

**Idaho Criminal Justice Commission
Human Trafficking Subcommittee
Second August Meeting
August 22nd, 2018**

Location: Idaho Water Center, 322 East Front Street, Suite 570 Boise, Idaho.

Time: 1:15 p.m.–2:45 p.m.

Members Present:

Eric Fredericksen, Chair, SAPD
Tim Brady, Vice-Chair, Boise City Police
John Dinger, Deputy Ada County Prosecutor
Michael Miraglia, Boise City Police
Roxanne Printz, Idaho Dept. H&W

Melissa Wintrow, House Jud, Rules & Admin
Kendra Knighten, Office of the Governor
Anne Connor, Idaho Dept. Juv. Corr.
Dawn Maglish, Inside Out

Jennifer Zielinski, ID Anti-Trafficking Coalition
Greg LeDonne, Idaho Attorney General's Office

Comprising a quorum of the ICJC's Human Trafficking Subcommittee

Members Absent:

Taunya Jones, Idaho Supreme Court
Annie Pelletier, ICASDV
Matt McCarter, Department of Education
Jason Horst, Idaho State Police

Others Present:

Agenda <i>Who's Responsible</i>		Meeting Outcomes/Decisions Reached	Due Date
1:15 pm	Call to Order– <i>Chair Fredericksen</i>		
	<ul style="list-style-type: none"> Welcome and Roll Call–<i>Chair Fredericksen</i> 		
Subcommittee Management			
1:20 pm <i>(5 min)</i>	<ul style="list-style-type: none"> Discussion of Meeting Minutes <ul style="list-style-type: none"> July 2018 – Action Item 	-Mr. LeDonne makes a motion to approve July meeting minutes, Ms. Connor seconds. Passes unanimously.	
1:25 pm <i>(60 min)</i>	<ul style="list-style-type: none"> Discussion of Safe Harbor Amendments - <i>Eric Fredericksen SAPD</i> 	<p>-Initial discussion of goals of meeting, evaluate current proposed revisions to send to ICJC.</p> <p>-Mr. Dinger inquires why trafficking has a 25 max sentence but most other sex offenses with children care a potential life sentence.</p> <p>-Mr. LeDonne indicated that the sentences were not amended from the previous statute, the changes were to make trafficking an independent criminal offense, rather than just an enhancement.</p> <p>-Mr. Fredericksen addressed changes in I.C. 18-8602 – Mr. Dinger’s concern as to “value” was addressed by adding “illicit or illegal” and referencing I.C. 18-5610(2)(c).</p> <p>-Mr. Dinger expressed concern that 18-8601(4) and (5) are potentially not consistent. Some of the identified conduct in (4) does not require sexual conduct or contact. Raise potential constitutional problems with the statute, overbreadth challenge. The majority of the group agreed, discussed potential corrections.</p> <p>-Mr. Dinger suggested moving sexual conduct and conduct to section (4) and reference 18-5610 definitions.</p> <p>-Concerns expressed that performance in strip club and exotic dancing are the same. Also both could, or would likely be sexually explicit performance.</p> <p>-Mr. Fredericksen suggests following Mr. Dinger’s suggestion to add sexual conduct or sexual contact to (4), remove the duplicative language (strip clubs and exotic dancing) as both are encompassed by sexually explicit performance.</p> <p>-Mr. Miraglia moved to send amended language to ICJC, Ms. Maglish seconded. Passed unanimously.</p> <p>-Mr. Fredericksen addressed changes to safe harbor section (1) diversion of a minor victim.</p> <p>-Struck “judge” from section (1)(a) to avoid any potential separation of powers problem.</p>	

		<p>-the ISC indicated it had some concerns with section (1)(d), Mr. Fredericksen suggested striking that section, jurisdiction is already covered under 15-2-212A, so there shouldn't be any conflict</p> <p>-Mr. Fredericksen suggested adding "rehabilitative" after comprehensive in section (1)(b).</p> <p>-Mr. Miraglia moved to pass diversion of minor victim version as amended, Ms. Connor seconded. Passed unanimously.</p> <p>-Mr. LeDonne expressed some concern that due to subcommittee members leaving, we might no longer have a quorum.</p> <p>-Mr. Fredericksen suggested we attempt to reconvene in a week or two.</p>	
2:25 pm (10 min)	<ul style="list-style-type: none"> • ACTION ITEMS <ul style="list-style-type: none"> ○ Vote Statutory Amendments -I.C. 18-8602 ○ Vote Proposed Safe Harbor Provisions ○ Send to ICJC 	<p>-Vote on IC. 18-8602 Passed Unanimously.</p> <p>-Safe Harbor provisions discussed, but not voted on, will convene a meeting in a week or two to vote.</p>	
2:35 pm (10 min)	<ul style="list-style-type: none"> • Identify Topics for October Meeting • Schedule October Meeting 	<p>-Will address safe harbor provisions</p> <p>-Doodle poll will be sent out to schedule next meeting.</p>	
2:45 pm	Adjournment		

“Collaborating for a Safer Idaho”

