

CHAPTER 711

ROBBERY, AGGRAVATED THEFT, AND EXTORTION

Referred to in §331.307, 364.22, 701.1, 723A.1

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711.1 Robbery defined.

1. A person commits a robbery when, having the intent to commit a theft, the person does any of the following acts to assist or further the commission of the intended theft or the person’s escape from the scene thereof with or without the stolen property:

- a. Commits an assault upon another.
- b. Threatens another with or purposely puts another in fear of immediate serious injury.
- c. Threatens to commit immediately any forcible felony.

2. It is immaterial to the question of guilt or innocence of robbery that property was or was not actually stolen.

[C51, §2578; R60, §4201; C73, §3858; C97, §4753; C24, 27, 31, 35, 39, §13038; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.1]

2013 Acts, ch 30, §205

Definition of forcible felony, §702.11

711.2 Robbery in the first degree.

A person commits robbery in the first degree when, while perpetrating a robbery, the person purposely inflicts or attempts to inflict serious injury, or is armed with a dangerous weapon. Robbery in the first degree is a class “B” felony.

[C51, §2579; R60, §4202; C73, §3859; C97, §4754; C24, 27, 31, 35, 39, §13039; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.2]

Referred to in §671A.2, 711.3B, 902.12

Definition of forcible felony, §702.11

711.3 Robbery in the second degree.

All robbery which is not robbery in the first degree is robbery in the second degree. Robbery in the second degree is a class “C” felony.

[C51, §2580; R60, §4203; C73, §3860; C97, §4755; C24, 27, 31, 35, 39, §13040; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §711.3]

2016 Acts, ch 1104, §3; 2019 Acts, ch 140, §3

Referred to in §711.3B, 902.12

Definition of forcible felony, §702.11

Section amended

711.3A Robbery in the third degree. Repealed by 2019 Acts, ch 140, §9.

711.3B Aggravated theft.

1. A person commits aggravated theft when the person commits an assault as defined in section 708.1, subsection 2, paragraph “a”, that is punishable as a simple misdemeanor under section 708.2, subsection 6, after the person has removed or attempted to remove property not exceeding three hundred dollars in value which has not been purchased from a store or mercantile establishment, or has concealed such property of the store or mercantile establishment, either on the premises or outside the premises of the store or mercantile establishment.

2. a. A person who commits aggravated theft is guilty of an aggravated misdemeanor.

b. A person who commits aggravated theft, and who has previously been convicted of an aggravated theft, robbery in the first degree in violation of section 711.2, robbery in the

second degree in violation of [section 711.3](#), or extortion in violation of [section 711.4](#), is guilty of a class “D” felony.

3. In determining if a violation is a class “D” felony offense the following shall apply:

a. A deferred judgment entered pursuant to [section 907.3](#) for a violation of any offense specified in [subsection 2](#) shall be counted as a previous offense.

b. A conviction or the equivalent of a deferred judgment for a violation in any other states under statutes substantially corresponding to an offense specified in [subsection 2](#) shall be counted as a previous offense. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses specified in [this section](#) and can therefore be considered corresponding statutes.

4. Aggravated theft is not an included offense of robbery in the first or second degree.

[2019 Acts, ch 140, §4](#)

Referred to in [§808.12](#)

NEW section

711.4 Extortion.

1. A person commits extortion if the person does any of the following with the purpose of obtaining for oneself or another anything of value, tangible or intangible, including labor or services:

a. Threatens to inflict physical injury on some person, or to commit any public offense.

b. Threatens to accuse another of a public offense.

c. Threatens to expose any person to hatred, contempt, or ridicule.

d. Threatens to harm the credit or business or professional reputation of any person.

e. Threatens to take or withhold action as a public officer or employee, or to cause some public official or employee to take or withhold action.

f. Threatens to testify or provide information or to withhold testimony or information with respect to another’s legal claim or defense.

g. Threatens to wrongfully injure the property of another.

2. Extortion is a class “D” felony.

3. It is a defense to a charge of extortion that the person making a threat other than a threat to commit a public offense, reasonably believed that the person had a right to make such threats in order to recover property, or to receive compensation for property or services, or to recover a debt to which the person has a good faith claim.

[C51, §2590; R60, §4213; C73, §3871; C97, §4767; S13, §4767; C24, 27, 31, 35, 39, §13164; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §720.1; C79, 81, §711.4]

[2013 Acts, ch 90, §231](#)

Referred to in [§711.3B](#)

711.5 Chapter — application. Repealed by 2019 Acts, ch 140, §9.