

Iowa Department of Public Safety



# **Office to Combat Human Trafficking**

## **Annual Report 2017**

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**2017 Annual Report  
of the  
Office to Combat Human Trafficking**

Preface

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- A. Iowa Code Chapter 710A
- B. House File 2355

***Acknowledgements***

*The creation of the Office to Combat Human Trafficking could not have occurred without the leadership of former Iowa House Speaker Kraig Paulsen, Iowa Representative Zach Nunn, and Iowa Senator Kevin Kinney, and the support of other legislators in both houses of the Iowa General Assembly. The continued support of Speaker Linda Upmeyer and Senate President Jack Whitver made it possible to carry out the statutory mandates for the Office to Combat Human Trafficking.*

*The operation of the Office to Combat Human Trafficking depends on the dedicated work of countless volunteers and professionals. Special thanks for support from Iowa Law Enforcement Director Judy Bradshaw for her continued support for training law enforcement officers; and from Iowa Attorney General Tom Miller and Crime Victim Assistance Director Janelle Melhon for their support for victim services programs; and from George Belitsos and the Board of Directors of the Iowa Network Against Human Trafficking and Slavery, and from Michael Ferjak of Youth Emergency Services for their commitment to non-government organization support for anti-human trafficking initiatives; and from former Assistant United States Attorney Stephen Patrick O’Meara, whose tireless support for anti-human-trafficking efforts has shaped Iowa’s response.*

## *Preface*

*Human trafficking is not new, but public recognition of it and public policy to combat it has occurred relatively recently. The history of trafficking in persons goes back thousands of years, but the view of the practice as criminal exploitation of humans was recognized widely only in this century.*

*This first annual report from the Office to Combat Human Trafficking will provide background information and context for understanding what human trafficking is, how it operates around the world and within the state of Iowa, and what coordinated efforts are required to address this devastating crime.*

*Through the tireless commitment of Iowa Senator Maggi Tinsman, Iowa passed its first Human Trafficking criminal law in 2006, in Iowa Code Chapter 710A. The law has been amended many times since then, including provisions that address criminal responsibility, as well as juvenile and child welfare concerns, victim rights and victim services, and training for government officials who encounter trafficking in persons.*

*The creation of legal principles served as an impetus for other non-governmental initiatives to combat human trafficking in Iowa. Community-based groups, medical and legal professionals, religious and educational groups, and charitable organizations have embraced the efforts to combat human trafficking.*

*The development of the Office to Combat Human Trafficking is only the latest in these efforts to hold accountable those who exploit the vulnerabilities of others. The Department of Public Safety takes seriously the obligation to seek out the traffickers and to play a role in the coordination of resources and efforts to combat human trafficking in Iowa and elsewhere.*

*“Justice will not be served until  
those who are unaffected are as  
outraged as those who are.”  
~ Benjamin Franklin*

## **I. Human Trafficking**

Humans have been trafficked for thousands of years, though the nature of trafficking has changed over time. Public awareness and outrage increased in the 1990s, when the United States Department of Justice undertook programs to investigate and prosecute human traffickers, in both international and domestic trafficking cases. The United States was not alone in this effort.

In 2000, the United Nations Convention on Transnational Organized Crime developed the Palermo Protocols, which included the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The protocol took effect in 2003, and was followed in 2004 by a second protocol addressing the smuggling of immigrants. The international commitment to address trafficking in persons set the stage for international coordination of anti-trafficking initiatives.

At the same time, public awareness of the issue increased in the U.S. and elsewhere. In 2006, Iowa's first Human Trafficking crimes were enacted into law, and community organizations were formed to increase public awareness about the crimes, and encourage coordinated efforts to identify cases and take action to prevent and deter trafficking, while also holding traffickers accountable.

Human traffickers often are well-funded, organized criminal groups focused on the criminal exploitation of the trafficked persons. Human traffickers often are linked to drug trafficking and firearms trafficking, along with their trafficking in persons. The exploitation of persons includes physical assaults, extortionate demands, and force, fraud and coercion to engage in sexual activity or various forms of labor.

The victims of trafficking come in all ages, races, ethnicities and countries around the world. Traffickers target men and women, boys and girls. Many traffickers take advantage of vulnerable people in difficult situations; sometimes, they simply abduct an unwitting victim and force them into the sex trade or some form of labor. The victims are made to suffer physically, emotionally and socially.

All too often, the trafficking is hidden in plain sight, or at least it has remained largely undetected. Estimates often range in the millions of victims worldwide, for both labor trafficking and sex trafficking. Because the crime is largely undetected, it is difficult to know for certain just how prevalent the crime is in any jurisdiction.

### **Definitions**

The term "human trafficking" can include many variations in its definition. It is defined in Iowa criminal law as a public offense, but the term also is used in statutes in other states and in federal criminal law. There are similarities in many of the definitions:

### **Iowa Code § 710A.1(4)**

“*Human trafficking*” means participating in a venture to recruit, harbor, transport, supply provisions, or obtain a person for any of the following purposes:

(1) Forced labor or service that results in involuntary servitude, peonage, debt bondage, or slavery.

(2) Commercial sexual activity through the use of force, fraud, or coercion, except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involve force, fraud, or coercion.

*b.* “*Human trafficking*” also means knowingly purchasing or attempting to purchase services involving commercial sexual activity from a victim or another person engaged in human trafficking.

### **22 United States Code §7102 (8) (Trafficking Victims Protection Act (TVPA) of 2000)**

“Severe forms of trafficking in persons” means

A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

### **Federal Bureau of Investigation, Uniform Crime Reporting**

*Human Trafficking/Commercial Sex Acts:* inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age.

*Human Trafficking/Involuntary Servitude:* the obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud or coercion into involuntary servitude, peonage, debt bondage, or slavery not to include commercial sex acts)

### **United Nations, “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” (2000)**

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article

Human trafficking may appear in official records as another type of offense. Like several other crimes, the victims of human trafficking may feel unsafe during their victimization, but when they leave or attempt to leave, the separation escalation increases their risk of physical harm even more. This escalated harm sends a message to the targeted victim, along with other victims who may be deterred from leaving because of their fear of harm. Human traffickers who make a great deal of money have a strong motivation to keep victims in the trafficking organization. Many victims report high levels of violence, which means that leaving or threatening to leave the organization may spark violence, including fatal violence. Thus, law enforcement and prosecution officials often find that charges other than Human Trafficking may be a better alternative, especially if the victim’s testimony is not required for a conviction. Simply measuring the number of Human Trafficking convictions is not adequate.

In addition, there is a false assumption that all prostitution cases involve human trafficking. Commercial sex trafficking involves prostitution, but not all prostitution involves human trafficking. Measures of prostitution or other vice-related crimes does not distinguish between the crime of Human Trafficking and other criminal offenses. This is true even for underage prostitution offenses. Not all underage persons convicted of the crime of Prostitution are being trafficked. Anecdotal evidence certainly indicates that it is common for traffickers to target underage victims, but some underage individuals who engage in prostitution are not being trafficked.

As noted in the U.S. Department of State’s “Trafficking in Persons Report, 2013,” the categories of trafficking that have been identified include:

#### *Sex Trafficking*

When an adult is coerced, forced, or deceived into prostitution — or maintained in prostitution through one of these means after initially consenting — that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, transporting, providing, or obtaining a person for that purpose are responsible for trafficking crimes. Sex trafficking also may occur within debt bondage, as women and girls are forced to continue in prostitution through the use of unlawful “debt” purportedly incurred through their transportation, recruitment, or even their crude “sale”— which exploiters insist they must pay off before they can be free. A person’s initial consent to participate in prostitution is not legally determinative: if one is thereafter held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

#### *Child Sex Trafficking*

When a child (under 18 years of age) is induced to perform a commercial sex act, proving force, fraud, or coercion against their pimp is not necessary for the offense to be characterized as human trafficking. There are no exceptions to this rule: no cultural or

socioeconomic rationalizations should prevent the rescue of children from sexual servitude. The use of children in the commercial sex trade is prohibited both under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for minors, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

### *Forced Labor*

Forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities—recruiting, harboring, transporting, providing, or obtaining—involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person’s labor is exploited by such means, the person’s previous consent or effort to obtain employment with the trafficker becomes irrelevant. Migrants are particularly vulnerable to this form of human trafficking, but individuals also may be forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually exploited as well.

### *Bonded Labor or Debt Bondage*

One form of coercion is the use of a bond or debt. U.S. law prohibits the use of a debt or other threats of financial harm as a form of coercion and the Palermo Protocol requires its criminalization as a form of trafficking in persons. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors’ debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed as a term of employment. Debt bondage of migrant laborers in their countries of origin, often with the support of labor agencies and employers in the destination country, can also contribute to a situation of debt bondage. Such circumstances may occur in the context of employment-based temporary work programs when a worker’s legal status in the country is tied to the employer and workers fear seeking redress.

### *Involuntary Domestic Servitude*

Involuntary domestic servitude is a form of human trafficking found in unique circumstances — informal work in a private residence — these circumstances create unique vulnerabilities for victims. Domestic workplaces are informal, connected to off-duty living quarters, and often not shared with other workers. Such an environment, which can isolate domestic workers, is conducive to exploitation because authorities cannot inspect homes as easily as they can compared to formal workplaces. Investigators and service providers report many cases of untreated illnesses and, tragically, widespread sexual abuse, which in some cases may be symptoms of a situation of involuntary servitude.

### *Forced Child Labor*

Although children may legally engage in certain forms of work, forms of slavery or slavery-like practices continue to exist as manifestations of human trafficking, despite legal prohibitions and widespread condemnation. A child can be a victim of human

trafficking regardless of the location of that nonconsensual exploitation. Some indicators of possible forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child's family and does not offer the child the option of leaving. Anti-trafficking responses should supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, however, their abusers should not escape criminal punishment by taking weaker administrative responses to child labor practices.

### *Unlawful Recruitment and Use of Child Soldiers*

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment or use of children — through force, fraud, or coercion — by armed forces as combatants or other forms of labor. Some child soldiers are also sexually exploited by armed groups. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are unlawfully made to work as porters, cooks, guards, servants, messengers, or spies. Young girls can be forced to marry or have sex with male combatants. Both male and female child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases.

The full report appears online: <https://www.state.gov/j/tip/rls/tiprpt/2013/210543.htm>

## **Incidence and Prevalence of Trafficking**

Systematic studies have occurred in many jurisdictions, with varying conclusions about incidence and prevalence<sup>1</sup> of the crime, but both systematic studies and anecdotal reports show that no city, county or state is immune. There are many different ways to measure how much human trafficking is occurring, but there are no universal measures, and given the undetected nature of the crime, the best measure of incidence and prevalence may be to examine multiple methods of measurement and look for indicators of convergence or divergence.<sup>2</sup> There are several measure that provide preliminary information, but comprehensive, valid data is not available for a comprehensive review.

Violations of state and federal law in Iowa are regularly reported in the media, such as:

The Iowa Justice Data Warehouse shows that criminal charges have been filed in Iowa state courts. The Iowa Criminal and Juvenile Justice Planning Division published a report in 2016

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<sup>1</sup> Incidence is the number of new events arising within a specified time period. Prevalence is the number of events in a population at a designated time.

<sup>2</sup> Convergence refers to similar results from varied measures, and divergence refers to different results from varied measures. When several methods of measurement provide similar results, it increases the chance that the result is correct. When several methods of measurement provide differing results, it may indicate that the measures are not sufficiently precise, or it may indicate that some measures are more precise than others.



that addresses human trafficking in Iowa and elsewhere. It can be found online: [http://humanrights.iowa.gov/sites/default/files/media/CJJP\\_January\\_2016\\_Task\\_Force\\_Report%20Human%20Trafficking.pdf](http://humanrights.iowa.gov/sites/default/files/media/CJJP_January_2016_Task_Force_Report%20Human%20Trafficking.pdf)

The greater concern regarding reliable information about incidence and prevalence of human trafficking is that it is largely an undetected crime, which means that there are very few reliable statistics regarding the number or frequency of human trafficking offenses. Researchers and policy makers have identified shortcomings in measurements of this undetected crime, and have provided guidance for collecting more reliable information.

- The United Nations Office on Drugs and Crime outlines the current uncertainty and provides suggestions for measurement of human trafficking offenses: [http://www.un.org/en/development/desa/population/migration/events/coordination/14/documents/presentations/Martin\\_Fowke\\_14CM.pdf](http://www.un.org/en/development/desa/population/migration/events/coordination/14/documents/presentations/Martin_Fowke_14CM.pdf)
- The National Institute for Justice has funded two different research projects focused on developing validated screening tools to identify human trafficking cases.
  - One was tested in New York City in the early 2000s: <https://www.ncjrs.gov/pdffiles1/nij/grants/224391.pdf>
  - The second was a Vera Institute study in 2014: <https://www.ncjrs.gov/pdffiles1/nij/grants/246713.pdf>
- The French publication Cairn summarizes specific challenges in measurement: <https://www.cairn.info/revue-internationale-de-droit-penal-2010-3-page-493.htm>

Each of these studies have concluded that human trafficking is an undetected crime, and that As awareness increases – among justice professionals and the public at large – the undetected nature of the crime may change. When more people are equipped to identify the signs of trafficking, and when necessary resources are more consistently available to trafficked persons, it can be safer for the victims to escape safely and more quickly. As more investigators become better trained, and prosecutors gain experience in prosecuting human trafficking cases, the opportunities to hold offenders accountable also will increase.

## **II. Statutory Authority & Iowa Law**

Iowa Code Section 80.45 establishes the duties of the Office to Combat Human Trafficking:

- a.* Serve as a point of contact for activities to combat human trafficking in this state.
- b.* Consult with and work jointly with other governmental agencies and nongovernmental or community organizations that have expertise in the areas of human trafficking prevention, victim protection and assistance, law enforcement, and prosecution for the purpose of combatting human trafficking in this state.
- c.* Develop a strategy to collect and maintain criminal history data on incidents related to human trafficking.
- d.* Develop a strategy for sharing victim and offender data among

governmental agencies.

*e.* Apply for or assist other governmental agencies, as assistance is needed, to apply for grants to support human trafficking enforcement, prosecutions, trainings, and victim services.

*f.* Research and recommend trainings to assist governmental agencies to identify and respond appropriately to human trafficking victims.

*g.* Take other steps necessary to advance the purposes of the office.

*h.* By November 1, 2017, and annually thereafter, submit a written report to the general assembly regarding the office's activities related to combatting human trafficking and occurrences of human trafficking within this state.

Iowa Code Chapter 710A sets out the crime of Human Trafficking. The chapter was first adopted in 2006 (SF2219, 2006 Iowa Acts, ch. 1074), and has been amended several times since then.

- In 2009, chapter 19 of 2009 Iowa Acts (SF27) included the following:
  - The definition of “commercial sexual activity” was expanded to include a “sexually explicit performance.”
  - Victim services were further defined to make it clear that the services are available to minors who were victimized in human trafficking cases.
- In 2012, Chapter 1057 of 2012 Iowa Acts (HF2390) included the following:
  - The definition of “human trafficking” was expanded to include “knowingly purchasing or attempting to purchase services involving commercial sexual activity from a victim or another person engaged in human trafficking
  - The obscenity statute was amended to expand the meaning of “visual depiction,” to allow for separate punishment for each depiction, to exempt minors from charges resulting from commercial sexual activity, and to include:
    - Sadomasochistic abuse of a minor for the purpose of arousing or satisfying the sexual desires of a person who may view a visual depiction of the abuse.
    - Sadomasochistic abuse of a person by a minor for the purpose of arousing or satisfying the sexual desires of a person who may view a visual depiction of the abuse.
    - Nudity of a minor for the purpose of arousing or satisfying the sexual desires of a person who may view a visual depiction of the nude minor.
- In 2015, Chapter 138 of 2015 Iowa Acts (SF510) included the following:
  - The crime of human trafficking was added to the “forcible felony” definition.
  - Authorized the crime victim assistance division to develop programs for the public, law enforcement agencies, first responders, potential victims, and businesses that may be affected by human trafficking, with funding up to \$300,000 per year from a human trafficking enforcement fund.
  - “A person’s ignorance of the age of the victim or a belief that the victim was older is no defense” to human trafficking involved a minor.
  - The crime of human trafficking was expanded to include solicitation activities: “entice, coerce, or recruit, or attempt to entice, coerce or recruit either a person under the age of eighteen or a law enforcement officer or agent representing

oneself to be under the age of eighteen, to engage in a commercial sexual activity.”

- In 2016, amendments included the following:
  - House File 2355 created the Office to Combat Human Trafficking in the Iowa Department of Public Safety.
  - Chapter 1063 of 2016 Iowa Acts (SF2258) imposed duties on the Department of Human Services regarding reporting and investigation of possible sex trafficking of children.
- In 2017, three changes were made:
  - SF505 included minor changes in the language in Section 80.45(3).
  - SF509 authorized the funding of an Iowa Law Enforcement Academy instructor by the department of justice, and authorized statewide training for law enforcement regarding human trafficking.
  - SF445 repealed Iowa Code § 152C.6, which had limited local authorities from regulating massage businesses.

In addition to the crime of Human Trafficking in Chapter 710A, several other crimes may be charged in connection with a human trafficking operation, including:

- Ongoing Criminal Conduct (Iowa Code Chapter 706A)
- Kidnapping (Iowa Code § 710.2-3)
- Child stealing (Iowa Code § 710.5)
- Purchase or Sale of an Individual (Iowa Code § 710.11)
- Prostitution (Iowa Code § 725.1)
- Pimping (Iowa Code § 725.2)
- Pandering (Iowa Code § 725.3)

Other crimes involving solicitation to commit a crime, or drug-related crimes, or use of a juvenile to commit a crime or targeting of a juvenile for a crime, also may be charged. As is true for most offenses, the acts may meet the statutory definitions of many other types of crimes, as well, including both violent crimes, financial crimes and computer-related crimes.

In 2017, Governor Terry Branstad signed into law SF 445, which repeals Iowa Code § 152C.6, a state law that had limited the ability of local governments to establish local codes related to massage therapy. The City of Johnston has established local licensing rules for massage therapy businesses. Information about the city ordinance appears online:

<http://www.cityofjohnston.com/752/Massage-Therapy-Businesses>

### III. Strategy to Combat Human Trafficking

The Office to Combat Human Trafficking has developed a multi-disciplinary anti-trafficking strategy.

**Goal:**

The goal is to provide a comprehensive and coordinated response to labor and sex trafficking in Iowa. If trafficking is often undetected by the public, then a comprehensive network is the only effective way to detect trafficking, to respond to it, and to prevent and deter trafficking at the outset.

All aspects of the plan should be coordinated, with leaders identified and goals and objectives set. The plan should include more than the justice system response and should actively involve communities. The plan should include awareness and prevention efforts, as well as response initiatives.

**Areas of Focus**

- Public Awareness
- Victim Services
- Investigative Services
- Justice System Response
- Legislative Response
- Funding

For each area of focus, several factors should be determined:

**Leadership**

Who leads the effort?

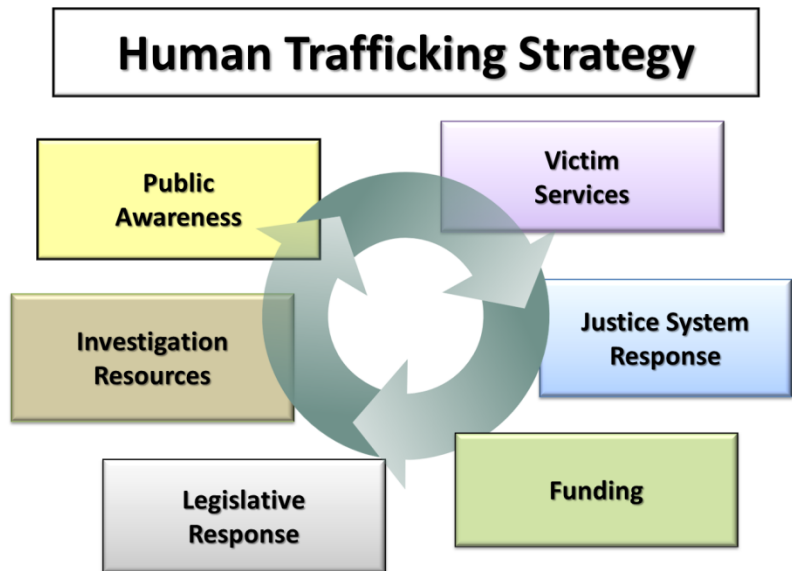
How many should lead the effort, and who are the key players?

What will leaders be expected to do?

How will leaders coordinate the effort?

Is there an existing structure, or will it be necessary to establish a new structure?

How will competing interests be accommodated?



### **Development of a plan**

- Who develops the plan?
- How will it be coordinated?
- What is the plan for prevention efforts?
- What is the plan for responses to trafficking?
- What proactive initiatives are available?
- How will competing interests be accommodated?

### **Training**

- What training is needed?
- What audiences need training?
- Who develops the curriculum?
- How will related curricula be coordinated?
- Who provides the training?
- How will the training be coordinated with other groups?
- How will training be evaluated?
- How often should training occur?

“While the anti-trafficking movement races forward with new innovations and partnerships, new buzzwords and standards, we mustn’t lose sight of the basic idea that underpins this struggle: human trafficking is a crime, and governments are responsible for fighting it in a way that restores victims and deters those who would steal another’s freedom. Those are the underpinnings of the Trafficking Victim Protection Act’s minimum standards and the U.N. Protocol’s “3P” approach. Successful victim identification is the starting point to stopping this crime, and for meeting those international standards.”

Luis CdeBaca

*Ambassador-at-Large to Monitor and  
Combat Trafficking in Persons*

**2013 Trafficking in Persons Report**

### **Implementation of the Plan**

- How will the plan for this area of focus be implemented?
- What resources are currently available and what other resources are needed?
- Who will set goals and objectives for each area of focus, and how will they be communicated?
- Who will track the progress, and how will it be tracked?
- How will competing interests be accommodated?

### **Assessment of Progress & Re-Evaluation**

- Are the goals and objectives coordinated effectively with other areas?
- What criteria will be used for assessment?
- Who will collect data to measure progress?
- How often will assessments of progress be made?
- To whom will the assessments be communicated?
- How often will the goals and objectives be reviewed, and by whom?

The groups focused on public awareness include:

- Media and Social Media
- Businesses
- Non-Government Organizations (NGOs)
- Schools
- Religious Communities
- General Public

Although these groups may play a role in leading the effort, government agencies also share in the desire to increase public awareness. Their resources may be devoted to other matters, but they are likely to be a contributing partner in the public awareness effort.

A coordinated campaign to improve public awareness should include all of these groups. Accurate information must be made available to all of the groups, so that a clear message is communicated, regardless of the source of the information.

Leaders should set clear objectives. Is the goal simply awareness, or is it designed to increase reporting, motivate prevention efforts, spur fundraising for particular initiatives, recruit volunteers or professionals to assist with existing or planned programming, or generate support for legislative initiatives or funding? What type of messaging will be used, and how will it be coordinated with justice system actors and victim resource agencies?

Several themes have been used, in Iowa and elsewhere, to raise public awareness, including:

- Human trafficking is modern day slavery
- Is that worker free to leave at the end of the shift?
- What can you do? Speak. Speak for those who cannot speak
- What can you do? Contribute. Give your money and your time to the organizations that help those who are trafficked.
- Buying sex promotes human trafficking
- Does she ask to be beaten and raped? Only when you pay for sex.

What themes will be adopted, who determines the theme, and how are the themes coordinated among the various areas of focus?

<p style="text-align: center;"><b>Public Awareness</b></p> <ul style="list-style-type: none"><li>• What is the goal to be achieved?</li><li>• Who sets the message?</li><li>• What is the message?</li><li>• Is the message coordinated with others?</li><li>• What local resources are available – for victim resources and for system resources?</li><li>• What training is needed for those providing public awareness?</li></ul>
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The themes and messages will be most effective when they are coordinated with other initiatives, either locally or statewide or nationwide. The key to an effective strategy is coordination of the message among a variety of groups. Raising awareness is very valuable, but if system resources cannot adequately address human trafficking, then public awareness may only frustrate the effort, because the perception will be that there is a serious problem and no solution; or that there must not be a problem, because there is no official response.

On the other hand, if system resources are available for an initiative, public awareness can increase the effectiveness of the coordinated initiative.

## **Victim Services**

Victims come from a wide age range, so victim services must be available for juveniles and adults, and resources must be able to accommodate single-gender and mixed-gender residential locations and services. Often, this includes young children, either as direct victims or as dependents of adult or juvenile victims.

Victim service needs are extensive and require coordinated efforts and comprehensive resources. Trafficked persons have very high needs. Often, they escape without any resources, and in the short term, they need food, clothing, and shelter. This may include single-gender or mixed-

gender facilities, and also may require accommodations of victims of all ages. They also are likely to need medical treatment, trauma-informed mental health care and counseling, and legal services, in both the short term and the longer term. They are likely to need education/training and job opportunities in the long term.

Victim service providers also may require specialized training to address the specific needs of human trafficking victims. Many types of victim resources are available in Iowa, though the demand often exceeds the available services, and the complexity of the array of services often means that victim advocates must be well-trained in order to match the correct services with each victim needing services. Trauma-informed care has become more common, and is essential in providing an appropriate counseling response. Most victim advocacy agencies provide well-trained counselors who understand trauma-informed care. That is not always true for private providers.

Lawyers who provide assistance to victims need information about human trafficking, as well as knowledge about civil and criminal issues related to the trafficking.

Medical professionals should understand human trafficking so that they can recognize signs of trafficking and have the ability to make referrals to victim services. Trauma-informed care also is a new concept that has not yet permeated the medical community, but it can have an impact on a victim's decision to rely on resources outside of the trafficking organization.

Training for victim service providers can assist in identifying client needs and appropriate resources, reinforce the trend toward trauma-informed care, and help the victims to navigate various systems to obtain the medical, mental health, and other resources that can help them to recover.

Victim service providers also must consider how to address issues regarding the victim's independent decision making. Many advocates point out that it is unhelpful for a victim to move from one person who controls their existence to another person (or organization) that controls their existence.

<b>Victim Resources</b>
<ul style="list-style-type: none"><li>• What resources are available for juveniles and adults?</li><li>• What training is required for counselors and others providing services?</li><li>• Are service providers proficient in trauma-informed care?</li><li>• What legal services are available?</li><li>• What medical services are available?</li><li>• What other community services are available?</li></ul>

## **Investigative Resources**

The goal in developing effective investigative resources is to ensure that all law enforcement agencies can work together, coordinate efforts, train with each other and with non-law-enforcement partners, identify victim services and resources, and hold traffickers accountable.

## **Intelligence-Led Policing**

The goals can be accomplished by establishing intelligence-led policing efforts focused on human trafficking, which can help law enforcement executives to deploy resources as necessary. Traffickers are well organized, which means that an effective law enforcement response requires similar coordination of resources. Intelligence-led policing efforts can help law enforcement officials to make connections among traffickers, in order to focus investigative efforts on the linked methods of trafficking.

## **Training**

The investigative effort begins with training, so that law enforcement officers have a deeper understanding of labor and sex trafficking in general, and can identify the signs of trafficking in their own jurisdictions. The training must include patrol officers who may encounter trafficking on the road and in their communities; investigative officers who discover trafficking while investigating other offenses or who follow up on suspected trafficking incidents; jailers who may encounter both traffickers and their victims who are incarcerated; and pretrial supervision officials who may identify traffickers and victims who continue the criminal activity while awaiting trial. When every officer can recognize the common signs of trafficking, it increases the likelihood that appropriate resources can be provided to trafficking victims, that traffickers can be held accountable for their actions, and that trafficking organizations can be identified and dismantled.

### **Investigative Resources**

- What intelligence resources are available?
- Is there a task force to address human trafficking?
- What actions are expected for each law enforcement agency in the jurisdiction?
- What training is needed for investigators, for patrol, investigations, jailers and correctional personnel?

## **Evidence Collection**

The collection of relevant evidence is essential to proving the case, and the evidence required for human trafficking prosecutions differs in important ways from other types of criminal activity. Understanding the common methods of trafficking can help officers to identify what evidence may be relevant to trafficking that is not as significant in other types of crimes.

Improved evidence collection can ease the burden on trafficking victims who often have legitimate concerns for safety for themselves or for their loved ones who have been threatened. Many trafficking victims cannot see a way out, because their lives are completely controlled by the trafficker and the victims feel powerless to begin a new life with no resources and no family or community support systems in place. Some trafficking victims are extorted into cooperating with traffickers because the victim's family members have been threatened with injury or death if the trafficking victim escapes.

## **Interview and Interrogation**

Interview and interrogation techniques may be different for trafficking cases, for both the traffickers and the victims. The terminology used in trafficking may be misleading or unusual.



Interrogators must know the language of trafficking in order to ask the right questions and in order to understand the answers provided. Victims who feel powerless may feel unable to speak freely. Often, traffickers provide only limited information to trafficking victims, so that victims are unable to provide useful information to interrogators. Traffickers often are skillfully manipulative in their communication and their actions. Traffickers often attempt to mislead authorities about the nature of the crime. Many trafficking organizations also engage in drug trafficking – often a relatively low-level trafficking – which may mean that traffickers will admit to less-serious drug offenses in order to avoid charges for more-serious trafficking offenses.

The investigative efforts can include on-the-street encounters that may reveal indicators of trafficking; intervention efforts that uncover trafficking; thorough investigations that make it unnecessary for victims to testify; and pro-active investigative efforts that target suspected trafficking. When an array of investigative efforts occur simultaneously, the chances of success increase.

## **Task Forces**

Cooperative efforts among multiple jurisdictions can increase the chances of success. By its nature, trafficking frequently involves multiple jurisdictions, because traffickers move rather quickly from one venue to another. Human trafficking cases tend to be time-intensive and resource-intensive, especially when the focus is on dismantling a network. Thus, task force approaches to human trafficking can be the most effective and efficient use of resources.

## **Justice System Response**

In addition to the work of law enforcement officials, other members of the justice system also will be called upon to understand human trafficking and to respond to the crimes that occur in their jurisdiction. This includes both juvenile court actions (Child in Need of Assistance and Juvenile Delinquency) and adult court actions (criminal, civil and administrative). It may have implications for bond-setting, pretrial release decisions, protective orders, probation, sentencing and parole.

### **Training**

Unless justice system officials understand the nature of human trafficking, its impact on victims, the connections among traffickers, and the resources involved, the justice system may not be effective in addressing human trafficking.

### **System Resources & Demands**

Traffickers are largely profit-driven in their activities, and they obtain large amounts of cash through their illicit trafficking business. In a criminal case, this

#### **Justice System Resources**

- What training is needed for judges, court staff, juvenile court officers, and others in the justice system?
- What pretrial issues, such as bond, may affect the accountability of traffickers or endanger the safety of victims?
- What information about missing juveniles can be shared with law enforcement, and how does this sharing occur?
- What training is needed for prosecutors?

means that pretrial bond can easily be posted, for the trafficker or for the victim. It also means that low-level fines are more likely to be considered a nuisance than a deterrent.

In civil actions, it means that traffickers can afford to pay lawyers involved in lengthy litigation. If victims are on the other side – such as child custody and child support – they cannot match the assets of the trafficker.

## **Juvenile Actions**

Many traffickers target vulnerable victims. This means that many victims have been involved in the juvenile court system as a Child in Need of Assistance, or as a Juvenile Delinquent.

## **Criminal Charges**

As a practical matter, it may be unsafe for trafficking victims to testify against their traffickers. In addition to the sense of power and control wielded by traffickers, in many cases, victims have been isolated from family and friends and any other pro-social groups that can support the victim emotionally or financially. Victims often have been marginalized before and during the trafficking, which often translates into an assessment that the victim is “weak” or “unbelievable.” Often, victims have been drugged and cannot recall specific details about their trafficking, nor are they able to establish clear dates and times of events. In addition, the traffickers can manipulate compliance in many ways. For example, some traffickers target one victim by assaulting other victims in the presence of the targeted victim, sending the message to the victim who has escaped “punishment” from the trafficker that the targeted victim is responsible for the abuse against others. This can be a powerful incentive for victims to comply with the trafficker’s demands, in order to avoid further abuse of all of the trafficking victims.

## **Legislative Response**

The baseline requirement for an effective response to human trafficking is the legal basis for taking action. This may include criminal law, but also may include regulatory provisions related to places of business or regulated professions, as well as civil actions that are available to the targets of trafficking.

The most effective strategy for developing a legislative response is to coordinate the actions of multiple interest groups who will be called upon for their expertise, and to coordinate the efforts of lobbyists who will work for legislative changes.

In addition, if public funding streams are part of the overall strategy, then the interest groups should consider how to most effectively collect accurate information that will be valuable to legislative decision makers.

## Coordination

Legislators face a multitude of issues and challenges each legislative session, and procedures are set up to facilitate organized decision making that converts the multitude of issues into something that can be addressed effectively. A coordinated legislative effort will reduce the time required of legislators and their staffers, and can increase the likelihood of passage of legislation or the appropriation of funding that will further the overall strategy.

When too little information is available, or when inaccurate information is provided, it is more difficult for legislators to make appropriate decisions. When the information is too complex or targeted to the wrong audience, it can lead to misunderstanding, or it may be ignored as irrelevant or inaccessible.

Legislative proposals are most effective when they include specific proposals for statutory change, when they set out specific requests for appropriations based on accurate information, when they identify specific goals to be accomplished, and when they accommodate the interests of multiple interest groups.

## Assessment of Current Needs & Law

Before making a request for a statutory change or a legislative appropriation, it is important to provide an assessment of the current needs (of victims and justice professionals, as well as the public), and an assessment of the current law. This may be achieved by examining the actions taken in other jurisdictions, or it may be the result of careful strategic planning that includes multiple interest groups.

## Proposals for Amendments and/or Appropriations

Any proposal for a statutory change or a legislative appropriation should be specific and concrete; it should be based on accurate information; it should include sufficient background information so that legislators can understand the significance of the proposal; and it should be presented in a way that meets procedural requirements.

### Legislative Response

- How does the current law compare with model statutes and statutes in other states?
- What statutory provisions require change and what are the secondary consequences of such changes?
- What appropriations are justified?
- How will competing views of interested parties be reconciled?
- Who is responsible for addressing legislative changes and coordinating interested groups?
- When there is disagreement about legislative policy, how will it be resolved?

## Funding

Funding can be provided via public and/or private sources. The processes for public and private funding may be quite different, and the types of expenses that could be covered via public or private funding also may be quite different. There may be one-time costs, short-term or special-project costs, infrastructure costs, and on-going costs.

### Costs

In discussing the funding strategy, it is important to identify what types of costs may be incurred, provide estimates of the costs, and identify potential funding streams for those costs. Regardless of whether the costs are one-time costs, short-term or special-project costs, infrastructure costs, or on-going costs, it is important to determine:

- Salary and benefit costs for employees
- Contractor costs for independent-contract workers
- Infrastructure costs, including physical infrastructure and technology infrastructure costs
- On-going expenses, including maintenance costs (heating, cooling, water, electricity, etc.), office or living needs (furniture, supplies, etc.)

The more accurate the summary of costs, the more effective the funding strategy can be. Hidden costs may derail good plans, and identification of costs can better aid in the identification of appropriate funding sources.

### Funding Streams

An established funding stream can address on-going costs, as well as one-time expenses or infrastructure costs. From a strategic standpoint, the development of a reliable funding stream allows for greater stability for a program.

The funding streams may come from a public source – state-level appropriations, local budgeting, or government grant programs – or it may come from a private source.

In developing a funding strategy, it is important to clearly identify funding needs in the short-term and long-term plans, and to identify the risks and benefits of any potential funding streams. Both public and private funding may come at a national, state or local level. There are advantages and disadvantages to each of those types of funding streams. At a national level, the funding options may be generous, but the sustainability may be less certain. State funding options are likely to be less generous, but sustainability also may be uncertain. At a local level, the funding options may be more limited, but the local support for a specific program may

#### Funding

- What are the costs for personnel and other expenses for each interest area and for each project?
- What are the projected costs in the future?
- What funding sources are possible?
- What strategy can meet the needs by providing adequate funding as it is needed?

generate additional support (either via monetary support, or via policy changes or public awareness, or via personal commitment to the program).

Planners may want to develop a strategic plan for funding by recognizing that, often, federal or state funding can help to establish a program by funding initial outlay costs, and local funding may help to sustain the program, once the start-up costs are covered.

## **Public Funding**

Public funding has some restrictions regarding what can be funded, processes for documenting purchases (including public bidding processes), audit requirements, and various other restrictions.

**Appropriations:** General fund appropriations are made to government agencies, and can be used for a broad array of expenses. Infrastructure funding can be used for designated purposes. Generally, appropriations are provided on an annual basis, with no guarantee of renewed funding. In some circumstances, the Legislature will establish a revolving fund that is replenished via a regular funding stream, but that is the exception rather than the rule.

**Grants:** Congress and the Iowa Legislature can establish grant programs, with specified conditions for eligibility. The grant fund itself must be administered by or on behalf of a government agency, and the agency (or contractor) may be allowed to administer multiple grant programs. Each government-funded grant program will provide procedures for application and approval of grant funding, and will be subject to audit.

## **Private Funding**

Private funding may have fewer restrictions than government funding. The private funder can set virtually any restrictions on the use of the funds, and can impose requirements for the use of the funds, the documentation required, and the opportunities for renewal.

**Grants:** Private grants can cover an array of goods and services, and may be available for a specified amount of time, and may be renewed.

**Special Projects:** Some private funding is allowed for special projects, or for specific geographic areas, specific areas of interest, or specific expertise.

**Donations:** Donations of goods and services, as well as monetary donations, can benefit the overall funding strategy. If clear standards are set for the goods and services, it is possible to identify potential donors, to solicit donations, and to provide standards for assessing the quality of the donations. Monetary donations can include special fundraisers, individual or group solicitations, online solicitations, or incidental donations. It is important to convey to potential donors any tax-exempt status, and to identify any civil liability or other legal issues that could affect the donor or the recipient.

## **IV. Activities of Office to Combat Human Trafficking**

The Office to Combat Human Trafficking is housed in the Division of Intelligence & Fusion Center in the Iowa Department of Public Safety. Placement in this Division is based on the Department's commitment to intelligence-led policing in the anti-trafficking efforts.

Intelligence-led policing is designed to address organized criminal efforts. Instead of responding to cases that come to light regarding individual victims of trafficking, the intelligence-led effort is focused on understanding the organizations that traffic multiple victims, which allows multiple victims to be released when the organization is dismantled. Without such a criminal-organization-focused effort, the risk that more victims can be recruited will continue to increase.

The intelligence efforts often do not result in quick arrests, and generally require a longer time to investigate. These intelligence-led efforts are not new to Iowa. In fact, the Law Enforcement Intelligence Network (LEIN), established in 1984, has been recognized for its success in developing coordinated, cooperative efforts across jurisdictional lines, in order to address organized criminal activities. The LEIN program is uniquely suited to investigations of human trafficking organizations.

In furtherance of the statutory duties, the Office to Combat Human Trafficking has undertaken many activities.

### **1. Point of Contact/Coordination**

The Office to Combat Human Trafficking has served as a primary point of contact for many efforts related to trafficking. As the point of contact, the Office does not direct the activities of the many partners who share in the strategy to address human trafficking. It serves as the hub, to track the activities of other independent groups and to provide assistance as needed.

In the initial year of operation, many organizations and agencies committed public and private resources to the effort to combat trafficking. These included:

- ***Public awareness efforts by non-government organizations***

Many non-government organizations have been formed to combat trafficking in Iowa. These include:

*Braking Traffik* is a non-government organization based in the Quad Cities, which provides a range of services, including bi-lingual services, crisis response, safety planning, emergency housing and client assistance, medical and legal advocacy, systems advocacy, information and referrals, and employment assistance. Their

website includes information about the programs and about trafficking:

<http://www.famres.org/services/braking-traffic>

*Cedar Valley Friends of the Family* in Waverly, Cedar Rapids, Dubuque and Waterloo, is a non-government organization that provides services related to human trafficking, domestic abuse, sexual assault and homelessness. Their website includes information about programming and crisis assistance: <https://www.fofia.org/>

*Chains Interrupted* is based in Cedar Rapids, and is a faith-based program designed to provide support and assistance to survivors of human trafficking, and to raise public awareness about the issue. Their website includes more information:

<http://www.chainsinterrupted.com/about-us.html>

*Junior League of Des Moines* is sponsoring fundraising for human trafficking programming. Their website includes more information:

<https://www.jldesmoines.org/?nd=dh>

*Network Against Human Trafficking and Slavery* focuses on public awareness, training, policy advocacy and community partnerships to combat trafficking. Their website includes more information: <https://iowanaht.org/>

*Quad City Human Trafficking Project* is focused on public awareness and community collaboration. Their website includes more information:

<http://www.cityofdavenportiowa.com/eGov/apps/document/center.egov?view=item;id=4691>

*Set Free Dubuque*, based in Dubuque, is focused on public awareness of trafficking. Their website includes more information: <http://setfreedubuque.org/>

*Siouxland Coalition Against Human Trafficking*, based in Sioux City, focuses on public awareness. Their website includes more information:

<http://siouxlandagainstrafficking.org/>

*Teens Against Human Trafficking* is a non-government organization that is part of the Achieving Maximum Potential program based in Ames, and is focused specifically on raising awareness of trafficking among youth. Their website includes more information:

[http://www.ampiowa.org/en/shots\\_clips/human\\_trafficking/teens\\_against\\_human\\_trafficking\\_tah/](http://www.ampiowa.org/en/shots_clips/human_trafficking/teens_against_human_trafficking_tah/)

*Truckers Against Trafficking*, a non-government organization, has partnered with the Iowa Department of Transportation to raise awareness of trafficking within the commercial vehicle community. Their website includes more information:

<http://www.truckersagainstrafficking.org/new-page/>

- **Development and expansion of victim services**

The Crime Victim Assistance Division in the Iowa Attorney General's office coordinates government funding of victim-service programs, including survivors of human trafficking. In addition, the Division has a human trafficking coordinator, Celine Villongco, to assist with programs related to human trafficking. Information about the program is available online: <https://www.iowaattorneygeneral.gov/for-crime-victims/fighting-human-trafficking/>

The Network Against Human Trafficking has compiled a list of resources for survivors of human trafficking, which is available online: <https://iowanaht.org/wp-content/uploads/Iowa-Victims-of-Human-Trafficking-Direct-Service-Resources-9-29-17.pdf>

- **Training for hotel/motel staff**

In conjunction with the Nebraska Coalition Against Human Trafficking, several non-government organizations coordinated training for hotel/motel staff members to understand and identify signs of human trafficking in those facilities. Their website includes more information about their programs: <https://iowanaht.org/>

## **2. Strategy to Collect/Maintain Criminal History Data**

The Iowa Justice Data Warehouse, managed by the Criminal and Juvenile Justice Planning Division in the Department of Human Rights, provides a robust database to track juvenile and adult statistics. For cases in which Human Trafficking is charged as an offense, or serves as the basis for an action involving a juvenile, the cases can be tracked. If the trafficking is charged under another offense category, however, it cannot be tracked as a human trafficking case.

The federal Trafficking Victims Protection Act (TVPPA) included provisions for the reporting of human trafficking offenses. Current technology limitations within the Department have made it impossible to collect data specific to human trafficking. The Department is looking for grant-funded upgrades to the current system in order to track human trafficking cases reported to law enforcement.

To the extent that the legislative directive includes collecting and maintaining criminal intelligence information, in addition to criminal history information, the placement of the Office to Combat Human Trafficking within the Division of Intelligence and Fusion Center is designed to encourage intelligence-led policing, and to ensure that Iowa law regarding intelligence collection, storage and dissemination is followed, and to ensure that privacy concerns associated with criminal intelligence operations are appropriately addressed. The intelligence data cannot be shared publicly, but it can be a valuable resource for criminal justice officials who have a right to know and a need to know the information.



### **3. Develop an Information-Sharing Strategy Among State Agencies**

Several state agencies have developed initiatives related to human trafficking.

With passage of SF2258 in 2016, the federal requirements from the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), will be implemented by the Iowa Department of Human Services. That implementation begins with training.

The Iowa Finance Authority sponsored its annual Housing Conference in 2016, which featured discussion of human trafficking and homelessness associated with trafficking offenses. The conference brought together government and non-government attendees, with opportunities for collaboration. Commissioner Roxann Ryan presented at the conference, to talk about the role of the Office to Combat Human Trafficking.

The Office to Combat Human Trafficking can coordinate with a number of other state agencies in order to (1) identify signs of human trafficking among individuals who interact with the state agency; (2) identify resources available to the victims of human trafficking; and (3) develop methods for lawfully sharing information among state agencies.

### **4. Assist in Procuring Grants**

Most government and private grants are focused on victim services for survivors of human trafficking, and this focus is appropriate. Trafficking survivors are in desperate need of resources and security at the time that they are recovered from a trafficking organization. Without that type of support, it is unsafe for them to assist investigators and prosecutors, and survivors struggle to return to a life of normalcy after the trauma associated with trafficking.

The Crime Victim Assistance Division of the Iowa Attorney General's office has been the primary grant-administration agency for most of the grants that are associated with human trafficking victim services. The Department of Public Safety generally has administered federal grant funding for the Internet Crimes Against Children grants, and sex offender registry grants, which also are connected with human trafficking investigations.

The Department of Human Services and the Iowa Judicial Branch's Children's Justice Project are responsible for child-welfare grants from government and non-government sources, which also have been used for anti-trafficking efforts and trafficking survivor services.

The Office to Combat Human Trafficking continues to monitor grant opportunities related to human trafficking, and to provide support to grant requesters who seek information or support for grant-funded programs in Iowa. United States Department

of Justice grants are described online:  
<https://www.justice.gov/humantrafficking/resources/grants>

Grants focused on law enforcement and prosecution have been highly competitive, and Iowa has not competed for these grants in the past. The 2016 funding was for a three-year period, and required dedicated staff and collaborative commitments. It is unclear whether further grants will be awarded in the future.



[https://www.bja.gov/publications/Task-Force-Map\\_10-2016.pdf](https://www.bja.gov/publications/Task-Force-Map_10-2016.pdf)

## 5. Assist in Development of Training Programs

Two primary initiatives have focused on training for law enforcement in the past year. The Office to Combat Human Trafficking hosted introductory and advanced training for law enforcement officers across the state, and reached about 200 officers statewide in the training, including local, state and federal officers. The programs included intelligence-led policing techniques, and provided law enforcement with specific information about how to identify and investigate human trafficking cases, how to identify victim resources within their communities, and how to assess risk factors in communities in Iowa, as well as guidance regarding the collection and reporting of intelligence information. The curriculum was specifically developed for Iowa law enforcement officials, based on Iowa law and the resources available in Iowa.

The Iowa Law Enforcement Academy and the Crime Victim Assistance Division of the Attorney General's office jointly hosted train-the-trainer programs based on the U.S. Department of Homeland Security Blue Campaign, a multi-disciplinary awareness and education program focused on law enforcement, government and non-government and private organizations. The Office to Combat Human Trafficking assisted in the adaptation of the Blue Campaign to Iowa needs.

Training has been provided to attorneys focused on juvenile representation, and the Commissioner of Public Safety serves on a committee with the Children's Justice Project of the Iowa Judicial Branch, which includes collaborative discussions of human trafficking issues and training.

## 6. Other Activities

The Office to Combat Human Trafficking consists of an Iowa State Patrol Sergeant, who devotes half time to the human trafficking initiative, and a Criminal Intelligence Analyst who devotes full time to the human trafficking initiative.

The Office to Combat Human Trafficking receives all referrals of human trafficking tips affecting Iowa, which are received by the National Human Trafficking Hotline currently

operated by Polaris. The National Hotline information includes unvetted tips from the public, calls from victims of trafficking, and any other agency, organization or individual who suspects that human trafficking may be occurring. Not all tips provided to the National Hotline are forwarded to the Office to Combat Human Trafficking. Some individuals who provide tips choose not to have the information shared with law enforcement. The caller can request that the information be shared with law enforcement, or not shared, and the caller determines how much detail will be provided. This means that some information is never shared with the Office to Combat Human Trafficking, some information is not sufficiently detailed to be able to provide meaningful follow-up, some information is duplicative, and some information provides sufficient information for law enforcement to follow up.

The tips from the National Human Trafficking Hotline that are provided to the Iowa Office to Combat Human Trafficking are vetted and provided to the local law enforcement agency with jurisdiction. The Department of Public Safety has limited jurisdiction and generally serves as an assisting agency, not a primary-jurisdiction agency.

Local law enforcement agencies can use the services provided through the Division of Intelligence & Fusion Center, including the analytical assistance from the Office to Combat Human Trafficking. When referrals are made, the Office to Combat Human Trafficking will contact the local law enforcement agencies later to determine whether additional assistance or referrals are warranted.

The National Hotline tips were first directed to the Office to Combat Human Trafficking in September 2016, and the Office followed up on every tip referred.

In FY17, there were 174 tips provided to the National Hotline that had a connection to Iowa. Of those, only 34 tips were provided to the Office to Combat Human Trafficking for law enforcement referrals. Of those 34 tips, 26 of them occurred from September 1 to June 30, when the Office to Combat Human Trafficking was operational.

Of those 26 cases referred to the Office to Combat Human Trafficking:

- 1 tip resulted in criminal charges
- 3 tips resulted in investigations that are in progress
- 14 tips were determined to have insufficient information to establish a trafficking nexus
- 1 tip was not actionable because of outdated information
- 7 tips are currently undetermined but could result in an investigation

In addition to the 26 tips provided through the National Hotline to the Office to Combat Human Trafficking, the Office also received more than 60 reports from law enforcement agencies regarding possible human trafficking cases. Some of these cases are currently being pursued by local, state or federal law enforcement agencies for criminal prosecution. Some cases have provided intelligence information that may be used in future investigations. Information from all of the law enforcement reports can be retained for future use by law enforcement officials.

The anonymous tips provided by the public to the National Hotline often are not referred to law enforcement (referral is based on the tipster's request to share the information), and the

information provided often is not actionable. Reports from law enforcement are more likely to be based on actionable information, because the agency is better equipped to provide the initial vetting of the information. This is why the Office to Combat Human Trafficking has focused its initial efforts on training law enforcement officials, so that they can identify indicators of human trafficking and take action.

## **V. Future Plans**

The Office to Combat Human Trafficking has set several goals for the remainder of FY18 and beyond.

### **Human Trafficking Summit (April 17-18, 2018)**

The Office to Combat Human Trafficking, along with the Iowa Attorney General, will cohost a multi-disciplinary Human Trafficking Summit in 2018. It will be targeted to law enforcement, prosecutors, judges, the medical community, social workers, and victim service providers. The program will include plenary sessions for all attendees, as well as more specialized training targeted to the specialty groups. The goal of the summit is to provide baseline recognition of human trafficking indicators for all groups, along with guidance regarding what actions can be taken, and what information can be shared with others, to provide a more cohesive approach to combat human trafficking. A multi-disciplinary summit provides opportunities to develop common terminology, to examine multiple systems for support for survivors, accountability for offenders, and prevention efforts for the general public. It also provides a venue for many disciplines to meet each other face to face and talk about more effective responses and innovative initiatives to combat human trafficking in Iowa.

### **Public Awareness & Coordination Efforts**

The non-government organizations have provided useful public awareness programs across the state, which has generated interest in human trafficking and provided guidance about prevention, responses and resources needed to address human trafficking.

The Office to Combat Human Trafficking plans to build on that public awareness by developing a website designed to provide specific guidance regarding reporting that would be most helpful to law enforcement, and to provide another online option for sharing information with law enforcement agencies.

Throughout the next year, the Office to Combat Human Trafficking will increase its coordination efforts. This includes continued coordination with the Iowa Law Enforcement Academy and the Iowa Attorney General's office regarding training for law enforcement officials, and continued efforts to ensure that government and non-government agencies will have ready access to information about support services for the survivors of human trafficking. The 2018 Summit

will bring together many interested parties, and offers opportunities to continue collaboration and develop new goals.

## **Innovative Investigation**

The Office to Combat Human Trafficking will continue to work with local, state and federal law enforcement officials to develop techniques for detecting and investigating trafficking cases. Special projects with ad hoc task forces can provide collaborative support for investigations, and the Office to Combat Human Trafficking will work with other agencies to develop and support special projects.

## **Summary**

Iowa is not immune from human trafficking. In fact, its location at the crossroads of two major interstate highways makes it a likely target for traffickers who travel nationally or regionally, in addition to traffickers who focus only on Iowa. The experience in Iowa has been that human trafficking can thrive here, if government agencies and the private sector fail to take seriously the need to prevent, deter, and respond to trafficking in Iowa.

Iowa has several advantages in the effort to combat human trafficking. Many existing programs can be adapted to address the specific needs of human trafficking survivors, and Iowa's tradition of collaboration can increase the effectiveness of the existing programs, and can increase the options that can better serve the needs of survivors. Iowa's law enforcement and prosecution traditions that include collaborative efforts and a focus on intelligence-led policing puts Iowa in a strong position for developing effective intelligence-led policing methods to address human trafficking.

Progress has been made already. Public awareness has increased. Training for justice system officials, and for many other support service systems, has been addressed and will continue to improve. Iowa laws have been developed to hold accountable the offenders who take advantage of victims' vulnerabilities.

The Office to Combat Human Trafficking is committed to working with public and private partners, to improve the law enforcement and prosecution response, and to support the services that survivors of trafficking need.

It is up to each and every one of us  
to raise our voice against crimes that  
deprive countless victims of their  
liberty, dignity and human rights.

-- Ban Ki-moon

# Appendix A

## CHAPTER 710A

### HUMAN TRAFFICKING

Referred to in §331.307, §364.22, §701.1, §808B.3, §915.35, §915.37

#### 710A.1 Definitions.

As used in this chapter:

1. “*Commercial sexual activity*” means any sex act or sexually explicit performance for which anything of value is given, promised to, or received by any person and includes, but is not limited to, prostitution, participation in the production of pornography, and performance in strip clubs.

2. “*Debt bondage*” means the status or condition of a debtor arising from a pledge of the debtor’s personal services or a person under the control of a debtor’s personal services as a security for debt if the reasonable value of such services is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

3. “*Forced labor or services*” means labor or services that are performed or provided by another person and that are obtained or maintained through any of the following:

a. Causing or threatening to cause serious physical injury to any person.

b. Physically restraining or threatening to physically restrain another person.

c. Abusing or threatening to abuse the law or legal process.

d. Knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person.

4. a. “*Human trafficking*” means participating in a venture to recruit, harbor, transport, supply provisions, or obtain a person for any of the following purposes:

(1) Forced labor or service that results in involuntary servitude, peonage, debt bondage, or slavery.

(2) Commercial sexual activity through the use of force, fraud, or coercion, except that if the trafficked person is under the age of eighteen, the commercial sexual activity need not involve force, fraud, or coercion.

b. “*Human trafficking*” also means knowingly purchasing or attempting to purchase services involving commercial sexual activity from a victim or another person engaged in human trafficking.

5. “*Involuntary servitude*” means a condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint or the threatened abuse of legal process.

6. “*Labor*” means work of economic or financial value.

7. “*Maintain*” means, in relation to labor and services, to secure continued performance thereof, regardless of any initial agreement on the part of the victim to perform such type of services.

8. “*Obtain*” means, in relation to labor or services, to secure performance thereof.

9. “*Peonage*” means a status or condition of involuntary servitude based upon real or alleged indebtedness.

10. “*Services*” means an ongoing relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor, including commercial sexual activity and sexually explicit performances.

11. “*Sexually explicit performance*” means a live or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interest of patrons.

12. “*Venture*” means any group of two or more persons associated in fact, whether or not a legal entity.

13. “*Victim*” means a person subjected to human trafficking.

2006 Acts, ch 1074, §2; 2009 Acts, ch 19, §1; 2012 Acts, ch 1057, §2

Referred to in §80.45, §232.68, §915.51, §915.87

#### 710A.2 Human trafficking.

1. A person who knowingly engages in human trafficking is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “C” felony.

2. A person who knowingly engages in human trafficking by causing or threatening to cause serious physical injury to another person is guilty of a class “C” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “B” felony.

3. A person who knowingly engages in human trafficking by physically restraining or threatening to physically restrain another person is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “C” felony.

4. A person who knowingly engages in human trafficking by soliciting services or benefiting from the services of a victim is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class

“C” felony.

5. A person who knowingly engages in human trafficking by abusing or threatening to abuse the law or legal process is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “C” felony.

6. A person who knowingly engages in human trafficking by knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document of a victim is guilty of a class “D” felony, except that if that other person is under the age of eighteen, the person is guilty of a class “C” felony.

7. A person who benefits financially or by receiving anything of value from knowing participation in human trafficking is guilty of a class “D” felony, except that if the victim is under the age of eighteen, the person is guilty of a class “C” felony.

8. A person’s ignorance of the age of the victim or a belief that the victim was older is not a defense to a violation of this section.

2006 Acts, ch 1074, §3; 2012 Acts, ch 1057, §3; 2013 Acts, ch 90, §187

Referred to in §9E.2, §272.2, §692A.102, §710A.3, §710A.5, §802.2D, §911.2A, §911.2B, §915.94, §915.95

#### **710A.2A Solicitation of commercial sexual activity.**

A person shall not entice, coerce, or recruit, or attempt to entice, coerce, or recruit, either a person who is under the age of eighteen or a law enforcement officer or agent who is representing that the officer or agent is under the age of eighteen, to engage in a commercial sexual activity. A person who violates this section commits a class “D” felony.

2012 Acts, ch 1057, §4; 2013 Acts, ch 90, §188

Referred to in §692A.102

#### **710A.3 Affirmative defense.**

It shall be an affirmative defense, in addition to any other affirmative defenses for which the victim might be eligible, to a prosecution for a criminal violation directly related to the defendant’s status as a victim of a crime that is a violation of section 710A.2, that the defendant committed the violation under compulsion by another’s threat of serious injury, provided that the defendant reasonably believed that such injury was imminent.

2006 Acts, ch 1074, §4

#### **710A.4 Restitution.**

The gross income of the defendant or the value of labor or services performed by the victim to the defendant shall be considered when determining the amount of restitution.

2006 Acts, ch 1074, §5

#### **710A.5 Certification.**

A law enforcement agency investigating a crime described in section 710A.2 shall notify the attorney general in writing about the investigation. Upon request of the attorney general, such law enforcement agency shall provide copies of any investigative reports describing the immigration status and cooperation of the victim. The attorney general shall certify in writing to the United States department of justice or other federal agency that an investigation or prosecution under this chapter has begun and that the person who is a likely victim of a crime described in section 710A.2 is willing to cooperate or is cooperating with the investigation to enable the person, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Cooperation with law enforcement shall not be required of a minor victim of a crime described in section 710A.2. This certification shall be made available to the victim and the victim’s designated legal representative.

2006 Acts, ch 1074, §6

#### **710A.6 Outreach, public awareness, and training programs.**

The crime victim assistance division of the department of justice, in cooperation with other governmental agencies and nongovernmental or community organizations, shall develop and conduct outreach, public awareness, and training programs for the general public, law enforcement agencies, first responders, potential victims, and persons conducting or regularly dealing with businesses or other ventures that have a high statistical incidence of debt bondage or forced labor or services. The programs shall train participants to recognize and report incidents of human trafficking and to suppress the demand that fosters exploitation of persons and leads to human trafficking.

2015 Acts, ch 138, §138, 161, 162

Referred to in §915.94

Establishment of human trafficking enforcement fund; 2015 Acts, ch 138, §141; 2016 Acts, ch 1137, §20

# Appendix B

HF 2355 (LSB 5128HV (2) 86)

HOUSE FILE 2355

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2192)

(COMPANION TO SF 2191 BY COMMITTEE ON JUDICIARY)

## A BILL FOR

An Act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. **80.45 Office to combat human trafficking.**

1. An office to combat human trafficking is established within the department. The purpose of the office is to oversee and coordinate efforts to combat human trafficking in this state.

2. The commissioner shall appoint a coordinator to staff the office. Additional staff may be hired, subject to the availability of funding.

3. The office shall do all of the following:

a. Serve as a point of contact for anti-human trafficking activity in this state.

b. Consult with and work jointly with other governmental agencies and nongovernmental or community organizations that have expertise in the areas of human trafficking prevention, victim protection and assistance, law enforcement, and prosecution for the purpose of combatting human trafficking in this state.

c. Develop a strategy to collect and maintain criminal history data on incidents related to human trafficking.

d. Develop a strategy for sharing victim and offender data among governmental agencies.

e. Apply for or assist other governmental agencies, as assistance is needed, to apply for grants to support human trafficking enforcement, prosecutions, trainings, and victim services.

f. Research and recommend trainings to assist governmental agencies to identify and respond appropriately to human trafficking victims.

g. Take other steps necessary to advance the purposes of the office.

h. By November 1, 2017, and annually thereafter, submit a written report to the general assembly regarding the office's activities related to combatting human trafficking and occurrences of human trafficking within this state.

4. For purposes of this section, "human trafficking" means the same as defined in section 710A.1.



#### EXPLANATION

**The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.**

This bill establishes an office within the department of public safety to oversee and coordinate efforts to combat human trafficking in this state.

The bill directs the commissioner of public safety to appoint a coordinator to staff the office. Additional staff may be hired, subject to the availability of funding.

The bill provides that the office shall serve as a point of contact for anti-human trafficking activity in Iowa. The office shall also consult with and work jointly with other governmental agencies and nongovernmental or community organizations that have expertise in the areas of human trafficking prevention, victim protection and assistance, law enforcement, and prosecution to combat human trafficking in the state. The office shall develop strategies to collect and maintain criminal history data on incidents related to human trafficking and to share victim and offender data among governmental agencies. The office shall apply for or assist other governmental agencies, as assistance is needed, to apply for grants to support human trafficking enforcement, prosecutions, trainings, and victim services. The office shall research and recommend trainings to assist governmental agencies to identify and respond appropriately to human trafficking victims. The office shall take other steps necessary to oversee and coordinate efforts to combat human trafficking in Iowa.

The bill requires the office, by November 1, 2017, and annually thereafter, to submit a written report to the general assembly regarding the office's activities related to combatting human trafficking and occurrences of human trafficking in Iowa.