



Please join us to hear an experienced prosecutor talk about how human trafficking has affected this very community.

JANUARY 28, 2016
SAGINAW CHIPPEWA TRIBAL
GYM, Located @ 7070 E.
Broadway Mt. Pleasant
6 PM LIGHT DINNER
6:30 PM TALK

Prosecutor Sara Woodward is the Human Trafficking and Project Safe Childhood Coordinator at the United States Attorney's Office in Detroit. She will talk about her recent federal prosecution of Willie Curry, who found his 15- and 16-year-old victims in Mt. Pleasant, Michigan, after they had run away from a group home. Curry lured his victims to Detroit with promises of clothing and cell phones and, once there, beat and sexually assaulted his victims, forcing them into prostitution.

Please come out to learn how this type of crime can affect our community, and **how we can prevent it.**



Saginaw Chippewa Indian Tribe of Michigan

"Working Together for Our Future"

7070 E. Broadway
Mount Pleasant, MI 48858
989-775-4000
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For more information, please contact Tribal Victim/Witness Coordinator; Mandy Wigren (989)775-4810



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Creating a **Human Trafficking** Strategic Plan

to Protect and Heal
Native Children and Youth

Human trafficking is a crime in which people profit from the exploitation of others.

Victims of human trafficking include children involved in the sex trade, adults over the age of 18 who are forced, coerced or deceived into commercial sex acts, and children and adults compelled into different forms of labor. Child and youth trafficking victims require a highly educated, loving, and carefully coordinated response by multiple individuals and agencies including parents, child welfare workers, foster care workers, law enforcement officers, medical workers, school administrators and teachers, attorneys, and the courts.

Children are particularly vulnerable to human trafficking. When dealing with trafficking cases, child safety must guide all efforts: child victims must be protected, physically and psychologically, from their traffickers and provided with placements and services specifically designed to address the trauma they have endured. Because every tribal community is different, it is not possible to create one plan that will work for everyone. Instead, each community needs to consider structures, processes, resources, size, community risk factors, and other things in order to come up with the most effective plan. This worksheet walks through several questions that prompt participants to make a plan that is in alignment with the needs and abilities of the community. Some things your community will be able to work on immediately. Others will take more time and might give ideas for potential grant applications or other funding requests for the future. Still others will require coordination with non-Native communities and agencies.

1. Who in the community needs training on the definition and indicators of human trafficking?

Indicators that trafficking might be happening:

- Does not attend school on a regular basis and/or has unexplained absences
- Frequently runs away from home
- Makes references to frequent travel to other cities
- Exhibits bruises or other signs of physical trauma, withdrawn behavior, depression, anxiety, or fear
- Shows signs of drug addiction
- Has coached/rehearsed responses to questions
- Has a sudden change in attire, personal hygiene, relationships, or material possessions
- Makes references to sexual situations or terminology that are not age appropriate
- Sudden delinquent conduct
- Has a "boyfriend" or "girlfriend" who is noticeably older and/or refusal to disclose the identity of the boyfriend or girlfriend
- Confusion about when and where they are
- Attempts to conceal recent scars or tattoos

Factors that make it difficult to identify victims:

- They may not identify themselves as victims
- They are ashamed or embarrassed for their family and/or community to find out
- They may feel extreme distrust of the system
- They may have formed a trauma-bond with their trafficker
- Both victims and perpetrators are often skilled at concealing their situations
- It can be difficult to distinguish traffickers from victims because some victims "collaborate" to survive

2. How will you train children and youth to be aware of what trafficking is and how to protect themselves?

One source that has good materials for teaching children about abuse and exploitation in general is:

National Center for Missing & Exploited Children (<http://www.missingkids.org/Safety>)

3. Are there any particular risk factors connected with your community that might draw traffickers into the area or cause locals to decide to get involved with trafficking?

Examples:

- Economic Factors
- Rates of Substance Abuse
- Large Number of Kids Involved with Child Welfare
- Large Number of Runaways
- Outside Events

Vulnerability factors:

- 50-80% of trafficking victims were involved with child welfare services at some point
- Minimal social support
- Poverty
- Limited Education
- Lack of work opportunities
- Run Away/Thrown Away/Homeless
- History of Previous Sexual Abuse
- Drug or Alcohol Addiction
- PTSD
- History of Truancy
- Physical, Mental, Emotional Health Challenges

4. What agencies or individuals in your community need to create procedures to work together to protect youth and children?

5. Does your tribe have human trafficking included in the tribal code? If so, how is it written? If not, how can it be included? If you do not have a written code, how can it be incorporated into your tribal justice system, both formal and informal?

Example from a Michigan state code:

If a minor has been recruited, enticed, harbored, transported, obtained, exploited, or maintained to engage in commercial sexual activity, a sexually explicit performance, or the production of pornography, then the minor is a victim of sex trafficking. MCL 750.462g.

Common state standard:

Traffickers often use force, threats, violence, false promises, manipulation, lies, or other physical and psychological methods to control the victim. Unlike adult victims, however, any sexually exploited child under 18 is considered a victim of sex trafficking, even if there is no force, fraud or coercion.

Empty response area for tribal codes and standards.

6. If your community has a court, does it have forms to file a trafficking petition? If no tribal court, does the court you would go to have these forms?

7. Taking a minor into protective custody - what procedures and practices have been set up? Are they trauma-informed? What do you do when the child's family/guardian is involved?

8. How do you interview a minor?

Interviewers must be careful to use statements that do not blame the victim, and also choose terminology carefully. Not all victims will be comfortable being called a victim. Victims may not tell the truth as they could have been told by their trafficker that law enforcement will punish them, not help them. Victims may repeatedly tell lies or relate a rehearsed story.

9. What will you do if the minor is a runaway and you fear that they will run again?

10. How will you address medical and mental health needs?

In all cases, a victim should receive a comprehensive medical examination as soon as possible. The comprehensive medical examination should include a behavioral/mental health screening, which may reveal evidence of post-traumatic stress, which could include: memory impairment, anxiety, depression, addictions, panic attacks, or phobias.

11. How will you meet placement and treatment needs?

The needs of survivors of trafficking are typically very complex and need to address severe trauma, medical needs, safety concerns, shelter and other basic daily needs. All child victims of human trafficking must be placed within a safe environment and receive appropriate services. The physical and mental stability of the child must be continuously assessed throughout the child's placement and treatment. Strict confidentiality is necessary to prevent the trafficker from obtaining information on the child's whereabouts.

12. What are some alternatives to punitive law enforcement measures?

Traffickers solicit children to engage in illegal acts like prostitution, selling or transporting drugs, and committing other crimes. Even though these acts are illegal, the victims are not guilty of a crime because they are under the control of the trafficker. Only if necessary to ensure a victim's separation from the trafficker or for successful treatment should a juvenile delinquency proceeding be initiated.



HUMAN TRAFFICKING OF CHILDREN IN THE UNITED STATES

A FACT SHEET FOR SCHOOLS

What Is Human Trafficking?

Human trafficking is a serious federal crime with penalties of up to imprisonment for life. Federal law defines "severe forms of trafficking in persons" as: "(A) sex trafficking 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; or (B) 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." [U.S.C. §7102(8)]

In short, human trafficking is a form of modern slavery. Those who recruit minors into commercial sexual exploitation (or prostitution) violate federal anti-trafficking laws, even if there is no force, fraud, or coercion.

What Is the Extent of Human Trafficking in the United States?

An unknown number of U.S. citizens and legal residents are trafficked within the country for sexual servitude and forced labor. Contrary to a common assumption, human trafficking is not just a problem in other countries. Cases of human trafficking have been reported in all 50 states, Washington D.C., and the U.S. territories. Victims of human trafficking can be children or adults, U.S. citizens or foreign nationals, male or female.

Common examples of identified child trafficking cases include:

- Commercial sex
- Stripping
- Pornography
- Forced begging
- Magazine crews
- Au pairs or nannies
- Restaurant work
- Hair and nail salons
- Agricultural work
- Drug sales and cultivation

How Does Human Trafficking Affect Our Schools?

Trafficking can involve school-age youth, particularly those made vulnerable by challenging family situations, and can take a variety of forms including forced labor, domestic servitude, and commercial sexual exploitation.

The children at risk are not just high school students—pimps or traffickers are known to prey on victims as young as 9. Traffickers may target minor victims through social media websites, telephone chat-lines, after-school programs, at shopping malls and bus depots, in clubs, or through friends or acquaintances who recruit students on school campuses.

How Do I Identify a Victim of Human Trafficking?

Indicators that school staff and administrators should be aware of concerning a potential victim:

- Demonstrates an inability to attend school on a regular basis and/or has unexplained absences
- Frequently runs away from home
- Makes references to frequent travel to other cities
- Exhibits bruises or other signs of physical trauma, withdrawn behavior, depression, anxiety, or fear
- Lacks control over his or her schedule and/or identification or travel documents
- Is hungry, malnourished, deprived of sleep, or inappropriately dressed (based on weather conditions or surroundings)

- Shows signs of drug addiction
- Has coached/rehearsed responses to questions

Additional signs that may indicate sex trafficking include:

- Demonstrates a sudden change in attire, personal hygiene, relationships, or material possessions
- Acts uncharacteristically promiscuous and/or makes references to sexual situations or terminology that are beyond age-specific norms
- Has a “boyfriend” or “girlfriend” who is noticeably older
- Attempts to conceal recent scars

Additional signs that may indicate labor trafficking include:

- Expresses need to pay off a debt
- Expresses concern for family members’ safety if he or she shares too much information
- Works long hours and receives little or no payment
- Cares for children not from his or her own family

How Do I Report a Suspected Incidence of Human Trafficking?

- In the case of an immediate emergency, call your local police department or emergency access number.
- To report suspected human trafficking crimes or to get help from law enforcement, call toll-free (24/7) 1-866-347-2423 or submit a tip online at www.ice.gov/tips.
- To report suspected trafficking crimes, get help, or learn more about human trafficking from a nongovernmental organization, call the toll-free (24/7) [National Human Trafficking Resource Center](http://www.nhtrc.org) at 1-888-373-7888.
- To report sexually exploited or abused minors, call the [National Center for Missing and Exploited Children](http://www.ncmec.org)’s (NCMEC) hotline at 1-800-THE-LOST, or report incidents at <http://www.cybertipline.org>.

Resources and Publications

One of the best ways to help combat human trafficking is to raise awareness and learn more about how to identify victims. For 20 ways you can help fight human trafficking, click [here](#).

Information on human trafficking can also be found on the following Web sites:

- Department of Homeland Security [Blue Campaign](#)
- [National Center for Missing and Exploited Children](#)
- [National Human Trafficking Resource Center](#)
- [Readiness and Emergency Management for Schools Technical Assistance Center](#)
- [United Nations Office on Drugs and Crime](#)
- [U.S. Citizenship and Immigration Services, Victims of Human Trafficking & Other Crimes](#)

NOTE: This fact sheet contains resources, including Web sites, created by a variety of outside organizations. The resources are provided for the user’s convenience and inclusion does not constitute an endorsement, by the U.S. Department of Education of any views, products, or services offered or expressed therein. All Web sites were accessed on January 7, 2013.

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Trafficking in Native Communities

Although attention to human trafficking has grown in the last few years, trafficking is not a modern crime. Trafficking has existed in Native communities for centuries, since the earliest point of contact with Europeans. According to journal accounts, Christopher Columbus engaged in the exploitation of indigenous people from the moment he encountered them, including providing indigenous women and girls for his crew and tolerating rape and other atrocities. This behavior set the tone for the exploitation and abuse of Native women at the hands of non-Native men that continues into the 21st century.

In an article documenting the history and describing lingering effects of historical attitudes and behaviors, legal scholar Sarah Deer wrote “[t]oday, the eroticized image of Indian women is so commonplace in our society that it is unremarkable—the image of a hypersexual Indian woman continues to be used to market any number of products and ideas.” Normalization of these hyper sexualized images and historical attitudes contribute to views of Native women that disparage or fetishize their ethnicity. In a report on the prostitution and trafficking of Native women in Minnesota, Native women share their experiences to illustrate how ethnicity is directly connected to why they became prostitutes

and how they were treated by clients. One woman said “I’m put down anyway, so why not prostitution? I’m called a ‘squaw’, so why not?” Another, discussing a client said “[h]e likes my hair down and sometimes he calls me Pocahontas. He likes to role play like that. He wants me to call him John.”

While many studies provide statistics on other forms of violence, little empirical human trafficking data exists. The reasons for this vary. Many trafficking victims do not identify themselves as victims. They suffer from fear, shame, and distrust of law enforcement. It is also not unusual for trafficking victims to develop traumatic bonds with, and want to protect, their traffickers because of the manipulative nature of this crime. However, data and research from related studies suggest that human trafficking may likely not only affect Native women and girls, but also disproportionately impact them. This article will explore child protection implications of trafficking through the review of two bodies of research that may provide useful information on trafficking of Native women and girls 1) the research on the existence of predictive risk factors within the community and 2) the data on the impact of the commercial sex trade.

Predictive Risk Factors

Generally, it is estimated that 50 to 80 percent of identified trafficking victims are or have been involved with child welfare services at some point in their lives. Traffickers often prey on children and youth minimal social support. Additional risk factors include: poverty; limited education; lack of work opportunities; homelessness, being an orphaned, runaway, or “thrown away” youth; history of previous sexual abuse; physical, emotional, or mental health challenges; drug or alcohol addiction; post-traumatic stress disorder; multiple arrests; and a history of truancy or being expelled.

These risks may be magnified in Native communities. According to the most recent data available “Native American children are overrepresented [in foster care] at a rate that is 2.1 times their rate in the general population” and as many as 32.4 percent of Native children and youth live in poverty. Intergenerational trauma patterns associated with the history of tribal relocations, boarding schools, and large scale adoptions of Native children have increased the likelihood that Native women and girls will experience additional predictive risk factors. Reports from Alaska also suggest that traffickers may target Native girls. In 2010, Anchorage police and the Federal Bureau of Investigations warned delegates at the Association of Village Council Presidents annual convention of a rise in rural Alaska Native girls and women who leave their families and villages for Anchorage being lured into prostitution with the promise of security. The sex-traffickers see these young Native runaways as especially easy prey.

Commercial Sex Trade Data

Information on commercial sex trade can help paint a picture of trafficking in Native communities. Although not every person involved in prostitution is legally a trafficking victim, according to limited data, many are. In one commercial sexual exploitation study, researchers discovered that about half of the women interviewed “met a conservative legal definition of human trafficking.”

A review of community impact data taken from four formal studies demonstrates the disproportionate impact the commercial sex trade has on indigenous communities in both

the United States and Canada. In Hennepin County, Minnesota, roughly 25 percent of the women arrested for prostitution identified as American Indian while American Indians comprise only 2.2 percent of the total population. In Anchorage, Alaska, 33 percent of the women arrested for prostitution were Alaska Native, but Alaska Natives make up only 7.9 percent of the population. Canadian studies show similar results. In Winnipeg, 50 percent of adult sex workers were defined as Aboriginal, while Aboriginal peoples comprise only 10 percent of the population and 52 percent of the women involved in the commercial sex trade in Vancouver were identified as First Nations, while First Nations people comprise only 7 percent of the general population.

Though this data does not provide a complete picture of the impact of either the commercial sex trade or human trafficking on indigenous communities, it does illuminate a disturbing trend. In all four studies, indigenous women were disproportionately represented in the commercial sex trade. Since close to half of sex trade workers may meet a legal definition of trafficking victims, it stands to reason that disproportionately large numbers of Native women may be victims of trafficking and trafficking threatens the security of indigenous communities.

Recommendations

Native women and girls may continue to be disproportionately impacted by human trafficking as long as society continues to embrace hyper sexualized and degrading images of Native women and intergenerational traumatic patterns are not effectively addressed. Mitigating these risks begins with education. Communities should:

— Continue to raise awareness within communities of the signs of trafficking and of the increased risk for Native women both on and off reservations.

— Train educators, medical workers, social workers, law enforcement, street outreach workers, attorneys, judges, and other related professionals on identification and response.

— Pay particular attention to culturally appropriate services for Native girls and women trafficked outside of their reservations.

— Explore solutions to the rates of Native children placed outside of the family or extended family and to problems associated with ICWA compliance. Both of these issues increase the number of Native children in care.

— Improve protocols to track children in the system to identify missing foster child in a timely manner.

Courts can also develop court rules and best practices to deal with trafficking victims and change the way trafficked youth are treated in courts around the country. According to Los Angeles Superior Court Commissioner Catherine J. Pratt, youth end up charged with a crime that “arguably they cannot commit ... if you are too young to consent to sex ... you are too young to consent to sell sex. ... We lock them up, take away their ability to make decisions for themselves and label them with some of the most shameful terms used to describe humans: ‘prostitutes’ and ‘criminals.’”

Legislatures around the country should continue to tackle the need for better legal codes that define human trafficking appropriately, mandate strong consequences for traffickers, and protect victims. Efforts should address the need for rehabilitative services like long term housing and job training and for more research to assist policymakers in understanding the impact trafficking has on Native communities and off reservation community members. Steps need to be taken to plan for the future and mitigate risk to end the cycle of abuse and exploitation.

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Full Name:

Victoria Sweet

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New language, old problem: Sex trafficking of American Indian women and children

Alexandra (Sandi) Pierce and Suzanne Koeplinger
Minnesota Indian Women's Resource Center, Minneapolis, MN

"In comparison to other racial and ethnic groups, Native women remain the most frequent victims of physical and sexual violence in the U.S. and in Canada. In the U.S., their rate for sexual assault and rape in 2000 was 7.7 per 1,000 women versus 1.1 for White women, 1.5 for African American women, 0.2 for Asian women, and 0.6 for Hispanic women. Over 30% of Native women have experienced an attempted or completed rape in their lifetimes, versus 17.9% of Whites, 18.8% of African Americans, and 6.8% of Asians (Tjaden & Thoennes, 2006)."

Applied Research papers synthesize and interpret current research on violence against women, offering a review of the literature and implications for policy and practice.

The Applied Research initiative represents a collaboration between the National Resource Center on Domestic Violence, the National Sexual Violence Resource Center, and the Minnesota Center Against Violence and Abuse.

VAWnet is a project of the
National Resource Center on
Domestic Violence.

The selling of North America's indigenous women and children for sexual purposes has been an ongoing practice since the colonial era. There is evidence that early British surveyors and settlers viewed Native women's sexual and reproductive freedom as proof of their "innate" impurity, and that many assumed the right to kidnap, rape, and prostitute Native women and girls without consequence (see Deer, 2010; Fischer, 2001; Smith, 2003; Waselkov & Braund, 1995). Today, major centers for sex trafficking include cities near rural, high-poverty First Nations reserves, American Indian reservations, and Alaskan Native communities.¹ The FBI recently noted, "There have been traffickers and pimps who specifically target Native girls because they feel that they're versatile and they can post them [online] as Hawaiian, as Native, as Asian, as you name it" (Hopkins, 2010).

The U.S. and Canada have only recently classified human trafficking as a form of slavery subject to major penalties. In 2000, the U.S. passed the Trafficking Victims Protection Act (TVPA), the first nation to criminalize human trafficking. One section of the TVPA focuses explicitly on sex trafficking, making it illegal to "recruit, entice, or obtain a person to engage in commercial sex acts, or to benefit from such activities" (see 18 U.S.C. § 1591 and 22 U.S.C. § 7101, 7102, and 7105). Also in 2000, Canada, the U.S., and 115 other nations signed the United Nations Convention of Member States' Palermo Trafficking Protocol, which criminalized sex and labor trafficking. Canada ratified the Protocol in 2002, and the U.S. did so in 2005 (United Nations Office on Drugs and Crime, 2008). As of August 2011, forty U.S. states had also passed sex trafficking legislation (Polaris Project, 2011). This legal reframing of the sale of human beings for sexual purposes has resulted in new research and new efforts to address it.

In our discussion, we summarize published materials on the commercial sexual exploitation of indigenous women and children in the U.S. and Canada and the legal issues related to their protection. We begin with a brief discussion of the

unique vulnerability of Native women and children. This is followed by a summary of research with Native women and girls in the sex trade. Next, we discuss gaps in legal protections and victims support services. Drawing on these, we conclude with implications for professionals.

The unique vulnerability of Native women and children

To understand the vulnerability of today's Native women and children to sex traffickers in the U.S. and Canada, one must first understand their historical experiences. In the United States, military troops overseeing the nation's westward expansion targeted Native women for sexual assault, sexual mutilation, and slaughter (Brown, 1970). To secure access to Native lands, the U.S. and Canadian governments implemented relocation and assimilation policies and banned Native peoples' traditional religious practices, languages, and cultural activities (Palys, 1996; Takaki, 1993; Yellow Horse Brave Heart & LeBruyn, 1998). Native women's status and traditional roles were negated when the governments of both countries required Native children to be placed in residential boarding schools, and again when Native children in the U.S. and Canada were removed from their families without parental consent for adoption into White homes (Johnston, 1983; Kreisher, 2002). As late as the mid-1970s, thousands of Native women were involuntarily sterilized by U.S. and Canadian government health workers (Grekul, Krahn & Odynak, 2004; Lawrence, 2000).

In comparison to other racial and ethnic groups, Native women remain the most frequent victims of physical and sexual violence in the U.S. and in Canada. In the U.S., their rate for sexual assault and rape in 2000 was 7.7 per 1,000 women versus 1.1 for White women, 1.5 for African American women, 0.2 for Asian women, and 0.6 for Hispanic women. Over 30% of Native women have experienced an attempted or completed rape in their lifetimes, versus 17.9 % of Whites, 18.8% of African Americans, and 6.8% of Asians (Tjaden & Thoennes, 2006). Alaska's Native women represent approximately 15% of the state's female population ages 15-54, yet accounted

for 36% of the state's 2000-2004 domestic violence victims and 44% of its sexual assault victims (Institute of Social & Economic Research, 2004). In Anchorage alone, the 2000-2004 rate of sexual assaults for Native women was five times that of African American women and seven times the rate of White women (Rosay, 2010). In Minnesota, a 2010 statewide survey of high school students found that 17% of 12th grade American Indian girls reported sexual assault by a dating partner and 25% reported physical assault by a dating partner (MN Student Survey Interagency Team, 2010).

Native women in Canada face similar exposure to physical and sexual violence. In 2009, 13% of all Native women aged 15 and older living in Canadian provinces reported violent victimization and were almost three times more likely than non-Native women to report having been a victim of a violent crime, regardless of whether the perpetrator was a stranger, acquaintance, or spouse (Brennan, 2011). Some research suggests that perpetrators are disproportionately non-Natives. In Anchorage, Alaska, almost 58% of perpetrators in reported sexual assaults against Native women have been non-Natives (Amnesty International, 2007). Though the evidence is not conclusive, two studies based on national crime victim data have identified White males as common perpetrators of sexual violence against Native women in the U.S. (Bachman, Zaykowski, Kallmyer, Poteyeva, & Lanier, 2008; Greenfeld & Smith, 1999).

Researchers have termed the accumulated impact of these historical experiences "generational trauma," with increasing levels of trauma response and stress passed from parent to child over consecutive generations (Palacios & Portillo, 2009; Yellow Horse Brave Heart & DeBruyn, 1998). Generational trauma has been identified as a major contributor to Native communities' extremely high rates of poverty, violent victimization, depression, suicide, substance abuse, and child abuse (Evans-Campbell, 2008; Kingsley & Mark, 2000; Yellow Horse Brave Heart & DeBruyn, 1998). It has also been implicated in generational prostitution and child trafficking in Native families (Lynn, 1998; Pierce, 2009). Generational trauma

in combination with prior physical and/or sexual victimization can further intensify Native women's and youths' vulnerability to traffickers, especially traffickers that portray the sex trade as a quick path to empowerment and financial independence (Bortel, Ellingen, Ellison, Phillips, & Thomas, 2008; Kingsley & Mark, 2000; Pierce, 2009; Saewyc, MacKay, Anderson, & Drozda, 2008; Sethi, 2007).

Other factors increasing vulnerability to sex traffickers

Similar to research findings on sexually trafficked women and children in other countries, U.S. and Canadian studies have found that traffickers deliberately target homeless and/or poverty-impacted Native women and children who are desperate to meet their survival needs (Clawson, Dutch, Solomon, & Goldblatt Grace, 2009a; Pierce, 2009; Saewyc et al., 2008; Urban Native Youth Association, 2002). Forty percent of Canada's Native children and 31% of Native children in the U.S. live in poverty (Campaign 2000, 2006; Wright, Chau, & Aratani, 2010). At Covenant House, Alaska's largest shelter for runaway and homeless youth, 40% of the youth served in 2008 were Native (Martin & Meléndez, 2009). About 20% of rural Minnesota's homeless youth ages 12-17 were Native in 2009, though they represented only 1% of the regional youth population (Wilder Research, 2010).

Some research has found that traffickers focus on particularly vulnerable Native women and youth, including those with limited ability to recognize exploitation because of mental illness, substance abuse, and/or fetal alcohol spectrum disorder/FASD (Benoit & Millar, 2001; Boland & Durwyn, 1999; Farley & Lynne, 2000; Pierce, 2009). Canadian studies have also found that some pimps deliberately seek out Two-Spirit (transgender) youth who have run away from home to escape homophobic abuse and/or violence. Doubly marginalized by their race and their gender identity, these youth often encounter severe violence on the streets, and, as a result, are extremely vulnerable to a pimp's offer of protection (Kingsley & Mark, 2000; UNYA, 2002).

Existing research on Native women and youth in the sex trade

In the U.S., very little research has been published on the sex trafficking or commercial sexual exploitation of Native women and youth. What exists is specific to two states, Minnesota and Alaska. A number of publications have addressed the trafficking and prostitution of Native women and youth in Canada, but in both countries, most of these describe small local studies, are produced by organizations serving victims, or are press releases and interviews citing law enforcement personnel. To date, no U.S.-based research has been published in peer-reviewed journals.

Estimating prevalence

The small number of published materials, their geographically-limited nature, and the absence of rigorous population-based studies prevent a good estimate of how many Native women and youth experience sex trafficking. Even so, similar findings across these publications suggest that this group is over-represented among trafficking victims. In a 2006 statewide survey, 14 Minnesota human services providers, nurses, and law enforcement personnel reported working with a total of 345 Native victims of sex trafficking over the previous three years (Minnesota Office of Justice Programs, 2007). Fewer Native cases were reported in later years' surveys (MN-OJP, 2008; 2010), which may be due to service providers' increased awareness of TVPA criteria for classifying victims and non-victims. It may also be due to dissimilar respondent cohorts. However, an analysis of 2007 prostitution arrest data in the county encompassing Minneapolis found 24% of arrests to be of Native women, more than twelve times their representation in the county's population (Martin & Rud, 2007). Two reports to the Minnesota Legislature noted that Native women were being sexually trafficked in the state and were particularly vulnerable to traffickers (Bortel et al., 2008; MN-OJP, 2008).

In 2009, the Minnesota Indian Women's Resource Center (MIWRC) published *Shattered Hearts: The commercial sexual exploitation of American Indian women and girls in Minnesota*. The report was based on several data sources: a review of published literature from the U.S. and Canada; analysis of MIWRC's client intake data from three of its social services programs collected over a six-month period; roundtable discussions with 30 tribal and urban providers of crisis services to Native women and youth; and secondary analysis of statewide homelessness and student survey data. Close to half of the 95 women and girls (47%) entering MIWRC programs reported knowing someone in prostitution, most frequently a personal friend or family member; 28% knew someone who sold other people for sex (the language used in the questionnaire), usually described as a "boyfriend." More than one-third (39%) had traded sex for something of value, most frequently money, drugs/alcohol, or shelter. Of the women and girls who had traded sex, 42% did so before the age of 16. Almost half (47%) had been sold by another person when still a minor: 20% by a family member, 18% by a "boyfriend," and 11% by a person described as "a pimp" (Pierce, 2009). Women and girls in the sample did not report if they were sold on or off reservation. In another Minnesota study, a preliminary analysis of 105 interviews conducted by Prostitution Research & Education (PRE) and the Minnesota Indian Women's Sexual Assault Coalition (MIWSAC) with prostituted adult Native women showed that many reported being lured into prostitution at age 12-13 (Rickert, 2011). Two-thirds had been used in prostitution by up to 300 men, and one-third had been used by 400 to 1,000 men. Almost all (95%) reported wanting to escape prostitution (Matthews, Farley, Lopez, Deer, & Starke, 2010).

In a qualitative study encompassing 22 communities across Canada, researchers received reports in some areas that 90% of children in the sex trade were Native (Kingsley & Mark, 2000). Research with prostituted women and youth in various urban areas of Canada found from 14-63% to be Native though that group represented only 1-3% of the general

population (Assistant Deputy Minister's Committee on Prostitution and Sexual Exploitation of Youth, 2001; Benoit & Millar, 2001; Farley & Lynn, 2000). Other studies of prostituted adult women in Vancouver, BC found that 24-52% were Native (Cler-Cunningham & Christensen, 2001; Farley & Lynne, 2005; Farley, Lynne, & Cotton, 2005).

Major centers for victim "recruitment"

In 2007, the U.S. Attorney identified Minnesota's port city of Duluth as a major center for sex trafficking (Browning, 2007). In the *Shattered Hearts* roundtable discussions, advocates reported Native women and girls trafficked into prostitution in Minneapolis and Duluth. Tribal and urban advocates from Northern Minnesota reported Native girls being trafficked through "strip shows" at small rural bars during hunting and fishing seasons (Pierce, 2009). In 2010, the FBI and the Anchorage Police Department's sex crimes unit alerted Alaska tribes and villages that sex traffickers were targeting young girls from rural Alaska Native communities attending Alaska Federation of Natives conventions and other Native events in Anchorage (DeMarban, 2010). The APD noted that one-third of the women arrested for prostitution were Native (Hopkins, 2010), and its Vice Unit reported that pimps were luring girls from rural Alaska to Anchorage and subsequently forcing them into prostitution (DeMarban, 2010; McBride, 2011).

In Canada, Vancouver and other large cities throughout British Columbia have been identified as major centers for the sex trafficking of Native women and children (Cler-Cunningham & Christensen, 2001; Farley & Lynne, 2005; Farley, Lynne, & Cotton, 2005; Kingsley & Mark, 2000). Recently, the Winnipeg Police Department and the Assembly of Manitoba Chiefs described the trafficking of Native women and children into prostitution in Winnipeg as a critical problem (Assembly of Manitoba Chiefs, 2010; CBC News Canada, 2010).

Traffickers' methods of "recruitment"

Participants in MIWRC's *Shattered Hearts* roundtables reported recruitment by pimps, often gang-affiliated, as a common way through which adolescent Native girls were entering the sex trade in Minnesota. Some pimps were using "finesse" methods: first approaching girls at party houses on reservations or at pow-wows, then posing as generous boyfriends, girlfriends, or kindhearted older adults. Various strategies were used to lure Native girls to urban areas: offering road trips, shopping trips, free places to stay, and "modeling" or "dancing" jobs. Once isolated from all sources of support, victims were pressured or forced to begin prostituting. In urban areas, women or girls already under a pimp's control were being sent out to recruit young Native girls at parties, schools, youth programs, and relatives' homes (Pierce, 2009). Research in Canada also found pimps luring Native girls from reserves by promising work in "dance shows," then quickly routing them into prostitution (Sethi, 2007).

In both Canada and Minnesota, researchers also found pimps using "guerilla" methods to force Native women and youth into prostitution, maintain control over them, and prevent escape attempts. These methods included assaults by male and female gang members, gang rapes, and threats to harm or kill family members (Native Women's Association of Canada, 2007; Nimmo, 2001; Pierce, 2009). Though Native gangs have been implicated in the sex trafficking of Native women and youth in both countries, participants at the *Shattered Hearts* roundtables also reported African American and Latino pimps and gang members trafficking Native girls into prostitution in northern Minnesota and in the Minneapolis/St. Paul metropolitan area (Pierce, 2009).

Legal protections and victim supports

Because the central purpose of this paper is to summarize research on sex trafficking of Native women and girls, we include only a brief discussion of laws to highlight gaps and inadequacies.²

Gaps in legal protections

Protection and support of victims hinge upon legal definitions. In U.S. and Canadian federal law, sexually trafficked minors are automatically considered to be victims, but trafficked adults are required to prove that the trafficker used force, fraud, or coercion to become eligible for victim services. The U.S. law also requires the victim to assist with prosecution of the trafficker "in every reasonable way" (see 22 U.S.C. § 7102(8), 2000; 22 U.S.C. § 7105(b)(1)(a)). In the U.S., successful prosecution of traffickers under the TVPA is difficult because defense counsels frequently use pornographic photos, videos, and witness testimony to demonstrate a victim's "voluntary participation" (Leidholdt, 2007). Advocates have argued that the life of a trafficking victim frequently depends upon their compliance with their traffickers' demands, so requiring victims to prove their innocence is unreasonable (Neuwirth, 2008). Canadian law also requires trafficked adults to prove inducement, but recognizes a broader set of means that include threat, deception, abuse of power or of a position of vulnerability, and giving or receiving of payments or benefits to achieve the consent of a person having control over another person (see Barrett, 2011 p. 2). In addition to the federal law, forty U.S. states have passed state laws criminalizing sex trafficking. However, these vary in criteria for establishing victimization. For example, Arizona law (see AZ 13-1307) requires adult victims to prove the trafficker used force, fraud, or coercion (Polaris Project, 2011). In contrast, Minnesota does not require victims of any age to prove the means by which they were induced. Instead, the behavior of the trafficker is the basis of criminal charges (see MINN. STAT. § 609.321, subd. 7a, 2009).

Furthermore, state prostitution laws often conflict with the TVPA by criminalizing minors in prostitution. As of August 2011, seven states (CT, IL, MN, NY, TN, VT, and WA) had passed laws decriminalizing prostituted minors, but these vary as to which youth are eligible. Under New York's "Safe Harbour" legislation, sexually trafficked minors under age 16 may be adjudicated in Family Court as "persons in need of supervision" and assigned to

safe houses linking them to support services, but can still be prosecuted as delinquents if they have a prior prostitution arrest or were previously adjudicated in Family Court. Prostituted minors ages 16 and 17 are not eligible for diversion (Adcock, 2008). Minnesota's "Safe Harbor" legislation removes prostituted children under age 16 from the definition of "delinquent child," mandates first-time diversion for prostituted 16- and 17-year-olds, and allows prosecutors to continue diversion for minors entering the system a second time (ECPAT USA, 2011).

Investigations of sex trafficking involving American Indian reservations are especially complex due to jurisdictional questions. Robert Moossy, Director of the Human Trafficking Prosecution Unit in the Civil Rights Division of the U.S. Department of Justice, described a lack of TVPA training and/or coordinated efforts across multiple jurisdictions as generally problematic since local police are usually the first to encounter a victim (Moossy, 2008). On tribal lands, the federal government has jurisdiction over all major crimes, but Public Law 83-280 (commonly referred to as PL 280) mandated transfer of criminal jurisdiction on tribal lands to state governments in six states (AK, CA, MN, NE, OR, and WI). Only four tribal communities in those states were exempted. Alaska's Metlakatla Indian Community maintained tribal criminal jurisdiction, while Minnesota's Red Lake Reservation and Oregon's Warm Springs Reservation retained federal jurisdiction (Bureau of Indian Affairs/BIA, 2011).

PL 280 permitted "optional" states to assume complete or partial jurisdiction of crimes committed by or against American Indians on Indian lands, without consulting tribes. Ten states opted to do so (AZ, FL, ID, IA, MT, NV, ND, SD, UT, and WA) (BIA, 2011). A 1968 amendment of PL 280 required tribal consent for other states to assume jurisdiction. No tribes have agreed to this change, but PL 280 also allows states to return jurisdiction to the federal government. States have now returned criminal jurisdiction over more than 30 tribes to the federal government (Goldberg & Valdez Singleton, 2005). Summarizing this issue, Tatum (2003) noted, "a complicated web of federal statutes and

U.S. Supreme Court decisions has resulted in the federal, state, and tribal governments all possessing varying degrees of criminal jurisdiction over various people who commit varying types of crimes." This complexity has a tremendous impact on effective identification and protection of Native victims (Deer, 2010).

Adequacy of victim supports

While the TVPA provides for the protection and assistance of trafficking victims, such as safe shelter or housing, educational support, medical and mental health care, job training, and other social services (U.S. Department of Health & Human Services, 2004), these "Rescue and Restore" supports are restricted to international victims. In 2010, the Office for Victims of Crime funded six organizations to provide services to minor domestic sex trafficking victims only. Of these, GEMS and Safe Horizon/Streetworks in New York, SAGE in San Francisco, and Salvation Army/Anne's House near Chicago have shelters specifically designed for trafficked youth, totaling 53 shelter beds in three cities. The remaining two grantee organizations place domestically trafficked minors in traditional emergency shelters (OVC, n.d.). There is currently no dedicated federal funding for services to aid or protect domestically-trafficked U.S.-born adults (Irazola, Williamson, Chen, Garrett, & Clawson, 2009). Because they are offered fewer protections than international victims while the case is being heard, adult domestic victims often refuse to testify, fearing potentially lethal retribution by the trafficker (Strauss, 2010). Though a handful of programs, such as Breaking Free and PRIDE in Minneapolis, offer shelter, transitional housing, and support services to domestically trafficked adults, none receive federal trafficking dollars for these services.

Existing homeless and domestic violence shelters would appear to be a short-term solution if beds are available, but *Shattered Hearts* roundtable participants reported Native trafficking victims "hitting the wall" of inflexible policies and rules (often imposed by funders) that either prevented victims' entry or contributed to their rapid eviction.

These included barring anyone with a prostitution arrest, limiting lengths of stay to 30 days or less, requiring residents to be clean and sober at point of entry, enforcing strict schedules that did not permit victims accustomed to all-night schedules to adjust their sleep patterns, and requiring participation in group activities not appropriate for trafficking victims (Pierce, 2009; Williamson, Dutch, & Clawson, 2009). In the case of minor victims, it is also difficult for shelter staff to build any degree of trust with minor victims in the short time they are permitted to stay in a regular shelter (Clawson & Goldblatt Grace, 2007).

Research has found that women trafficked into prostitution report high levels of physical, sexual, and psychological violence (Raymond & Hughes, 2001). In the few studies examining experiences of trafficked and prostituted Native women and youth, participants consistently reported severe physical injuries, including stabbings, beatings, broken bones, spinal injuries, concussions, and fractured skulls, and psychological impacts including clinical depression, self-cutting, suicide, and post-traumatic stress disorder (Bohn, 2003; Farley & Lynn, 2005; Robin, Chester, & Goldman, 1996). Trauma-centered, long-term residential programs and support services have been identified as essential for sex trafficking victims' successful recovery (Clawson et al., 2009b), but there are no U.S. programs that address the unique safety, cultural and healing needs of sexually trafficked American Indians.

Implications for professionals

The lack of attention to victim healing is a particularly significant issue for Native victims, given the combined impact of generational trauma and the physical and psychological trauma resulting from life in the sex trade. Advocates attending *Shattered Hearts* roundtables voiced great frustration at mental health and other systems' lack of understanding when working with Native trafficking victims and identified two essential tiers of victim services. The first addresses emergency needs using a harm-reduction approach, such as street outreach, 24-hour "safe houses," and drop-in

programs where victims can be linked to emergency shelter, clothing, food, showers, medical care, and case management services without being required to make any sort of commitment. The second tier involves long-term, culturally centered, community-based, holistic services to help Native victims heal from severe trauma and obtain skills to rebuild their lives (Pierce, 2009). Canadian programs for trafficked Native women and youth have made similar recommendations, including long-term culturally-based shelter and transitional housing, intensive case management, support for mental and spiritual healing, substance abuse treatment, and opportunities to finish school and gain employment skills (Chansonneuve, 2010; UNYA, 2002).

Indigenous health practitioners have identified "cultural safety" as a critical factor in healing, defined as an environment that is spiritually, socially, emotionally, and physically safe. As one indigenous health worker explained, "It is about shared respect, shared meaning, shared knowledge and experience, of learning together with dignity and truly listening" (Williams, 1999). Programs working with sexually trafficked Native women and youth in the U.S. and Canada have emphasized the value of Native staff firmly grounded in their traditional cultures who have (1) in-depth understanding of historical trauma and the unique vulnerability factors, experiences, and needs of prostituted and trafficked Native women and youth; and (2) the ability to model and utilize culturally-based approaches to healing, providing compassionate, nonjudgmental support and unfailing affirmation of victims' worth, abilities, and right to make decisions about their own lives (Pierce, 2009; UNYA, 2002).

To improve Native trafficking victim identification and referral to appropriate intervention services, the advocates attending *Shattered Hearts* roundtables recommended in-depth training for tribal and urban professionals working with American Indian women and children. These include professionals from the areas of child protection, domestic violence and sexual assault advocacy, emergency and transitional housing, emergency and pediatric health care, law enforcement and juvenile justice,

chemical dependency treatment, and social services. The Minnesota Indian Women's Resource Center (MIWRC) currently provides basic training for these key stakeholders and is in the process of developing a full training curriculum.

The Phoenix Project, a partnership between MIWRC, the Division of Indian Work (DIW), the Minneapolis Police Department, and Hennepin County Juvenile Probation, has been identified as a promising practice (MN-OJP, 2008). The partnership is developing a formal referral mechanism for Native girls suspected of involvement in prostitution. Outreach workers from the partnership lead education sessions on healthy sexuality and weekly support groups for Native girls and boys at two Native-specific alternative high schools. If youth disclose risk of sexual exploitation during these outreach activities, outreach workers refer them to MIWRC and DIW adolescent drop-in programs, which offer culturally-centered "healthy relationships" education, ongoing support groups, and intensive case management. The programs also advocate for youth with county child protection workers and schools as needed, and link them to other programs and services to ensure safe shelter and basic needs. Because MIWRC's program has found that sexually trafficked Native girls rarely disclose their exploitation until they have been participating actively for 12-24 months, it offers up to three years of services to girls. The program has found that this "harm reduction" approach is especially important for victims that are emotionally bonded to a pimp and/or who do not view themselves as victims (Pierce, 2011).

Conclusions

Research on the trafficking of Native women and girls is scarce. A review of existing research and other documents highlights three main points: (1) domestic sex trafficking of Native women and youth is a critical problem in the U.S. and in Canada; (2) at least in some regions, this group is being targeted by sex traffickers; and (3) traffickers focus on Native women and youth in desperate situations and/or those that are especially vulnerable because of disability, addiction, or a stigmatized gender identity.

There is a critical need for additional research that is sensitive to Native cultural norms and historical experiences, but is larger in scope than existing studies. In particular, research is needed to estimate the full extent of the problem in geographic regions with large populations of low-income Native people, determine the primary characteristics and strategies of the traffickers in these areas, and determine the prevention and intervention services and supports that most effectively reduce Native women's and youth's vulnerability to sex traffickers.

The inadequacy of emergency housing and other support services is a critical barrier for victims, and there must be a higher level of agreement in federal and state laws regarding identification and treatment of victims. Legal protections for Native people were completely absent for many generations, which played a major role in generational trauma. Given this historical experience, it is unreasonable to require Native victims to prove their innocence. Instead, proof of victimization should be based upon the trafficker's actions. A legal framework must also ensure equal protection and long-term support for healing for all sex trafficking victims, regardless of age or country of origin. It is essential that tribes be included in collaborative planning by county, state, and federal law enforcement to resolve jurisdictional issues and improve identification and protection of sex trafficking victims. The research in Canada, Alaska, and Minnesota demonstrates that Native women and youth are often recruited on reservations but sold for sex in urban areas, so both tribes and urban Indian service providers must be active participants in planning law enforcement responses and the protection of trafficked Native women and youth.

Endnotes

1. This paper uses the universal term "Native" because Canada has multiple categories for describing its indigenous people (First Nations, Métis, and Inuit, as well as the all-encompassing term Aboriginal) and the U.S. has two (American Indian and Alaska Native). When describing women and children in the sex trade, we use the terms employed in the cited source to bypass the debate as whether or not all prostituted people are sex trafficking victims. Since "sex trafficker" and "pimp"

both describe individuals that sell other human beings for sexual purposes, we again use whichever term was employed in the cited document.

2. See the Resources page of this document for sources of in-depth information about current laws.

Authors of this document:

Alexandra (Sandi) Pierce, Ph.D.
Othayonih Research
Adjunct Faculty, Graduate Program in Psychology
Metropolitan State University
spierce651@comcast.net

Suzanne Koeplinger, M.A.
Executive Director
Minnesota Indian Women's Resource Center
skoeplinger@miwrc.org

Additional Resources

Sex trafficking legislation and current issues

The Polaris Project
P.O. Box 53315, Washington, D.C. 20009
Tel: 202-745-1001; Fax: 202-745-1119
info@polarisproject.org

Safe Harbor legislation

Connecticut: Legislative summary by Connecticut Voices for Children, <http://www.ctkidslink.org/publications/jj11safeharbor.pdf>

Illinois: Legislative summary by End Demand Illinois/Polaris Project, http://www.caase.org/pdf/resources/IL_Safe_Children_Act_Summary_May_2010.pdf

Minnesota: Legislative summary by Ending Child Prostitution/Pornography and Trafficking (ECPAT), <http://ecpatusa.org/2011/07/details-on-the-minnesota-law/>

New York: Legislative text and discussion by New York County Lawyers Association, <http://www.nycla.org/PDF/Safe%20Harbour.pdf>

Washington: Legislative summary by National Center for Prosecution of Child Abuse, <http://www.ndaa.org/pdf/Update%20Express%20July%202010%20no2.pdf>

Working with American Indian sex trafficking victims

Minnesota Indian Women's Resource Center
2300 15th Avenue South, Minneapolis, MN 55404
Tel: 612-728-2000, <http://www.miwrc.org/>

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National Resource Center
on Domestic Violence

3605 Vartan Way • Harrisburg, PA 17110 • 800.537.2238 • TTY: 800.553.2508 • Fax 717.545.9456

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In Brief: Sex Trafficking of American Indian women and children

Alexandra (Sandi) Pierce and Suzanne Koeplinger

The selling of North America's indigenous women and children for sexual purposes has been an ongoing practice since the pre-colonial era. "Generational trauma" resulting from a long history of genocide and oppression has been recognized as the major contributor to the high rates of poverty, substance abuse, child abuse, violence, and mental illness in Native communities (Evans-Campbell, 2008; Kingsley & Mark, 2000; Yellow Horse Brave Heart & DeBruyn, 1998). Generational trauma has been implicated in generational prostitution and child trafficking in Native families (Lynn, 1998; Pierce, 2009). The following summarizes findings of existing research and other documents on sex trafficking of Native women and girls in the U.S. and Canada.

In the U.S., research on sex trafficking of Native women and girls is limited but findings suggest that Native women and girls are over-represented among trafficking victims.

- In 2000, Native women's rate for sexual assault and rape was 7.7 per 1,000 women versus 1.1 for White women, 1.5 for African American women, 0.2 for Asian women, and 0.6 for Hispanic women (Tjaden & Thoennes, 2006).
- An analysis of 2007 prostitution arrest data in the county encompassing Minneapolis found 24% of arrests to be of Native women, more than twelve times their representation in the county's population (Martin & Rud, 2007).

Traffickers may be Native or non-Native, but both groups use two primary methods to "recruit" Native women and youth.

- The first is "finesse" pimping, posing as a boyfriend or woman friend, treating the victim with great kindness, offering a free place to stay, and when the victim feels obligated, insisting that she/he "help out" by prostituting (Pierce, 2009; Sethi, 2007).
- The second is "guerilla" pimping (often by gang members), using violence against the victim (including gang rape) and/or threatening violence against the victim's family (Native Women's Association of Canada, 2007; Nimmo, 2001; Pierce, 2009).
- Traffickers focus on particularly vulnerable Native women and youth, including those with limited ability to recognize exploitation because of mental illness, substance abuse, and/or fetal alcohol spectrum disorder/FASD (Benoit & Millar, 2001; Boland & Durwyn, 1999; Farley & Lynne, 2000; Pierce, 2009).

Legal protections and services to victims are limited in general, and even less available to American Indian women and youth.

- While domestically trafficked minors are automatically considered victims under the U.S. Trafficking Victims Protection Act (TVPA), adults must prove that they were induced to cooperate through force, fraud, or coercion (see 22 U.S.C. § 7102(8), 2000; 22 U.S. C. § 7105 (b)(1)(a)).
- Federally-funded adult victim services are restricted to international victims, and organizations currently receiving federal Office for Victims of Crime funding for services to domestically-trafficked minors are limited to Chicago, New York, and San Francisco (OVC, n.d.).
- Sex trafficking investigations involving American Indian reservations incur complex jurisdictional questions due to wide variation in federal, state, and tribal roles (Bureau of Indian Affairs, 2011; Goldberg & Valdez Singleton, 2005; Tatum, 2003). This complexity has a tremendous impact on effective identification and protection of Native victims (Deer, 2010).

This review suggests that tribes and urban Indian service providers should be involved in collaborative planning to better identify and protect Native victims. There must be stronger agreement between federal and state trafficking laws, and equal protection and services for all victims, regardless of age or country of origin. Current research is also extremely limited, and there is a critical need for culturally-responsive, systematic investigations.

See the full Applied Research paper: Pierce, Alexandra & Koeplinger, Suzanne. (2011, October). *New language, old problem: Sex Trafficking of American Indian women and children*. Harrisburg, PA: VAWnet, a project of the National Resource Center on Domestic Violence. Available at: <http://www.vawnet.org>

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FEDERAL EFFORTS TO ASSIST VICTIMS OF HUMAN TRAFFICKING



Many U.S. Government agencies are involved in identifying and assisting victims of human trafficking. Federal agencies carry out the duties laid out for them in the Trafficking Victims Protection Act of 2000 (TVPA) and its subsequent reauthorizations, and develop new initiatives, as needed. Federal agencies that play a role in assisting victims of trafficking include the following:

- **U.S. Department of Health and Human Services (HHS)** is the federal agency responsible for providing victims of human trafficking access to benefits and services needed to help them restore their lives and achieve self-sufficiency. HHS, through the Office of Refugee Resettlement (ORR), certifies adult foreign victims of human trafficking and provides letters of eligibility to foreign minor (under 18) victims so that they are eligible for federal and State benefits and services to the same extent as refugees. ORR also provides funding for comprehensive case management services to foreign victims of trafficking and potential victims seeking HHS certification in the United States. U.S. citizen and Lawful Permanent Residents (LPR) victims do not need to be certified or receive a letter of eligibility to be eligible for similar benefits and services. Through the ORR Anti-Trafficking in Persons Program, HHS also leads the *Rescue & Restore Victims of Human Trafficking* campaign, which established Rescue and Restore coalitions in 24 cities, regions, and States. These community action groups are committed to addressing the problem of human trafficking in their own communities. Grantees funded through the Rescue and Restore Regional Program serve as the focal points for regional public awareness campaign activities and intensification of local outreach to identify victims of human trafficking. HHS also funds the National Human Trafficking Resource Center (NHTRC), a national, toll-free hotline for the human trafficking field in the United States that is reached by calling 1-888-3737-888 or emailing NHTRC@PolarisProject.org. The NHTRC operates 24 hours a day, seven days a week, every day of the year. (<http://www.acf.hhs.gov/trafficking/>)
- **U.S. Department of Justice (DOJ)** investigates cases of trafficking through the Federal Bureau of Investigation (FBI) and local *Anti-Human Trafficking Task Forces* throughout the country. It prosecutes the traffickers through the work of the *Human Trafficking Prosecution Unit* within the Civil Rights Division, and the *Child Exploitation and Obscenity Section (CEOS)* within the Criminal Division, in partnership with U.S. Attorneys' Offices throughout the country. Through its *Office of Justice Programs*, DOJ has also funded a network of service providers that provide assistance to victims. DOJ also produces the Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons, which documents all Federal agencies' anti-trafficking activities. Significant research on human trafficking is conducted by the *National Institute of Justice*. (http://www.fbi.gov/about-us/investigate/civilrights/human_trafficking/human_trafficking and http://www.fbi.gov/about-us/investigate/vc_majorthefts/cac/innocence/lost)
- **U.S. Department of State** chairs the interagency working group and task force in charge of coordinating Federal anti-trafficking policies and programs. The Office to Monitor and Combat Trafficking in Persons (J/TIP) produces the U.S. Government's annual *Trafficking in Persons Report* that provides a country-by-country assessment of global anti-trafficking trends. Both J/TIP and the Bureau of Population, Refugees, and Migration fund international programs to identify and serve human trafficking victims. (<http://www.state.gov/j/tip/>)
- **U.S. Agency for International Development (USAID)** funds international anti-trafficking in persons programs that prevent trafficking, protect and assist victims, and support prosecutions through trainings for officials in judicial systems. (http://www.usaid.gov/our_work/cross-cutting_programs/trafficking/)

National Human Trafficking Resource Center 1.888.3737.888



FEDERAL EFFORTS TO ASSIST VICTIMS OF HUMAN TRAFFICKING



- **U.S. Department of Labor (DOL)** offers programs that provide employment services for which certified victims of trafficking are eligible. Through its One-Stop Career Center System, DOL provides training referrals, career counseling, job listings, and other employment services. The Wage and Hour Division investigates complaints of labor law violation and is an important partner in identifying trafficking victims. The Bureau of International Labor Affairs (ILAB) supports research on international child labor and human trafficking and awards grants to organizations engaged in efforts to eliminate exploitive child labor around the world. ILAB also publishes reports on child labor and/or forced labor in countries worldwide, including the "[List of Goods Produced by Child or Forced Labor.](http://www.dol.gov/ilab/programs/ocft/)" (<http://www.dol.gov/ilab/programs/ocft/>)
- **U.S. Department of Homeland Security (DHS)** launched the Blue Campaign to coordinate and enhance the Department's anti-human trafficking efforts. The Blue Campaign includes 17 DHS components and harnesses and leverages the varied authorities and resources of the Department to deter human trafficking by increasing awareness, protecting victims, and contributing to a robust criminal justice response. Two of these components, USCIS and ICE Homeland Security Investigations, are described below. (<http://www.dhs.gov/files/programs/humantrafficking.shtm>)
 - **U.S. Citizenship and Immigration Services (USCIS)** provides two types of immigration relief to victims of human trafficking: T Nonimmigrant Status (T Visa), which allows victims of a severe form of trafficking in persons to remain in the United States for up to four years while assisting law enforcement authorities in the investigation or prosecution of human trafficking cases, and U Nonimmigrant Status (U Visa), which provides immigration protection to crime victims, including trafficking victims, who have suffered substantial mental or physical abuse as a result of the crime.
 - **Immigration and Customs Enforcement (ICE)**, through Homeland Security Investigations (HSI), investigates cases of trafficking and is an important partner in victim identification. HSI has more than 10,000 employees that include 6,700 special agents who are assigned to more than 200 cities throughout the U.S. and 47 countries around the world. ICE also grants Continued Presence (CP), which is a temporary form of immigration relief that Federal law enforcement officials request on behalf of a victim of a severe form of trafficking who is also a potential witness. (<http://www.ice.gov/human-trafficking/>)
- **U.S. Department of Education (ED)** raises awareness of human trafficking and educates administrators, teachers, and students on child trafficking victim identification. The Office of Safe and Drug-Free Schools develops materials on human trafficking for use in schools, such as "[Human Trafficking of Children in the United States: A Fact Sheet for Schools.](#)"
- **U.S. Department of Defense (DOD)** has made human trafficking awareness training mandatory for all DOD military members and civilian employees. The department has adopted a zero tolerance policy on prostitution and human trafficking and made patronizing a prostitute a chargeable offense under the military justice system. DOD published an internal Instruction that assigned combating trafficking in persons (CTIP) program responsibilities across DOD. (<http://www.dodig.mil/Inspections/IPO/combatinghuman.htm> and <http://ctip.defense.gov/>)

*If you think you have come into contact with a victim of human trafficking, call the **National Human Trafficking Resource Center at 1.888.3737.888**. The NHTRC can help you identify and coordinate with local organizations that protect and serve trafficking victims. For more information on human trafficking visit: www.acf.hhs.gov/trafficking.*

National Human Trafficking Resource Center 1.888.3737.888

What is Human Trafficking?

Human trafficking is modern-day slavery and involves the use of force, fraud, or coercion to exploit a person for labor or commercial sex.

- Every year, millions of men, women, and children are trafficked in countries around the world – including the United States. Many of these victims are lured with false promises of financial or emotional security; instead, they are forced or coerced into commercial sex (prostitution), domestic servitude, or other types of forced labor.
- Any minor under the age of 18 who is induced to perform a commercial sex act is a victim of human trafficking according to U.S. law, regardless of whether there is force, fraud, or coercion. Increasingly, criminal organizations such as gangs are luring children from local schools into commercial sexual exploitation or trafficking.

Human trafficking is different from human smuggling.

- Human smuggling involves bringing (or attempting to bring) a person into a country in violation of immigration or other laws. Human trafficking is the exploitation of a person for sex or labor. Human trafficking does not require movement or transport across borders – the exploitation is what makes the person a victim.

Who are the Victims? Who is at Risk?

Victims of trafficking can be any age, race, gender, or nationality, including U.S. citizens.

- Trafficking victims can be men or women, boys or girls, U.S. citizens or foreign nationals. Human trafficking can involve school-age youth, particularly those made vulnerable by unstable family situations, or who have little or no social support. The children at risk are not just high school students – studies show that the average age a child is trafficked into the commercial sex trade is between 11 and 14 years old.
- Traffickers may target young victims through social media websites, telephone chat-lines, after school programs, on the streets, at shopping malls, in clubs, or through other students who are used by the traffickers to recruit other victims. In fact, a person can be trafficked without ever leaving his or her hometown.
- Child trafficking can take a variety of forms including commercial sexual exploitation (prostitution), or forced labor. Those who recruit minors for the purpose of commercial sex are violating U.S. anti-trafficking laws, even if there is no force, fraud, or coercion.

Did You Know?

- Each year, as many as 100,000-300,000 American children are at risk of being trafficked for commercial sex in the United States.
- The average age a girl enters the commercial sex trade is 12-14 years old. For boys, it's even younger – just 11-13 years old.

How Do I Identify Human Trafficking?

Human trafficking can often go unnoticed, even by individuals interacting with a victim on a regular basis. Recognizing the “red flags,” or indicators, can help alert school administrators and staff to a human trafficking situation. Recognizing the signs is the first step in identifying potential victims. No single indicator is necessarily proof of human trafficking.

Behavior or Physical State:

- Does the student have unexplained absences from school, or has the student demonstrated an inability to attend school on a regular basis?
- Has the student suddenly changed his or her usual attire, behavior, or relationships?
- Does the student suddenly have more (and/or more expensive) material possessions?
- Does the student chronically run away from home?
- Does the student act fearful, anxious, depressed, submissive, tense, or nervous and paranoid?
- Does the student defer to another person to speak for him or her, especially during interactions with school authority figures (this may include an adult described by the student as a relative, but may also be a friend or boyfriend/girlfriend)?
- Does the student show signs of physical and/or sexual abuse, physical restraint, confinement, or other serious pain or suffering?
- Has the student been deprived of food, water, sleep, medical care, or other life necessities?
- Is the student in possession of his or her own identification documents (e.g. student identification card, driver’s license, or passport), or does someone else have them?

Social Behavior:

- Does the student have a “boyfriend” or “girlfriend” who is noticeably older?
- Is the student engaging in uncharacteristically promiscuous behavior, or making references to sexual situations or terminology that are beyond age-specific norms?
- Can the student freely contact friends, family, or his or her legal guardian?

These indicators are just a few that may alert you to a potential human trafficking situation. While no single indicator is necessarily proof of human trafficking, you can use this information to help you recognize relevant suspicious behavior(s) and take appropriate action.

What Should I Do?

If you suspect that a person may be a victim of human trafficking, please call the Homeland Security Investigations Tip Line at 1-866-347-2423 (24 hours a day, 7 days a week, in over 300 languages and dialects) or submit a tip online at www.ice.gov/tips.

You may also call the National Human Trafficking Resource Center at 1-888-373-7888 to get help or connect with a service provider in your area. The Center is not a law enforcement or immigration authority and is operated by a non-governmental organization.

Non-law enforcement personnel should never attempt to directly confront a suspected trafficker or rescue a suspected victim. Doing so could put both your and the victim’s safety at risk. By immediately informing law enforcement of your suspicions, you can safely assist in the recovery of the victim and the dismantling of the trafficking operation.

School administrators and staff who suspect a trafficking incident should follow their school district’s established protocol for such matters. Schools that do not have such procedures in place should consider adopting a formal protocol on how to identify the indicators and report suspected cases to law enforcement. Your protocol should be developed in collaboration with school district leadership; federal and/or local law enforcement; mental health, child welfare, or victim services providers; and other appropriate community partners.

For more information, training, and resources, please visit www.dhs.gov/BlueCampaign.