



## Legal Protections for Public Health Officials: Threats and Interfering with Government Operations Iowa Fact Sheet

### 50-State Survey Summary

Nationwide, state and local public health officials working to protect the public from COVID-19 are on the receiving end of threatening and harassing conduct for simply fulfilling their duty to protect the public health. In response, the Network conducted research to examine whether the states and Washington, D.C. have criminal statutes punishing individuals who impede public health officials' duties with such behavior. Our research is presented in this [chart](#). Many states have adopted statutes to protect public officials generally; included here are those with broad enough language to include public health officials. States with laws that cover other public officials, but not public health officials, were not included in this chart. While 35 states and Washington, D.C., have such a statute, the remaining 15 states either do not have a statute protecting government officials in these circumstances or do not have one protecting public health officials. Of the 35 states and Washington, D.C., all but 2, Louisiana and Oklahoma, include protections for state **and** local officials.

Below is more information on Iowa's relevant law.

### Harassment of Public Officers and Employees

#### Iowa Code, § 718.4 Harassment of Public Officers and Employees

Any person who willfully prevents or attempts to prevent any public officer or employee from performing the officer's or employee's duty commits a simple misdemeanor.

#### Relevant Definitions

##### Iowa Code, § 20.3

"Public employee" means any individual employed by a public employer.

"Public employer" means the state of Iowa, its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts.



## Penalties

### ***Iowa Code, § 903.1***

Up to 30 days imprisonment and/or \$65-\$625 in fines.

## Summary

A person is guilty of harassing a public officer or employee which includes those employed at the local level, when he/she prevents or attempts to prevent that employee from performing his/her official duties. “Public employee” means any individual employed by a public employer. “Public employer” means the state of Iowa, its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts. A person charged with this crime faces up to 30 days imprisonment and/or \$65-\$625 in fines.

## Template Response to Violators

**Below is a sample template for notifying perpetrators regarding their conduct relative to the code.**

***Iowa Code, § 718.4*** protects public officers and employees from harassment which impedes their ability to perform their official duties. [insert here a description of the conduct with a date—for example: On August 28, 2020, you prevented the Secretary of Health from leaving her home to perform job responsibilities due to an armed protest.] *This may constitute a violation of § 718.4 If convicted, you face up to 30 days imprisonment and/or a fine of up to \$625.*

- If the conduct is extreme, add: *We have notified the [insert proper law enforcement agency] of this conduct.*
- If the conduct does not rise to the level of reporting, add: *Should you continue with this conduct, we may report the matter to [insert law enforcement agency].*