or if this happens to a young person you care for, you can report him/her.

**Penalty:** Indecent contact with a child is an aggravated misdemeanor, punishable by a fine of between \$625 and \$6,250 and/or up to 2 years in prison.

## **Hate Crimes**

[Title XVI, Subtitle 1, Chap. 729 §729A.1](#)

Iowa provides particular protections from crimes committed because of bias or prejudice. The statute on individual rights and hate crimes contains the following: “Persons within the state of Iowa have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.”

If a street harasser assaults you because of your sex, race, sexual orientation, or another protected category, this harassment may be considered a hate crime. You can report any crime the person has committed, as well as any indication of hate or bias – such as using a racial, homophobic, or gender-based slur – to the police.

**Penalty:** An assault in violation of individual rights – a hate crime – is a serious misdemeanor if no injury results from it. A serious misdemeanor is punishable by a fine of between \$315 and \$1,875 and/or up to 1 year in jail. If the assault results in injury to you, or the harasser uses or displays a weapon, the charges range from an aggravated misdemeanor to a Class D felony, with penalties as high as a fine of \$7,500 and/or 5 years in prison.

## **Reporting Crimes to the Police**

- Call 911 for help if:
  - The crime is in progress
  - You or someone else is physically hurt or have been threatened with physical violence
  - You can provide information about who may have committed a crime.

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- Call the local police office's non-emergency number to submit a report afterward. For example, in Des Moines, this number is (515) 283-4811 and in Cedar Rapids it's (319) 286-5491. In Davenport, it is (563) 326-7979 and in Iowa City, it is (319) 356-5275. Be prepared to provide them with:
  - When it happened (date and time).
  - Where it happened (street location, store location, bus line or bus stop, park name, etc).
  - Who is reporting (your name and contact information).
  - A description of what happened.
  - The name and contact information of witnesses, if you spoke to any.
  - It can be helpful to include the law the crime falls under, such as Harassment, [Iowa Code § 708.7](#). If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
  - A description of the harasser/s.
- Many police departments also have online reporting forms, for example in Iowa City, you can report crimes like harassing phone calls by completing this [online webform](#).
- Some police departments also allow you to anonymously send a tip about a non-emergency incident, for example if you see a group of people routinely harassing passersby at the same location.
  - In Des Moines, you can do this by completing the [online tip form](#), by calling 515-223-1400, or by texting the number 274637 and beginning the message with PCCS.
  - In Cedar Rapids, you can do this by texting the number 274637 and beginning the message with 5227.
  - In Iowa City, you can do this by calling (319) 358-TIPS.
- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.

**SEXUAL HARASSMENT**  
CAN HAPPEN ANYWHERE

**GET THE PICTURE**

For help or information about our policy visit  
[www.sexualharassment.uiowa.edu](http://www.sexualharassment.uiowa.edu)

 THE UNIVERSITY OF IOWA

For emergency assistance contact the 24 hour Rape Crisis Line at 335-6000 or dial 911