



**SF 2371** – Human Trafficking Involving Minors, Penalty (LSB5957SV)  
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 Fiscal Note Version – New

**Description**

[Senate File 2371](#) relates to criminal penalties for individuals engaged in human trafficking of victims under the age of 18.

**Background**

Current law states that persons engaged in human trafficking under Iowa Code section [710A.2\(2\)](#), human trafficking by causing or threatening to cause serious physical injury, are guilty of a Class B felony if the victim is under the age of 18. All other human trafficking crimes under Iowa Code section [710A.2](#) with a victim under the age of 18 are Class C felony crimes. This Bill would enhance the penalty for all human trafficking cases from a Class C felony to a Class B felony.

From FY 2006 through FY 2017, there was one conviction of human trafficking under Iowa Code section [710A.2](#). There were 17 disposed charges, with one conviction and this conviction was a Class B felony, as it involved causing or threatening to cause serious physical injury. The victim was under the age of 18.

**Table 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for offenders convicted of Class B and Class C felonies against persons.

**Table 1 – Sentencing Estimates**

	Percent to Prison	Avg LOS Prison (months)	FY 17 Marginal Cost/Day Prison	Avg LOS Parole (months)	Percent to Probation	Avg LOS Probation (months)	FY 17 Avg Cost/Day Parole & Probation	Percent to CBC	FY 17 Marginal Cost/Day CBC	Percent to County Jail	Avg LOS County Jail (days)	Marginal Cost/Day Jail
B Felony Persons	93.0%	90.2	\$17.52	33.3	9.0%	34.9	\$4.93	4.0%	\$10.56	44.0%	N/A	\$50.00
C Felony Persons	85.0%	38.9	\$17.52	20.1	29.0%	36.7	\$4.93	4.0%	\$10.56	34.0%	N/A	\$50.00

**Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day. Additionally, reliable LOS data for county jails is not available.
- Future convictions of human trafficking may be a rare occurrence.

## **Impacts**

### **Minority Impact**

It is unknown what the minority impact of [SF 2371](#) would be, as there is very little data on human trafficking convictions in Iowa. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 29, 2018, for information related to minorities in the criminal justice system.

### **Correctional Impact**

There would be a minimal correctional impact to this Bill, as convictions for human trafficking in the future are assumed to be rare. Refer to the LSA memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 8, 2018, for information related to the correctional system.

### **Fiscal Impact**

The fiscal impact of [SF 2371](#) would be minimal. The average State cost for one Class C felony conviction ranges from \$9,000 to \$17,200, and the average State cost for one Class B felony ranges from \$12,500 to \$29,600. The minimum cost includes court time for a district court judge, court reporter, court attendant, and clerk of court staff, plus the costs of indigent defense and probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, State prison, and parole supervision.

## **Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Office of the State Court Administrator  
Office of the State Public Defender

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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