



HEADQUARTERS IOWA NATIONAL GUARD

Office of the Adjutant General

Camp Dodge Joint Maneuver Training Center

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NGIA-TAG

28 November 2022

MEMORANDUM FOR: The Members of the Iowa General Assembly

SUBJECT: Explanation of the Department of Public Defense Bill

1. Background: Over the past couple of years, Iowa National Guard aviators, primarily Army aviators (helicopters), have increasingly become targets of "laser" incidents from personnel on the ground. To date, these incidents have not caused injury to crew or aircraft. However, without greater deterrent, I'm concerned laser incidents will continue to rise while at the same time increasing risk to aircraft and crew.
2. Issue: The current Iowa code focuses on assault with intent to cause pain or injury with a laser. Law enforcement and most prosecutors will be unable to prosecute shining a laser at an aircraft without changes to the existing code as they would have to prove intent to cause pain or injury. It will then not deter these incidents which have significant potential for more catastrophic consequences. The current federal statute of aiming a laser pointer at an aircraft does not require intent to cause pain or injury.
3. Current Code 708.1(d)(1): Intentionally points a laser emitting a visible light beam at another person with the intent to cause pain or injury to another. For purposes of this paragraph, "laser" means a device that emits a visible light beam amplified by the stimulated emission of radiation and any light which simulates the appearance of a laser.
4. Recommended changes to current code: Intentionally points a laser emitting a visible light beam at another person with the intent to cause pain or injury to another or toward an aircraft. For purposes of this paragraph, "laser" means a device that emits a visible light beam amplified by the stimulated emission of radiation and any light which simulates the appearance of a laser. For the purposes of this paragraph, "aircraft" means any contrivance intended for and capable of transporting persons through the airspace.
5. For questions regarding this Department Bill, please contact my Legislative Liaison at 515-252-4685 or michael.g.amundson.civ@army.mil.

BENJAMIN J CORELL
Major General, Iowa National Guard
The Adjutant General