Determining Good Cause Exceptions: Iowa Rules

**9.29(4)** *Good cause.* In determining whether there is good cause for waiving the requirement to report a crime to law enforcement within 72 hours of the occurrence of the crime, the victim’s age, physical condition, psychological state, cultural or linguistic barriers, and any compelling health or safety reasons that would jeopardize the well–being of the victim may be considered. In the event good cause is found, the crime must be substantiated through disclosure to another provider including, but not limited to, a licensed medical provider, a licensed mental health professional, or a designated victim service provider.

**9.29(5)** *Child victim.* If the victim is a child as defined in Iowa Code section 232.2 and is reported to be a victim of child abuse, the department finds there is good cause to waive the 72–hour reporting requirement.

**9.29(6)** *Dependent adult victim.* If the victim is a dependent adult as defined in Iowa Code section 235B.2(4) and is reported to be a victim of dependent adult abuse, the department finds there is good cause to waive the 72–hour reporting requirement.

**9.29(7)** *Sexual abuse victim.*For a victim of sexual abuse, the 72–hour reporting requirement may be waived for good cause if a sexual abuse evidentiary examination was completed within 72 hours of the crime or if the crime was disclosed to another provider including, but not limited to, a licensed medical provider, a licensed mental health professional, or a designated victim service provider.

**9.29(8)** *Domestic abuse victim.* For a victim of domestic abuse, the 72–hour reporting requirement may be waived for good cause if a domestic abuse protective order pursuant to Iowa Code chapter 236 is entered by the court or if the crime was disclosed to another provider including, but not limited to, a licensed medical provider, a licensed mental health professional, or a designated victim service provider.

**9.29(9)** *Victim of a sexually violent predator.* For a victim of sexual abuse, the department finds good cause to waive the 72–hour reporting requirement when the offender is referred pursuant to Iowa Code chapter 239A.

**61—9.30(915) Cooperation with law enforcement.**  To be eligible for compensation, the crime victim must cooperate with the reasonable requests of law enforcement. After considering the factors in subrule 9.29(4), the department may waive the requirement if good cause is shown.

**9.30(1)** *Reasonable cooperation.* Reasonable cooperation by the victim may include, but is not limited to, the following:

*a.* Providing law enforcement with a true and accurate report of the crime.

*b.* Participating in the investigation of the crime to assist law enforcement in the identification of a suspect as requested including the review of photographs, composites, and lineups.

*c.* Participating in prosecution procedures including deposition and trial testimony as requested.

**9.30(2)** *Determination of cooperation.* In determining whether a victim reasonably cooperated with law enforcement, the division may consider the victim’s age, physical condition, psychological state, cultural or linguistic barriers, and any compelling health or safety reasons that would jeopardize the well–being of the victim.

**9.30(3)** *Polygraph testing.* In determining whether a victim reasonably cooperated with law enforcement, the refusal of a victim to undergo a polygraph examination shall not be the basis of denial.

**9.30(4)** *Sexual abuse victim.* A victim of sexual abuse shall be deemed to have reasonably cooperated with law enforcement if the victim undergoes a sexual abuse evidentiary examination.

**9.30(5)** *Domestic abuse victim.* A victim of domestic abuse shall be deemed to have reasonably cooperated with law enforcement if a report of the crime was made to law enforcement.