

SUPREME COURT OF IOWA

State of Iowa v. Kevin Charles Lind

Lind · No. 25-0819 · Decided June 19, 2026

SUMMARY

The Iowa Supreme Court affirmed dismissal of a human trafficking charge against Kevin Charles Lind under the 2024 version of Iowa Code sections 710A.1 and 710A.2. The court held that the statute’s reference to attempting to purchase commercial sexual services from a victim or another person engaged in human trafficking required an actual victim or person engaged in human trafficking, not merely the defendant’s belief that such persons existed. The court limited its holding to the pre-2025 statutory language and noted that a 2025 amendment expressly addressed law-enforcement decoys.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	May, J.; All justices joined
JURISDICTION	Iowa Supreme Court
DECIDED	June 19, 2026
DOCKET	25-0819
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed from the Iowa District Court for Polk County's dismissal of a human-trafficking charge brought under Iowa Code section 710A.2(1) (2024).
STANDARD OF REVIEW	Statutory interpretation and the grant of a motion to dismiss a criminal charge are reviewed for correction of errors at law. On a motion to dismiss, the court accepts as true the facts alleged in the trial information and minutes of testimony and determines whether those facts charge a crime as a matter of law.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	State of Iowa v. Kevin Charles Lind

TOPICS

- statutory interpretation
- legislative intent
- plain meaning rule
- rule of lenity
- interlocutory appeal

PRACTICE AREAS

criminal law

statutory interpretation

appellate procedure

QUESTIONS PRESENTED

1. Whether the State's appeal was timely and whether the Supreme Court of Iowa had jurisdiction to consider arguments addressed in the district court's initial interlocutory dismissal order.
2. Under the 2024 version of Iowa Code section 710A.1(4)(b), whether a defendant can knowingly attempt to purchase commercial sexual services from a person engaged in human trafficking when the supposed vendor was actually an undercover police officer who was not engaged in human trafficking.
3. Under the 2024 version of Iowa Code sections 710A.1(4)(b) and 710A.1(13), whether a defendant can knowingly attempt to purchase commercial sexual services from a victim when the supposed minor victim did not exist.

HOLDINGS

1. An initial order disposing of only some issues in a criminal case was interlocutory, and the State was not required to appeal immediately. The State could appeal after the later order that finally disposed of the charge, giving the Supreme Court of Iowa jurisdiction to consider the entire appeal.
2. Under the 2024 version of Iowa Code section 710A.1(4)(b), an attempt to purchase services involving commercial sexual activity must be from an actual victim or another actual person engaged in human trafficking. The statutory term 'attempting' does not eliminate the requirement that such a person actually exist and actually be engaged in human trafficking.
3. The 2025 amendments materially changed the human-trafficking statute by expressly covering law-enforcement officers or agents posing as persons engaged in human trafficking and by expanding the definition of victim. The amendments therefore support the conclusion that the 2024 statute did not authorize prosecution based solely on an undercover sting involving no actual victim or trafficker.

KEY QUOTATIONS

“We agree that under the 2024 version of the statute, a charge of “knowingly . . . attempting to purchase services involving commercial sexual activity from a victim or another person engaged in human trafficking” requires the existence of an actual “victim”—defined as “a person subjected to human trafficking”—or some other actual “person engaged in human trafficking.”” (25)

“Criminal statutes are . . . inelastic, and cannot by construction be made to embrace cases plainly without the letter though within the reason and policy of the law.” (26)

FACTUAL BACKGROUND

The State alleged that Lind sought to pay for sexual services involving a thirteen-year-old girl named Destini. Lind negotiated with an undercover female officer who pretended to be involved in prostitution and pretended to have a thirteen-year-old daughter, but Destini did not exist and the photographs shown to Lind were altered photographs of another police officer. Lind arrived at a motel with more than \$1,500 in cash and was arrested.

PROCEDURAL HISTORY

Lind was charged with class A felony human trafficking based on an alleged attempt to purchase commercial sexual services from an undercover officer and a fictitious minor. The district court initially granted Lind's motion to dismiss in part, later dismissed the charge in full after Lind reasserted his arguments, and denied the State's motion to reconsider. The State appealed after the final dismissal. The Supreme Court of Iowa held that the State's appeal was timely and affirmed the dismissal.

DISPOSITION

affirmed

CASES CITED

- State v. Fredericksen, 32 N.W.3d 12, 16 (Iowa 2026)
- State v. Gonzalez, 718 N.W.2d 304, 307 (Iowa 2006)
- State v. Bailey, 2 N.W.3d 429, 436 (Iowa 2024)
- State v. Johnson, 528 N.W.2d 638, 640 (Iowa 1995)
- State v. Richards, 229 N.W.2d 229, 232-33 (Iowa 1975)
- State v. Hightower, 8 N.W.3d 547, 534 (Iowa 2024)
- State v. Rutherford, 997 N.W.2d 142, 146 (Iowa 2023)
- State v. Wilbourn, 974 N.W.2d 58, 66 (Iowa 2022)
- State v. Pagliai, 30 N.W.3d 226, 228-29 (Iowa 2026)
- State v. Campbell, 251 N.W. 717, 719 (Iowa 1933)
- Anderson v. Iowa District Court, 989 N.W.2d 179, 183 (Iowa 2023)
- Kelchner v. CRST Expedited, Inc., 29 N.W.3d 315, 324 (Iowa 2025)
- De Stefano v. Apartments Downtown, Inc., 879 N.W.2d 155, 168 (Iowa 2016)
- Bank of America, N.A. v. Schulte, 843 N.W.2d 876, 880 (Iowa 2014)
- State v. Meisheid, 26 N.W.3d 800, 803 (Iowa 2025)
- Doe v. State, 943 N.W.2d 608, 613 (Iowa 2020)
- Iowa Insurance Institute v. Core Group of the Iowa Association for Justice, 867 N.W.2d 58, 72, 75 (Iowa 2015)
- Green Belt Bank & Trust v. Van Mill, 32 N.W.3d 437, 442-44 (Iowa 2026)
- Beverage v. Alcoa, Inc., 975 N.W.2d 670, 682 (Iowa 2022)
- State v. Walker, 856 N.W.2d 179, 187 (Iowa 2014)
- State v. Hensley, 911 N.W.2d 678, 682 (Iowa 2018)
- State v. Coleman, 907 N.W.2d 124, 137 (Iowa 2018)
- State v. Macke, 933 N.W.2d 226, 235 (Iowa 2019)
- State v. Hall, 969 N.W.2d 299, 309 (Iowa 2022)
- Marcus v. Young, 538 N.W.2d 285, 289 (Iowa 1995)

- Vroegh v. Iowa Department of Corrections, 972 N.W.2d 686, 703 (Iowa 2022)
- State v. Middlekauff, 974 N.W.2d 781, 801 (Iowa 2022)
- State v. McKinley, 860 N.W.2d 874, 882 (Iowa 2015)
- Randolph v. Aidan, LLC, 6 N.W.3d 304, 311 (Iowa 2024)
- Commissioner v. Beck's Estate, 129 F.2d 243, 245 (2d Cir. 1942)
- State v. McDonald, 197 N.W.2d 573, 574 (Iowa 1972)
- Hummel v. Smith, 999 N.W.2d 301, 306 (Iowa 2023)
- City of Cedar Rapids v. James Properties, Inc., 701 N.W.2d 673, 677 (Iowa 2005)
- Midwest Automotive III, LLC v. Iowa Department of Transportation, 646 N.W.2d 417, 425 (Iowa 2002)
- State v. Ahitow, 544 N.W.2d 270, 273 (Iowa 1996)
- People v. Moses, 477 P.3d 579, 583-85 (Cal. 2020)
- State v. Cooley, 21 N.W.3d 137, 144 (Iowa 2025)
- State v. Lovell, 23 Iowa 304, 305 (1867)
- State v. Zacarias, 958 N.W.2d 573, 581 (Iowa 2021)
- State v. Hess, 983 N.W.2d 279, 289 (Iowa 2022)

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