

**CHAPTER 50  
ASSAULT AND HARASSMENT**

50.01 Assault  
50.02 Harassment

50.03 Penalties for Violation

**50.01 ASSAULT.** No person shall, without justification, commit assault defined as follows:

1. Types of Assault.

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.

*(Code of Iowa, Sec. 708.1(2)(a))*

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.

*(Code of Iowa, Sec. 708.1(2)(b))*

C. Intentionally points any firearm toward another, or displays in a threatening manner any dangerous weapon toward another.

*(Code of Iowa, Sec. 708.1(2)(c))*

2. Exceptions. An act described as assault in Subsection 1 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.

*(Code of Iowa, Sec. 708.1(3)(a))*

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.

*(Code of Iowa, Sec. 708.1(3)(b))*

**50.02 HARASSMENT.**

1. Definition. The following term is defined for use in this section.

A. "Personal contact" means an encounter in which two or more people are in visual or physical proximity to each other. Personal contact does not

require a physical touching or oral communication, although it may include these types of contacts.

*(Code of Iowa, Sec. 708.7(8)(b))*

2. Harassment. No person shall commit harassment. A person commits harassment when, with intent to intimidate, annoy, or alarm another person, the person does any of the following:

A. Communicates with another by telephone, telegraph, writing, or via electronic communication without legitimate purpose and in a manner likely to cause the other person annoyance or harm.

*(Code of Iowa, Sec. 708.7(1)(a)(1))*

B. Places a simulated explosive or simulated incendiary device in or near a building, vehicle, airplane, railroad engine or car, or boat occupied by another person.

*(Code of Iowa, Sec. 708.7(1)(a)(2))*

C. Orders merchandise or services in the name of another, or to be delivered to another, without the other person's knowledge or consent.

*(Code of Iowa, Sec. 708.7(1)(a)(3))*

D. Reports or causes to be reported false information to a law enforcement authority implicating another in some criminal activity, knowing that the information is false, or reports the alleged occurrence of a criminal act, knowing the act did not occur.

*(Code of Iowa, Sec. 708.7(1)(a)(4))*

3. Act of Harassment. A person commits harassment when the person, purposefully and without legitimate purpose, has personal contact with another person, with the intent to threaten, intimidate, or alarm that other person.

*(Code of Iowa, Sec. 708.7(1)(b))*

4. Exceptions. The following do not constitute harassment.

A. A photograph or film involving voluntary exposure by a person in public or commercial settings.

*(Code of Iowa, Sec. 708.7(6)(a))*

B. Disclosures made in the public interest, including but not limited to, the reporting of unlawful conduct, disclosures by law enforcement, news reporting, legal proceeding disclosures, or medical treatment disclosures.

*(Code of Iowa, Sec. 708.7(6)(b))*

C. Disclosures by an interactive computer service of information provided by another information content provider, as those terms are defined in 47 U.S.C. §230.

*(Code of Iowa, Sec. 780.7(6)(c))*

**50.03 PENALTIES FOR VIOLATION.** A person who commits assault or harassment as defined in this chapter shall be guilty of a simple misdemeanor as stated in Chapter 3.