



## HEADQUARTERS IOWA NATIONAL GUARD

Office of the Adjutant General

*Camp Dodge Joint Maneuver Training Center*

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Johnston, Iowa 50131-1824

NGIA-TAG

20 December 2017

MEMORANDUM FOR: The Members of the Iowa General Assembly

SUBJECT: Explanation of the Department of Public Defense Bill

1. Background: 29A.12A Morale, welfare and recreation activity and fund. This proposal authorizes the Adjutant General to establish and manage Moral, Recreation, and Welfare facilities and activities for the Iowa National Guard using non-appropriated funds. No current law exists.

a. Purpose: The Adjutant General is authorized to institute and operate military-type moral, recreation, and welfare facilities and activities similar to those operated by armed forces of the United States on any military reservation or air base, and he or she shall have authority to designate suitable buildings and lands located on a military reservation for such purposes. "Morale, welfare and recreation facility" means any services and programs that support the readiness and resilience of Iowa National Guard Soldiers and Airmen.

b. Intent: This bill would allow for facilities and activities of benefit to exist which are not funded, or underfunded, or allowed via federally appropriated MWR funds, federally non-appropriated funds, or cannot be adequately delivered through the Army and Air Force Exchange Service.

2. Background: Section 29b.116A, section 2, paragraph "a", Code 2017. Under current law, commanders who are aware of a sexual assault allegation within their ranks are required to notify local civilian law enforcement authorities without delay. However, there is no corresponding requirement for the law enforcement agency to assign a case number or investigate.

a. Purpose: Federal military regulations mandate that sexual assaults be investigated. The Iowa National Guard lacks jurisdiction over sexual assaults and is dependent upon civilian law enforcement to investigate. A requirement that a case be opened and evaluated for investigation will place the Iowa National Guard on the same level as the active duty military.

b. Intent: This bill will require law enforcement officers to assign a case number to the allegation and initiate an investigation on sexual assault allegations. This more

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closely mirrors federal military requirements, while preserving the discretion at the local law enforcement level to close a case that does not meet the evidentiary requirements for prosecution.

3. For questions regarding this Department Bill, please contact my Government Relations Officer at 515-252-4685 or [chad.s.pickering.mil@mail.mil](mailto:chad.s.pickering.mil@mail.mil).



TIMOTHY E. ORR

Major General, Iowa National Guard  
The Adjutant General