

Legislative Report for the Human Trafficking Providers

December 8, 2022

The most important piece of legislation that the Iowa Network Against Human Trafficking has been working for is Safe Harbor.

First, I would like to mention once again that Human Trafficking or modern-day slavery is right here in Iowa both in rural, suburban and urban areas. In 2020, Iowa law enforcement had 245 victims identified; 49 traffickers identified, and 16 trafficking businesses identified, and in 2021, 642 sex trafficking victims were served by Iowa's Victim Services Program. Now, in 2022 we have even more, so we want to adopt the Safe Harbor law.

What is the Safe Harbor Law? A complete Safe Harbor law prevents minors (any child under 18) from being prosecuted for prostitution and directs juvenile sex-trafficking victims to non-punitive specialized services.

Why is this law necessary? Sex traffickers often target run away and homeless youth as well as children (mainly females) who have been abused or neglected. When minors are forced to engage in commercial sex, it places them at risk for prosecution under prostitution laws. Safe Harbor laws ensure that trafficked children are treated as victims, not criminals, and provide access to medical care, safe housing, remedial education, and counseling services.

What is the Impact of Safe Harbor Laws?

When child trafficking victims are convicted of prostitution, they are often transferred from the control of the trafficker to the control of the criminal justice system. Safe Harbor laws protect child victims of sex trafficking from unjust criminalization. Further, because Safe Harbor laws redirect arrested minors from juvenile delinquency proceedings to child protection proceedings, they give sexually exploited children access to specialized services. Safe Harbor laws also

promote the use of safe houses rather than juvenile detention for child survivors of sex trafficking.

Safe Harbor legislation usually includes a statement of intent for how sexually exploited youth should be treated under the law. Common goals identified in Safe Harbor legislation include:

- Trafficked children be treated as victims and not prosecuted as prostitutes; and
- States provide a protective response to prevent further victimization.

Trafficked children and youth are commonly compelled to commit juvenile and criminal offenses during their victimization. In addition to harms caused by criminalization, related records present detrimental challenges and barriers to the restoration and healing process for survivors of sex trafficking and commercial sex exploitation. Juvenile records may result in school expulsion, denial of professional licenses and denial of access to public benefits. And criminal records hinder a survivor's ability to obtain employment, secure safe housing, take out loans, and seek educational opportunities. Indeed, such consequences may hinder a survivor's ability to rebuild their life. Thirty-one states have already passed Safe Harbor laws including Nebraska, Minnesota, Illinois, Indiana, and North Dakota.

Last Spring, the NAHT worked with legislative leaders to bring forward House File 2464 in the 2022 legislative session, which would have put Iowa as State #32 for passage of Safe Harbor. The bill passed the House 95-1. When it went to the Senate, it passed out of Judiciary Committee but was held up in the Senate due to concerns from the Department of Public Safety and various Senators who were former Deputy Sheriffs and former law enforcement officers.

Chelsea will explain what NAHT did next regarding workgroup discussions and what we are now going to do regarding the passage of Safe Harbor in 2023! And Chelsea will explain how we need your help with the passage of this bill.

Chelsea:

During the legislative interim NAHT, convened a multi-disciplinary workgroup to discuss the implementation of Safe Harbor legislation. This workgroup brought together representatives from the Department of Health and Human Services, the Department of Public Safety, the Iowa Police Chiefs Association, the Iowa Attorney General's Office, the County Attorneys Association, Juvenile Courts, and various other stakeholders.

The three workgroup meetings were facilitated by Chief Ricardo Martinez, the Chief of Police and Public Safety Director of Nevada. The goal of our meetings was to break down barriers between the silos of these departments, agencies, and organizations to realize how we can best support these underserved, traumatized youths while building consensus among all the stakeholders about what the 2023 bill language should look like.

While members of the workgroup disagreed on various points of discussion, we now have new bill language to introduce this legislative session that we believe will be supported by many (fingers crossed for ALL) of the stakeholder agencies.

So...What can you do to help?

Reach out to your newly elected representative and implore them to support a Safe Harbor law in 2023! Explain to them why a safe harbor law is necessary to YOU as their constituent. The more constituents they hear from about an issue, the more they'll be willing to engage and support it!

The Iowa legislative site has not been updated to include newly elected senators and representatives. Until this is corrected (likely in January), here's is the workaround to determine your legislators (*I will drop these links into the chat and help anyone interested to identify their reps. Happy to share emails with anyone listed, I have that information on file*).

Plug your address into this website: <https://iowa-legis.maps.arcgis.com/apps/instant/lookup/index.html?appid=d32118cf09ed47beacd12742c1cf3fb3> After inputting your address, you will receive a Congressional district, a state House district, and a state Senate district. November election results at posted at the Secretary of State's website here. <https://electionresults.iowa.gov/IA/115641/web.307039/#/summary> Scroll down to find your House and Senate district numbers.

The Legislative Advocacy Committee of NAHT met on December 5th to discuss important legislation on Human Trafficking to set before the 2023 Legislature. As I mentioned, Safe Harbor is Number 1 on our list. Do you have any questions? Will you support this? These additional pieces of legislation were also discussed and are part of our agenda.

- Safe harbor
- Expungement
- \$5M for victim services with Human Trafficking added to the language of the Bill

Policy Statement to support:

- \$150k restitution revision
- Prevent Child Abuse Iowa's school education bill
- HF 2066 (Cell Phone Safety Feature On in Iowa)