

# IOWA DEPARTMENT OF PUBLIC SAFETY



# OFFICE TO COMBAT HUMAN TRAFFICKING

## Annual Report 2022

*Commissioner Stephan K. Bayens  
Assistant Director Patrick Waymire*



Iowa Office to Combat  
Human Trafficking

[www.stopthiowa.org](http://www.stopthiowa.org)



**2022 ANNUAL REPORT  
of the  
OFFICE TO COMBAT HUMAN TRAFFICKING**

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# PREFACE

*“Human trafficking uniquely affects Iowa given our proximity to major metropolitan areas (like Kansas City and Chicago) and the intersection of two major interstate systems. Our goal is to provide the knowledge and tools to quickly identify and respond to human trafficking so together we can prevent this from happening in our state – because even one victim is one too many.”*

**DPS Commissioner  
Stephan Bayens**

*The Office to Combat Human Trafficking was designed to facilitate a more effective enforcement response, to raise public awareness of the issue, and to coordinate the efforts of the many dedicated professionals and volunteers who are committed to the reduction and ultimate elimination of human trafficking.*

*Any successful effort to combat criminal activity requires the engagement of many groups. Law enforcement may begin the process of holding traffickers accountable, but simply knowing what has occurred will not stop it. Even as cases proceed through the legal system, and some individual offenders are imprisoned and fined, there are many others who are willing to take their place in the trafficking arena.*

*Genuine efforts to address human trafficking require commitment from everyone: government officials who address child welfare and labor issues; community-based groups that raise public awareness and assist in raising funds for community programming; medical and legal professionals who encounter victims and traffickers and have opportunities to ensure that a fair and just response can occur; and religious and educational groups and charitable organizations that work with their constituencies to reshape community values and expectations, and also provide assistance in prevention, deterrence and broad-based community efforts to combat human trafficking.*

*The Department of Public Safety takes seriously the obligation to seek out all who engage in human trafficking, and to play a role in the coordination of resources and efforts to combat human trafficking in Iowa and elsewhere.*

## I. UPDATE ON HUMAN TRAFFICKING

Coordinated efforts by many government agencies and non-government organizations have improved awareness among members of the public, advocacy groups, justice system officials, health providers and other service providers. In 2022, the Office to Combat Human Trafficking (OCHT) has made a considerable effort to educate and raise awareness of human trafficking issues with law enforcement, prosecutors, advocacy groups and the public, and this awareness has spurred action in many different arenas. Law enforcement agencies are sharing information with each other at an increased pace, which leads to more investigations, and several cases have been successfully prosecuted.



### Legal Issues

Over the past couple of years, a number of human trafficking cases have been prosecuted in Iowa's federal courts. The United States Attorney's Office in the Southern District of Iowa opened three new cases in 2022. The United States Attorney's Office reported several recent court-related convictions and indictments.

- On October 16, 2022, a defendant was sentenced to 264 months imprisonment in the Southern District of Iowa after pleading guilty to two counts of conspiracy to engage in sex trafficking by force, fraud, and coercion; two counts of being a felon in possession of a firearm; and one count of sex trafficking by force, fraud, and coercion. The defendant admitted to conspiring to sex traffic two adult female victims between February and May 2018. The defendant admitted distributing cocaine and marijuana to the victims to entice them to engage in commercial sex work. The defendant admitted to sex trafficking a third adult female victim between March 2017 and August 2018 in Illinois, Iowa, and Minnesota.
- In October of 2022, a 13-count superseding indictment was filed against a defendant in the Southern District of Iowa. The defendant was charged with three counts of sex trafficking by force, fraud, and coercion; one count of kidnaping; one count of sexual exploitation of a minor; one count of enticement and attempted enticement of a minor to engage in illicit sexual activities, and multiple child pornography and drug trafficking offenses.
- On March 23, 2022, a defendant was sentenced to 45 years in prison for sex trafficking an adult victim by force, fraud, and coercion; five years for facilitation of prostitution; and 40 years for distribution of a controlled substance to a person under the age of 21. During trial, the government presented evidence that the defendant used deceptive and coercive tactics as well as physical force to compel a victim to engage in sex acts in exchange for

money. The defendant kept all proceeds from the victim's sex acts. The defendant trafficked the victim in Iowa City, Cedar Rapids, Waterloo, Clive, and surrounding areas in March of 2020. The defendant supplied the victim with a controlled substance, and posted advertisements for paid sex acts with the victim and other women on an escort website. The defendant had also distributed controlled substances to other women, and had attempted to recruit and/or compel other women to engage in commercial sex acts for the defendant's monetary gain.

- The state appellate courts in Iowa have heard very few cases involving human trafficking convictions, to date. Between January 2021 and June 2022, only four (4) individuals have been charged under Iowa's human trafficking statute (710A.2), with two (2) subjects being convicted under this statute.

Human trafficking may be underrepresented in our judicial system as criminal offenses are frequently charged that do not readily implicate trafficking even if said activity is occurring. Often, human trafficking is accompanied by other types of crimes, such as fraud, financial crimes, identity theft crimes, drug offenses, and other vice offenses (e.g., pimping, pandering, or prostitution). These other offenses may be prosecuted in order to hold offenders accountable, without requiring the vulnerable trafficking victims to testify.

While it would be ideal to always prosecute human trafficking crimes, sometimes the victims who have survived the trafficking are struggling to regain their lives and may find that participation in the criminal process does not help their healing process. Sometimes survivors are justifiably concerned for their own safety and the safety of their loved ones should they testify. More and more, prosecutors are sensitive to the risks involved in victims' participation, and prosecutors may choose other avenues to prosecute offenders besides human trafficking offenses. This approach can hold offenders accountable while protecting the interests of the crime victims.

## II. IOWA PERSPECTIVE

Human trafficking is a crime involving the exploitation of youth under the age of 18 for commercial sex; the exploitation of adults for commercial sex through force, fraud, or coercion; and the exploitation of any individual for compelled labor.<sup>1</sup> Human trafficking does not require the transportation of individuals across state lines or that someone is physically restrained. Signs that a person is being trafficked can include working excessively long hours, unexplained gifts, physical injury, substance abuse, running away from home, isolation from others, or being controlled or closely monitored by another.



Like most crimes, human trafficking may be hidden from public view, and it can be challenging to determine the incidence and prevalence of the crime.<sup>2</sup> Many public and private sector agencies and individuals have made efforts to focus on public awareness, to include enhanced media attention.

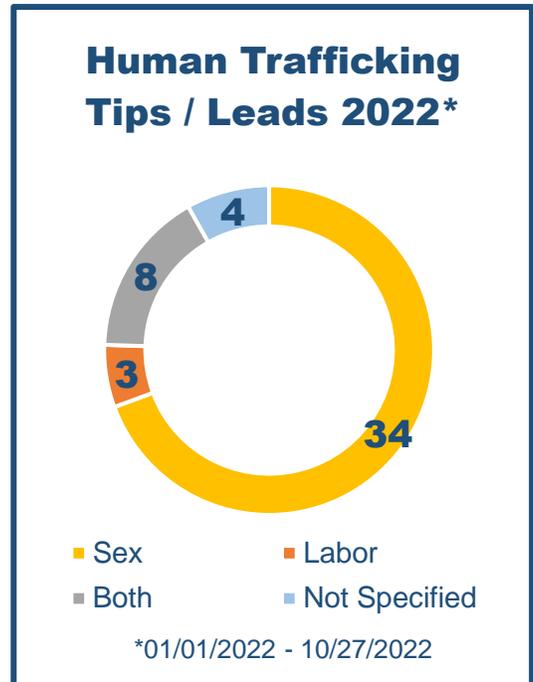
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<sup>1</sup> Hilinski-Rosick & Lee, *Contemporary Issues in Victimology: Identifying Patterns and Trends* (Lexington Books, 2018).

<sup>2</sup> Incidence refers to how many crimes occur during a particular period of time. Prevalence measures how many people experience a particular crime during their lifetimes. National Institute of Justice, *Measuring Frequency*, <https://www.nij.gov/topics/crime/rape-sexual-violence/campus/Pages/measuring.aspx>

Law enforcement awareness and training efforts in Iowa have likely impacted the volume of human trafficking reporting. Additionally, the Iowa OCHT asserts that the COVID-19 pandemic, which began in March of 2020, likely reduced both the activity and reporting of human trafficking in Iowa. This was likely due to the significant decline in U.S. travel and recommendations for health and safety measures. Data gathered by the Iowa OCHT noted a 23% decrease in human-trafficking reports in the second year of the pandemic (2021). From January through October of 2022, reporting has increased 151% in comparison to 2021.

Human trafficking tips and leads received by the Iowa OCHT increased during the reporting period, with the most significant rise in reporting occurring in the first half of 2022. Tips and leads from law enforcement field encounters, the Crime Stoppers tip line, and the stopptiowa.org website exceeded those from the National Human Trafficking Hotline (NHTH).



- From January through October 2022, the Iowa OCHT documented 50 human trafficking tips and leads, with 32 of those received from law enforcement field encounters, the Crime Stoppers tip line, and the stopptiowa.org website. The remaining 18 were received from the National Human Trafficking Hotline (NHTH).
- The Iowa OCHT processed 435 requests for information (RFI's) regarding human trafficking investigative leads.



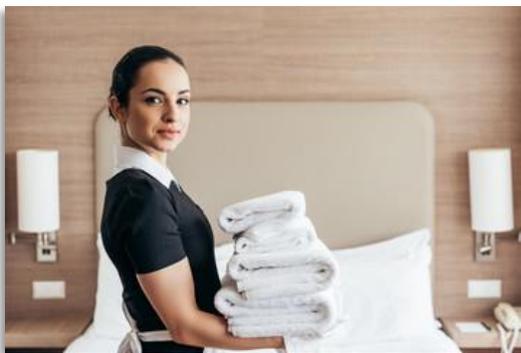
### III. HUMAN TRAFFICKING PREVENTION TRAINING



In July of 2020, the Iowa Legislature passed legislation designed to enhance the reporting, training, and prevention of human trafficking.

Iowa Code section 80.45A requires the Iowa OCHT, in collaboration with other government agencies, non-governmental agencies, and community organizations, to develop a human trafficking prevention training program. The legislation requires lodging providers to certify that their organizations have completed human trafficking training before receiving any governmental expenditures. The training must focus on accurate and prompt identification and reporting of, or response to, suspected human trafficking. At a minimum, the training must include the following:

- A general overview of human trafficking.
- A general overview of state law on human trafficking.
- The definition of human trafficking and the commercial exploitation of children.
- Guidance on the difference between labor trafficking and sex trafficking.
- Guidance on how to recognize potential human trafficking victims.
- Guidance on how to recognize potential human traffickers.
- Guidance on how to identify activities commonly associated with human trafficking.
- Safe and effective responses to human trafficking situations, including but not limited to how to report suspected human trafficking to proper law enforcement officials.



The Commissioner of the Department of Public Safety is charged with approving the training curriculum, and also is tasked with adopting rules to implement and administer the training as necessary under Iowa Code chapter 17A.

Since the implementation of Iowa Code section 80.45A, the Iowa OCHT has certified more than 600 lodging providers and provided training to approximately 18,500 individuals. The Iowa OCHT is in the process of developing a multi-media outreach

campaign to notify and educate businesses and the public on how to identify human trafficking victims. A website was created (stophtia.org) to provide a training platform, resource information, approved lodging provider information, and a tip reporting system, which has generated actionable tips and intelligence information to combat human trafficking.

In March of 2022, the Iowa OCHT added a full-time training coordinator who is tasked with conducting outreach to lodging providers that have not sought certification and performing audits on random certified lodging locations to verify continued compliance and to answer any questions regarding the certification process.

The Iowa OCHT has focused on outreach to the public/private sector and law enforcement partners to educate, train, and share intelligence information regarding human trafficking in hopes of identifying organizations, businesses, or subjects who are trafficking victims. The Iowa OCHT has provided training to 717 individuals from various public and private entities since January of 2022.



The Iowa OCHT has also partnered with the Secretary of State's program, Businesses Against Trafficking; the Iowa Department of Transportation; the Attorney General's Office; and Truckers Against Trafficking. The Iowa OCHT presented at the Attorney General's Crime Victim Assistance Division Human Trafficking Summit and at the Truckers Against Trafficking brief on commercial sexual exploitation.

In October of 2022, the Iowa OCHT hosted the Human Trafficking Training Center (a nationally-recognized training organization) and provided training on how to investigate and identify human trafficking for approximately 110 federal, state, and local law enforcement officers and prosecutors throughout Iowa. A day after the training, an Iowa State Patrol Trooper, who attended the training, identified a trafficking victim during a routine traffic stop.

### **OCHT Training Initiatives Through October 27, 2022**

- Iowa Certified Lodging Facilities – 614
- Number of certified lodging staff who successfully completed the Human Trafficking Prevention Training Certification – 18,492
- Number of law enforcement and the public/private sector individuals trained in identifying human trafficking – 717
- The Iowa State Patrol hosted nine (9) public training sessions to help identify human trafficking victims.

## Appendix A

### Iowa Code Chapter 710A: Human Trafficking

#### 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**

### **Human Trafficking Indicators**

The following list of indicators is has been published by the Polaris Project.<sup>3</sup> Please note that not all indicators will be present in all situations. The type of trafficking and the content or environment are all important to take into account.

#### ***Common Work and Living Conditions: The individual(s) in question***

- Is not free to leave or come and go at will
- Is under 18 and is providing commercial sex acts
- Is in the commercial sex industry and has a pimp / manager
- Is unpaid, paid very little, or paid only through tips
- Works excessively long and/or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of his/her work
- High security measures exist in the work and/or living locations (e.g. opaque windows, boarded up windows, bars on windows, barbed wire, security cameras, etc.)
- Is living and working on site
- Experiences verbal or physical abuse by their supervisor
- Is not given proper safety equipment
- Is not paid directly
- Is forced to meet daily quotas

#### ***Poor Mental Health or Abnormal Behavior***

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid
- Exhibits unusually fearful or anxious behavior after bringing up law enforcement or immigration officials
- Shows signs of substance use or addiction

#### ***Poor Physical Health***

- Shows signs of poor hygiene, malnourishment, and/or fatigue
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture

#### ***Lack of Control***

- Has few or no personal possessions
- Is frequently monitored
- Is not in control of their own money, financial records, or bank account
- Is not in control of their own identification documents (ID or passport)

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<sup>3</sup> <https://polarisproject.org/human-trafficking/recognize-signs>

- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating)

### ***Other***

- Claims of just visiting and inability to clarify where they are staying/address
- Lack of knowledge of whereabouts and/or do not know what city he/she is in
- Appear to have lost sense of time
- Shares scripted, confusing, or inconsistent stories
- Protects the person who may be hurting them or minimizes abuse

This list is not exhaustive and represents only a selection of possible indicators. The red flags in this list may not be present in all trafficking cases. Each individual indicator should be taken in context, not be considered in isolation, nor should be taken as “proof” that human trafficking is occurring. Additionally, cultural differences should also be considered.