

IDAHO STATE LEGISLATURE

REPORT ON HUMAN TRAFFICKING I.C. § 18-8605(1)

Submission by
The Office of the Attorney General
Raúl R. Labrador
December 2025



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
RAÚL R. LABRADOR

To: The Idaho Legislature and the Citizens of Idaho

Re: Human Trafficking in Idaho

Pursuant to Idaho Code § 18-8605(1), as amended by House Bill 494 (2024), I submit this letter with my office's inaugural biennial report on human trafficking. As required by statute, this report outlines the status of Idaho's efforts to combat human trafficking and recommends steps that bodies of state government should take to eradicate human trafficking in Idaho.

This inaugural report provides foundational information regarding the crime of human trafficking, human trafficking's prevalence in Idaho, victim and trafficker dynamics, data deficiencies, and numerous other factors which greatly affect our state's – and our public's – ability to effectively combat human trafficking. And although Idaho has recognized human trafficking in state statute for two decades, this is the first comprehensive state-level report to document and analyze Idaho's data, Idaho's experiences, and Idaho's efforts.

This report is the product of conversations and discussions with individuals, agencies, and organizations who openly shared their successes and challenges, and we thank all who were involved in the creation of this report. While we highlight many prevention, protection, prosecution, policy, and partnership efforts which align to reduce the risk of trafficking, identify and support survivors, and hold traffickers accountable, there are always more opportunities to effect change and confront the appalling exploitation of human beings taking place here in Idaho.

Human trafficking is much more common and complex than many can imagine, and perpetrators and victims can be any age, race, socioeconomic status, sex, or citizenship. We all share the heavy burden to become educated on human trafficking to shine a light on this hidden crime and protect those at risk.

Sincerely,

A handwritten signature in blue ink that reads "Raúl R. Labrador".

RAÚL R. LABRADOR
Attorney General

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INTRODUCTION

On March 26, 2024, Governor Brad Little signed House Bill 494 (“**H.B. 494**”) into law. Among other items, H.B. 494 amended Idaho Code section 18-8605(1) to require the Office of the Attorney General “[t]o issue, by January 1 of each even-numbered year, a report outlining the status of the state’s efforts to combat human trafficking and recommending next steps one (1) or more bodies of state government should take to eradicate human trafficking in Idaho.”

This report is the first biennial report issued under Section 18-8605(1), as amended, and is intended to serve as a foundational document upon which efforts to combat human trafficking in Idaho can continue to be built over years to come. Although changes in the criminal justice system can often be incremental and slow-paced, each change is worthwhile to protect Idahoans against the threat of human trafficking.

The issue of human trafficking in Idaho is not new. The Idaho Code was amended in 2006 with the addition of a new chapter specifically for human trafficking. In the two decades since, the crime of human trafficking has grown not only statewide but nationally and internationally, and with it, public awareness and prevention efforts. However, as explained in this report, existing statewide data sources do not accurately reflect – and are currently incapable of accurately reflecting – the scope of the issue of human trafficking in Idaho, and much work remains to be done on the education, prevention, and enforcement fronts. Despite the immense challenges faced by survivors of human trafficking and the agencies and institutions serving them in Idaho, there remain countless opportunities to create meaningful change.

Both the Governor and the Attorney General, two of Idaho’s statewide elected officials, have declared human trafficking a priority for their administrations. In 2024, Governor Little expanded the mission of Operation Esto Perpetua to address not only drugs, but also human trafficking. Governor Little also formed a Citizens Action Group to gather information about the severity of the threat of drug proliferation and human trafficking in Idaho and provide ideas and tools to combat both issues. The Idaho Legislature adopted many of the recommendations from Attorney General Labrador to provide critical revisions to state human trafficking laws, empowering prosecuting attorneys and protecting victims. Further, the Office of the Attorney General now dedicates a Deputy Attorney General position to focus upon and address the issue of human trafficking and centralize state anti-trafficking efforts. The unity of these two high-profile offices has empowered significant changes and attention to anti-human trafficking efforts from the top down.

Data following the 2024 H.B. 494 rewrite of Title 18, Chapter 86, Idaho Code (“Human Trafficking”), is largely not yet available. As this report details, human trafficking cases can take significant amounts of time to be brought and to come to resolution. However, a conservative estimate is that the data will reflect – whether by way of

improved enforcement mechanisms or continued increase in education on the topic – a rise in reported offenses, arrests, prosecutions and convictions by the next report's January 1, 2028, submission to the Legislature.

QUESTIONS OR COMMENTS

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EXECUTIVE SUMMARY

The primary concerns for this initial report are:

- (1) Providing foundational information regarding the crime of human trafficking, key Idaho stakeholders, and the impact of human trafficking on victims;
- (2) Documenting the prevalence of human trafficking in Idaho;
- (3) Contextualizing stakeholders' successes and challenges; and
- (4) Identifying current anti-trafficking efforts and opportunities to expand those efforts.

In 2024, Idaho law enforcement reported 11 instances of sex trafficking and two instances of labor trafficking to Idaho's Uniform Crime Reporting Program.¹ Reports to Idaho's Uniform Crime Reporting Program of sex trafficking reduced from 2023 to 2024 by three (from 14) and for labor trafficking by one (from three). Despite the prioritization of human trafficking through legislation and devotion of resources to anti-trafficking efforts, fewer cases of human trafficking have been identified, reported, and prosecuted than national estimates of the issue would predict. Many of the reasons for this discrepancy will be addressed in this report.

Anti-trafficking efforts must be tailored to Idaho to succeed. This includes recognizing the following dynamics:

- Idaho was at the forefront of recognizing human trafficking as a crime and developing victim protections two decades ago;
- Geographically, Idaho is the 14th largest state by land area, but with just over two million residents, is also one of the least densely populated states;
- Weather patterns and city dynamics have largely prevented the establishment of open-air commercial sex markets, known as "blades", "tracks", and "strolls", often found in large cities, and pushed commercial sexual activity and trafficking to more private spaces, including homes, hotels, businesses, social media, and online;
- As a heavily agricultural state, Idaho depends on agribusiness and multiple sources of labor to thrive. With business and labor come profit motivators and the potential for labor exploitation or trafficking;
- Idaho is a documented stop on a human trafficking, drug trafficking, and commercial sexual activity circuit which primarily runs through California, Oregon, Washington, Idaho, Utah, and Nevada. Idaho's location on this circuit

¹ Crime in Idaho 2024 Report, issued July 1, 2025, by the Idaho State Police, Bureau of Criminal Identification, Uniform Crime Reporting Program.

makes it likely that Idahoans are trafficked outside of the state and non-Idahoans are trafficked within the state; and

- While Idaho was at the forefront of recognizing human trafficking as a crime, the state just recently received federal funding to create its first funded human trafficking task force and rewrote trafficking provisions in 2024 to better enable state prosecutions, both of which will require time to bear data.

Highlighted Findings

The Office of the Attorney General collaborated with stakeholders in public and private sectors statewide to develop findings and recommendations summarized below and discussed in detail in the remainder of this report.

- The extent to which human trafficking exists in Idaho cannot be accurately quantified by available data sources. However, for reasons explained here, human trafficking is under-reported, under-detected, and significantly more prevalent than official data reflects;
- Official data in this report is the lowest verifiable measure of human trafficking in Idaho but is not an accurate measure of true prevalence;
- Lack of standardized data collection, inconsistency in tracked variables, discrepancies in definitions, and limited data sharing across agencies results in fragmented data sets and hinders anti-trafficking efforts, making it nearly impossible to understand the true scope of trafficking in the state;
- Anti-trafficking efforts and resources are highly decentralized and vary significantly throughout Idaho;
- The intersection between the ongoing drug crisis and human trafficking is critical, as traffickers often exploit the addictive properties of controlled substances as a means of exerting coercion and control over victims, or traffic their victims to obtain drugs. Also, drugs are single-use commodities while humans can be exploited repeatedly – criminal networks involving drug trafficking often move into human trafficking to maximize profits;
- Law enforcement agencies face many competing demands for their limited resources, including exigent and emergency circumstances, which can de-prioritize human trafficking investigations and other proactive efforts;
- No revisions to Title 18, Chapter 86, Idaho Code (“Human Trafficking”), are recommended at this time. An insufficient amount of time has passed to evaluate the efficacy and impact of recent and significant legislative revisions;

- Despite a widespread lack of resources, many stakeholders are achieving successes and providing quality services to victims and survivors;
- While the issue of human trafficking is important to many public and private entities, macro-level change is unlikely without support from command staff or agency leadership who can allocate resources;
- Idaho is not alone in its fight against trafficking. Communication and coordination with surrounding states are critical components of Idaho's anti-trafficking efforts;
- Victims of human trafficking in Idaho interact with agencies and organizations through various channels, including law enforcement, community referrals, victim service providers, healthcare, and dedicated hotlines. The need for additional resources exceeds available funding for every channel;
- Idaho's unique geography and social composition create distinct risk factors and environments for different forms of human trafficking compared to national norms, requiring Idaho-specific responses;
- Professionals are required to navigate distinct and potentially conflicting goals and confidentiality obligations in multidisciplinary settings while supporting survivors;
- Statewide coordination of human trafficking efforts is critical to ensure consistency, promote collaboration, and further public education campaigns;
- Human trafficking education is severely lacking for the public and for many stakeholders, and human trafficking is much more common and complex than most people imagine. A public awareness and education campaign is recommended in addition to sector-specific training;
- Healthcare providers have not traditionally been targeted by human trafficking awareness trainings but are a critical touchpoint for many human trafficking victims. Directed outreach and data collection efforts are needed for this sector; and
- The crime of human trafficking encompasses an extremely wide range of traffickers, victims, and conduct. There is no “one size fits all” approach to education, investigation, service provision, or prosecution of these offenses.

Recommendations can be found throughout this report in italicized text and restated at the conclusion.

Is Human Trafficking an Issue in Idaho?

Yes, and the issue has the potential to grow as more people visit and reside in the state. Although it is impossible to accurately measure the true prevalence of sex and labor trafficking in Idaho, available data demonstrates that, annually, hundreds of victims are seeking services, cases are reported to or being identified by law enforcement, and prosecutions are being pursued at increasing rates.

Like other traditionally hidden offenses (e.g., incest, production of child sexual abuse material, stalking, and rape), it is nearly impossible to rule out human trafficking's existence in a community. As traffickers and their victims are not limited by age, race, sex, socioeconomic status, or citizenship, human trafficking's potential scope is extremely broad. The crime can exist anywhere there is a supply of human beings and a market for labor or sex.

Because the true rate of a specific crime occurring in a community is not measurable, data sources providing snapshots at discrete points are the best available estimate of prevalence. The gap between these data snapshots and actual occurrence is especially large for offenses like human trafficking with extremely low identification and reporting rates. One study, addressed in this report, estimated that the subject jurisdiction's official data represented as little as 14% and, at most, 18% of potential total trafficking victims.²

When reviewing Idaho's human trafficking data, it is critical to not equate a lack of data in these snapshots with a lack of occurrence. Just because a victim does not understand their victimization is human trafficking, is not identified, or cannot report their victimization to authorities, does not negate the fact that victimization is occurring – the victims simply cannot be counted in existing data sources.

Many victims' cases lack sufficient admissible evidence to meet required legal standards to prove human trafficking. But that does not mean the offenses did not take place, the victims were not truthful, or law enforcement or prosecution were not pursuing the cases to their utmost abilities – it instead reflects that, for one or more reasons, there was insufficient admissible evidence to meet the requisite legal standard for the specific crime of human trafficking.

Substantial efforts have been dedicated over the last few decades to educating the public about the dynamics of other crimes with low reporting rates and potential reasons for non-disclosure or delayed reporting. The public has slowly shifted its understanding of these offenses, and Idaho's public would now benefit from similar education about the extremely diverse forms and nuanced dynamics involved with the crime of human trafficking.

² See General Identification and Data Collection Issues, page 33.

Report Overview

The following is a high-level overview of the report's indexed sections. It is recommended that readers use this abridged summary as a guide only and not as a substitute for the full corresponding sections, as the context and additional information within this report are critical to a meaningful understanding of the complex and interwoven issues addressed.

Background:

This section focuses on three main areas: (1) establishing the offense of human trafficking and distinguishing human trafficking from other offenses; (2) identifying national human trafficking modalities and highlighting three modalities of particular importance to Idaho; and (3) discussing why human trafficking is immensely difficult to identify and combat.

(1) The Offense:

The United States recognizes two primary forms of trafficking in persons: sex trafficking and forced labor. The offense of human trafficking, regardless of labor, sex, or both, can be prosecuted under several distinct charges, only some of which are formally labeled as human trafficking. At the federal level, human trafficking cases and other cases with a human trafficking nexus can result in charges including forced labor, fraud in foreign labor contracting, tax evasion, document servitude, and sex trafficking of children or by force, fraud, and coercion.

Idaho law establishes four distinct human trafficking offenses: human sex trafficking; human sex trafficking of a child; human labor trafficking; and human labor trafficking of a child. Other charges which are often brought for human trafficking cases or cases with a human trafficking nexus include commercial sexual activity offenses, sexual abuse and sexual assault offenses, and drug offenses.

Human trafficking is not the same as human smuggling, prostitution or commercial sexual activity, labor exploitation, or child labor, among others, and does not require physical restraint, transportation across borders, resistance by the victim, or a connection to organized crime. Victimization can be subtle, unidentified by the public or the victims themselves. Traffickers can be men, women, or minors, and different forms of trafficking are characterized by differing victim and trafficker characteristics (e.g., sex, race, age, relationship, and socioeconomic status). Victims can be victimized in a single event, over long periods, or over multiple, non-consecutive periods by one or more traffickers. Media's sensationalism of human trafficking has brought attention to rarer versions of the crime but, in doing so, has also failed to

address the majority of human trafficking scenarios, forming a challenging knowledge base for the public which warrants redirection.

(2) Modalities:

Polaris, a national anti-trafficking nonprofit, has classified 25 distinct human trafficking modalities, including: agriculture and animal husbandry; construction; escort services; forestry and logging; landscaping; traveling sales crews; personal sexual servitude; and pornography.³ Notably, Idaho stakeholders identified nearly all 25 of these modalities in Idaho. Many stakeholders expressed anecdotal experience with these modalities, whether by way of personal interaction or through colleagues, family, or the news. Only a few of these modalities are represented in Idaho's prosecuted human trafficking cases, reflecting the challenge in first identifying these cases to law enforcement and then establishing a sufficient evidentiary basis to establish probable cause to present for a prosecutor's screening.

Three forms of trafficking are highlighted: human trafficking in illicit massage businesses ("IMBs"); labor trafficking; and familial trafficking.

Sex trafficking involves an interplay among three parties: buyers, victims, and traffickers. Buyers are individuals willing to pay for commercial sexual activity, victims are trafficked providers of commercial sexual activity, and traffickers supply buyers with victims, either adult victims through force, fraud, or coercion, or minor victims.

IMBs are the first modality highlighted. IMBs are prevalent throughout Idaho in rural and urban areas and are, by definition, fronts for commercial sexual activity. Some, but not all, IMBs "employ" victims who are trafficked for labor, sex, or both. These entities operate under a façade of legitimacy and operate by exploiting a patchwork of state and local laws and ordinances, offering a range of illegal sex acts to customers for extra charges. IMBs are rarely standalone operations and often involve larger organized criminal schemes including tax evasion and money laundering. Victims in IMBs can face significant barriers to disclosure, including cultural and language barriers, extreme shame, limited to no access to the outside world, and debt bondage. One-third of Idaho's state-level human trafficking prosecutions filed since 2018 have involved IMBs, and many more prosecutions charging commercial sexual activity offenses have resulted from IMB investigations.

Labor trafficking is the second modality highlighted. Whether occurring on its own or concurrently with sex trafficking, this modality nationally receives significantly less resources and attention than sex trafficking alone. Labor

³ See Human Trafficking Modalities, page 21.

trafficking can be immensely difficult to detect and investigate and can occur in plain sight with legitimate and illegitimate businesses alike. Potential venues for labor trafficking in Idaho include agriculture, reforestation, construction, and restaurants. Labor trafficking is often hidden behind legitimate operations or beneath multiple layers of subcontractors without the knowledge of owners or executives. Idaho's land area, population distribution, and diverse workforce populations lend themselves to labor trafficking going undetected. While victims of labor trafficking can be men, women, adults, children, American citizens, and non-citizens, many investigations in Idaho have identified suspected trafficking situations affecting insulated immigrant populations which are difficult to penetrate for various reasons, including rare indigenous dialects, significant control exerted by traffickers, and extreme physical isolation on work sites.

Familial trafficking is the third modality highlighted. Familial trafficking exists when a family member or guardian is the victim's trafficker or the person who sells the victim (most often, a child) to a third party. Victims of familial trafficking are most commonly children under 12 or developmentally disabled or otherwise vulnerable adults. This trafficking occurs when the trafficker receives something of value, including money, drugs, or housing, in exchange for access to sexually abuse the victim. This trafficking also occurs when family members produce child sexual abuse material and exchange that material for something of value. Familial trafficking is not limited to sex trafficking – it can also involve forced labor. The crime is extremely difficult to detect due to the vulnerabilities of the victims and complex family victimization dynamics. Although there are few common indicators of familial trafficking, there is a strong correlation between substance addiction and familial trafficking.⁴ Informal data from victim service providers indicate higher rates of familial trafficking in Idaho than national estimates.

(3) Identification and Data Collection:

This section addresses many challenges with identifying victims of trafficking, addressing victims' myriad needs, and standardizing data collection.

Traffickers are highly motivated to keep their criminal activities secret. And victims face innumerable barriers to disclosing victimization, beginning first with recognizing that they are being trafficked. Some forms of trafficking involve substantial grooming periods and mental manipulation to the point where the victims may believe they are the criminals and their traffickers are innocent or loving parties. Adult victims must overcome force, fraud, or coercion to report, and minor victims (particularly infants, toddlers, and prepubescent children) may lack any language to describe or conceptualize

⁴ See Familial Trafficking, page 31.

their victimization. The public also faces difficulties in identifying trafficking since this crime can exist in plain sight with no significant indicators.

Victims can exit trafficking with tremendous trauma and diverse needs for successful reintegration, including housing, substance use treatment, legal services, medical and dental care, safety planning, and debt repayment. Many victims' traffickers will have met some of the victims' basic needs during trafficking, so comprehensive victim services are critical to reducing the likelihood a victim may return to their trafficker to meet those needs. Traffickers will often threaten their victims with harm to the victims' families, including children and pets, and some go so far as to maintain control of children, in isolation from their trafficked mothers or fathers, to exert control.

Law enforcement often face the extremely challenging dynamic of victims initially being investigated as suspects in other criminal activity before potential trafficking is suspected. The concept of forced criminality, in which the trafficker exploits a victim to commit various illegal acts, has received significant attention over the last decade. Forced criminality was recognized in the Idaho Code in 2015 through the codification of an expungement mechanism (for certain offenses induced by a trafficker) and in 2019 through the codification of an affirmative defense (victims of trafficking who commit certain criminal acts as a direct and immediate result of their trafficking may assert this defense). When law enforcement initiates contact with a victim as a suspect, it can be extremely difficult to shift the dynamic for the victim to feel safe and supported once human trafficking is suspected.

Legislative History:

This section provides information on Idaho legislation relating to human trafficking since human trafficking was first introduced to the Idaho Code in 2006. The offense of human trafficking did not become a standalone offense (not required to be committed with another offense) until 2019, and Idaho's human trafficking offenses underwent significant revisions in 2024 to further empower state-level prosecutions.

Jurisdiction:

This section addresses the jurisdiction and prosecutorial authority of city and county prosecuting attorneys, the Office of the Attorney General, the United States Attorney's Office, tribal governments, and the military.

Prevalence in Idaho:

This section addresses the official data regarding human trafficking in Idaho. Official data sources available in Idaho reflect only the lowest verifiable measure of human trafficking in the state and do not accurately reflect the true prevalence of the crime.

Several sources of human trafficking data in Idaho are addressed, including: the Idaho Uniform Crime Report; Idaho Supreme Court state prosecution data; federal prosecution data; victim services data; and federal and state grant recipient victim services data. This section also details the hierarchy of human trafficking data and the general relationship of various data sources to the true prevalence of human trafficking.

Victim services data, when aggregated, reflects at least 350 victims in the state received services as victims of human trafficking last year.⁵ However, data collection methods are insufficient, without standardized variables or the ability to distinguish between victims escaping trafficking and those seeking services for previous trafficking. Data fields also do not always distinguish between Idaho residents and individuals from other states coming to Idaho for safety – a critical distinction given Idaho’s placement on the trafficking circuit. Victim service providers track services in numerous ways and many smaller agencies do not maintain any formal data to track human trafficking victims.

Trafficking hotline data, like victim services data, is not subject to any legal standard for reporting. This data provides little predictive value and ranges in quality from a tip which leads to a trafficking conviction to a tip which is completely unsubstantiated. The National Human Trafficking Hotline recently changed operators and the Idaho Office of the Attorney General will monitor and evaluate service providers’ experiences under the new operator.

Available law enforcement data reflects substantially smaller numbers than victim services data. This is not surprising given: (a) the known discrepancy between reports to victim services and reports to law enforcement; and (b) law enforcement’s legal standard of probable cause. In the last five years, 10 law enforcement agencies have reported human trafficking offenses to Idaho’s Uniform Crime Reporting Program. Uniform Crime Report data is, again, only a snapshot and does not reflect all cases investigated with a nexus to trafficking.

State prosecution data collection became standardized in 2018 and is compiled by the Idaho Supreme Court. No charges for human trafficking under Title 18, Chapter 86, were filed between 2018 and 2022. One case was filed in 2023, five cases were filed in 2024, and six cases were filed in 2025 (through October 1). The State has not obtained a conviction for a Title 18, Chapter 86, offense, since at least 2018. These statistics

⁵ See Victim Service Provider Data, page 50.

again reflect the heightened legal standards for filing and proving cases and the challenges faced by law enforcement to build a human trafficking case.

Critically, no efficient data collection methods yet exist to identify prosecutions with a human trafficking nexus but which were charged or resolved with non-Title 18, Chapter 86, offenses – an extremely common outcome for cases involving human trafficking.

Federal prosecution data from Idaho, on the other hand, does include cases charged outside of the distinct human trafficking codes. The United States Attorney's Office for the District of Idaho has obtained convictions in one labor trafficking case and four sex trafficking cases since 2019, with convictions for extortion, transportation to engage in illegal sexual activity, and attempted coercion and enticement of a minor, among others.

This section also includes two portions discussing the challenges law enforcement can face in investigating these cases and the challenges prosecutors can face in charging and trying these cases, including resource constraints and lack of victim cooperation. It is imperative that the successes and challenges of these two groups are contextualized to accurately interpret the data in this section.

Current Efforts to Combat Human Trafficking in Idaho:

This section provides a macro-level, non-exhaustive summary of many current efforts to combat human trafficking in Idaho. The section highlights numerous efforts, including the following:

- In 2023, the Idaho State Police and the Nampa Family Justice Center applied for and were awarded \$1,500,000 in three-year federal grant funding to form an anti-human trafficking task force. The Treasure Valley Anti-Trafficking Task Force maintains numerous project streams, including developing trainings, creating data collection tools, purchasing advanced forensic investigative tools, and developing victim-centered operations, and maintains four sector-specific subcommittees (law enforcement and investigations, victim services, data analysis and collection, and healthcare (launching early 2026));
- Victim service and healthcare providers are prioritizing resources and education to the issue of human trafficking and to supporting trafficking victims, and are promoting coordinated intra- and inter-agency efforts;
- Several state agencies and entities are creating new and revised training programming, including Idaho Peace Officer Standards and Training and the Idaho Department of Health and Welfare;

- The Idaho State Police has deployed troopers on four separate multi-week missions to border areas in Texas and Arizona for field training on drug trafficking and human trafficking interdiction. The Idaho State Police also recently required all sworn personnel attend a two-day specialized training on human trafficking;
- Cities are increasing the use of regulatory mechanisms to augment law enforcement efforts to combat potential human trafficking in IMBs; and
- Human trafficking is receiving state- and executive-level support through the Idaho Criminal Justice Commission, a 27-member commission providing policy-level direction for matters related to the state's criminal justice system.

Conclusion and Recommendations:

This section restates the recommendations made throughout this report. Whether this report's recommendations are considered or implemented is incumbent upon the respective subjects of the recommendations.

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BACKGROUND

Idaho Law

In Idaho, the definitions for human trafficking can be found in Title 18, Chapter 86, Idaho Code (“I.C.”). Human trafficking can be broken down into three broad components:

Human Trafficking Statutory Overview		
Act	Means*	Purpose
Transport Entice Recruit Harbor Detain Hold Provide Otherwise obtain another person by any means	Force Fraud Coercion *Not required for trafficking of minors, as minors are legally incapable of providing consent	Commercial sexual activity Forced labor or services

“Traffic” is defined as “to transport, entice, recruit, harbor, detain, hold, provide, or otherwise obtain another person by any means.” (I.C. § 18-8602(11)).

“Force”, “fraud”, and “coercion” are defined as follows in Section 18-8602:

- **Force (I.C. § 18-8602(5)):**
 - The use of a weapon;
 - The use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or
 - Inflicting physical harm sufficient to compel submission by the victim.
- **Fraud (I.C. § 18-8602(7)):** The intentional use of any deceit, trick, misrepresentation, false statement, or some dishonest means to achieve a desired result.

- **Coercion (I.C. § 18-8602(1)):** Compulsion or a threat, including but not limited to:
 - Abusing or threatening abuse of the law or legal process against a person or a third party;
 - Causing a person, without the person's consent, to become intoxicated to a degree that impairs the person's ability to appraise the nature of or resist engaging in any conduct, including performing or providing labor or services;
 - Destroying, concealing, confiscating, or withholding, or threatening to destroy, conceal, confiscate, or withhold, a person's or a third party's actual or purported government record or identifying information or identifying document;
 - Threatening physical harm, financial harm, unwanted physical restraint, or any conduct that would be criminal under Idaho Code; or
 - Withholding alcohol or a controlled substance to a degree that impairs the ability of a person with a chemical dependency to appraise the nature of or resist engaging in any conduct, including performing or providing labor or services.

The Idaho Code delineates four distinct forms of human trafficking: human sex trafficking (I.C. § 18-8607); human sex trafficking of a child (I.C. § 18-8608); human labor trafficking (I.C. § 18-8609); and human labor trafficking of a child (I.C. § 18-8610).

The penalties for violations of Idaho's human trafficking statutes are enumerated within Section 18-8603 and summarized below:

Idaho Code Section	Offense	Term of Imprisonment	Fine	Maximum Penalty
18-8603(1)	Human Sex Trafficking	5 to 25 years	\$15,000 to \$80,000	Both fine and imprisonment
18-8603(2)	Human Sex Trafficking of a Child	10 to 30 years	\$20,000 to \$100,000	Both fine and imprisonment

18-8603(3)	Human Labor Trafficking	3 to 25 years	\$10,000 to \$80,000	Both fine and imprisonment
18-8603(4)	Human Labor Trafficking of a Child	5 to 25 years	\$15,000 to \$80,000	Both fine and imprisonment

Federal Law

The federal definitions for human trafficking align closely with Idaho's definitions, especially following the 2024 amendments to Idaho's human trafficking laws set forth in H.B. 494.

The Trafficking Victims Protection Act of 2000, a federal act, defines human trafficking as:

- **Sex trafficking:** The recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age. (22 United States Code ("U.S.C.") § 7102(11)(A)).
- **Forced labor:** 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. (22 U.S.C. § 7102(11)(B)).

The Trafficking Victims Protection Act of 2000 created the modern federal criminal statutes under which human traffickers are primarily investigated and prosecuted:

- 18 U.S.C. § 1351: Fraud in Foreign Labor Contracting
- 18 U.S.C. § 1589: Forced Labor
- 18 U.S.C. § 1591: Sex Trafficking of Children or by Force, Fraud or Coercion
- 18 U.S.C. § 1592: Unlawful Conduct with Respect to Documents in Furtherance of Trafficking, Peonage, Slavery, Involuntary Servitude, or Forced Labor (also referred to as document servitude)
- 18 U.S.C. § 1594: Attempt/Conspiracy/Forfeiture
- 18 U.S.C. § 1597: Unlawful Conduct Regarding Immigration Documents

Federal human trafficking cases can also be prosecuted under the Mann Act (prohibiting interstate or foreign transport for the purpose of prostitution or any

sexual activity for which any person can be charged with a criminal offense (18 U.S.C. § 2421) and related offenses, including enticement, tax evasion, and extortion.

Federal agencies conduct criminal investigations of related offenses committed by traffickers including fraud, drug trafficking, immigration, human smuggling, money laundering, visa fraud, production and distribution of child sexual abuse materials, interstate prostitution, sexual exploitation of children, and obstruction. The Department of Justice (which includes the Federal Bureau of Investigation), Department of Homeland Security, Department of Defense, and Department of State are the primary investigating agencies for federal offenses involving human trafficking and related conduct. The Department of Labor also investigates certain labor trafficking offenses.

Human Trafficking or Another Offense?

The following violations of law may be closely related to or committed in connection with human trafficking but do not constitute human trafficking standing alone:

- Human smuggling, which is a distinct federal crime charged under 8 U.S.C. § 1324, and which involves a person voluntarily seeking to gain illegal entry into a foreign country;
 - o The federal criminal statutes that prohibit human trafficking – 18 U.S.C. § 1589, Forced Labor and 18 U.S.C. § 1591, Sex Trafficking of Children or by Force, Fraud or Coercion – do not require a border crossing. In Idaho, many cases involve only United States citizens as perpetrators and victims.
- Prostitution or commercial sexual activity;
- Labor exploitation, which can be federal or state civil labor violations of minimum wage, overtime, or workplace safety;
- Child labor, which can be a federal or state civil labor violation of youth under the age of 18 performing prohibited, dangerous work;
- Illegal adoption, which can be a federal or state fraud violation; and
- Forced marriage, which is a distinct offense in some states but can also be charged as domestic violence, child abuse, rape, assault, kidnapping, threats of violence, or stalking.

Distinguishing Between Trafficking and Commercial Sexual Activity

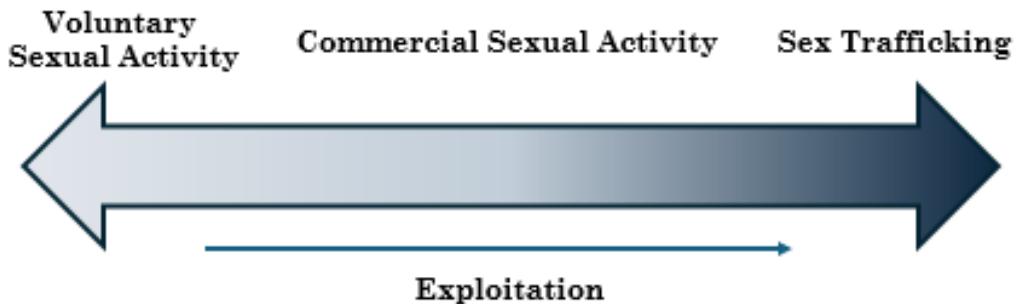
Commercial sexual activity, designated in the Idaho Code as prostitution until 2024, is illegal in Idaho to offer and to purchase. Commercial sexual activity is defined as “the exchange, or the attempted exchange, of sexual contact for a fee.” I.C. § 18-5601(3). A “fee” is any “money, service, item of real or personal property, contraband, or thing of value.” I.C. § 18-5601(3).

Human sex trafficking of an adult victim requires force, fraud, or coercion, while commercial sexual activity does not. The force, fraud, or coercion language does not apply to minor victims trafficked by adults in Idaho because minor victims are legally incapable of consent. Minors found to be engaged in commercial sexual activity not meeting the human trafficking statutes: (a) are considered commercially exploited children; (b) are protected from prosecution for providing commercial sexual activity; and (c) may be taken into shelter care by a peace officer if conditions allowing emergency removal are met. I.C. § 18-5613(4).

A significant knowledge gap exists throughout the United States regarding human trafficking which can lead to investigations and prosecutions veering toward commercial sexual activity offenses instead of human trafficking offenses, and can result in the criminalization of human trafficking victims. Under Idaho law, providing commercial sexual activity is a misdemeanor offense until the third or greater conviction, when the offense becomes a felony. Buying, or soliciting, commercial sex is a misdemeanor in Idaho for a first offense and a felony for second or subsequent offenses. National law enforcement efforts have traditionally targeted the individuals providing commercial sex rather than the buyers or potential background players, including pimps or other traffickers, by investigating, citing, or arresting the individuals providing these services. Idaho law now provides an affirmative defense to individuals charged with providing commercial sexual activity if they were doing so as a victim of human trafficking. I.C. § 18-5613(3).

Through concerted efforts over the last two decades, the national trend is now significantly more trauma-informed and victim-focused, encouraging law enforcement to look beyond the instance of commercial sexual activity to the motivating factors for the individual, which may include force, fraud, or coercion from a trafficker. This shift has slowly eroded historic distrust from individuals providing commercial sex services, who may gradually feel more understood, may be provided services instead of incarceration, and may, in turn, be more likely to share information with law enforcement and service providers regarding their victimization.

Not all instances of commercial sexual activity are sex trafficking, which is why the two separate statutory schemas exist. Some individuals voluntarily elect to provide commercial sex services to earn a living or receive something else of value, including food or shelter. However, a spectrum of exploitation exists between those voluntary actors at one end of the spectrum and those who involuntarily provide commercial sex services through force, fraud, or coercion as victims of human trafficking.



In the center of the spectrum, individuals may not be trafficked, but they can be severely exploited through their offering of commercial sex services. A person can be exploited without being trafficked, but if a person is trafficked, they are being exploited.

Purchasers of commercial sex perpetuate exploitation and perpetuate beliefs that providers enjoy the act of prostitution, providers choose prostitution as a profession, and that the purchasing and offering of commercial sex is a victimless, non-exploitative crime. Education campaigns for the public and stakeholders are key to shifting these perceptions.

While state prosecutions for human trafficking offenses will be addressed later in this report, it is worthwhile to note the number of convictions for offenses within Title 18, Chapter 56 (“Commercial Sexual Activity”), between 2020 and 2024. There have been a total of 39 convictions for Title 18, Chapter 56, offenses from 2020 to 2024. Of those convictions, seven were felony charges.

- Four convictions (four felonies) were for violations of Section 18-5602 (“Procurement”);
- One conviction (one felony) was for a violation of Section 18-5609 (“Inducing a Child Into Commercial Sexual Activity”);
- 16 convictions (two felonies, 14 misdemeanors) were for violations of Section 18-5613 (“Providing Commercial Sexual Activity”); and
- 18 convictions (18 misdemeanors) were for violations of Section 18-5614 (“Soliciting Commercial Sexual Activity”).⁶

⁶ State of Idaho Judicial Branch.

Human Trafficking Modalities

In 2017, Polaris (formerly, the Polaris Project), a national anti-trafficking nonprofit, released a report titled “The Typology of Modern Slavery”, which classified 25 distinct human trafficking business models in the United States.⁷ The classifications were developed from an analysis of over 40,000 cases of potential human trafficking and over 100,000 cases of potential labor exploitation. These modalities reflect the breadth of human trafficking situations and their divergence from popularized depictions of human trafficking.

Notably, stakeholders report encountering nearly all 25 trafficking modalities in Idaho. Note that an individual can be victimized by two or more modalities simultaneously, or through sex and labor trafficking together – the two forms are not mutually exclusive.

Modality	Definition	Type
Agriculture & Animal Husbandry	A farming business in which potential victims are exploited for their labor in growing/maintaining crops, cultivating soil, or rearing animals.	Labor Trafficking
Arts, Sports, & Entertainment	Potential victims are exploited for their labor in amateur, scholastic, or professional athletics, modeling, or performing arts (including adults in exotic dancing).	Labor Trafficking
Bars, Strip Clubs, & Cantinas	This category comprises establishments that front as legitimate bars and clubs, selling alcohol while exploiting victims for sex and labor behind the scenes.	Sex & Labor Trafficking
Carnivals	Potential victims are exploited for their labor in operating rides, games, and food stands.	Labor Trafficking
Commercial Cleaning Services	Potential victims are exploited for their labor in janitorial/cleaning services performed in private households, office buildings, and other commercial/public properties.	Labor Trafficking
Construction	Potential victims are exploited for their labor in carpentry, masonry, painting, roofing, etc.	Labor Trafficking

⁷ Polaris, “The Typology of Modern Slavery: Defining Sex and Labor Trafficking in the United States,” March 2017, <https://polarisproject.org/wp-content/uploads/2019/09/Polaris-Typology-of-Modern-Slavery-1.pdf>.

Domestic Work	An industry where an individual works for one specific household/family providing personal household tasks, cleaning, child care, or adult caretaking, often living onsite with the family.	Labor Trafficking
Escort Services	Commercial sex acts that primarily occur at temporary indoor locations. Includes: hotel-based operations, internet ads, and out-calls to buyers.	Labor Trafficking
Factories & Manufacturing	Potential victims are exploited for their labor in food processing, clothing/shoe manufacturing, factories producing electronic devices, vehicles, and more.	Labor Trafficking
Forestry & Logging	Potential victims are exploited for their labor as tree farm workers, reforestation planters, loggers, and workers maintaining woodland areas.	Labor Trafficking
Health & Beauty Services	Potential victims are exploited for their labor in businesses such as nail salons, hair salons, acupuncture businesses, etc.	Labor Trafficking
Healthcare	Potential victims are primarily exploited for their labor in residential nursing homes, occupational health facilities, or as home health aides.	Labor Trafficking
Hospitality	Potential victims are exploited for their labor as hotel housekeepers, front desk attendants, bell staff, etc.	Labor Trafficking
Illicit Activities	A potential victim is forced to provide labor or services to contribute to an illegal/illicit business operation such as drug selling, drug smuggling, drug production, financial scams, gang activity, etc. Potential victims are also often forced into commercial sex acts in addition to this labor.	Sex & Labor Trafficking
Illicit Massage Businesses	Primary business of sex and labor trafficking is concealed under the façade of legitimate spa services.	Sex & Labor Trafficking
Landscaping	Potential victims are exploited for their labor in gardening, maintaining public or private grounds, or within nurseries.	Labor Trafficking
Outdoor Solicitation	Potential victims are forced to find commercial sex buyers in outdoor locations	Sex Trafficking

	such as on “tracks”/“strolls,” or at truck stops.	
Peddling & Begging	Potential victims are expected to beg for “donations,” or sell small items such as candy, at stationary, often outdoor locations.	Labor Trafficking
Personal Sexual Servitude	A potential victim is forced to perform sex acts to one/specific person(s) (oftentimes in a chronic and ongoing situation) in exchange for something of value. The controller and the “buyer” are usually the same person.	Sex Trafficking
Pornography	Pre-recorded sexually explicit videos & images, including child sexual abuse material. This can include informally distributed pornographic material, or commercial sex through a formal pornography company. Note: This type should not be confused with interactive webcam shows. (See Remote Interactive Sexual Acts)	Sex Trafficking
Recreational Facilities	Potential victims are exploited for their labor in amusement/theme parks, summer camps, golf courses, and community swimming pools.	Labor Trafficking
Remote Interactive Sexual Acts	Live-streamed, interactive, simulated sex acts/shows. Note: This type should not be confused with pre-recorded sexually explicit videos & images. (See Pornography)	Sex Trafficking
Residential Sex Trafficking	In-call commercial sex occurring at a non-commercial residential location.	Sex Trafficking
Restaurants & Food Services	Potential victims are exploited for their labor as servers, bussers, dishwashers, cooks, etc.	Labor Trafficking
Traveling Sales Crews	Potential victims travel in groups to various cities/states selling items such as magazines door-to-door.	Labor Trafficking

Highlighting Modalities in Idaho

Three forms of human trafficking in Idaho, reported by stakeholders as generally less publicized and underserved, are highlighted in this report for awareness and education: (a) human trafficking in illicit massage businesses (“IMBs”); (b) labor trafficking; and (c) familial trafficking.

Human Trafficking in Illicit Massage Businesses

Sex trafficking and commercial sexual activity can occur in any section of the state, from small towns to busy truck stops to elite urban areas. Regardless of the time or day, a person can go online and view local ads for sex, visit an IMB, or otherwise find an opportunity to purchase sex. And where there is evidence of supply, a pool of demand surrounds it. Unfortunately, Idaho is not immune from this supply-demand dynamic for commercial sex work.

Whether commercial sex potentially exists in a location can be distilled to two questions:

- 1) Are there people in the location who like to engage in sex or sexual activity?
- 2) Would any of those people be willing to pay to engage in sex or sexual activity?

If the answer to both questions is “yes” (indicating demand), there is a market for commercial sexual activity (supply), which fuels a market for human trafficking (distribution).

An IMB is, by definition, a front for commercial sexual activity. IMBs often, but not always, involve human trafficking. Both commercial sexual activity and human trafficking are illegal in Idaho. However, the two crimes are not the same and should not be equated, and not all individuals providing commercial sex acts in IMBs are trafficked.

Licensing and regulation of IMBs is an easily exploitable patchwork of state and local laws and ordinances that allows this industry to survive and thrive in public. The industry, in which both labor and sex trafficking are pervasive, exists throughout Idaho in rural and urban areas alike. Trafficking establishments operate in plain sight disguised as lawful massage, spa, reflexology, foot massage, bodywork, or modeling businesses. In addition to offering regular massage options, these IMBs also provide a range of illegal sex acts to customers for extra charges. These illegal sex acts range from manual erotic stimulation to full sexual intercourse with one or more “employees” at a time. The establishments often “employ” unlicensed individuals or individuals who obtained their licenses fraudulently, through diploma mills or other fraudulent methods. Human trafficking IMB operations are linked with fraud in massage therapist education and licensing, tax evasion, identity theft, and many other offenses in addition to the trafficking itself.

Traditional approaches to combat IMBs, which include “John stings” charging buyers and charging workers with commercial sexual activity offenses, fail to make significant dents in the demand-supply-distribution dynamic. Efforts to permanently close these IMBs were described by multiple stakeholders as resembling a game of “whack-a-mole”, where closure of one establishment meant another would simply pop up across the street or another nearby location.

Purchasing commercial sex in IMBs often supports human trafficking operations. On the demand side, a 2019 study by Demand Abolition of over 8,000 adult males included the following findings⁸:

- “High-frequency” buyers purchase so often that their actions account for a disproportionately large share of the illegal sex trade;
 - o About 25% of buyers report purchasing weekly or monthly, and their activity accounts for nearly 75% of the market
- Demographic traits are generally poor predictors of sex buying, but high-frequency buyers are significantly more likely than other males to make over \$100,000 annually;
- Buyers visit a range of venues and use a similarly diverse number of information channels to locate and purchase sex;
 - o Venues include IMBs, arranging “dates” online, and visiting strip clubs. Information channels include networking with other buyers through IMB review sites, Reddit, monger (high-frequency buyer subcommunity) message boards, and other erotic site messaging and review forum functions
- Buyers and non-buyers hold strikingly different views on masculinity and sex buying;
 - o Non-buyers are much more likely to agree that purchasing someone for sex harms the person and is exploitative. Buyers are much more likely to agree that purchasing sex is mostly victimless, voluntary, and does not harm anyone.
- Bottom line: Supply does not exist without demand

⁸ Demand Abolition, “Who Buys Sex? Understanding and Disrupting Illicit Market Demand,” November 2018, <https://demandabolition.org/Demand-Buyer-Report-July-2019>.

Sex-Buyer Typology

TYPOLGY	Non-Buyers	Former Buyers	Active Low-Frequency Buyers	Active High-Frequency Buyers
BUYING BEHAVIOR	Has never bought sex, and 'strongly disagrees' he ever could.	It has been at least 6 years since he last bought sex; or, has a more recent history of low-frequency buying and 'strongly disagrees' he ever could again.	Has bought sex 2-5 times this year; or, just once but with a history of buying and an intent to buy again.	Has bought 6+ times this year.
LIKELIHOOD OF BUYING IN THE FUTURE	None; category excludes the 20.2% of men who have never bought sex but might in the future.	28.9% say they might buy sex in the future.	95.9% say they might buy sex in the future.	97.4% say they might buy sex in the future.
PERCENT OF MARKET TRANSACTIONS	0%	0%	28.2%	71.8%

Buyer rating review sites include explicit descriptions of sexual services, costs, workers' willingness to engage in certain sex acts, and ratings of workers' physical features. Forums offer high-frequency buyers the opportunity to highlight new workers and exchange detailed notes on their experiences at IMBs throughout the state. Although purchasing services from a trafficked person is nothing more than paying to rape or otherwise violate the victim, IMBs provide a veil of legitimacy and a fantasy to buyers that the workers are willing or even enthusiastic participants. Again, this is the situation if victims are trafficked, not if victims are voluntary providers of commercial sexual activity.

On the supply side, IMBs are rarely single operations. Rather, they are commonly owned with several or many other IMBs and connected in some manner to a broader organized crime network. These businesses allow for economies of scale and for coordinated criminal efforts including money laundering and tax evasion. These networks also provide sufficient workers to rotate regularly among the various IMBs in a region or nationally.

Rotation achieves numerous goals: new workers increase marketing opportunities on adult websites for new buyers; high-frequency buyers remain with the business rather than going elsewhere for variety; workers are restricted from making connections with buyers and other workers which could evolve into reporting their exploitation or trafficking; workers are kept unaware of their surroundings and their locations which inhibits reporting; workers can be moved away quickly and relocated if law enforcement involvement is suspected; and workers remain reliant on their employer or trafficker for housing, transportation, food, and maintenance of their identification documents. These dynamics, among others, form the basis of the force, fraud, or coercion faced by trafficking victims in IMBs.

Labor trafficking in IMBs takes the form of business owners coercing, forcing, or defrauding individuals into work without adequate payment or any payment at all. The individual may be forced to endure illegal and exploitative conditions without provision of required benefits or employee protections and may be made to believe these are normal working conditions in the United States, adding to the fraud and coercion imposed upon them. Victims of labor trafficking, and of labor trafficking in IMBs more specifically, are unlikely to self-identify as victims.

Victims trafficked within IMBs for sex, labor, or both, are typically women between the ages of 25 and 55, recently arrived to the United States, who speak little or no English, have children, and seek to support their families or pay off existing debts. These women are often recruited in their home countries by ads placed in their native languages or by acquaintances and are promised a good income for a different position. The women typically enter the United States on a valid visa through airports in New York or California and enter Idaho by car or plane. Upon beginning work in the United States, identification documents are typically seized by the trafficker or middle management and held from the individual.

Victims of trafficking in IMBs are frequently unfamiliar with the laws, culture, and language, and are often deliberately misinformed to suppress reporting. Debt bondage is a key tool for traffickers in IMBs, where the victim is told that they must work off a debt relating to their travel or employment to obtain their freedom or their identification documents. Terms of repayment are rarely conveyed and are often excessively large or oppressive. Victims of trafficking in IMBs are particularly vulnerable due to cultural factors, shame, fear for their families' safety in their home countries, and language barriers to reporting.

Polaris has identified several IMB indicators which can assist with identification and awareness. The existence of one or more of these indicators is not confirmation that an establishment is an IMB or that trafficking is involved.

IMB indicators include:

- Serves only male clients;
- Locked front door, customers can only buzz in;
- Entrance and parking do not face the street;
- Excessive security measures;
- Massage licensing and credentials are not displayed or not accurate;
- Workers are not allowed to handle money;
- Listed rates for massages are lower than industry standards;
- Female workers are rotated regularly;
- Sexual advertising on social media or classified advertisement websites;
- Open longer than posted hours; and
- Business hours outside of the norm (e.g., 7 am to midnight)

One-third of Idaho's human trafficking prosecutions over the last seven years involve human trafficking charges from IMBs. Countless more cases statewide have charged IMB operators, employees, and buyers with commercial sexual activity or other offenses following resource-intensive investigations and sweeps. This report will later address city-level regulatory efforts to combat IMBs alongside these law enforcement and prosecutorial efforts.

Labor Trafficking

Labor trafficking, whether occurring on its own or at the same time as sex trafficking, receives significantly less resources and attention than sex trafficking nationally, and Idaho is no exception. Labor trafficking often occurs in plain sight with legitimate and illegitimate businesses alike. Venues for labor trafficking in Idaho include agriculture, hotels and resorts, reforestation programs, construction, hospitality and service, restaurants, massage and nail establishments, and strip clubs, among others. Labor trafficking can be hidden behind a façade of legitimacy, existing beneath many layers of subcontractors without the knowledge of owners and executives, or may occur alongside or within otherwise lawful business.

Consider, for example, a restaurant worker being trafficked. The individual may have been forced to relinquish their passport and are actively paying a debt to their employer at a rate exceeding their wages. Their housing may be inadequate and they may be physically abused by the owner. The trafficker may threaten harm to the victim's family if the victim does not comply. But the likelihood of this individual coming to the attention of law enforcement or even restaurant customers is extremely slim.

Idaho's vast geographic areas and diverse workforce populations – including seasonal and temporary workers – lend themselves to labor trafficking going undetected. Labor-intensive industries with varying profit margins (e.g., huckleberry picking, dairy farming, reforestation, and construction) provide motivation for individuals and entities to exploit, or potentially traffic, workers. Other services, including hospitality, cleaning services, and restaurant work, are known to foster potentially exploitative environments in Idaho and nationally. Victims of trafficking can include U.S. citizens, non-citizens, highly skilled workers entering on visas, and individuals smuggled into the country. And victims can be male, female, adults, or children. Individuals, particularly minor victims, can also be trafficked by family members, further inhibiting disclosure. A significant barrier with labor trafficking cases is the sheer scale of many traffickers' operations – there may be five, 10, 20, or over 100 victims in a single case. When each victim requires intensive services, potentially including language, housing, and immigration services, the impact on already resource-strapped agencies increase dramatically.

In agriculture, labor trafficking can exploit foreign nationals and U.S. citizens alike. The trafficker is typically the farm labor contractor, but the demand for trafficking

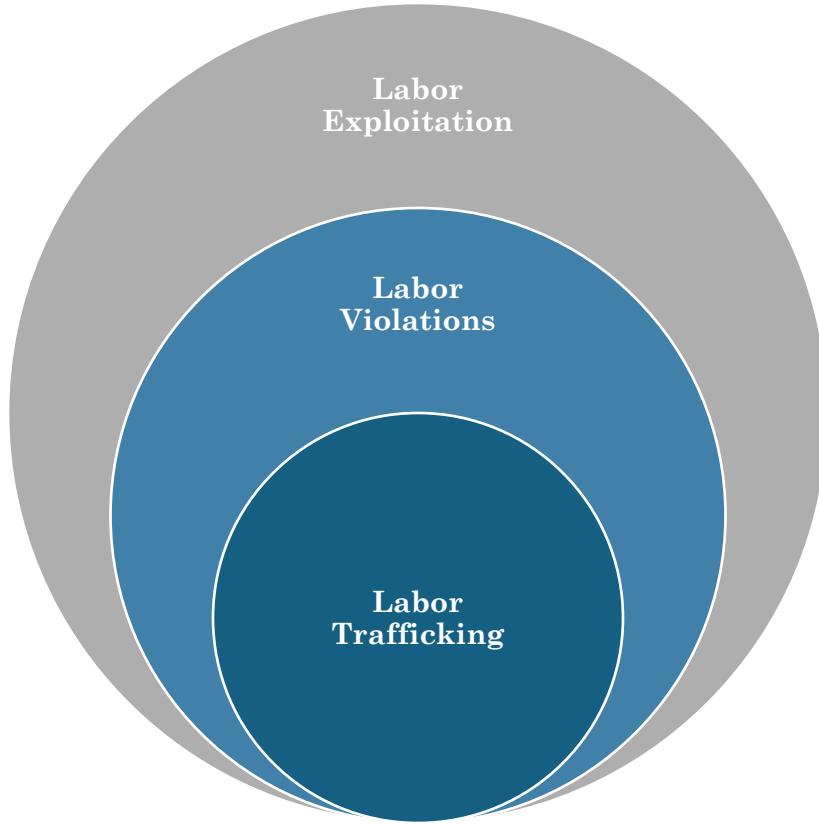
comes from large agribusiness (seeking greater profits) and from consumers (seeking lower costs). Unbeknownst to agribusiness and consumers, the demand creates a market for potential trafficking. Small or solo operations can also traffic individuals. Recent H-2A (temporary agriculture worker visa program) visa violations investigated in Idaho by the Department of Labor include the beekeeping, onion, potato, reforestation, and sheepherding industries. Again, an individual can be exploited without being trafficked, but Department of Labor investigations can provide indicators of exploitative practices in various industries around the state and can help prevent certain exploitative practices from progressing to trafficking.

Labor trafficking red flags may include:

- Appearng to be monitored by another person when interacting with others;
- Living in dangerous, unsanitary, or overcrowded conditions provided by an employer;
- Owing money to an employer or recruiter;
- Not being paid wages that were promised;
- Living and working in isolated conditions or on business premises;
- Workers not having control of their passports or other identity documents;
- Working exceedingly long or unusual hours;
- Being transported to the workplace by an owner or manager with several coworkers;
- Being threatened with deportation, reporting to immigration enforcement, or other harm;
- Housing or workplace has high security features, including opaque windows, bars, security cameras, or locks; and
- Working in dangerous conditions without proper safety gear, training, breaks, or other protections.

The spectrum from labor exploitation to labor trafficking reflects the challenge in defining and identifying labor trafficking. Oftentimes, exploitative practices are reported as instances of human trafficking, and vice versa.

Below is a depiction of the three markers in the continuum – labor exploitation, labor violations, and labor trafficking:



Labor exploitation occurs when workers are exploited through practices and abuses that are not necessarily illegal but are exploitative. This can include deceptive recruitment practices, isolation, or withholding of wages.

Labor violations occur when employers violate federal, state, or municipal laws regarding worker treatment, workplace safety, working conditions, and discrimination, among others.

Labor trafficking exists when force, fraud, or coercion is used to compel an individual to work and eliminate the individual's ability or liberty to leave. Minors must only be trafficked with the intent that the child engage in forced labor or services – no force, fraud, or coercion is required because the minor is legally incapable of providing consent.

Criminal investigations of labor trafficking are just one component of identifying and combatting labor trafficking in Idaho – civil enforcement of state and federal labor laws is equally critical. The federal and state Departments of Labor investigate complaints and investigate targeted civil labor violations involving workers. Because wage and hour complaints and occupational safety issues can trigger investigations

in industries employing vulnerable workers, these agencies are often the first to interact with workers and detect exploitation or, potentially, trafficking in the workplace. Specialized training for these civil enforcement agencies is critical to establish standard policies and procedures for identifying and referring potential cases of labor trafficking to law enforcement for criminal investigation.

Just last year, the United States Attorney's Office in the District of Idaho obtained a conviction for a labor trafficking case. The individual was sentenced to 27 months in federal prison for extorting H-2A agricultural workers and filing a false tax return.⁹

Detection of labor trafficking is extremely challenging due in part to the force, fraud, and coercion imposed on victims by traffickers. Investigations are similarly challenging, and obtaining sufficient admissible evidence to prove labor trafficking beyond a reasonable doubt is a resource- and time-intensive task.

Familial Trafficking

Family-facilitated trafficking, also referred to as familial or family-controlled trafficking, or familial pimping, exists when a family member or guardian is the victim's trafficker or the one who sells the victim (most often, a child) to a third party. This can include when parents or other family members allow sexual offenders to sexually abuse the victim in exchange for something of value, including money, drugs, or a place to stay, or when caregivers produce child sexual abuse material of the victim and sell, trade, or post the contents in exchange for something of value. Familial trafficking can also occur when victims are forced to engage in labor and monetary proceeds are taken by a family member.

Familial trafficking is extremely difficult to identify in part because the trafficking takes place within family networks and overwhelmingly victimizes children, many of whom are under 12 years of age, or developmentally disabled or otherwise vulnerable adults, and who may not realize they are victims. Maternal trafficking, or trafficking of children by their own mothers, is an extremely common form of familial trafficking, one which is counter to male trafficker stereotypes and extremely challenging for the public to even contemplate.

The indicators for familial trafficking are different than indicators for other types of trafficking, and well-established anti-trafficking efforts and tools are rarely validated or tailored for this specific victimization. Most trafficking screening tools do not include questions to identify a potential parent or family-member trafficker, instead relying on majority perpetrator forms including paramours, pimps, and strangers. Familial trafficking does not receive the same volume of attention as other trafficking modalities and will continue to be the subject of emerging research for years to come.

⁹ <https://www.justice.gov/usaio-id/pr/former-farm-foreman-sentenced-federal-prison-extorting-h-2a-agricultural-workers-and-tax>.

It can be difficult to distill common indicators of familial trafficking. In one study, juvenile victims of familial trafficking, when compared to juvenile victims of other forms of sex trafficking, were found to be less likely to run away and less likely to abuse substances.¹⁰ The same study found that these victims were also more likely to excel in school but could simultaneously develop other issues that educators are well-trained to detect, including educational or social delays.

One consistent theme identified has been substance use and addiction in the family of the trafficked victim. One doctoral dissertation found that 75% of familial trafficking cases in the study involved a family member selling a child in exchange for drugs.¹¹ The rate of familial trafficking positively correlates with the prevalence of substance use disorders of heroin, fentanyl, and methamphetamine. Other risk factors for familial trafficking include domestic violence in the home and acute poverty. For some families, trafficking is purely economic (e.g., for substances or for rent) or for survival, while for others, the trafficking is a continuation of normalized sexual abuse and grooming within the family system, oftentimes within a family where boys and girls are raised to be trafficked or be traffickers.

Abuse can be intergenerationally transmitted and normalized in families, and victims may not even be aware that an exchange took place to facilitate their abuse, regardless of the abuse being labor-based or sex-based. If reported, the victim's experience may be investigated as child sexual abuse or another offense, which can continue the pathway for further abuse by other individuals inside or outside of the family. If family reunification is a goal, but familial trafficking has gone unidentified, the victim may be forced into continued contact with their trafficker which further harms the victim. Parents and guardians may be asked to participate in medical, law enforcement, or forensic interviews, which can, again, be harmful to the victim and further the impacts of sustained grooming on the victim. Other victims resist reporting because of the potential impacts – separation from the family member, punishment for the family member, lack of support system outside of the family, and conditioned loyalty. Child welfare agencies are tasked with addressing potential trafficking with screening, intervention, and treatment, and are finding that very few effective programs exist to identify these victims and treat the complicated needs of these youth.

One Idaho service provider estimates up to 85% of individuals served were survivors of familial trafficking at some point in their lives. In Idaho, as nationally, familial trafficking requires specific identification and an individualized response. A significant challenge in familial trafficking situations is that the trafficking can

¹⁰ Reid, J. A., Huard, J., & Haskell, R. A. (2014). Family-facilitated juvenile sex trafficking. *Journal of Crime and Justice*, 38(3), 361–376. <https://doi.org/10.1080/0735648X.2014.967965>.

¹¹ Dispatch. "No One Can Hurt You Like Family: What We Know About Familial Trafficking Identification and Response," January 2024, https://cops.usdoj.gov/html/dispatch/01-2024/familial_trafficking.html 4.

flourish in isolation, particularly as the trafficking can occur within the victim's own home, property, or vehicle, without any overt movement of the victim which might increase the likelihood of identification.

Insulated environments (e.g., rural areas, homeschooling, cultural enclaves, areas with jurisdictional challenges) can make not only detection, but education and investigation, extremely difficult. One study of Kentucky's child welfare system found that: (a) victims of familial trafficking cases were more likely to have a higher number of perpetrators, live in rural communities, and be younger; (b) reports were more likely to come from anonymous community members than from professionals; and (c) perpetration by a family member predicted the case would not be substantiated.¹² Regardless of socioeconomic status, no neighborhood or community is immune from potential familial trafficking cases, in the same way child physical abuse and child sexual abuse pervades all areas despite law enforcement's best efforts.

General Identification and Data Collection Issues

For reasons including those detailed below, human trafficking identification and the development of accurate data is a pervasive issue both nationally and internationally, and Idaho is no exception.

Data reflects individual and agency outputs and should not be equated with prevalence, as multiple studies have demonstrated that human trafficking incidents identified by law enforcement and social service agency records likely represent only a fraction of the actual incidence of the offense. One such study estimated that the official tracking numbers in one jurisdiction represented as little as 14% and at most 18% of the potential total trafficking victims.¹³

Investigations also can have varying outcomes which are difficult to track and interpret in data sets. Cases can be:

- Investigated as human trafficking and prosecuted locally as human trafficking;
- Investigated as human trafficking but prosecuted locally as a different crime;
- Locally investigated as human trafficking but prosecuted federally;
- Locally investigated as human trafficking but never prosecuted;
- Identified originally as a different crime and prosecuted as human trafficking;
or
- Identified originally as a different crime and prosecuted as a different crime.

¹² Emily E. Edwards, Jennifer S. Middleton, & Jennifer Cole, "Family-Controlled Trafficking in the United States: Victim Characteristics, System Response, and Case Outcomes," *Journal of Human Trafficking*, <https://doi.org/10.1080/23322705.2022.2039866>.

¹³ National Institute of Justice, "Gaps in Reporting Human Trafficking Incidents Result in Significant Undercounting," August 4, 2020, <https://nij.ojp.gov/topics/articles/gaps-reporting-human-trafficking-incidents-result-significant-undercounting>.

Human trafficking is a hidden crime, intended by its very nature to be shrouded in secrecy. As such, true prevalence is extremely difficult to determine, and accurate statistics on the nature, modalities, and geography of human trafficking in Idaho are difficult to calculate. Human trafficking is also an underreported crime and one highly dependent on victim disclosure, not unlike other crimes such as rape, child sexual abuse, stalking, and domestic violence. Because human trafficking of an adult also includes elements of force, fear, or coercion to effectuate the trafficking, an additional level of external pressures exist which victims of human trafficking must overcome to report. Human trafficking also sits at the intersection of several issues and vulnerabilities that are associated with lower likelihoods of reporting, including, among other things, sexual offenses, language barriers, victim trauma, membership in marginalized groups, and immigration.

A critical component of underreporting lies in public education about the crime itself, which leads to misidentification of the crime or a total lack of identification by victims and community members alike. Take, for example, an individual who was coerced into providing sex in exchange for a night's shelter. That individual may not even be aware that the event constitutes trafficking under Idaho law. In another instance, a young child offered by a parent to a drug dealer for one hour in exchange for drugs may not recognize that the exchange constituted trafficking and may not even know that an exchange took place. In particularly egregious situations, and like situations of recurring child sexual abuse, that young child may not know that the sexual acts imposed upon them were even wrong, let alone illegal, due to years of grooming and exposure.

Although human trafficking can occur with very little external indicators, potential red flags for human trafficking can include:

- Signs of abuse or unexplained injuries (bruises, brandings, scrapes and cuts);
- Excessive fear or anxiety;
- Lack of control (inability to speak for themselves, deference to someone else, accompaniment by another person at all times);
- Disorientation;
- Lack of knowledge about surroundings or date and time;
- Malnourishment or exhaustion;
- Inconsistent stories;
- Inappropriate attire for the situation (e.g., minimal clothes outside in winter);
- Debt (owing a large, increasing debt to an employer or recruiter);
- No identification or money;
- Isolation from friends and family;
- New, expensive items without any explanation;
- Multiple phones or social media accounts; and
- Overly sexual behavior or language for age or situation.

Another challenging dynamic lies in the wide variability of trafficking experiences. A victim's trafficking can be a singular instance, a series of disconnected periods of trafficking, or a long, continuous period of trafficking. Victim relationships with traffickers can be extremely complicated and nuanced, particularly those stemming from a familial, friendship, or romantic relationship. Victims may be trafficked by one trafficker or by multiple traffickers and may attempt to leave many times before successfully and permanently achieving freedom.

Victims may experience different forms of force, fraud, or coercion to initiate and maintain their trafficking. Some forms will align more closely with Hollywood sensationalism (e.g., restraints, violence, restricted movement) and other forms may appear at first glance to provide the victim substantial freedom and many opportunities to exit trafficking. Traffickers often spend substantial time grooming or bonding with their victims, using a variety of coercion and control techniques rather than physical captivity to entrap victims and slowly erode liberty. Many victims do not realize they are being exploited due to these manipulations, and these dynamics can be extremely challenging for victims to process.

This is equally challenging for the public, as trafficking is much more common and complex than most people imagine. In the same way it has taken decades and concerted education efforts for the public to conceptualize and accept delayed reporting in sexual assault cases, tonic immobility in rape cases, and the average seven attempts for a victim of domestic violence to leave before finally escaping, it will also take time and concerted education efforts for the public to understand what human trafficking really looks like in their respective communities.

Human trafficking is a form of interpersonal violence using force, fraud, or coercion to exploit a person for labor or sex, and human trafficking and other forms of interpersonal violence (including domestic violence and sexual assault) share dynamics of power and control with overlapping offender tactics including isolation, threats, and economic control. While a primary goal of human trafficking is exploitation for profit, this form of interpersonal violence can have many motivations beyond exploitation for profit. There is such a marked overlap in the pattern of behaviors that abusers and traffickers use to exert power and control over a victim that a well-known illustration of domestic violence tactics, the Power and Control Wheel, has been adapted specifically for human trafficking.¹⁴

¹⁴ Wheel adapted by Polaris from the Domestic Abuse Intervention Project's Duluth Model Power and Control Wheel, available at www.theduluthmodel.org.



Identification and Disclosure Considerations

The nature of human trafficking initiates an adversarial position upon reporting – that is, the victim who identifies they may be a victim of trafficking risks having to face their trafficker in a court of law and must trust that justice will prevail and social services will address needs previously provided by the trafficker. These are tall orders given many victims' experiences with the criminal justice and social service systems. Trafficking victims span in ages from newborns to the elderly and include men and

women and citizens and non-citizens alike. Each victim may experience numerous barriers to identify and disclose their victimization to friends, family, or victim services, let alone reporting to law enforcement.

Potential Barriers to Disclosure Include:

<ul style="list-style-type: none">- Age- Gender- Shame- Immigration status- Language- Culture- Lack of identification or understanding of the crime- Family perpetrator- Fear for the safety or security of themselves, their children, family, or animals- Distrust of law enforcement- Membership in historically marginalized group- Retaliation	<ul style="list-style-type: none">- Bad credit or financial history- Criminal record- Tax consequences for false or omitted filings- Industry isolation- Interrogation as suspect- History and exploitative experiences- Threats- Feelings of complicity in abuse- Forced drug use- Debt bondage- Geographic isolation- Lack of victim services- Substance use disorders	<ul style="list-style-type: none">- Former system involvement- Housing- Conditioning to fear authorities- Physical- Developmental- Lack of knowledge about American laws and regulations- Psychological trauma- Deception/coercion- Physiological development- Forced criminality- Control- Surveillance- Exhaustion or illness- Lack of education- Captivity
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While victims' initial legal encounters may mirror those of child sexual abuse victims – disclosure to law enforcement, and treatment by law enforcement as a victim throughout the process – the encounters are statistically more likely to occur in different manners, some which are strikingly different and significantly affect victim disclosure and cooperation.

Trafficking victims are commonly identified due to suspected involvement in delinquent or criminal behavior. Law enforcement nationally and in Idaho receive training emphasizing the role of forced criminality in trafficking, where a trafficker exploits a victim through threats, violence, and manipulation to force the victim to commit various illegal acts, including theft, drug offenses, fraud, tax evasion, and organized crime. The intersection between the ongoing drug crisis and human

trafficking is critical to forced criminality, as traffickers often exploit the addictive properties of controlled substances as a means of exerting coercion and control over victims. Resultingly, victims can be identified as offenders with lifelong repercussions including arrest, prosecution, a criminal record, and a strong distaste for law enforcement. This includes identification and criminalization as a provider of commercial sexual activity.

If a victim is not directed toward services but instead treated and interrogated as a suspect, the victim may adopt a confrontational and non-disclosing demeanor which will negatively affect law enforcement's ability to determine whether the victim was trafficked. Interviews with suspects are guilt presumptive and intended to obtain incriminatory information or a confession. Further, limited legal understanding and negative past experiences can lead to confusion, poor decision-making, and additional distress. And if law enforcement does begin to identify indicators that the victim was trafficked, the tremendous shift on the victim's end from being interrogated as a suspect to being supported and validated as a victim may not be possible and trust unable to be rebuilt. Unfortunately, a victim's suspected criminal offense is often extremely challenging for law enforcement to connect to potential trafficking without the victim offering information or cooperating with law enforcement.

Because the nature of the criminal justice system is such that these victims' offenses are not always identified as resulting from their trafficking, victims may find themselves being prosecuted and convicted for offenses committed as a result of their trafficking. Forced criminality has come so much into the spotlight that Idaho law contains diversion programs for youth and affirmative defenses for such forced criminality (*see I.C. § 18-8606*) and provides a mechanism for victims to civilly petition Idaho courts to vacate convictions and expunge records relating to their victimization through human trafficking (*see I.C. § 67-3014*).

Another form of disclosure comes through medical and mental health providers reporting suspicions of trafficking when individuals seek medical treatment. When trafficking is suspected, the provider must decide whether to confront the victim or contact law enforcement. Contacting law enforcement can conflict with some providers' goals of maintaining confidentiality and building trust with a patient who would otherwise be reluctant to seek treatment. Either way, in these situations, the provider typically initiates the report, not the victim.

Foreign national victims of trafficking may find themselves unwilling and unable to sufficiently trust law enforcement to disclose their trafficking, particularly if they fear deportation. Victims not yet identified as trafficking victims may be first identified as foreign nationals and questioned regarding their immigration status. Law enforcement can offer various immigration assistance to suspected victims of trafficking but must develop the rapport with the victim first to be able to share that information. Victim willingness to speak with law enforcement is often severely

impeded by manipulative messaging from traffickers regarding immigration enforcement efforts and American laws and customs. Community education regarding temporary federal immigration benefits or temporary relief from removal for victims of trafficking (e.g., T-visas, U-visas, Continued Presence) is critical to counter such messaging.

Victims' Needs

Substance use treatment programs, housing, and mental health support are all critical and costly components of successful victim services support. Nationally, services for victims of labor trafficking and male victims are severely lacking. Within Idaho, very few safehouses and emergency shelters specific to human trafficking exist, and oftentimes those shelters are at capacity. And mirroring the national trend, even fewer services are available in Idaho for victims of labor trafficking or male victims of human trafficking.

Housing instability is both a cause and a consequence of human trafficking. An individual without access to shelter or housing is vulnerable to traffickers who may promise housing in exchange for labor or sex. And once someone is trafficked, escaping the trafficking situation is even more challenging without a safe place to live. Without safe and adequate shelter (which for many victims was provided by their traffickers) during the investigation, prosecution, and beyond, victims are less likely to cooperate with authorities for lengthy periods and may return to their traffickers. While some emergency shelters provide hotel vouchers, which can be excellent resources for some victims, victims who were trafficked out of hotels may not be able to utilize the resource due to their previous trauma. Nationally, many victims enter emergency housing with significant trauma and substance use disorders created during or exacerbated by their trafficking experiences, which can affect victims' abilities and willingness to comply with strict shelter safety rules. Law enforcement may feel forced to arrest victims to provide safe housing and medical treatment in the absence of suitable community services, even if the arrest has potential collateral consequences for the victim.

Trafficking victims' needs vary widely and are key to understanding why these cases are so resource intensive. Below is a non-exhaustive list of tangible and intangible needs of trafficking survivors to consider:

Examples of Survivor Needs	
Tangible Needs	Intangible Needs
<ul style="list-style-type: none"> - Crisis housing - Long-term housing - Clothing - Education - Job or income - Name change - Identification - Viable alternatives to employment - Debt repayment - Transportation - Legal representation or advocacy - Opportunities to develop skills and strengths - Medical and dental care - Health education - Case management - Substance use treatment - Detoxification / sobriety - Safety planning - Security or relocation for threatened family or pets - Childcare - Child counseling and therapy - Custody assistance - Parenting skills - Language services - Relocation - Immigration assistance - Credit repair - Cultural support 	<ul style="list-style-type: none"> - Safety - Protection - Nonjudgmental environment - Respect - Positive community engagement - Healthy relationships - Mentors or role models - Supportive peers - Confidence - Understanding of trauma and the recovery process - Affirmation of skills and strengths - Recognition of abuse and trauma - Options - Empowerment

LEGISLATIVE HISTORY

The revisions within H.B. 494 in 2024 were far from the first revisions to the Idaho Code to create or bolster enforcement mechanisms and victim protections for human trafficking offenses. Below is a summary of human trafficking-related legislation in the Idaho Code.

2006:

House Bill 536 created Title 18, Chapter 85, titled “Human Trafficking.” The legislative intent read, in part: “It is the intent of the legislature to address the growing problem of human trafficking and to provide criminal sanctions for persons who engage in human trafficking in this state.” House Bill 536’s codification of human trafficking as a criminal offense functioned much like an enhancement in that an individual committing an offense enumerated within the statute who also committed human trafficking was subject to a potential prison sentence of up to 25 years. House Bill 536 also added certain victim restitution provisions and required, in former Section 18-8505, two reports to be issued by July 1, 2007, one by the Office of the Attorney General and the other by the Department of Health and Welfare, regarding legal support for victims and social service supports for victims, respectively.

2007:

Senate Bill 1064, a clean-up bill, redesignated Title 18, Chapter 85, to Title 18, Chapter 86.

2009:

House Bill 178 amended Section 18-8303 (“Definitions”) of the Sexual Offender Registration Act to classify sex trafficking as an aggravated offense and as an offense subject to registration as a sex offender.

- No individuals are currently registering as sex offenders in Idaho for a human trafficking conviction.

2015:

House Bill 183 amended Section 40-507 (“Construction and Maintenance of Information Centers”) to add subsections (4) and (5), allowing nonprofit anti-human trafficking organizations to place signs and posters containing the information for state and national human trafficking hotlines and victim advocates in and around rest areas alongside state and interstate highways. All costs of signs, installations, and maintenance are to be provided by the nonprofit anti-human trafficking organization.

- No official data is available regarding the utilization of Section 40-507(4)-(5).
- ***Recommendation:*** *That the Office of the Attorney General publicize Section 40-507 to service providers.*
- ***Recommendation:*** *That the Office of the Attorney General evaluate successful state legislation mandating human trafficking materials in various spaces, including schools, healthcare facilities, and hotels, and present findings to the Legislature and model language, as applicable, in the 2028 report to the Legislature.*

Senate Bill 1154 created a new Section 67-3014 (“Expungement for Victims of Human Trafficking”) to create a mechanism for victims of human trafficking to civilly petition Idaho courts to vacate convictions and expunge records relating to their time as a victim of human trafficking. The subject offense must meet two requirements: (a) the petition must be for an offense for which a defense of coercion is available; and (b) the arrest, criminal prosecution, or conviction must be the result of acts induced by human traffickers. Relief is barred if the petitioner raised the affirmative defense of coercion at trial and was still convicted.

- No official data is available regarding the number of individuals who have petitioned for relief.
- ***Recommendation:*** *That the Office of the Attorney General publicize this resource through the Office’s website and through coordinated messaging to service providers and the defense bar.*

2017:

House Bill 1005 amended Section 16-1602 (“Definitions”) of the Idaho Child Protective Act to include human trafficking in its definitions of abuse and neglect. The Justice for Victims of Sex Trafficking Act of 2015 amended the Child Abuse Prevention and Treatment Act state grant program requirements to require states to consider any child identified by a state as a victim of (a) sex trafficking or (b) another form of trafficking as a victim of (i) child abuse and neglect and (ii) sexual abuse.

2018:

House Bill 430 amended Title 19, Chapter 57 (“Address Confidentiality for Victims of Violence”), to include human trafficking as a qualifying form of victimization for the State’s address confidentiality program administered by the Secretary of State.

- Over 25 participants in Idaho’s Address Confidentiality Program have identified human trafficking as their primary form of victimization.

2019:

Senate Bill 1003 created a new Section 18-8606 titled “Safe Harbor Provisions” to: (a) through the creation of a diversion program, provide protection for minor victims of human trafficking from criminal prosecution or juvenile proceedings for nonviolent offenses where committing the offense was a direct and immediate result of being a victim of human trafficking; and (b) provide an affirmative defense for adult victims of human trafficking for enumerated nonviolent offenses where the nonviolent offense was committed as a direct and immediate result of being a victim of human trafficking.

- The diversion program has been utilized with Idaho youth and the affirmative defenses for minor and adult victims have been utilized by the defense bar. The interpretation of the statutory language of “direct and immediate result” has proven challenging throughout the state given a lack of guidance or caselaw and has been highly contested at hearings.
- ***Recommendation: That the Office of the Attorney General serve as a central repository for stakeholders’ experiences with diversion and affirmative defense Section 18-8606 hearings to develop guidance or potential legislative language, including language to clarify or further define “direct and immediate result”, as needed.***
- Multiple stakeholders, including juvenile probation officers, prosecutors and defense attorneys, have voiced concerns over the diversion program requirements in Section 18-8606(b), as few, if any, state-licensed residential facilities exist in Idaho which meet the requirements. The diversion program requires a comprehensive rehabilitation program with access to: (a) comprehensive case management; (b) integrated mental health and chemical dependency services, including specialized trauma recovery services; (c) education and employment training services; and (d) off-site specialized services, as needed. The lack of eligible facilities in Idaho forces minor victims to be sent to out of state to participate in the diversion program, which incurs significant costs and can further traumatize the youth and their support systems.
- ***Recommendation: That the Legislature consider evaluating methods and potential legislative revisions to expand residential facility availability under Section 18-8606(b).***

Senate Bill 1005 amended Title 18, Chapter 86, in several ways. The Bill: amended the legislative intent in Section 18-8601; added language regarding labor trafficking and further defining “force, fraud, and coercion”; removed vestigial language in Section 18-8605 requiring the 2007 reports from the Office of the Attorney General

and Department of Health and Welfare; and, most notably, removed language that human trafficking offenses be committed with the commission of another crime, making human trafficking offenses standalone offenses.

2023:

House Bill 341a amended Title 18, Chapter 56 (formerly, “Prostitution”), to revise language in Section 18-5601 (formerly, “Interstate Trafficking in Prostitution”) and repeal and create a new Section 18-5606 (“Receiving Proceeds of Illegal Sexual Activity”), a felony punishable by up to 20 years in prison or by a fine not more than \$50,000, or by both fine and imprisonment.

House Bill 341a also created a new Section 18-8605 (formerly, “Human Trafficking Victim Protection”), which required two reports to be issued:

First, the Office of the Attorney General was required to issue, by January 1, 2024, a report outlining how existing state criminal laws protect or fail to protect human trafficking victims and recommending areas of improvement and modifications in existing laws and rules.

Second, the Idaho Criminal Justice Commission (“ICJC”), in consultation with the Office of the Attorney General, was required to issue, by January 1, 2024, a report outlining how existing social service programs respond or fail to respond to the needs of human trafficking victims and the interplay of such existing programs with federally funded victim service programs and suggesting areas of improvement. The inquiry was also required to include the ability of state programs and licensing bodies to recognize federal nonimmigrant status for the purpose of benefits, programs, and licenses.

- Three felony violations of Section 18-5606 have been charged since House Bill 341a was enacted (Twin Falls County, charges not yet disposed).¹⁵
- The Office of the Attorney General’s December 2023 report is available online or upon request.

Senate Bill 1028 amended Section 39-5302 (“Definitions”) of the Adult Abuse, Neglect and Exploitation Act to, among other items, add human trafficking of a vulnerable adult as a form of maltreatment subject to mandatory reporting requirements under the Idaho Commission on Aging.

2024:

House Bill 494 addressed certain necessary changes identified in the December 2023 report from the Office of the Attorney General, including victim-centered revisions

¹⁵ State of Idaho Judicial Branch.

(changing all references to “prostitution” to “commercial sexual activity”) and new authority for the Office of the Attorney General codified in Section 18-8605. H.B. 494 also created an affirmative defense to commercial sexual activity if the alleged provider was the victim of human trafficking and prohibited prosecution of a child for providing commercial sexual activity. The revised human trafficking statutes provided law enforcement clearer and more effective statutes for investigation and prosecution and allowed prosecutors to seek forfeiture from convicted traffickers.

- ***Recommendation:** That the Legislature and the Office of the Attorney General evaluate the efficacy of H.B. 494’s legislative revisions in 2028, utilizing additional data and use-case scenarios to inform any proposed legislative revisions.*

Senate Bill 1350 amended Section 20-520 (“Sentencing”) to require juvenile presentencing reports to be compiled using tools that screen for human trafficking, risks and needs of the juvenile offender, and any trauma suffered by the juvenile offender and also using any additional screening deemed appropriate. Senate Bill 1350 was a product of the recommendations of the human trafficking report required of the ICJC by House Bill 341a in 2023, which recommended the development of standardized training, screening, and assessment tools for human trafficking victims.

2025:

House Bill 83 created a new Title 18, Chapter 90 (“Immigration Cooperation and Enforcement Act”), which, among other items, criminalized the trafficking of a dangerous illegal alien. I.C. § 18-9006. Subsection (4) provides a carveout as follows: an individual who was a necessary witness to, or a victim of, certain crimes (including human trafficking) at the time the individual transported the dangerous illegal alien shall not be prosecuted under Section 18-9006.

House Bill 380 amended Title 18, Chapter 15 (“Children and Vulnerable Adults”), in several ways. Specific to human trafficking, House Bill 380: (a) created a new Section 18-1508B (“Aggravated Lewd Conduct with Minor Child Under Sixteen”) wherein human trafficking of the minor victim is an aggravating factor (subsection (2)); (b) created a new Section 18-1508C (“Aggravated Lewd Conduct with Minor Child Twelve or Under”) wherein human trafficking of the minor victim is an aggravating factor (subsection (4)); and (c) amended Section 19-2515 (“Sentence in Capital Cases - - Special Sentencing Proceeding - - Statutory Aggravating Circumstances - - Special Verdict or Written Findings”), subsection (10)(d), to include human trafficking as a statutory aggravating circumstance for the potential imposition of the death penalty.

JURISDICTION

County

County prosecuting attorneys and county sheriffs hold primary responsibility for enforcing Idaho's criminal laws. Idaho is comprised of 44 counties, each with their own Sheriff's Office and Prosecuting Attorney's Office. Idaho is also home to nearly 80 police departments, including rural, tribal, and urban departments. City attorneys also can provide prosecutorial support for certain classes of cases (e.g., infractions, misdemeanors).

State

The Attorney General's criminal prosecutorial authority exists only where specifically conferred by statute or upon referral or request by county prosecutors. The Legislature has not granted the Attorney General authority to prosecute violations of Title 18, Chapter 86.

The Attorney General's ability to prosecute criminal cases as referrals from county prosecutors comes in two forms.

- First, when a county prosecutor cannot perform their duties, the county prosecutor may refer a case to the Attorney General and move for a court order appointing him as special prosecutor to assume "all the powers of the prosecuting attorney." I.C. § 31-2603(a).
- Second, a county prosecutor who wants to utilize the resources of the Attorney General's Office may seek the appointment of a special assistant Attorney General to prosecute or assist in prosecuting a criminal case. I.C. § 31-2603(b).

The Attorney General's authority in the context of human trafficking is further delineated in Section 18-8605:

The attorney general shall employ such attorneys, investigators, and other personnel as necessary to carry out the following responsibilities using funds allocated to the office of the attorney general for such purpose:

- (1) To issue, by January 1 of each even-numbered year, a report outlining the status of the state's efforts to combat human trafficking and recommending next steps one (1) or more bodies of state government should take to eradicate human trafficking in Idaho;

- (2) To compile and maintain curriculum for the training of prosecutors, law enforcement, victim advocates, and the public on identifying, investigating, and prosecuting human trafficking; and
- (3) *To assist, upon request, county prosecuting attorneys and other law enforcement agencies in the investigation and prosecution of human trafficking.*

Emphasis added.

Federal

The United States Attorney's Office for the District of Idaho is the lead federal law enforcement entity in Idaho. The Office's jurisdiction covers federal crimes committed in whole or in part in Idaho and the representation of federal agencies and employees in civil proceedings in Idaho. The Office maintains attorneys and support staff in three locations – the headquarters office in Boise and branch offices in Coeur d'Alene and Pocatello. Federal human trafficking cases can be prosecuted under several different United States Code sections, detailed earlier.

Tribal

Idaho is home to five federally recognized tribes: the Coeur d'Alene; the Kootenai; the Nez Perce; the Shoshone-Bannock; and the Shoshone-Paiute. The vast majority of the Native American population in Idaho resides on four of the five reservations – the Fort Hall Reservation (Shoshone-Bannock), the Coeur d'Alene Reservation, the Kootenai Reservation, and the Nez Perce Reservation. The federal District of Idaho shares the Duck Valley Reservation (Shoshone-Paiute) with Nevada, where most of the Duck Valley population resides.

Passed in 1953, Public Law 280 gave jurisdiction over criminal offenses involving Indians in Indian Country to certain states and allowed other states to assume jurisdiction. Subsequent legislation allowed states to retrocede jurisdiction, which has occurred in some areas. In 1973, the State of Idaho assumed Public Law 280 jurisdiction for seven subject areas but did not assume Public Law 280 jurisdiction for general crimes. Under 18 U.S.C. §§ 1152, 1153, and generally applicable federal criminal statutes, the United States Attorney's Office for the District of Idaho has jurisdiction over major crimes committed in Indian Country in Idaho. The branch manager of the Coeur d'Alene United States Attorney's Office serves as a tribal liaison to the Nez Perce, the Coeur d'Alene, and the Kootenai tribes. The branch manager of the Pocatello office serves as tribal liaison to the Shoshone-Bannock tribe. And the Criminal Chief in Boise serves as tribal liaison for the Duck Valley reservation.

In 2020, the Major Crimes Act was passed, giving the United States Attorney's Office the power to prosecute Native Americans who commit crimes on reservations, regardless of whether the victim is indigenous. And just last year, the Nez Perce became the first tribe in Idaho to implement the Violence Against Women Act, which allowed the tribe to enforce Special Tribal Criminal Jurisdiction. Special Tribal Criminal Jurisdiction provides tribes the authority to prosecute certain crimes occurring within their jurisdictions, including domestic violence and sex trafficking, and includes offenses where the victim is a member of a federally recognized Indian tribe and the defendant is not.

Uniform Code of Military Justice

Idaho is home to Mountain Home Air Force Base, Gowen Field of the Air National Guard, and smaller Navy research facilities at Lake Pend Oreille. The military has court-martial jurisdiction over persons subject to the Uniform Code of Military Justice ("UCMJ"). Jurisdiction over civilians and certain aspects of military installations may be transferred between state and federal authorities. Idaho can also transfer jurisdiction over adult and juvenile offenders to civilian authorities. Military personnel accused of offenses can also be delivered to civil authorities for trial.

Idaho Senate Bill 1152, enacted in 2025, provides for the transfer of criminal prosecutorial jurisdiction over civilian criminal offenders on military installations to the local prosecuting attorney. The transfer must be initiated by request of the designated federal official to the Governor who must approve and accept such transfer.

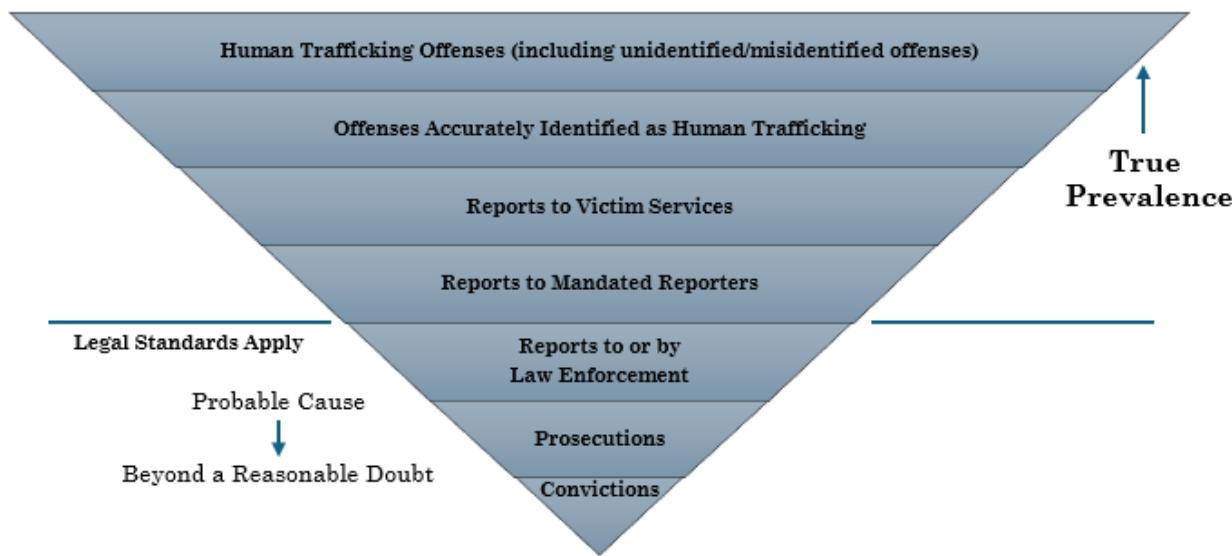
The UCMJ does not contain a specific human trafficking offense. Prosecutors can utilize several articles to prosecute members of the military involved in human trafficking, including: Article 81 (Conspiracy); Article 120 (Rape and Sexual Assault); Article 125 (Kidnapping); and Article 134 (General). Historically, jurisdiction for many human trafficking cases has been transferred to federal prosecutors.

PREVALENCE IN IDAHO

The Hierarchy of Human Trafficking Data

The below graphic reflects the likelihood of certain human trafficking data accurately reflecting true prevalence. The general relationship between the figures for human trafficking, regardless of jurisdiction, demonstrates a significant disparity between actual incidents of human trafficking and resulting convictions. This again illustrates the caveat that data should be seen as agency outputs rather than as true measures of prevalence – whether legal standards apply is just one reason the graphic's base corresponds with significantly smaller numbers than the top levels.

Hierarchy of Human Trafficking Data



Stakeholders throughout Idaho provided feedback that the official data provided through law enforcement reports and human trafficking prosecutions are inaccurate reflections of the true scope of human trafficking in their communities. Similarly, victim service providers uniformly report assisting more victims of trafficking than reported by law enforcement. This should not be surprising to anyone working in criminal justice or social services, as many victims of crime are reticent to report to law enforcement and more open to seeking services through victim agencies. Specific challenges with the investigation and prosecution of human trafficking cases, along with efforts being made to enhance and standardize data collection, are detailed further in this report.

Idaho Data Collection Mechanisms

Idaho lacks comprehensive data on human trafficking. Agency data collection can be a patchwork of standards and protocols, made even more challenging by differing definitions and understandings of human trafficking and differing reporting periods. The data collection mechanisms detailed in this section are a combination of highly standardized statewide data collection programs and ad hoc or anecdotal data collection. Because of the lack of standardized data collection methods, it is nearly impossible to develop a full and accurate picture of the scope of human trafficking in Idaho – each data set is simply a snapshot of the sector from which the data is sourced.

The below are several sources of human trafficking data in Idaho:

- Individual law enforcement agency data
- Uniform Crime Report
- Idaho Supreme Court (county prosecution data)
- Federal prosecution data
- Victim services data
- State grant recipient data

The data reflected in this report represents only the lowest verifiable measurement of human trafficking in Idaho, with actual numbers likely far exceeding this threshold data.

Victim Service Provider Data

The Idaho Crime Victim Services Dashboard, a collaboration between the Idaho Council on Domestic Violence and Victim Assistance and the Idaho Statistical Analysis Center of the Idaho State Police, reported 333 victims of human trafficking received services in 2023. 245 of those victims received services in Ada County and 21 received services in Canyon County. The statewide figure accounts for data meeting all four of the following criteria: (a) individuals; (b) served by victim service agencies; (c) which agencies are providing services funded by federal or state pass-through grant programs; and (d) which agencies are reporting statistics to the Idaho Council on Domestic Violence and Victim Assistance. The victim services data comes from four federal grant programs: Family Violence Prevention and Services Act; Sexual Assault Services Formula Grant Program; Services, Training, Officers, and Prosecutors; and Victims of Crime Act Victim Assistance. Each grant collects slightly different data based on the grants' respective federal grant reporting requirements.

Data provided by grantees can offer some insight into the experiences of trafficking victims receiving federally funded services. This data reflects significantly larger numbers than other sources addressed in this section. Note, however, there is no distinction in the data between: (a) victims of human trafficking who were historically

victims and those who are currently experiencing human trafficking; or (b) victimization in Idaho and victimization outside of Idaho.

Other victim service agencies maintaining more comprehensive data specific to human trafficking services reinforced that the issue of human trafficking is much more prevalent than official data suggests. The Nampa Family Justice Center, which provides human trafficking-specific services through a federal grant in conjunction with the Treasure Valley Anti-Trafficking Task Force, addressed later in this report, has served over 105 victims of human trafficking over just the last year – nearly triple the 36 victims served between 2019 and 2021, an increase strongly correlated with increased grant funding. And several non-human trafficking specific service providers reported working with 10 or more victims of human trafficking per organization per year. The apparent funding correlation reinforces a key truth in victim services – agencies' increased abilities to serve victims are typically met with increased demand for the same services.

Not surprisingly, informal conversations with victim service providers throughout the state indicate the number of individuals seeking services for human trafficking far exceeds even the above numbers. However, few statewide, or even regional, standardized data collection mechanisms or protocols exist for victim service providers.

Data fields often do not distinguish between an individual seeking services who was trafficked previously and someone currently experiencing or escaping victimization. This distinction is critical in Idaho given the state's placement on the trafficking circuit – victims may exit trafficking in another state and come to Idaho for services or may successfully exit active trafficking in Idaho. Victim service providers statewide discussed the challenge in maintaining statistics beyond initial intake paperwork for services. Victims will often delay disclosure of trafficking due to an unwillingness to disclose or a lack of identification and labeling of their experience as trafficking, and staff may not always have the ability to update statistics when a report is made after the initial screening process.

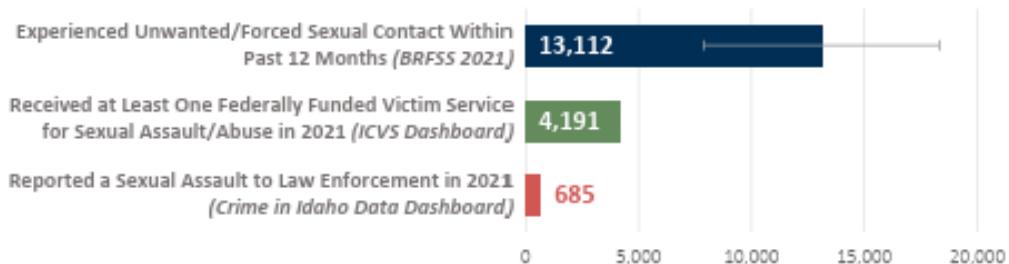
Human trafficking is also often one of several reasons an individual seeks services, and it can be difficult for victim service providers to filter primary concerns against all concerns in screening documents. Trafficking may not be the most traumatic event in a person's life. One service provider estimates co-occurring victimization presents in 70-95% of clients seeking human trafficking services, and more than half of clients present with childhood histories of abuse, assault, or neglect. Similarly, given the dearth of human-trafficking specific service providers in the state, many victims are directed to local service providers who may specialize in services for domestic violence or sexual assault and who may not maintain any statistics or fields to track human trafficking data. Although individual agency numbers for many providers may not

reflect a significant human trafficking issue, aggregated data for such providers paints a different picture.

As reflected earlier in the “Hierarchy of Human Trafficking Data” graphic, victim service data for interpersonal violence, including human trafficking, almost universally exceeds data from law enforcement in the same way true prevalence greatly exceeds reports to victim services. Victim service providers are not subject to the same reporting or validation criteria as law enforcement or prosecuting agencies, and for good reason – the three systems have distinct purposes, with distinct collateral effects accompanying reporting. Also, it is well-established that only a portion of individuals connecting with victim services will report an offense to law enforcement.

As shown below, a recent study conducted by the Idaho Statistical Analysis Center further demonstrates the relationship between instances of sexual violence, the provision of victim services, and reports to law enforcement, reflecting the wide gap between experiences and law enforcement reports.¹⁶ Recall also that adult victims of human trafficking will have experienced force, fraud, or coercion as part of their trafficking experience, which further reduces the likelihood of reporting their victimization.

Figure 1. In 2021, the number of adult Idahoans who experienced sexual violence in the past 12 months was higher than the number who received victim services after being sexually assaulted/abused or reported a sexual assault to law enforcement that same year.



Human Trafficking Hotline Data

Idaho Providers:

Victim service providers throughout Idaho operate their own crisis lines which field calls and provide resources to callers. Many service providers throughout the state receive contacts relating to human trafficking. However, service providers are often specialists in multiple forms of interpersonal violence, including domestic violence, stalking, and sexual assault, without significant resources available for the unique and often immense needs of human trafficking survivors. Currently, the only human-

¹⁶ *Sexual Violence in Idaho: Prevalence and Health Impacts*. Idaho Statistical Analysis Center, November 2024.

trafficking exclusive 24/7 hotlines or crisis lines operating in Idaho are those of: Community Outreach Behavioral Services, Inc. (“**COBS**”); the Safe House Project (formerly the Idaho Anti-Trafficking Coalition); and the National Human Trafficking Hotline (“**Hotline**”).

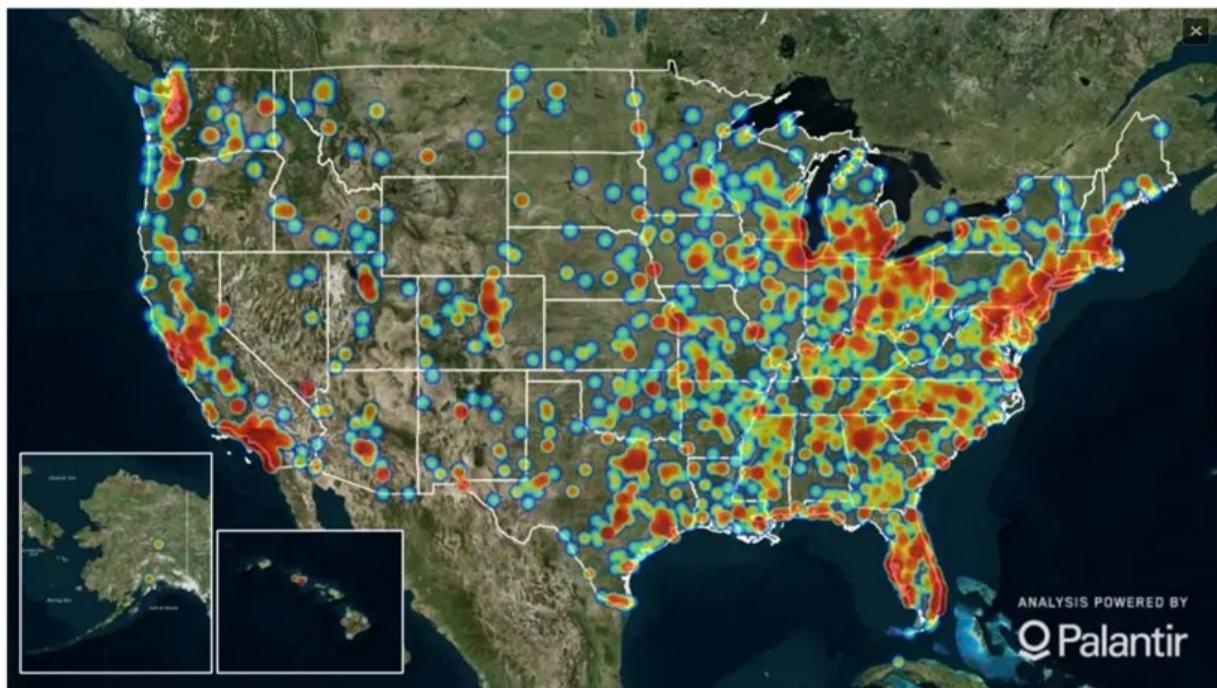
COBS is an Idaho nonprofit that provides trauma care for victims of human trafficking across Idaho and operates two safehouses with human-trafficking specific programming and resources. COBS supported 26 survivors of human trafficking in these safehouses in 2024, providing a total of 3,664 total nights of housing in the safehouses. COBS provided services to over 100 survivors of human trafficking last year and operates a 24/7 crisis line in addition to maintaining direct advocate lines for crisis response.

The Idaho Anti-Trafficking Coalition, a nonprofit acquired by the Safe House Project in July 2025, previously publicized and operated a 24/7 hotline to serve Idahoans and those passing through Idaho in need of local resources. Operation of the hotline transitioned to the Safe House Project in September 2025. The Safe House Project is a national nonprofit dedicated to combatting human trafficking by raising the identification rate of survivors, providing emergency services, and ensuring that survivors have access to safe housing and holistic care. The Safe House Project estimates the hotline receives approximately seven contacts from Idaho per day.

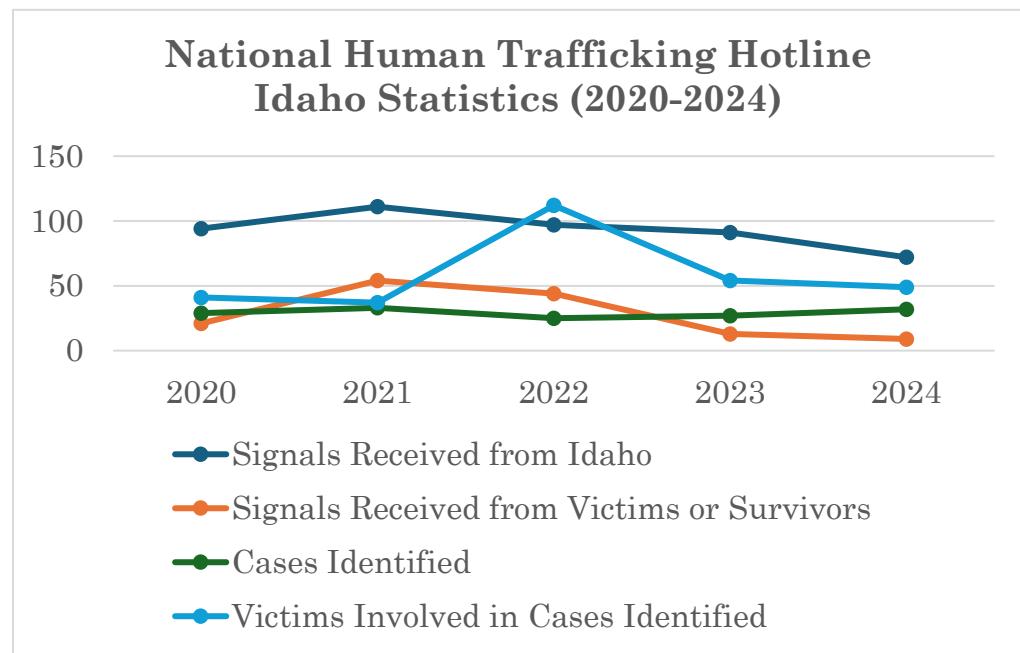
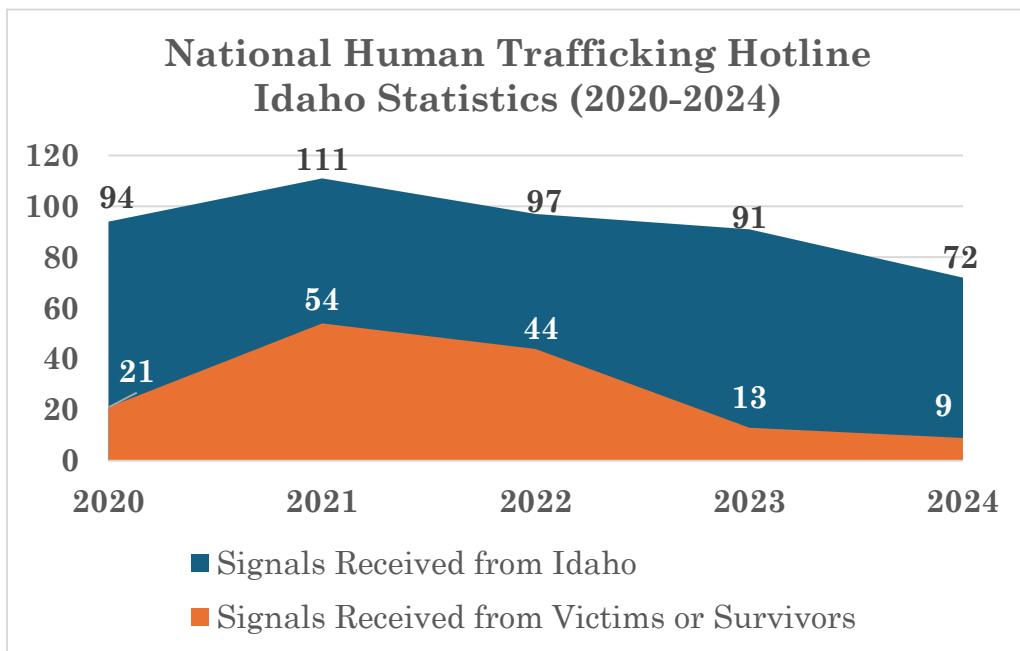
National Human Trafficking Hotline:

The Hotline is a national and toll-free hotline launched in 2007, authorized by the Justice for Victims of Trafficking Act of 2015 and incorporated into the Trafficking Victims Protection Act of 2000. The Hotline is a 24/7 confidential resource offering information and service referrals to individuals who have experienced human trafficking. Since the Hotline’s inception, the Hotline has received nearly 1.5 million contacts and helped identify more than 115,000 potential trafficking situations. In 2025, the Department of Health and Human Services, through the Administration for Children and Families, granted a five-year \$35 million grant to Compass Connections to operate the Hotline. The Hotline’s operation transitioned from Polaris to Compass Connections in December 2025. The \$35 million grant is intended to improve responsiveness to crisis contacts while strengthening coordination with survivor advocates, service providers, child welfare agencies, and law enforcement.

The Hotline maintains one of the largest publicly available data sets on human trafficking in the United States. Below is a “heat map” produced by Polaris in 2019, reflecting human trafficking reports to the Hotline.



In 2024, the Hotline received 72 signals from Idaho (including calls, texts, online reports, emails and web chat contacts). Nine of those signals were reported to be from victims or survivors of human trafficking. The Hotline reports 32 human trafficking cases were identified in Idaho in 2024, with 49 victims involved. Most signals concerned sex trafficking, with approximately two-thirds of signals serving to report trafficking tips and one-third to access service referrals. Four cases of potential labor trafficking were reported.



Note that, for the above data, cases identified by the Hotline are situations reported by the public, and victim involvement numbers are based on the callers' estimates of potential victims. These are not validated or proven cases and are not qualitatively the same as cases identified by law enforcement. The Hotline's statistics do not distinguish between current or past victimization and do not independently verify the number of victims or cases reported. The Hotline does not require reporting to law enforcement (with the exception of imminent danger) and provides callers the option to elect or to decline to report to law enforcement. Most callers seek service referrals instead of reporting to law enforcement. The Hotline accepts public signals and

forwards the content of those signals to law enforcement and service providers for further due diligence and verification.

The Hotline's 2024 statistics reflect a small decrease from 2023 in both signals received from Idaho (from 91 to 72) and signals received from victims or survivors of human trafficking (from 13 to nine).

Signals are routed according to content and callers' requests. If a situation involves the harm of a minor, child protective services (the Idaho Department of Health and Welfare) are contacted along with law enforcement. Urgent situations are reported to 911 and local law enforcement. Other law enforcement signals are routed within Idaho to a small number of law enforcement contacts, who then route the signals to other more localized agencies as needed. If a caller is seeking services or does not wish to report to law enforcement, the signal is routed to one or more service provider referral partners in Idaho. The Hotline does not currently require status updates to "close out" tips and relies on agencies to deconflict amongst themselves.

At this time, service providers must apply to be considered for inclusion in the Hotline referral directory and receive signals routed to Idaho. The Hotline's referral directory is a comprehensive directory developed to: (a) provide access to critical emergency, transitional, and long-term social services for victims and survivors of human trafficking; (b) report cases of potential human trafficking to specialized law enforcement and government agencies; and (c) connect individuals with training and technical assistance and opportunities for community involvement. Service providers must meet numerous inclusion criteria to qualify as service providers with the Hotline. No official data exists regarding the number of Idaho service providers that have applied for inclusion in the Hotline directory but have not met the minimum criteria.

Eight Idaho service providers are currently registered to receive signals from the Hotline. Of those service providers, six are headquartered in the Treasure Valley and two in East Idaho. No service providers headquartered in North Idaho are registered with the Hotline. However, many of the registered service providers can provide services and referrals statewide.

Service providers must affirmatively opt in to make their organizations' profiles publicly searchable via the Hotline's online directory. At the time of this report, no service providers in Idaho have elected to publish their information on the Hotline's public online directory. It is unknown whether service provider registration processes will change following the recent Hotline operator transition.

➤ ***Recommendation: That the Office of the Attorney General monitor the Hotline transition and continue to seek input from existing service providers and law enforcement as to the Hotline's efficacy in receiving and routing signals.***

- **Recommendation:** *That the Office of the Attorney General and the Idaho Council on Domestic Violence and Victim Assistance systematically engage with victim service providers to increase awareness of the Hotline and, as appropriate, encourage applications to become service providers.*
- **Recommendation:** *That the Office of the Attorney General research and consider other hotlines or tools to offer additional public reporting resources.*

*****Idaho Law Enforcement Data: Uniform Crime Report (2020-2024)*****

Each participating Idaho law enforcement agency is responsible for compiling and submitting their crime data to the Uniform Crime Reporting Program of the Idaho State Police, Bureau of Criminal Identification. Idaho has participated in the National Uniform Crime Reporting Program since 1974. The National Uniform Crime Reporting Program is a nationwide statistical collaboration designed to collect accurate crime data from all law enforcement agencies in a uniform manner. The Idaho Uniform Crime Reporting Program requires a report to be submitted after preliminary confirmation of a call for service or a complaint establishes probable cause that a crime – here, human trafficking – was committed. Reports to the Idaho Uniform Crime Reporting Program are not equivalent to cases referred for prosecution or pursued through formal investigation.

The Federal Bureau of Investigation is required to collect human trafficking data under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. The Federal Bureau of Investigation established human trafficking data collection as part of its National Uniform Crime Reporting Program in 2013. Both the National and Idaho Uniform Crime Reporting Programs collect data on human trafficking for commercial sex acts and for involuntary servitude. The Idaho Uniform Crime Reporting Program provides counts of offenses, case clearances, arrests, and modus operandi, offender, and victim data for sex and labor trafficking. Human trafficking was first listed as a reportable offense in Idaho's 2018 Uniform Crime Reporting Program and became a standalone offense in the Idaho Code in 2019.

The 2024 Idaho Uniform Crime Report (“UCR”) reflects the data submitted to the Idaho Uniform Crime Reporting Program and contains data reported by 107 Idaho law enforcement agencies, representing 99.64% of Idaho's population in 2024. Participation in the Idaho Uniform Crime Reporting Program is required by Section 67-3006 but agencies may not be able to gather or successfully transmit data prior to the official “stop time” for the report's data collection process. The following agencies reported crime data to the Idaho Uniform Crime Reporting Program in 2024:

Police Departments

AMERICAN FALLS	GARDEN CITY	MONTPELIER	REXBURG
ASHTON	GOODING	MOSCOW	RIGBY
BELLEVUE MARSHAL	GRANGEVILLE	MOUNTAIN HOME	RUPERT
BLACKFOOT	HAGERMAN	NAMPA	SALMON
BOISE	HAILEY	OSBURN	SANDPOINT
BONNERS FERRY	HEYBURN	PARMA	SHELLEY
BUHL	IDAHO FALLS	PAYETTE	SODA SPRINGS
CALDWELL	JEROME	PINEHURST	SPIRIT LAKE
CHALLIS	KELLOGG	PLUMMER	ST. ANTHONY
CHUBBUCK	KETCHUM	POCATELLO	ST. MARIES
COEUR D ALENE	KIMBERLY-HANSEN	PONDERAY	SUN VALLEY
COTTONWOOD	LEWISTON	POST FALLS	TWIN FALLS
EMMETT	MCCALL	PRESTON	WEISER
FILER	MERIDIAN	PRIEST RIVER	WENDELL
FRUITLAND	MIDDLETON	RATHDRUM	WILDER

Sheriff's Offices

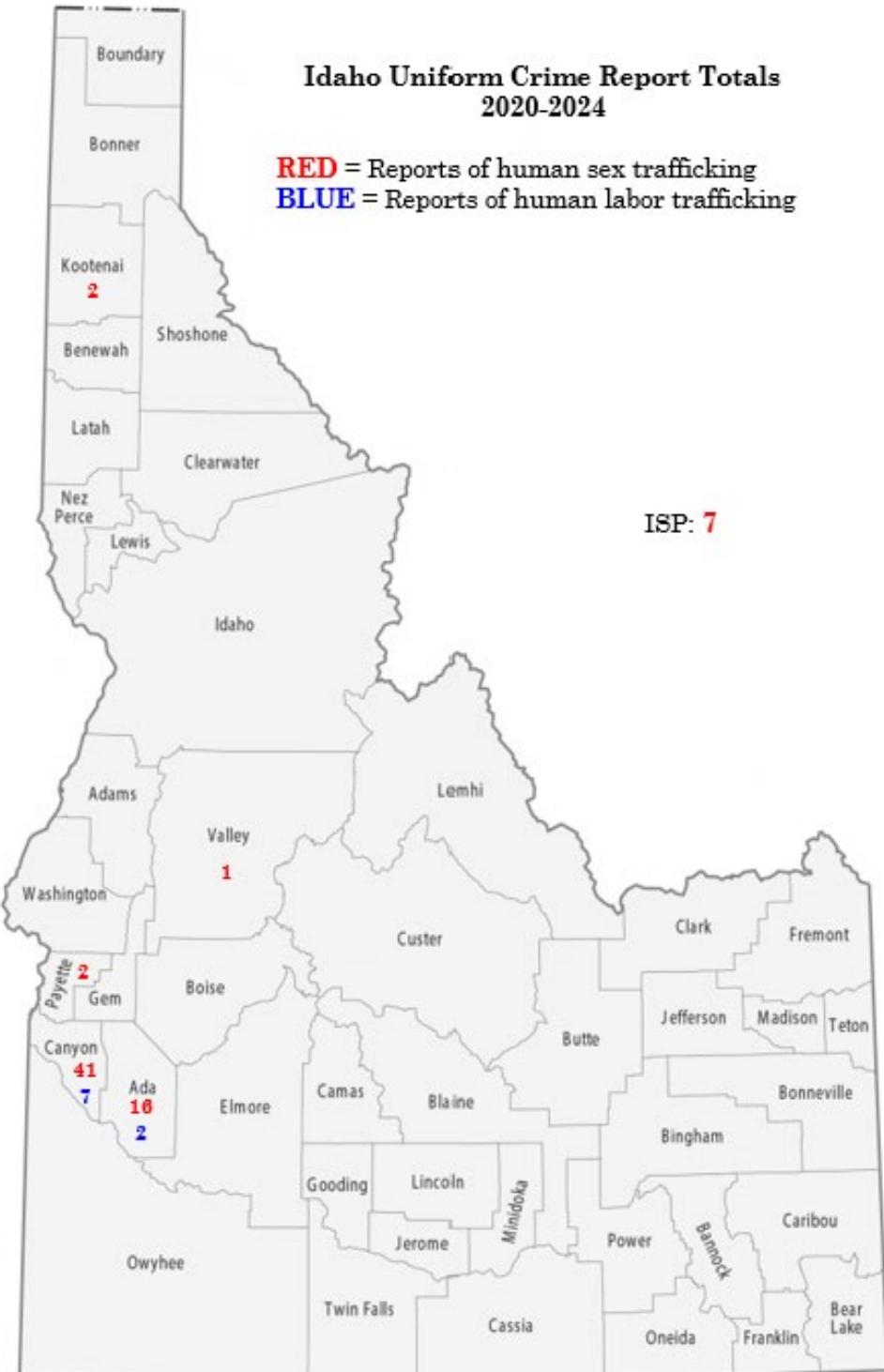
ADA	BUTTE	GEM	MINIDOKA
ADAMS	CAMAS	GOODING	NEZ PERCE
BANNOCK	CANYON	IDAHO	ONEIDA
BEAR LAKE	CARIBOU	JEFFERSON	OWYHEE
BENEWAH	CASSIA	JEROME	PAYETTE
BINGHAM	CLARK	KOOTENAI	POWER
BLAINE	CLEARWATER	LATAH	SHOSHONE
BOISE	CUSTER	LEMHI	TETON
BONNER	ELMORE	LEWIS	TWIN FALLS
BONNEVILLE	FRANKLIN	LINCOLN	VALLEY
BOUNDARY	FREMONT	MADISON	WASHINGTON

State Law Enforcement

IDAHO STATE POLICE IDAHO ATTORNEY GENERAL IDAHO LOTTERY

No data was received in 2024 from the Idaho City Police Department or Orofino Police Department. Homedale Police Department may have had incomplete 2024 data due to technical difficulties.

The following graphics display law enforcement reports of human trafficking to the Idaho Uniform Crime Reporting Program in calendar years 2020 through 2024. The first graphic sets forth the reports by county, and the second, by county and agency.



**Agency Reports of Human Trafficking to the
Idaho Uniform Crime Reporting Program
2020-2024**

**HST = Human Sex Trafficking
HLT = Human Labor Trafficking**

County	Agency	2020	2021	2022	2023	2024	Total
Ada	Ada County Sheriff's Office			1 (HST)		2 (HST) 2 (HLT)	5 (3 HST; 2 HLT)
	Boise Police Dept.	1 (HST)			2 (HST)	2 (HST)	5 (5 HST)
	Garden City Police Dept.				1 (HST)		1 (1 HST)
	Meridian Police Dept.	3 (HST)			3 (HST)	1 (HST)	7 (7 HST)
Canyon	Nampa Police Dept.		6 (HST) 1 (HLT)	23 (HST) 3 (HLT)	7 (HST) 3 (HLT)	5 (HST)	48 (41 HST; 7 HLT)
Kootenai	Kootenai County Sheriff's Office			1 (HST)			1 (1 HST)
	Post Falls Police Dept.					1 (HST)	1 (1 HST)
Payette	Fruitland Police Dept.	1 (HLT)		1 (HLT)			2 (2 HLT)
Valley	Valley County Sheriff's Office				1 (HST)		1 (1 HST)
N/A	Idaho State Police			7 (HST)			7 (7 HST)
Total		5 (4 HST; 1 HLT)	7 (6 HST; 1 HLT)	36 (32 HST; 4 HLT)	17 (14 HST; 3 HLT)	13 (11 HST; 2 HLT)	78 (67 HST; 11 HLT)

The UCR recorded two arrests in connection with the human trafficking offenses reported to the Idaho Uniform Crime Reporting Program between 2020 and 2024, one in 2023 and one in 2024. Both arrests were of adults and were reported by Boise Police Department. Again, these are arrests made in connection with incidents reported to the Idaho Uniform Crime Reporting Program. This data set may not capture arrests resulting from certain investigations or offenses initially reported as non-trafficking offenses.

Idaho Arrests in 2024

Adult/Juvenile Arrests - 5 Year Trend

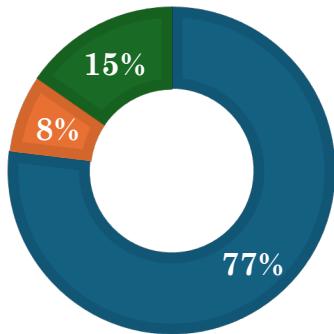
Offense	2020		2021		2022		2023		2024	
	Adult	Juvenile								
Murder	23	1	25	2	26	0	12	1	24	1
Negligent Manslaughter	7	0	5	0	1	0	0	0	4	0
Rape	68	21	75	13	77	11	54	8	72	11
Sodomy	6	6	5	8	11	2	9	6	8	4
Sexual Assault w/ Object	11	2	16	4	20	1	14	3	11	4
Fondling	130	44	130	50	119	38	120	33	131	23
Aggravated Assault	1,465	106	1,369	113	1,483	133	1,554	138	1,666	167
Simple Assault	2,753	427	2,677	538	2,649	636	2,538	675	2,764	615
Intimidation	263	26	247	35	313	72	300	50	340	43
Kidnapping	76	2	66	2	50	1	62	4	69	5
Incest	1	0	2	0	2	0	1	2	1	1
Statutory Rape	15	0	7	1	11	0	15	0	13	1
Human Trafficking, Commercial Sex Acts	0	0	0	0	0	0	1	0	1	0
Human Trafficking, Involuntary Servitude	0	0	0	0	0	0	0	0	0	0

2024 Uniform Crime Report Victim Demographics

Human trafficking offenses in the 2024 UCR were reported as occurring in the following locations: community center; highway/street; residence/home; specialty store; and other/unknown. The following graphics reflect 2024 UCR data regarding victim demographics, ages, and relationships to offenders:

2024 UCR VICTIM DEMOGRAPHICS

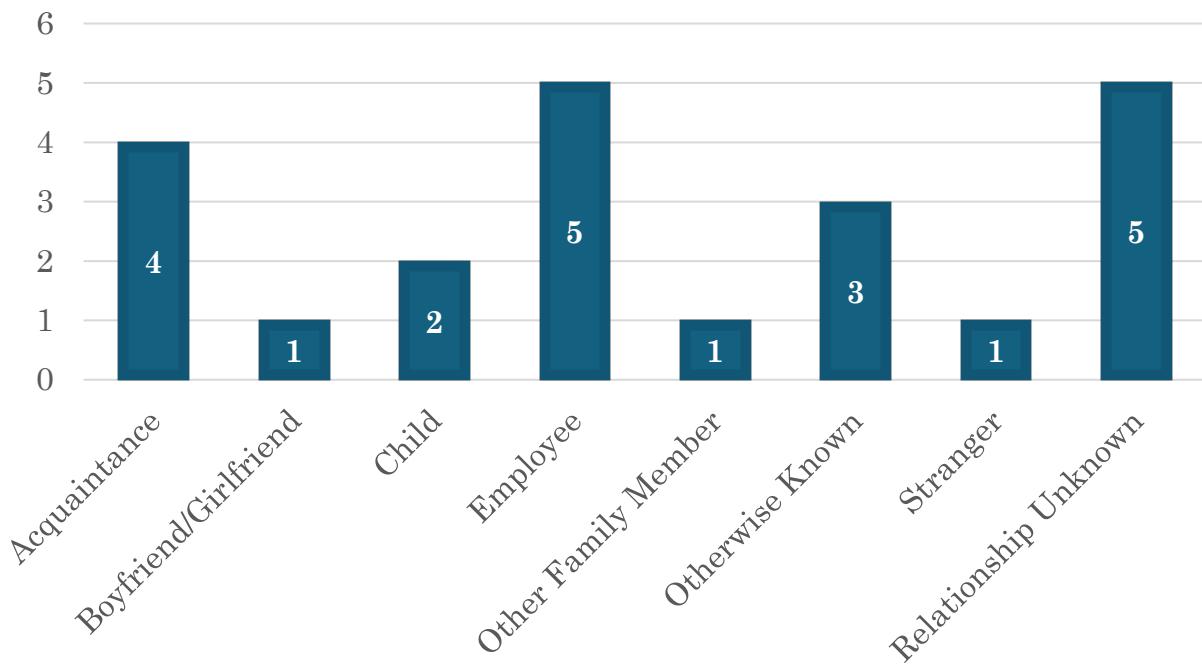
- White
- Black/African American
- Asian



2024 UCR Victim Ages

Victim Age	Female	Male
10 to 14	1	1
15 to 19	4	0
20 to 24	1	0
25 to 29	2	0
30 to 34	0	1
35 to 39	2	0
40 to 44	0	0
45 to 49	0	0
50 to 54	0	0
55 to 59	0	0
60 and Over	1	0

2024 UCR VICTIM RELATIONSHIP TO OFFENDER



Investigation Challenges

Human trafficking investigations can be extremely challenging in terms of complexity, resource needs, and victim care. At a national level, many criminal justice officials are uninformed about the issue of human trafficking in their communities, have limited experiences investigating such cases, and lack formal or standardized organizational tools, including policies and protocols, to guide identification and investigation.

As addressed earlier, the initial identification of human trafficking suspects and victims is one of the most significant challenges. Incidents with indications of human trafficking are often classified, investigated, or prosecuted as other types of crimes (e.g., child sexual abuse, commercial sexual activity, domestic violence), especially when there is insufficient admissible evidence to support a trafficking charge. Definitions of human trafficking can vary by jurisdiction and individual, and, in many communities, local law enforcement officials may believe human trafficking is not an issue to address.

Nationally, many officials erroneously equate a lack of reported cases to zero prevalence. Law enforcement in Idaho shared numerous cases which had been investigated but did not garner sufficient admissible evidence to build a prosecutable case, even though inadmissible evidence confirmed trafficking. Law enforcement voiced how challenging it was from personal and professional standpoints to know that trafficking was taking place in their respective jurisdictions but not be able to build a strong trafficking case with admissible evidence. Because law enforcement publicize a small minority of human trafficking investigations, agencies also do not receive credit from the news, the public, or existing data sources for dedicating substantial time and resources to develop cases which ultimately may not meet the requisite evidentiary standards.

The relative lack of knowledge among many law enforcement leaders about the existence of anti-trafficking legislation, compounded by perceptions that trafficking is not an issue, directly impacts the success of state and local identification, investigation, and prosecution of human trafficking cases.

Even for law enforcement agencies that do prioritize human trafficking and provide resources for thorough investigations and officer training, the percentage of trafficking investigations resulting in arrests and prosecutions is relatively small compared to other offenses. In 2004, the Department of State ranked human trafficking cases as among “the most labor- and time-intensive matters undertaken by the Department of Justice” due to the complexity of these cases and the unique

challenges law enforcement face working with these often highly traumatized victims.¹⁷

Proactive / Reactive Balance

Law enforcement balance proactive identification of cases (e.g., intelligence, targeted investigatory resources) and reactive identification (e.g., tips). Reactive identification is particularly problematic with human trafficking offenses due to the hidden nature of the crime and victims' challenges with self-identifying or recognizing their victimization. The line between exploitation and trafficking is often unclear to law enforcement, and communities affected by these offenses can be difficult to penetrate. Consumers of human trafficking services may not know the nature of the services or, if they do, are highly motivated to keep illicit activity hidden. Patrol officers and state troopers are the most likely to encounter instances of trafficking or situations that merit looking deeper but oftentimes training resources are instead focused exclusively on specialized units.

Proactive investigations require significant resources, presenting a dilemma for law enforcement – additional training, personnel, and investigations are needed to identify more cases to justify increased resources, but without the ability to identify more cases, it is difficult to justify increased resources and move from reactive identification to proactive identification. And when funding is limited or stretched, agencies are motivated to focus resources on other competing priorities including emergency responses and issues identified as important to the general populace (e.g., traffic, property crimes) over complex and time-consuming anti-trafficking work with a lower chance of “success” than many other crimes. Significant disparities among law enforcement agencies’ resources, including access to advanced investigative tools, result in varied investigation abilities depending on an agency’s respective resources.

Ultimately, law enforcement cannot report data if cases are not identified, whether by a victim, a community member, or by law enforcement.

Human trafficking identification and reduction efforts cannot be compartmentalized: the burden of identifying human trafficking should not fall solely on law enforcement. If criticism exists that law enforcement is not working hard enough to combat trafficking and identify these cases, the next, and most integral, question should be whether the public – which far outnumbers law enforcement in numbers and in potential contacts with victims – is receiving any education to encourage detection and reporting.

¹⁷ Report to Congress from Attorney General John Ashcroft on U.S. Government Efforts to Combat Trafficking in Persons in Fiscal Year 2003. Issued May 1, 2004.

Case and Victim Dynamics

Hurdles abound even after a potential case is identified. Interviews with victims require cultural competency, and often language services, along with trauma-informed forensic interview methods designed to work with this specific population. Victims may have immense trauma and may require intensive long-term victim services, including emergency housing or substance use treatment, parallel with law enforcement's investigation. Evidence collection is extremely challenging and can include securing numerous victims and witnesses to provide testimony and navigating massive amounts of sophisticated digital and financial data, potentially with significant language barriers. As investigations continue, law enforcement may also discover that the suspected trafficker is also a victim of trafficking, and law enforcement must untangle culpability from victimization.

Law enforcement agencies nationally have reported that prosecutorial reluctance to charge human trafficking cases, whether due to true reluctance or the lack of a fully investigated and triable case supported by sufficient admissible evidence, has added to resistance on law enforcement's part to investigate the cases as trafficking offenses versus other offenses more likely to garner a conviction or plea. Human trafficking also encompasses extremely diverse dynamics, making it difficult to develop investigatory blueprints – a model to investigate IMBs will not be equally effective as applied to rural familial trafficking of a young child or a labor trafficking case.

Human trafficking victims may present a wide variety of trauma responses, many of which make interviewing and rapport building difficult. Law enforcement must be trained to identify certain common responses as trauma-based to continue building their case. The following are just some trauma responses shown by human trafficking victims and how their responses can be interpreted by law enforcement and, later, by judges and juries:

Trauma Response	Interpretation
Inconsistency	Deceitful
Flat affect	Not caring
Silence	Resistance
Emotional outbursts	Manipulation
Non-linear recollection	Not trustworthy
Amnesia, lack of memory	Lying
Paralysis / freeze	Consent
Aggression	Instigator

These trauma responses reflect the enormous physical and psychological impact of trafficking. But without advanced training, law enforcement may misinterpret these trauma responses as character flaws and potential liabilities to the case. If these victims take the stand, prosecutors are also challenged to interpret the victims' behaviors for the jury and the judge. But whether a victim even takes the stand or cooperates with law enforcement is a significant issue, not unlike the recanting dynamics that exist in domestic violence cases.

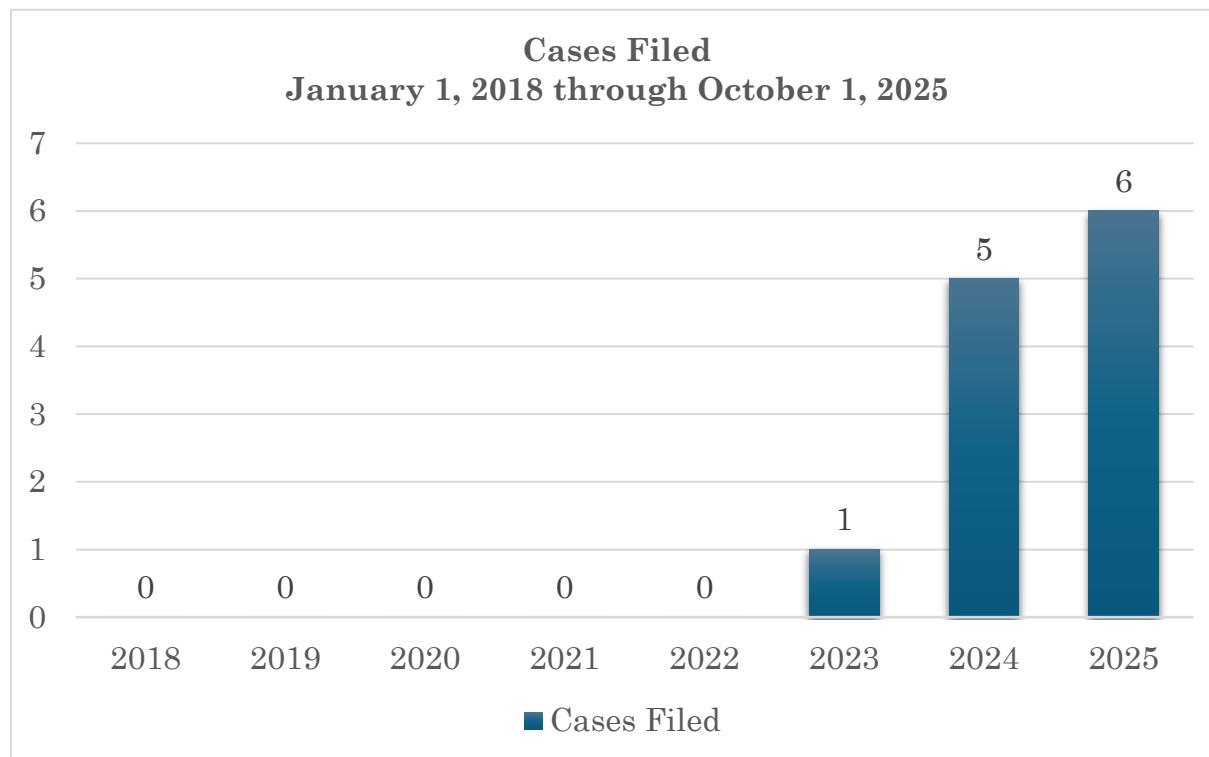
Many law enforcement stakeholders reflected that their views of human trafficking offenses, victims, and perpetrators, and their personal interests in investigating these cases, materially shifted after their first personal exposure to the crime through work or through daily life. Some stakeholders described the experience working their first human trafficking case as "taking the blindfold off" to previously held positions on providers of commercial sexual activity, the frequency and types of human trafficking in their community, and the importance of working these cases.

State and local law enforcement agencies are investigating human trafficking crimes to the best of their abilities despite a widespread lack of training or experience on the subject. In Idaho, some agencies or individuals within agencies have developed expertise in investigating human trafficking offenses and can serve as models and knowledge centers for agencies without the same expertise. Stakeholders resoundingly requested additional training and hands-on field training opportunities to learn more about human trafficking and how to properly investigate these complex cases.

State Prosecutions Under Title 18, Chapter 86

Note that the formal query in this section only identifies cases charging or resolving with Title 18, Chapter 86, offenses. The Office of the Attorney General intends to systematically engage with all 44 counties prior to the next report in 2028 to also identify and track cases with human trafficking nexuses but which were charged or resolved with non-Title 18, Chapter 86, offenses, from 2026 forward. This may require a manual review of case narratives and law enforcement screening forms and will require the establishment of reporting channels. However, the resulting data will be significantly more informative as to investigative outcomes and the exercise of prosecutorial discretion in these cases, creating a more robust data profile further reflective of prosecutors' substantial efforts. Data, again, is only as good as its inputs, and without broader queries or more detailed narratives as to case outcomes, the value of certain data is restricted.

Since 2018, the State of Idaho has filed 12 cases with one or more human trafficking charges enumerated in Title 18, Chapter 86. All 12 cases have been filed since January 1, 2023. The 12 cases are sex trafficking cases and include charges for human sex trafficking and human sex trafficking of a child; no human labor trafficking cases have yet been filed. All cases were filed by prosecutors at the county level.



The State has not yet obtained a conviction for an offense enumerated in Title 18, Chapter 86, from 2018 to the present.

Although no Title 18, Chapter 86, cases were filed between 2018 and 2022, the filings have increased six-fold within the last three calendar years. Granted, from a numerical standpoint the increase from one to six cases is not a significant number on its own, but the upward trend is promising and indicative of improved identification, enforcement, and investigation. The 2023 and 2024 amendments to the Idaho Code, intended in part to empower law enforcement and prosecutors, also positively correlate with an increase in cases filed at the state level, and another two years of prosecution data will be available by the next report in 2028.

**Cases with Offenses in Title 18, Chapter 86, Idaho Code
Filed Between January 1, 2018, and October 1, 2025**

Year	County	Offense at Filing	Disposition
2018-2022	N/A	N/A	N/A
2023	Ada	I.C. § 18-8602	Dismissal
2024	Ada	I.C. § 18-8602	Dismissal
	Ada	I.C. § 18-8603	Not Yet Disposed (Warrant Issued)
	Bonneville	I.C. § 18-8603	Dismissal
	Bonneville	I.C. § 18-8603	Dismissal
	Ada	I.C. § 18-8608	Dismissal
2025	Ada	I.C. § 18-8607	Other (Charge Dismissed; Case Not Yet Disposed)
	Ada	I.C. § 18-8607	Other (Charge Dismissed; Case Not Yet Disposed)
	Elmore	I.C. § 18-8607	Not Yet Disposed
	Kootenai	I.C. § 18-8608	Not Yet Disposed
	Kootenai	I.C. § 18-8608	Not Yet Disposed
	Nez Perce	I.C. § 18-8608	Not Yet Disposed

Source: State of Idaho Judicial Branch

Prosecution Challenges

Human trafficking prosecutions, like investigations, can also face significant barriers and are widely known as some of the most complicated and resource-intensive cases. Prosecutors not only decide if charges are appropriate, and, if so, which charges, but are tasked with proving charged cases beyond a reasonable doubt. While law enforcement may develop sufficient evidence to support a human trafficking case, a prosecutor may determine the evidence insufficient to support a successful prosecution.

In Idaho, prosecutors voiced concerns with cases being presented by law enforcement for screening as human trafficking cases when they are instead commercial sexual activity cases, which speaks to a need for further communication between law enforcement and prosecution and additional training to clarify the distinction between the offenses. A significant number of prosecutors are eager to try, and comfortable trying, human trafficking cases, but mention that cases are not being brought to their offices with sufficient evidentiary support for such charges. Additionally, only a portion of law enforcement's offenses reported to the UCR are brought to prosecuting attorneys' offices for screening to file following investigation. The ratio of law enforcement reports or investigations to screened or filed cases is not one to one, and prosecutors have little control over how many cases are forwarded to their offices for screening.

Some prosecutors in lower-population or more rural counties expressed reservations with human trafficking cases because of the resources which would be required to try the cases and the lack of experience with these cases from law enforcement, prosecution, the bench, and, finally, the public from which the jury would be drawn. Relatedly, major deterrents to trying a case under Title 18, Chapter 86, include the lack of precedent and case law. Of Idaho's 44 counties, 39 have not charged a human trafficking case in at least the last seven years. Prosecutors in those counties will try an entirely new set of offenses and introduce those offenses to their judicial officers, the defense bar, and the jury. Even for those five counties that have filed Title 18, Chapter 86, cases within the last seven years, a select few prosecutors in those offices handled the cases.

The proper exercise of prosecutorial discretion can not only create data challenges, but may affect relationships with victims, law enforcement, and service providers if not adequately explained. Prosecutors often charge cases originally screened as human trafficking with different offenses with fewer elements and greater likelihood of success at trial or more likely to provide swift resolution for the victim. Some prosecutors voiced discomfort with trying a human trafficking case when a related offense could be charged which they have more experience with and have more experience prosecuting. Prosecutors noted communication and trust issues could develop when other parties did not understand motivators behind prosecutors' charging decisions and their exercise of prosecutorial discretion.

Jurisdiction is another significant issue, as many cases of human trafficking will involve crimes crossing jurisdictions, which necessitates cross-county cooperation and communication to determine how different agencies will handle the case. Because of jurisdictional issues and differing leadership, law enforcement may occasionally “shop around” among or within offices to identify a prosecutor who will take a case or support an investigation, a practice which can potentially erode relationships among law enforcement and prosecutors. Prosecutors also face significant unconscious or actual bias from jury pools lacking education on coercive tactics, trauma, and abuse, and whose knowledge of human trafficking is limited to Hollywood’s sensationalized depictions. And if a victim recants or is unwilling to testify, prosecutors must find other ways to corroborate the victim’s statements, which can require resource-intensive language services, digital forensics, and specialized forensic accounting.

Prosecutors are also ethically bound to refrain from prosecuting charges that the prosecutors know are not supported by probable cause, and for reasons explained earlier in this report, that threshold oftentimes cannot be met due to evidentiary issues or a lack of victim cooperation.¹⁸ One strategy is to ensure a prosecutor is involved with investigations from the beginning to help direct and inform an investigation for maximum prosecutorial success. Many Idaho prosecuting attorney offices may lack the personnel or resources to enable this kind of prosecutorial involvement. But in the absence of this type of collaboration, it can be enormously helpful to victim service providers and law enforcement to identify and maintain a point of contact for juvenile and adult prosecutions in their jurisdiction with expertise or willingness to assist with human trafficking cases for consulting purposes during the investigation stage.

- ***Recommendation:*** *That Idaho prosecuting attorneys consider: (a) designating points of contact for screening and prosecuting human trafficking cases; and (b), providing those contacts to victim service providers and law enforcement in their respective jurisdictions to encourage information sharing and cooperation.*
- ***Recommendation:*** *That the Office of the Attorney General facilitate communication among prosecutors involved in filed Title 18, Chapter 86, cases to encourage information sharing, develop prosecutorial policy recommendations, and provide a resource to other Idaho prosecutors seeking support with new human trafficking case filings and investigations.*
- ***Recommendation:*** *That the Office of the Attorney General develop and distribute materials addressing evidentiary challenges in proving coercion and intent in trafficking cases.*

¹⁸ Idaho Rules of Professional Conduct, Rule 3.8(a).

Jury Instructions for Offenses Enumerated Within Title 18, Chapter 86

In Idaho, the Idaho Supreme Court reviews and accepts or denies new or revised jury instructions based upon the work of the Idaho Criminal Jury Instructions (“ICJI”) Committee. The Idaho Supreme Court may order dissemination of new or revised ICJI for general use by the trial bench and bar in Idaho. When official ICJI are not available, prosecuting attorneys and defense attorneys draft their own instructions for use, leading to potential appellate issues and variation in jury instructions throughout the state. Some practitioners opt to draft their own jury instructions at their discretion.

The current ICJI do not include instructions for any offenses enumerated within Title 18, Chapter 86. The offense of human trafficking is only mentioned in ICJI 953 as an additional finding for the charged offenses of former Sections 18-8601, 18-8602, and 18-8603. Human trafficking ceased to be an additional finding in 2019, when the offense became a standalone offense.

Additionally, the ICJI for offenses in Title 18, Chapter 56 (“Commercial Sexual Activity”), ICJI 938-952, require updating following the 2024 revisions to the Idaho Code which revised references to “prostitution” to “commercial sexual activity”.

The ICJI Committee is currently revising the above instructions and drafting new language for the human trafficking offenses.

- ***Recommendation: That the Administrative Office of the Courts consider integrating human trafficking programming into judicial education.***

Federal Prosecutions

Nationally, the Department of Justice initiated 146 federal human trafficking prosecutions in fiscal year 2024, a decrease from 181 in fiscal year 2023. Of the fiscal year 2024 prosecutions, 136 involved predominantly sex trafficking and 10 involved predominantly labor trafficking. Of the 223 defendants charged in fiscal year 2024, the Department of Justice secured convictions for 210 of those defendants (94%). These prosecution and conviction figures include human trafficking cases charged under trafficking-specific criminal statutes and non-trafficking criminal statutes, except for those child sex trafficking cases brought under non-trafficking statutes.

The Trafficking Victims Protection Act of 2000 provided federal law enforcement the ability to investigate and prosecute human trafficking as a standalone offense. However, human trafficking is still difficult to track federally because there are numerous federal statutes under which traffickers can be prosecuted, and cases without a formal human trafficking charge may still be considered human trafficking cases for data collection purposes depending on data collection parameters.

District of Idaho

Since 2019, five federal cases involving human trafficking have been filed in the District of Idaho – four sex trafficking cases and one labor trafficking case. All cases have resulted in convictions other than the most recent sex trafficking case which is still pending. No cases stem from UCMJ or tribal referrals.

Note that the federal figures available encompass cases involving human trafficking but which were not directly charged under specific human trafficking statutes, unlike the earlier state prosecution data which only captures human-trafficking specific offenses.

- **October 2024 through October 2025:**
 - o One sex trafficking case
 - o Charge(s): Travel Act Conspiracy (18 U.S.C. §§ 371 and 1952(a)(3)) and Mann Act Conspiracy (18 U.S.C. §§ 371 and 2421(a))
 - o Resolution: Pending
- **October 2023 through October 2024:**
 - o No trafficking cases filed
- **October 2022 through October 2023:**
 - o One labor trafficking case
 - o Charge(s): Extortion (18 U.S.C. § 1951) and Filing False Tax Returns (26 U.S.C. § 7206)
 - o Resolution: Convicted¹⁹
- **October 2021 through October 2022:**
 - o One sex trafficking case
 - o Charge(s): Travel Act Conspiracy (18 U.S.C. §§ 371 and 1952(a)(3)) and Mann Act Conspiracy (18 U.S.C. §§ 371 and 2421(a))
 - o Resolution: Convicted²⁰
- **October 2020 through October 2021:**
 - o One sex trafficking case
 - o Charge(s): Attempted Coercion and Enticement of a Minor (18 U.S.C. § 2422(b))
 - o Resolution: Convicted²¹

¹⁹<https://www.justice.gov/usao-id/pr/former-farm-foreman-sentenced-federal-prison-extorting-h-2a-agricultural-workers-and-tax>.

²⁰<https://www.justice.gov/usao-id/pr/boise-man-sentenced-over-6-years-transporting-women-prostitution-and-money-laundering>.

²¹<https://www.justice.gov/usao-id/pr/oregon-man-sentenced-over-34-years-federal-prison-attempted-coercion-and-enticement>.

- **October 2019 through October 2020:**
 - o One sex trafficking case
 - o Charge(s): Transportation to Engage in Illegal Sexual Activity (18 U.S.C. § 2421)
 - o Resolution: Convicted²²
 - Note: This case was dismissed in the District of Idaho and transferred to the Western District of Washington, where the defendant was convicted

²²<https://www.justice.gov/opa/pr/washington-state-man-sentenced-11-years-prison-sex-trafficking>.

CURRENT EFFORTS TO COMBAT HUMAN TRAFFICKING IN IDAHO

The following is a macro-level, non-exhaustive summary of many of the current efforts to combat human trafficking in Idaho. The significant legislative revisions to the human trafficking statutes in recent years and the corresponding rise in attention and resources to the issue have spurred numerous initiatives throughout Idaho and at all levels of government.

Human Trafficking Task Forces

Treasure Valley Anti-Trafficking Task Force

One of the first Idaho anti-human trafficking task forces was formed in 2020 by the Department of Homeland Security's Homeland Security Investigations office and Community Outreach and Behavioral Services, who later partnered with the Idaho State Police and turned the focus of this group to the Treasure Valley, thus becoming the Treasure Valley Human Trafficking Task Force (since renamed the Treasure Valley Anti-Trafficking Task Force, "TVATTF"). Since 2020, although several agencies have led the group, the common goal of participants has remained to combat and respond to human trafficking. The TVATTF is currently led by the Nampa Family Justice Center ("NFJC"), Idaho State Police, and United States Attorney's Office.

In 2021, NFJC was awarded a grant from the federal Office for Victims of Crime ("OVC"), which allowed NFJC to provide human trafficking training to professionals and community members and provide services to survivors of human trafficking.

In fiscal year 2023, the Department of Justice provided approximately \$19 million nationally to support the work of 10 Enhanced Collaborative Model ("ECM") anti-trafficking task forces, consisting of awards to 10 state and local law enforcement agencies, 10 victim service providers, and two training and technical assistance providers.

In 2023, NFJC and the Idaho State Police jointly applied for and received funding under the OVC ECM Task Force to Combat Human Trafficking Program to further support regional cooperation in combatting and responding to human trafficking. The 2023 grant provides \$1.5 million in federal funding over a three-year period. The \$500,000 annual grant is divided equally between: (a) the Idaho State Police to support law enforcement efforts to combat human trafficking; and (b) NFJC to provide direct victim services to survivors of human trafficking.

The grant funding expires in 2026 with the option to apply for a one-year funding extension. The TVATTF may have the opportunity to apply for another three-year funding cycle if ECM funding applications are made available – federal solicitations

for ECM projects were not posted in fiscal year 2025. Future federal funding for TVATTF is not guaranteed and highly uncertain.

The TVATTF has no visibility into the likelihood funding will be made available or continued. Without federal or state funding, the TVATTF will cease to operate and lose its institutional knowledge and foundational work. Typically, ECM task forces gradually become funded by state matching funds, such that non-guaranteed and limited-term federal funding is not the exclusive, or even majority, funding source.

The TVATTF is currently comprised of over 30 organizations across the Treasure Valley, including law enforcement, victim services, corrections, and healthcare. The TVATTF meets quarterly and currently maintains three subcommittees for targeted disciplines: law enforcement and investigations; victim services; and data analysis and collection. The TVATTF will create a healthcare subcommittee in early 2026. The subcommittees meet more frequently than the larger group and provide opportunities for regional and topical collaboration. The TVATTF focuses on the following counties but also provides statewide trainings: Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, and Washington.

Since its inception, the TVATTF has executed several survivor-centric, trauma-informed operations resulting in services being provided to survivors of human trafficking. With the funding provided through the ECM grant, the TVATTF has also expanded on its historical efforts, with ongoing projects including:

- Drafting and providing community trainings to specialized audiences (e.g., healthcare, emergency services, schools);
- Advocating for and obtaining approval to re-write and create new Peace Officer Standards and Training curricula on human trafficking for new law enforcement officers in Idaho;
- Identifying a no- to low-cost centralized, privacy-compliant data collection platform to standardize data collection and analysis;
- Funding human trafficking expert speakers and educational opportunities for the Treasure Valley and broader state participants;
- Purchasing advanced data extraction and analytics tools;
- Providing investigative support; and
- Creating a TVATTF website with resources for the public and for survivors.

➤ ***Recommendation: That the Legislature consider establishing funding sources to offset the uncertain and non-guaranteed federal funding to support the work of the TVATTF and ensure continuity should federal funding cease.***

Tri-County Anti-Trafficking Task Force

Although not based in Idaho, the Tri-County Human Trafficking Task Force operates regularly in Idaho. The task force is headquartered in Malheur County, Oregon, and

was formed to identify and combat human trafficking in Malheur County and in Idaho in Washington County and Payette County. The Tri-County Human Trafficking Task Force participates in TVATTF meetings and offers cross-border support for areas known for narcotics and human trafficking activity.

Victim Services

Victim services programs throughout the state are developing and offering human trafficking education initiatives for staff, volunteers, and clients, to enhance awareness and develop strategies to serve this unique population. Some emergency shelter programs have begun to hold beds open for survivors of trafficking specifically, while others have intentionally expanded housing criteria to include human trafficking for service eligibility. Other agencies have expanded human trafficking education to other clients and community members, including at-risk youth groups, support groups for survivors of other forms of interpersonal violence, and volunteers. Victim services groups tend to be well-networked due to the information- and resource-sharing needs of services, particularly in rural areas.

Victim services directly tailored to human trafficking survivors are very limited in Idaho, with services for survivors of labor trafficking and services for male survivors of sex trafficking extremely limited or nonexistent. Domestic violence shelters are often used to meet the need for emergency housing for survivors; however, many shelters lack physical capacity or lack operational capacity to serve victims of trafficking, often due to lack of funding or expertise in supporting this population. Service providers are doing their best with very limited resources and all service provider stakeholders noted a desire to increase services for human trafficking victims.

Victim service providers are on the front lines of the human trafficking issue in Idaho – they are often the first call from a survivor or a concerned citizen and bear a heavy burden in supporting this unique population. Without sufficient support from victim services, victims may face challenges continuing through the investigation and prosecution processes without recanting, falling back into an exploitative or trafficking environment, or facing significant hardships.

- ***Recommendation: That the Legislature consider appropriating specialized funding for human trafficking victim services.***
- ***Recommendation: That the Office of the Attorney General create and maintain a comprehensive list of victim service providers and their respective human trafficking assistance capabilities statewide for public access on the Office's website.***

Healthcare Providers

Background

A 2014 study found a staggering 87.8% of sex trafficking survivors reported having contact with a healthcare provider while being trafficked, with 63.3% of those having been treated in an emergency department.²³ Very little data exists regarding healthcare contacts with labor trafficking victims. Victims of human trafficking may require medical attention for myriad issues ranging from preventative care, to substance use disorders, to acute care for violent victimization. The medical toll on survivors from trafficking is immense and the suffering is tremendous, and survivors' points of contact with healthcare represent opportunities for victim identification and intervention.

Violence in sex trafficking, including being subjected to physical abuse (e.g., beatings, punches, burns, strangulation, stabbings) is pervasive. Nearly 70% of survivors surveyed in the study reported physical injuries, most commonly to the head or face. More than half reported dental problems. And this violence manifests along with psychological trauma – over 98% reported at least one psychological issue during their trafficking and survivors noted an average of more than a dozen issues, including depression, anxiety, flashbacks, and nightmares. Many reported diagnoses of bipolar disorder, multiple personality disorder, and post-traumatic stress disorder. 41.5% reported having attempted suicide. Unfortunately, instances of psychological health problems did not substantially reduce after exiting the trafficking situation. In fact, the average number of psychological issues reported following trafficking only reduced by 1.6 (from 12.1 to 10.5) and over 96% of respondents reported at least one psychological issue – speaking to the need for long-term psychological treatment post-trafficking.

More than two-thirds of respondents reported having contracted some form of sexually transmitted disease or infection, and respondents reported being trafficked to, on average, 13 buyers per day, with some reporting as many as 30 to 50 buyers in a day. Respondents reported unwanted pregnancies, numerous miscarriages, and forced abortions, despite prescribed birth control methods. Almost 85% of respondents used alcohol or drugs during their trafficking, because of a dependence on substances forced on them by their traffickers as a control mechanism or utilized during trafficking to cope with their suffering.

Efforts

Some healthcare providers have integrated “human trafficking 101” trainings into informal sessions like “lunch and learns” and into more formal training curricula.

²³ Lederer, L., Wetzel, C. (2014). *The Health Consequences of Sex Trafficking and Their Implications for Identifying Victims in Healthcare Facilities*. Annals of Health Law, 23, 61-91.

Healthcare provider stakeholders uniformly supported additional training and noted the general lack of training affected provider and staff empowerment working with this population.

Other healthcare providers have developed or are developing ad hoc human trafficking flags or file markers to enable data collection alternatives to labor-intensive narrative searches. But medical providers maintain data at different levels throughout the state. Some, like child advocacy centers, have developed flags and file markers pertaining to trafficking. Others, like urgent care facilities, may document suspected human trafficking in a morass of written file narratives but not in an easily searchable form. Healthcare workers must be educated on human trafficking indicators before the issue of data collection can be properly addressed.

The Provide privacy, Educate, Ask, Respect, and Respond Tool is a recognized screening tool in the United States serving as a structured conversation guide for health professionals to provide trauma-sensitive assistance to patients who may be experiencing violence, including human trafficking; however, the tool is not yet validated.²⁴ Stakeholders sought additional training on this tool and requested additional resources for approaching sensitive situations with patients. Many stakeholders also mentioned the lack of human trafficking education in professional programs, including continuing education opportunities.

²⁴ <https://www.nctsn.org/resources/pearr-tool>.

PEARR Tool

Trauma-Informed Approach to Victim Assistance in Health Care Settings

In partnership with HEAL Trafficking and Pacific Survivor Center, Dignity Health developed this tool, the “PEARR Tool”, to guide physicians, social workers, nurses, and other health care professionals on how to provide **trauma-informed assistance** to patients who are at high risk of abuse, neglect, or violence. The PEARR Tool is based on a **universal education approach**, which focuses on educating patients about abuse, neglect, or violence prior to, or in lieu of, screening patients with questions.



Provide Privacy



Educate



Ask



Respect and Respond

1. Discuss sensitive topics **alone** and in **safe, private setting** (ideally private room with closed doors). If companion refuses to be separated, then this may be an indicator of abuse, neglect, or violence.** Strategies to speak with patient alone: State requirement for private exam or need for patient to be seen alone for radiology, urine test, etc.

Note: Companions are not appropriate interpreters, regardless of communication abilities. If patient indicates preference to use

The goal is to have an informative and normalizing, yet developmentally- and culturally-appropriate, conversation with patients in order to create a context for them to share their own experiences.

A double asterisk ** indicates points at which this conversation may end. Refer to the double asterisk ** at the bottom of this page for additional steps. The patient's immediate needs (e.g., emergency medical care) should be addressed before use of this tool.

companion as interpreter, see your facility's policies for further guidance.**

Note: Explain **limits of confidentiality** (i.e., mandated reporting requirements) before beginning any sensitive discussion; however, do not discourage person from disclosing victimization. Patient should feel in control of all disclosures. Mandated reporting includes requirements to report concerns of abuse, neglect, or violence to internal staff and/or to external agencies.

2. Educate patient in manner that is **nonjudgmental** and **normalizes** sharing of information. Example: “I educate all of my patients about [fill in the blank] because violence is so common in our society, and violence has a big impact on our health, safety, and well-being.” **Use a brochure or safety card** to review information about abuse, neglect, or violence, and

offer brochure/card to patient. [Ideally, this brochure/card will include information about resources (e.g., local service providers, national hotlines)]. Example: “Here are some brochures to take with you in case this is ever an issue for you, or someone you know.” If patient declines materials, then respect patient’s decision.**

3. Allow time for discussion with patient. Example: “Is there anything you’d like to share with me? Do you feel like anyone is hurting your health, safety, or well-being?”** If available and when appropriate, use **evidence-based tools** to screen patient for abuse, neglect, or violence.**
Note: All women of reproductive age should be intermittently screened for intimate partner violence (USPSTF Grade B).
4. If there are indicators of victimization, **ASK** about concerns. Example: “I’ve noticed [insert risk factor/indicator] and I’m concerned for your

health, safety, and well-being. You don’t have to share details with me, but I’d like to connect you with resources if you’re in need of assistance. Would you like to speak with [insert advocate/service provider]? If not, you can let me know anytime.”**

Note: **Limit questions** to only those needed to determine patient’s safety, to connect patient with resources (e.g., trained victim advocates), and to guide your work (e.g., perform medical exam).

USPSTF = US Preventive Services Task Force

5. If patient denies victimization or declines assistance, then **respect patient’s wishes**. If you have **concerns about patient’s safety**, offer hotline card or other information about resources that can assist in event of emergency (e.g., local shelter, crisis hotline).** Otherwise, if patient accepts/requests assistance with accessing services, then **provide personal introduction**

to local victim advocate/service provider; or, **arrange private setting** for patient to call hotline:

National Domestic Violence Hotline, 1-800-799-SAFE (7233);

National Sexual Assault Hotline, 1-800-656-HOPE (4673);

National Human Trafficking Hotline, 1-888-373-7888 **

** Report **safety concerns** to appropriate staff/departments (e.g., nurse supervisor, security). Also, **REPORT** risk factors/indicators as required or permitted by law/regulation, and continue **trauma-informed** health services. Whenever possible, schedule follow-up appointment to continue building rapport and to monitor patient’s safety/well-being.

Numerous healthcare and law enforcement stakeholders throughout the state identified a significant concern that Idaho’s Parental Consent Act (Senate Bill 1329, 2024) contains a loophole detrimental to victims of familial trafficking and youth victims of human trafficking who are runaways or system-involved.

Under the Parental Consent Act, providers are not permitted to furnish a healthcare service to a minor child without obtaining the prior consent of the minor child’s parent except as otherwise provided by court order. I.C. § 32-1015(3). A healthcare service is a “service for the diagnosis, screening, examination, prevention, treatment, cure, care, or relief of any physical or mental health condition, illness, injury, defect, or disease.” I.C. § 32-1015(1)(c). Exceptions exist in these scenarios: (a) a parent of the child has given blanket consent authorizing the healthcare provider to furnish the healthcare service; or (b) the healthcare provider determines a medical emergency exists and (i) furnishing the healthcare service is necessary in order to prevent death or imminent, irreparable physical injury to the minor child or (ii) after a reasonably diligent effort, the healthcare provider cannot locate or contact a parent of the minor child and the minor child’s life or health would be seriously endangered by further delay in the furnishing of healthcare services. I.C. § 32-1015(4).

Debates have ensued following the passage of the Parental Consent Act, with some arguing that a sexual assault forensic exam is not a healthcare service falling under the scope of the Act, or that a court order is a feasible workaround. However, the Act's lead sponsor has confirmed that it was not the intent to "limit police investigation of these kinds of crimes."²⁵

As addressed earlier, Idaho's data suggests a higher rate of familial trafficking than in other states. If a community member makes a report or a minor victim directly reports sexual abuse or trafficking, but the perpetrator or trafficker is the victim's parent, family member, or close friend, the victim's parent can unilaterally decline to consent to a forensic sexual assault exam or any other non-emergency healthcare service for the minor, potentially evading detection and identification as a perpetrator.

Separately, the significant overlap of trafficked youth and vulnerabilities of statuses as runaways or system-involved means that a trafficked child could be presented to a physician or child advocacy center for non-emergency medical care or a forensic exam and those providers could not provide medical care without first obtaining parental consent. These youth are overwhelmingly estranged from and have often been removed from their legal guardians or parents. And with forensic sexual assault exams being time-sensitive – the forensic lab will accept evidence up to five days after the alleged abuse occurred – hospitals are forced to try to locate a proper authority and obtain consent in short order.

Governor Little issued a transmittal letter on March 21, 2024, with the signing of Senate Bill 1329, advising his desire to be made aware of any negative consequences of the legislation on youth accessing behavioral supports and for the Legislature to provide any amendments or necessary clarity as to the full scope of the policy and law in the Bill.

- ***Recommendation: That the Legislature consider amending the Idaho Parental Rights Act (I.C. §§ 32-1010 through 1015) to enable youth survivors of trafficking to consent to sexual assault kits, forensic exams, and medical and psychological treatment arising from or relating to their trafficking.***
- ***Recommendation: That the Office of the Attorney General coordinate healthcare provider education on detecting and addressing human trafficking in healthcare settings and provide assistance with standardizing data collection efforts.***

²⁵ Brown, Ruth. "Parental Consent Law Prohibits Minors From Accessing Rape Kit Exams Without Parents." *Idaho Reports*, August 5, 2024, <https://blog.idahoreports.idahoptv.org/2024/08/05/parental-consent-law-prohibits-minors-from-accessing-rape-kit-exams-without-parents/>.

- ***Recommendation: That the Office of the Attorney General develop and offer healthcare provider tools for trauma-informed victim assistance in healthcare settings.***

Law Enforcement

Peace Officer Standards and Training Curriculum Revision

In the most recent Census of Law Enforcement Training Academies, Idaho Peace Officer Standards and Training (“POST”) reported one hour of training devoted to human trafficking in the basic patrol officer training program, lower than the national average of 5.12 hours.²⁶

The TVATTF recently advocated for, and received approval from, the POST Council to increase the mandatory training hours on human trafficking in the basic patrol officer program from one hour to three hours. The TVATTF is in the process of creating a new three-hour trauma-informed training curriculum and an additional optional eight-hour course for advanced training. The three-hour training is anticipated to begin in Fall 2026.

- ***Recommendation: That the POST Council consider approving additional training resources and longer training periods for the training of law enforcement in human trafficking and specialized investigations of human trafficking offenses.***

Agency Trainings

Many individual agencies throughout Idaho have created human trafficking trainings, offered training opportunities involving external experts, and provided continuing education on the topic. However, although there is an almost uniform desire expressed for more human trafficking training, many individuals with agencies noted that human trafficking training was self-sought, whether due to funding issues, staffing issues, or a perceived lack of return on training opportunities.

Some agencies have restructured their professional development schedules to set aside one or more days per month dedicated to training. Other agencies, particularly those in rural jurisdictions, are unable to dedicate significant time to training due to lessened resource availability. These agencies are even less capable of sending personnel to out-of-state trainings, which are most of the human trafficking training opportunities available.

²⁶ United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Census of Law Enforcement Training Academies, 2022. Inter-university Consortium for Political and Social Research [distributor], May 13, 2025. <https://doi.org/10.3886/ICPSR39295.v1>.

Idaho State Police Trainings and Deployments

Under the leadership of Colonel Bill Gardiner, the Idaho State Police recently trained all troopers statewide with a two-day specialized human trafficking curriculum provided by a national nonprofit specializing in law enforcement and prosecution practices related to sexual violence, intimate partner violence, stalking, and human trafficking. Most of the participants in these trainings operate on the front lines for human trafficking, patrolling throughout the state and contacting individuals in high-traffic areas, including the drug and human trafficking interstate circuits.

In 2023 and 2024, at the direction of Governor Little, Idaho State Police deployed troopers on four different multi-week missions to border areas in Texas and Arizona to assist with and learn about tactics to deter drug trafficking and human trafficking. The troopers returned with invaluable information gained from field trainings and have imparted that training to other troopers and leadership.

Law Enforcement Training Needs

Below is a non-exhaustive list of trainings specifically requested by law enforcement:

- Idaho-specific courses
- Hands-on courses
- Coordination with victim services
- Field training opportunities
- Advanced human trafficking investigation courses
- Juvenile-specific courses
- Trauma-informed interviewing courses
- Labor trafficking courses
- Illicit massage business interdiction courses
- Familial trafficking courses
- Financial investigations of human trafficking courses
- Human trafficking 101 courses
- Multidisciplinary course with victim service providers or prosecutors
- Dispatcher awareness courses

Resource availability affects the amount of training that law enforcement can provide and receive on human trafficking, which in turn has a direct influence on the quantity of actionable referrals law enforcement receives from their patrol officers and from the community. The training of patrol officers and other front-line stakeholders (emergency medical technicians, other first responders, emergency room personnel, and other service providers) is crucial to identifying human trafficking cases, but these groups are critically underserved by trainings in Idaho and nationally.

- ***Recommendation: That the Office of the Attorney General partner with stakeholders and training organizations to offer “train the trainer” programs***

and on-demand trainings for these specialized topics and coordinate efforts with the TVATTF to reduce redundancies.

Screening Tools

Pilot Jail Screening Tool

In 2023, the Canyon County Sheriff's Office (“CCSO”) developed and integrated a pilot jail screening tool for human trafficking with its male and female booking populations. The CCSO Victim Services Unit initially collaborated with the NFJC to create a trauma-informed process to screen for, and provide resources to, self-identified victims of human trafficking. As a result of the collaboration, CCSO now includes one additional question on the booking intake forms: “Are you now, or have you ever been, a victim of sex/labor trafficking and if so would you like to speak to someone?” If the individual responds “yes”, CCSO staff contact the NFJC and coordinate further screening. The NFJC then screens the individual using a modified version of the nationally validated Vera Institute of Justice human trafficking screening tool.

Because of the screening question format, service provision is predicated on self-identification as a victim of trafficking.

The CCSO and the NFJC report significant benefits from this pilot tool in identifying and enabling the provision of services to individuals. Individuals who provide a release of information may see coordination and collaboration between victim service providers, treatment providers, their defense attorney, and the prosecuting attorney in their case. Individuals can also connect with long-term services for assistance post-release. The NFJC has developed small information and resource cards for individuals to hold in custody. The identification of these victims may help decrease recidivism, determine whether an affirmative defense exists for the victims' present conduct, and identify opportunities for the victim to exit trafficking if or when they are ready. Community resources are provided regardless of the screening results.

This county collaboration has rendered significant benefits beyond the support provided to the screened individuals. Critically, the integration of this tool has created an ever-expanding workgroup of representatives within the county who are interested in learning how their organizations can collaborate and assist. This workgroup also draws participants outside of Canyon County evaluating whether implementation in their respective counties is feasible. Stakeholders mentioned making strong connections over this unifying effort, and that the connections made have expanded into non-trafficking areas as well.

- ***Recommendation: That Idaho Sheriffs consider additional pilot sites for jail screenings.***

Juvenile Screening Tool

In 2024, Senate Bill 1350 amended Section 20-520 to require juvenile sentencing reports requested by the court to be compiled using tools that screen for human trafficking, risks and needs of the juvenile offender, and any trauma suffered by the juvenile offender, and include any additional screening deemed appropriate. Through these requirements, Senate Bill 1350 called for the creation of standardized training, screening, and assessment tools for human trafficking victims. Senate Bill 1350 was a product of the recommendations included in the human trafficking report issued by the Idaho Criminal Justice Commission and required by House Bill 341a (2023).

In response to Senate Bill 1350's amendments, the Idaho Department of Juvenile Corrections formed a workgroup consisting of probation and detention representatives from all judicial districts in Idaho. This workgroup partnered with a leading human trafficking expert to create screening tools and trainings designed for the unique needs of Idaho.²⁷ The resulting screening tool is divided into two parts: Part A (observation); and Part B (questions). If, based on the observations made in Part A, the screener finds reason to believe a youth is a victim of human trafficking, the screener moves to the questions contained in Part B. If observations are difficult to make, screeners are also instructed to move to Part B. As mandatory reporters, the screeners are required to report confirmed or suspected cases for youth under 18. Youth over 18 at the time of screening may elect to report to law enforcement or be provided with resources, including the number for the National Human Trafficking Hotline.

Idaho's counties are steadily implementing the screening tool within their juvenile justice systems. Stakeholders report implementation has been smooth, with most jurisdictions reporting successful integration into existing intake or assessment processes.

Data submitted by participating counties reflect consistent use of the Part A screener, with relatively few cases advancing to Part B due to a lack of confirmed or high-risk indicators. Larger counties, including Ada, Bonneville, and Kootenai, have collected the most data, reflecting both higher caseloads and well-established screening procedures. Smaller and rural counties have reported successful integration but continue to note challenges around limited local resources for youth who might require referrals. However, smaller counties also indicate higher screening accuracy due to familiarity with the local youth and families. Also, as staff have become more familiar with the tool, the number of "unknown" boxes checked has decreased significantly, indicating that screeners are internalizing possible risk factors and gathering more complete information during the social history interview.

²⁷ <https://www.idjc.idaho.gov/juvenile-human-trafficking-tools/>.

Informal feedback across the state highlights that staff are becoming increasingly comfortable with the tool and note improvements in risk factor identification and documentation consistency. Counties also emphasized the value of continued training, data tracking, and resource development to support at-risk youth identified through the screening process.

The tool has successfully identified cases of human trafficking of youth who have been referred to law enforcement and service providers. Over time, these referrals may also result in prosecutions or convictions.

Illicit Massage Business Regulation and Enforcement

Cities and counties throughout Idaho struggle with the impact of IMBs which take advantage of limited state-level regulation and work around local regulations and ordinances to operate. IMBs can violate a wide array of criminal laws and often operate in violation of zoning, licensing, and regulatory municipal ordinances.

Recent criminal investigations of IMBs in Idaho, including lengthy and coordinated multi-agency investigations, have yielded business closures, license revocations, and criminal charges including: human sex trafficking; providing commercial sexual activity; soliciting commercial sexual activity; receiving proceeds of illegal sexual activity; maintaining a place of commercial sexual activity; receiving pay for procurement of illegal sexual activity; and interstate trafficking in commercial sexual activity.

Law enforcement investigations and resulting prosecutions face significant challenges in IMB cases, and state and local regulations provide essential additional regulatory support.

Idaho's Division of Occupational and Professional Licenses ("DOPL") has strengthened policy, education, and enforcement efforts in recent years, but is stymied by limited state regulatory authority over IMBs. Idaho is, however, well-positioned to consider drafting and enacting proactive regulatory mechanisms at the state level, as the Bureau Chief of the DOPL's Occupational Licenses Bureau serves as one of eight members of the Board of Directors of the Federation of State Massage Therapy Boards, a national organization of state regulatory boards and agencies regulating the massage therapy profession.

At the state level, Idaho currently regulates individual massage therapists but does not require additional licensure of a massage establishment with set hygiene and sanitation requirements, unlike barbering and cosmetology establishments which are subject to licensure. Establishment licensing can be drafted in a very low-cost or cost-neutral structure with exclusions for solo practitioners, providing significant benefits for the state with relatively low burden.

Stakeholders noted that Idaho's lack of massage establishment licensure serves as a draw to IMBs operating in neighboring states which do require establishment licensure – that is, IMB operators appear to be aware of Idaho's less stringent regulatory environment and elect to move operations into Idaho as a result. As of October 2024, 21 other states required establishment licensure, and many other states are in varying stages of pursuing establishment licensure. Critically, Washington and Oregon do require establishment licensing, which imposes significant pressure on Idaho's border counties. Without legislative action to create statewide massage establishment licensing, state-level regulatory authority remains limited to licensed individuals.

Municipalities do not have to rely solely on state regulations to combat IMBs. Cities and towns can take proactive and preventative approaches to close existing IMBs and inhibit more from opening. Stakeholders statewide expressed significant interest in additional resources to combat IMBs in their communities.

State and local governments nationwide have developed tools to reduce the prevalence and impact of human trafficking through IMBs, including:

- Coordinating efforts among law enforcement, licensing boards, and victim service providers;
- Restricting hours of operation;
- Regulating establishments in addition to regulating individual massage therapists;
- Revoking establishment licenses for unlicensed practice within an establishment;
- Prohibiting sleeping or living quarters in or connected to massage establishments;
- Pursuing criminal or civil action against fraudulent massage schools and diploma mills;
- Regulating the content of IMB advertisements;
- Restricting business entrances to high-visibility street-facing areas (i.e., prohibiting entrances behind buildings); and
- Engaging with landlords to educate on IMBs and encourage lease revisions or terminations, effectively forcing the IMBs out of leased spaces.

Several Idaho cities have recently enacted or enhanced local regulation mechanisms to combat IMBs. Stakeholders indicated these regulation mechanisms were helpful in the absence of greater state regulatory authority.

As one example, earlier in 2025, the City of Coeur d'Alene revoked five massage establishment licenses after criminal investigations revealed allegations of human trafficking and commercial sexual activity. Shortly after the license revocations, the Coeur d'Alene City Council adopted Ordinance 25-1013 to revise Municipal Code

Chapter 5.28 (“Massage Facilities and Spas”). The Massage Facilities and Spas chapter was enacted in 1961 and was last amended in 2013.

The revised ordinance: added a clear purpose statement emphasizing protection of legitimate massage businesses; provided City staff additional inspection authority; required certain records to be available in English; and added a requirement to submit floor plans to the City to help detect unauthorized residential conversions or other living or sleeping quarters. The ordinance also clarified the impact of a pending appeal on business operations – rather than permitting the business to operate during the appeal period, the revised ordinance now requires a formal determination that continued operation would not harm the public before the business can operate during a pending appeal.

Stakeholders noted the revisions stemmed from community outreach and recent national and regional enforcement efforts targeting illicit facilities, and the amendments were intended to provide clearer local enforcement options against IMB operations while also protecting legitimate businesses and patrons. These revisions are just one of the tools cities can use to combat IMBs.

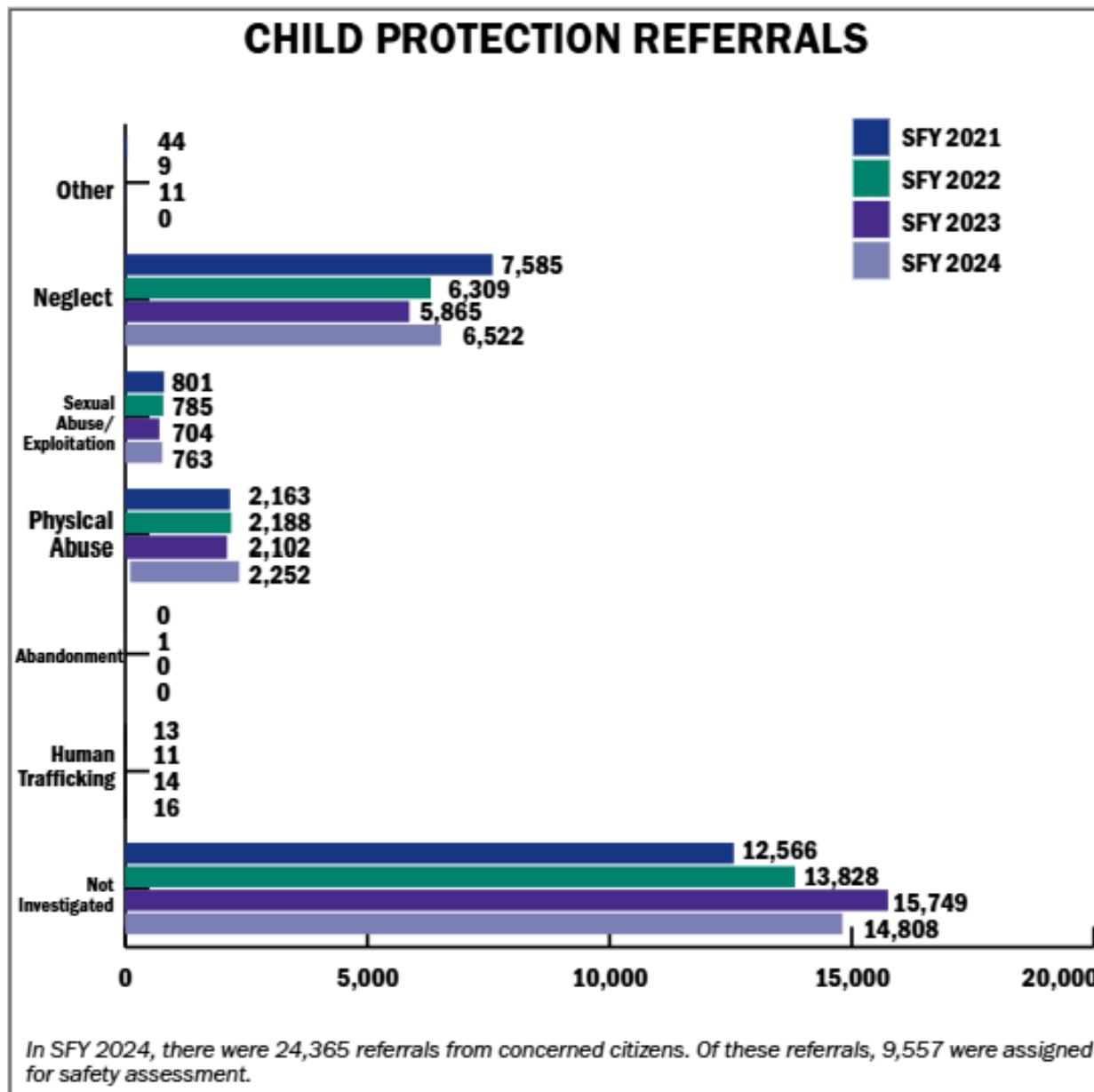
- *Recommendation: That the Legislature consider crafting legislation to create state-level establishment licensing for massage establishments, thereby providing uniform jurisdiction and investigative powers to the Division of Occupational and Professional Licenses.*
- *Recommendation: That the Office of the Attorney General draft materials for law enforcement and local governments analyzing potential strategies to combat IMBs and recommending solutions to the same.*

Idaho Department of Health and Welfare

Idaho has codified requirements and established agency policies and procedures to report and respond to runaway youth, missing youth, and child victims of human trafficking in compliance with the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 and the federal Trafficking Victims Protection and Protection Reauthorization Act of 2022. These standards provide guidance and direction to the Idaho Department of Health and Welfare (“IDHW”) Youth Safety and Permanency Program’s statewide response protocols.

Suspected child abuse, child sexual exploitation, and trafficking reports are directed to IDHW, and IDHW receives nearly 23,000 calls per year of suspected child abuse, neglect, or abandonment. Intake workers determine if reports meet the criteria to assign reports to family services workers to conduct a safety assessment. If not, the report is documented in IDHW’s database and can be referred to at later points. Safety assessors contact families and assess the reported situation through home visits, interviews, and gathering additional information.

The following graphic from IDHW's "Facts, Figures, & Trends 2024-2025" report reflects initial concerns noted in child protection referrals. Human trafficking referrals hover in the mid-teens annually, but this graphic does not reflect the total number of youth identified as potentially victimized by human trafficking following further investigation and safety assessment. IDHW's safety screeners are trained to screen for safety concerns and vulnerabilities, including human trafficking.



²⁸ Idaho Department of Health and Welfare, "Facts, Figures, & Trends 2024-2025", <https://publicdocuments.dhw.idaho.gov/WebLink/DocView.aspx?id=32217&dbid=0&repo=PUBLIC-DOCUMENTS>.

In the past year, IDHW identified approximately five instances of suspected child sex trafficking from children assessed by safety assessors or from children in foster care. Of those five, more than half of the reports came from the children after being initially assessed or after entry to foster care.

IDHW is required to:

- Develop and implement specific protocols to expeditiously locate any child missing from foster care;
- No later than 24 hours after receiving information on missing or abducted children or youth, report to law enforcement for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children;
- Determine the primary factors that contributed to the child's running away or otherwise being absent from foster care, and to the extent possible and appropriate, respond to those factors in current and subsequent placements;
- Determine the child's experiences when absent from care, including screening the child to determine if the child is a possible sex trafficking victim;
- Report related information as required by Health and Human Services;
- Identify any child or youth over whom IDHW has responsibility for placement, care, or supervision and whom IDHW has reasonable cause to believe is, or is at risk of being, a trafficking victim (including children for whom IDHW has an open case but who have not been removed from the home);
- Report immediately, and no later than 24 hours, after receiving information on children or youth who have been identified as being a trafficking victim, to law enforcement;
- Document and determine appropriate services for children and youth at risk of trafficking or children who have been identified as victims of trafficking; and
- Include the annual number of children in foster care who are identified as sex trafficking victims, who were such victims before entering foster care, and who were such victims while in foster care in the Adoption and Foster Care Analysis and Reporting System.

IDHW is drafting an entirely new training curriculum for IDHW's academy for licensed and non-licensed workers. The new training curriculum includes, among other subjects: (a) three new modules on runaway youth and the intersection with human trafficking; and (b) an additional professional development course with advanced curriculum on human trafficking and youth. IDHW contracts with Eastern Washington University and is consulting with Idaho subject matter experts to help create and deliver the curriculum. IDHW is also actively reviewing screening and intake forms and procedures through trauma-informed and victim-centered lenses to better identify and support youth at risk of human trafficking.

Idaho Criminal Justice Commission

The Idaho Criminal Justice Commission (“ICJC”) was created by a 2005 Governor’s Executive Order and is currently authorized by Executive Order No. 2024-13-A. Comprised of 27 members from three branches of government and the community, ICJC and its subcommittees address important criminal justice issues and challenges and develop and propose balanced, cost-effective, best-practice solutions. ICJC meets approximately six times per year.

Since 2005, subcommittees have addressed myriad topics including substance use, gangs, public defense, sex offender management, missing and murdered indigenous persons, and more. In 2025, ICJC approved a new three-year strategic plan which revised the subcommittee system and set forth new objectives for the ICJC.

The 2025 to 2028 ICJC subcommittees are:

- Coroner System;
- Human Trafficking;
- Neurocognitive Holds and Placements;
- Public Safety Positions;
- Riders;
- Sex Crimes; and
- Support for Victims

The Office of the Attorney General and Idaho State Police are the new sponsoring agencies of the Human Trafficking Subcommittee.

The Human Trafficking Subcommittee has operated for a significant portion of the last two decades, serving as a collaborative group to recommend policy and education initiatives. The Human Trafficking Subcommittee most recently drafted and issued the House Bill 341a report in 2023. The Office of the Attorney General and the Idaho State Police plan to utilize the expertise of ICJC members to enhance anti-trafficking efforts in Idaho and limit redundancies with existing work.

Public Awareness and Education Campaigns

Increasing public awareness about the indicators and consequences of human trafficking is a cornerstone of Idaho’s anti-trafficking strategy. Public human trafficking awareness is also a foundational issue underlying the adequacy of statewide human trafficking data.

Victims of human trafficking can only be identified if they reach out for help, if someone notices something concerning and reports to authorities, or if law enforcement or other authorities or service providers identify and assist them. Because traffickers utilize force, fraud, and coercion to effectuate human trafficking,

victims are often too frightened or isolated to seek help. And if professionals or the public are not educated on the signs of human trafficking, opportunities to identify and intervene are lost.

Below are just some audiences that benefit from human trafficking awareness programming – the diversity of these audiences reflects the exceedingly wide impact this offense has on Idaho’s communities and the breadth required for a successful education campaign:

- **Tattoo and piercing parlors:** to provide education on human trafficking tattoo and branding trends and red flags for exploitation
- **County governments:** to provide education on human trafficking and county-level programming and regulations, including IMB-specific regulations
- **College students:** to provide education on the national trend for “sugaring”, or individuals seeking “sugar baby” and “sugar daddy” arrangements, to evolve into human trafficking
- **Emergency medical services and firefighters/paramedics:** to provide education on human trafficking red flags and first responder roles
- **Educators:** to provide education on forms of human trafficking, red flags, and reporting mechanisms
- **Airport employees:** to provide education on signs of trafficking and reporting mechanisms
- **Students and youth:** to provide education on grooming, safe use of social media, and entryways to trafficking to help minors identify when they or their peers are at risk of recruitment or exploitation
- **Gas station operators:** to provide education on local resources and human trafficking red flags
- **Immigrant and refugee community groups:** to provide education on Idaho laws and federal protections for victims of human trafficking
- **Health providers:** to provide education on intersection points with victim of human trafficking and tools to work with survivor populations
- **Hotel and motel operators and front desk clerks:** to provide education on indicators for human trafficking and proactive countermeasures

Nationally, public education programming regarding human trafficking generally falls to service providers and community- and faith-based groups. Stakeholders reflected that community trainings vary widely in presenter knowledge and material sophistication, with few trainings providing Idaho-specific information. Even so, for many community members, a basic course on human trafficking (regardless of sophistication) is the first exposure to human trafficking outside of Hollywood sensationalism. Idaho’s first responders, service providers, prosecutors, judges, and juries are also community members, and without basic education for all community members, stereotypes and misinformation may persist.

Many states have launched high-profile public awareness and education campaigns through the Office of the Governor, Office of the Attorney General, or both as a joint effort. While measurable data regarding the efficacy of these campaigns is scarce, nearly all anti-human trafficking materials emphasize the importance of such campaigns. These campaigns offer many benefits, particularly: (a) ownership by high-level executives which underscores the issue's importance; and (b) centralization of state efforts and unified messaging. However, printed materials, graphic design, and consulting to develop the messaging incur costs which may not be tenable depending on a state's budgetary restrictions.

One of the greatest benefits of human trafficking public awareness and education campaigns stems from human trafficking's significant intersection with other crimes. Broader education and understanding may also increase reports of child sexual abuse, child physical abuse, commercial sexual activity, sexual assault, domestic violence, strangulation, incest, drug offenses, labor exploitation, and child neglect, among many others. Even if such a campaign does not correlate with a large increase in human trafficking reports, there may still be substantial benefits for victims of other offenses newly "seen" by their community members.

- ***Recommendation: That the Office of the Governor and the Office of the Attorney General partner to: (a) evaluate successful approaches used by state governments to increase public awareness of human trafficking; and (b) develop and implement a high-profile public education human trafficking awareness campaign.***
- ***Recommendation: That the Office of the Attorney General continue to dedicate resources to developing, maintaining, and offering public and industry-specific training curricula relating to human trafficking, and that training materials and opportunities be posted on the Office's public website.***

Data Collection and Standardization

As discussed throughout this report, data collection is a significant issue with anti-human trafficking efforts. Idaho law enforcement agencies noted few standardized data collection efforts, due in part to the wide variety of record management systems and reporting platforms being used throughout the state. Others reported that even if their agency had the capability to add a human trafficking "flag" or other indicator, specific information relating to the trafficking scenario was often lost in un-mineable narrative sections. Flags have also been shown to be used inconsistently depending on the specific operator and their understanding of flag use.

Data collection by victim services agencies and medical providers also varies in method and sophistication. However, no blueprint exists in the anti-human trafficking world for successful and robust data collection. Idaho will continue to

network with other states to evaluate and identify best practices and implement those gradually with Idaho stakeholders.

The TVATTF has created a data analysis subcommittee to develop potential resources and guidance for data collection methods. The subcommittee has identified a free and privacy-compliant database for law enforcement and victim service providers and seeks to implement the system. However, efforts to swiftly implement the tool have been stymied by certain approval processes. Once approved, this tool will be implemented by the TVATTF and, depending on use-case scenarios, has the potential to be expanded for use statewide. Additional updates are anticipated in the 2028 report.

- ***Recommendation:*** *That the Office of the Attorney General: (a) evaluate national data collection best practices in conjunction with the TVATTF; and (b) develop sector-specific recommendations for statewide standardization.*

CONCLUSION AND RECOMMENDATIONS

One thing is clear – the complex issue of human trafficking impacts nearly every facet of life in Idaho and is significantly more prevalent than official data reflects. Successfully combatting human trafficking requires extensive resources and wide-reaching educational and public awareness campaigns. But even in resource-limited environments throughout Idaho, stakeholders continue to exert substantial efforts to identify and provide resources for victims of human trafficking.

Based upon the findings in this report, the following recommendations are made to improve existing anti-human trafficking efforts in Idaho:

1) *That the Office of the Attorney General:*

- a. With the Legislature, evaluate the efficacy of H.B. 494's legislative revisions in 2028, utilizing additional data and use-case scenarios to inform any proposed legislative revisions;*
- b. Publicize Section 40-507 ("Construction and Maintenance of Information Centers") to service providers;*
- c. Evaluate successful state legislation mandating human trafficking materials in various spaces, including schools, healthcare facilities, and hotels, and present findings to the Legislature and model language, as applicable, in the 2028 report to the Legislature;*
- d. Publicize Section 67-3014 ("Expungement for Victims of Human Trafficking") through the Office's website and through coordinated messaging to service providers and the defense bar;*
- e. Serve as a central repository for stakeholders' experiences with diversion and affirmative defense hearings pursuant to Section 18-8606 to develop guidance or potential legislative language, including language to clarify or further define "direct and immediate result", as needed;*
- f. Monitor the Hotline transition and continue to seek input from existing service providers and law enforcement as to the Hotline's efficacy in receiving and routing signals;*
- g. With the Idaho Council on Domestic Violence and Victim Assistance, systematically engage with victim service providers to increase awareness of the Hotline and, as appropriate, encourage applications to become service providers;*

- h. Research and consider other hotlines or tools to offer additional public reporting resources;
- i. Facilitate communication among prosecutors involved in filed Title 18, Chapter 86, cases to encourage information sharing, develop prosecutorial policy recommendations, and provide a resource to other Idaho prosecutors seeking support with new human trafficking case filings and investigations;
- j. Develop and distribute materials addressing evidentiary challenges in proving coercion and intent in trafficking cases;
- k. Create and maintain a comprehensive list of victim service providers and their respective human trafficking assistance capabilities statewide for public access on the Office's website;
- l. Coordinate healthcare provider education on detecting and addressing human trafficking in healthcare settings and provide assistance with standardizing data collection efforts;
- m. Develop and offer healthcare provider tools for trauma-informed victim assistance in healthcare settings;
- n. Partner with stakeholders and training organizations to offer "train the trainer" programs and on-demand trainings for these specialized topics; and coordinate efforts with the TVATTF to reduce redundancies;
- o. Draft materials for law enforcement and local governments analyzing potential strategies to combat IMBs and recommending solutions to the same;
- p. Continue to dedicate resources to developing, maintaining, and offering public and industry-specific training curricula relating to human trafficking, and that training materials and opportunities be posted on the Office's public website;
- q. Partner with the Office of the Governor to: (a) evaluate successful approaches used by state governments to increase public awareness of human trafficking; and (b) develop and implement a high-profile public education human trafficking awareness campaign; and
- r. Evaluate national data collection best practices in conjunction with the TVATTF and develop sector-specific recommendations for statewide standardization.

2) That the Legislature:

- a. Consider evaluating methods and potential legislative revisions to expand residential facility availability for youth diversion under Section 18-8606(b);
- b. With the Office of the Attorney General, evaluate the efficacy of H.B. 494's legislative revisions in 2028, utilizing additional data and use-case scenarios to inform any proposed legislative revisions;
- c. Consider establishing funding sources to offset the uncertain and non-guaranteed federal funding to support the work of the TVATT and ensure continuity should federal funding cease;
- d. Consider appropriating specialized funding for human trafficking victim services;
- e. Consider amending the Idaho Parental Rights Act (I.C. §§ 32-1010 through 1015) to enable youth survivors of trafficking to consent to sexual assault kits, forensic exams, and medical and psychological treatment arising from or relating to their trafficking; and
- f. Consider crafting legislation to create state-level establishment licensing for massage establishments, thereby providing uniform jurisdiction and investigative powers to the Division of Occupational and Professional Licenses.

3) That the Administrative Office of the Courts: Consider integrating human trafficking programming into judicial education.

4) That the Office of the Governor: Partner with the Office of the Attorney General to: (a) evaluate successful approaches used by state governments to increase public awareness of human trafficking; and (b) develop and implement a high-profile public education human trafficking awareness campaign.

5) That the POST Council: Consider approving additional training resources and longer training periods for the training of law enforcement in human trafficking and specialized investigations of human trafficking offenses.

6) That Idaho Sheriffs: Consider additional pilot sites for jail screenings.

7) That Idaho Prosecuting Attorneys: Consider: (a) designating points of contact for screening and prosecuting human trafficking cases; and (b)

providing those contacts to victim service providers and law enforcement in their respective jurisdictions to encourage information sharing and cooperation.