

## HUMAN TRAFFICKING INTERIM COMMITTEE

House Majority Caucus Room, Statehouse, Boise, Idaho  
December 15, 2005

### MINUTES

The meeting was called to order at 2:06 p.m. by Co-chair Representative Debbie Field. Other committee members present were: Co-chair Senator Denton Darrington, Senator Edgar Malepeai, Representative Carlos Bilbao and Representative Donna Boe. Senator Dick Compton was absent and excused. Staff members present were Caralee Lambert and Charmi Arregui.

Others present included: Dan Charboneau and Ann Cronin, Idaho State Police; Merikay Jost, Idaho Council of Catholic Women; Sonyn Rosant, Women of Color Alliance; and Amy Herzfeld, Idaho Human Rights Education Center.

**Representative Bilbao moved that the minutes from the July 27, 2005 meeting be approved. Senator Malepeai seconded the motion, and the minutes were approved by voice vote.**

**Ms. Lambert**, Legislative Services Office, informed the committee that Mayor Darrell Kirby, Bonners Ferry, was not able to attend the meeting. She stated that she had a telephone conversation with Mr. Kirby, and his interest was in a possible polygamy situation in Boundary County. **Ms. Lambert** instructed Mr. Kirby about current Idaho laws that already address such a situation.

**Representative Field** invited **Merikay Jost**, legislative chair for the Idaho Council of Catholic Women, to speak to the committee. **Ms. Jost** informed the committee that she will be starting an awareness campaign on the subject of human trafficking in January. She has been funded by and will be educating Catholics, but the venues will be open to all. She is trying to coordinate the program in Boise with Steve Wagner from Health & Human Services, Rescue and Restore Program in Washington, D.C. **Ms. Jost** noted that the "End Demand Legislation for Sex Trafficking Act of 2005" was passed in the House on December 14, 2005.

In response to a question from **Senator Darrington**, **Ms. Jost** stated that the purpose of her campaign was to bring information about human trafficking into the community. Victims of human trafficking are not often recognized as such by law enforcement, and until counselors point out the victims, they get filtered through the system labeled only as victims of domestic violence. There is help, including funding, available under the umbrella of human trafficking. The general community usually comes into contact with human trafficking victims and they turn that information over to law enforcement, who take it from there. There are funds available for training law enforcement; through training, these victims could be sent to non-governmental organizations for therapy and other needs. **Ms. Jost** will get information into the community beginning with five seminars throughout the state in Catholic churches, using a DVD produced by the federal government and a power point presentation developed by the U.S. Council of Catholic Bishops directing that law enforcement and possibly health care workers be trained. **Ms. Jost** will use

posters and flyers from the government's Rescue and Restore Program to connect people in various areas and make them aware of what help is available in their area. These posters and flyers will be published in both English and Spanish. The people **Ms. Jost** trains will then go into their communities to promote awareness about human trafficking.

At the request of **Representative Field**, **Ms. Lambert** reviewed the proposed draft legislation prepared at the request of the committee. A copy of this draft legislation is available in the Legislative Services Office. **Senator Darrington** noted that the foundation for this draft legislation is the definition of human trafficking, which is a well-accepted federal definition, and prosecutions would be based on that definition.

In response to a question from **Senator Malepeai**, **Ms. Lambert** stated that there were some crimes that were not included in this draft because the minimum sentence was more than that provided for human trafficking. If someone is convicted of human trafficking along with another offense, it would not bring the sentence down, it would only increase penalties. **Senator Malepeai** asked, if someone was convicted of human trafficking, whether there was a separation of punishment of trafficking someone who is over the age of 18 versus under the age of 12 or 14, *i.e.* would the penalty be the same? **Ms. Lambert** answered that the sentence would be in the court's discretion. In response to another question from **Senator Malepeai**, **Ms. Lambert** stated that restitution and rehabilitation for victims were included in the draft.

**Representative Bilbao** moved that the draft legislation be moved forward. **Senator Malepeai** seconded the motion. The motion passed unanimously by voice vote. **Senator Darrington** stated that when proposed legislation comes out of an interim committee, ordinarily the chairs decide how it is presented to the legislature. He suggested that **Representative Field** and **Representative Bilbao** start the process in the House since the idea originated there and the House should have the privilege of presenting this draft. **Representative Field** agreed and encouraged that it also be moved forward in the Senate by members of this committee sponsoring the draft.

**Representative Field** stated that **Senator Darrington** would appear before the Legislative Council the first week of the session to report that this committee had met twice and had fulfilled its obligation. **Ms. Lambert** stated that she would be preparing the final report, in consultation with the chairs and members of the committee.

**Representative Field** adjourned the meeting at 2:25 p.m.