Anti-Human Trafficking for Service Providers in Indian Country

Trafficking in Indian Country: What everyone should know and Promising Practices

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Introductions
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- Suzanne Tibbetts Young
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Human Trafficking

- There are differences in how some states define human trafficking versus the federal definition; this causes confusion for providers and law enforcement agencies.

Federal Law

- The trafficking Victims Protection Act TVPA
  - Passed on October 28, 2000

The TVPA defines sex trafficking as:

“...The recruitment, enticement, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act.” 22 U.S.C. § 7102(9)(2008).

Federal law establishes criminal penalties for “Whoever knowingly –

1. in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, or obtains by any means a person; or
2. benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of (1),

Knowing that force, fraud or coercion...will be used to cause the person to engage in a commercial sex act...that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.” 18 U.S.C. § 1591(2008).

The TVPA defines labor trafficking as:

“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.”
Human Smuggling Vs. Human Trafficking

<table>
<thead>
<tr>
<th>Smuggling</th>
<th>Trafficking</th>
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<tbody>
<tr>
<td>Criminal Behavior (element of cooperation)</td>
<td>Victims (force, fraud, coercion)</td>
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<tr>
<td>Involves crossing an international border</td>
<td>Does not require movement</td>
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<tr>
<td>Transportation is central</td>
<td>Exploitation is central</td>
</tr>
<tr>
<td>Involves non-citizens</td>
<td>Victims can be citizens or non-citizens</td>
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Smuggling can often turn into trafficking!

Overlapping Forms of Trafficking

Labor trafficking and sex trafficking may overlap and share common elements:
- **Initial consent**: A person may agree to migrate or take a job willingly, but once it is no longer voluntary, the person is a trafficking victim.
- **Prior work history**: Some individuals may have been involved in the sex industry or worked as a migrant before being identified as a trafficking victim.
- **Wage payment**: U.S. criminal case law establishes that payment of a wage or salary is not a definitive indicator of whether the individual is a trafficking victim.

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Overlapping Forms of Violence

Prostitution
- 8,000/day

Sex Trafficking
- 803 in 3 years

Domestic Violence
- 1 in 3

Sexual Assault
- 1 in 5

Other Forms of Gender-Based Violence

Why focus on Indian Country?

American Indians are at a higher risk for sex trafficking due to:
- Higher rates of poverty
- Higher rates of unemployment
- Higher rates of homelessness
- Experiencing homelessness or multiple times running away as a youth
- Higher rates of sexual violence

American Indian Runaway and Homeless Youth

- 57% of youth staying in emergency shelter were found to be victims of sex trafficking
  - Healing Place, Baton Rouge & Covenant House New Orleans
- In the city of Minneapolis all of the victims of juvenile sex trafficking recovered so far in 2012 by the MPD are runaways
  - Minneapolis Police Sgt. Grant Snyder
- 20% of Homeless Youth identify as American Indian in a state (Minnesota) in which American Indians make up only 1% of the general youth population
  - Wilder Research Center

The Harsh Reality: The Experience of American Indian Trafficking Victims

- Sexual Abuse as Children
- Historical Trauma
- Higher rates of Traumatic Brain Injury
- Higher rates of Physical Violence
- Racism
- Higher rates of PTSD and Depression
- Chemical Dependency
- Rape & Physical Assault
- Chronic Health Problems

Source: Garden of Truth, Shattered Hearts, and others
Why does this happen?

- Poverty and/or Homelessness forces people to make difficult decisions
- Pimp/Exploiter use of Drugs & Alcohol
- Manipulation & Love
- Force, Fraud & Coercion
- Intimidation

Recruitment

- Peers/Friends, “Boyfriends”, Family Members
- Offers of False Employment (Dancing, Modeling, Singing, etc.)
- Schools, Parks, Malls, Group Homes, Emergency Shelters, Housing Programs, Parties
- Exploiters/Traffickers can be any gender, age, strangers or non-strangers
- Poverty forcing people into the life

Recruiting-Control Strategy

- Pimp/Trafficker presents as a boyfriend or caretaker
- This is sometimes called “boyfriending”
- Trafficker is preying on the vulnerabilities of victim
  - Victim has low self-esteem
  - Victims doesn’t have a healthy family
  - Use a “honeymoon phase” to build trust, power and control over victim
  - Victim is low income or homeless

Violent Recruitment

- Sometimes these pimps are referred to as “gorilla pimps”.
- Acquire victims through kidnapping or abduction
- Use physical or sexual violence and rape to assert control over victims
- May threaten victim that if they don’t comply the pimp will hurt their loved ones/family

Profit for Traffickers-Example

Quota of $500/Day x 7 Days a Week
 Trafficker earns $588,000 per Year per Victim

For the Victims this Means:

Estimated 5 “Customers” Day = 1,820 Forced Sexual Encounters per Year

Why is it hard for people to get out?

- Trauma
- Chemical Use
- Poverty & Homelessness (Feeling of No Other Options)
- Fear
- In love with Trafficker
Trauma

- Trauma is the result of an individual going through a life threatening situation.
- There is a higher prevalence of reported traumatic incidents among youth who were being held against their will or working for a pimp or another individual.
- Based on youth feedback-there are high levels of trauma therefore we should be utilizing trauma informed care approaches in street outreach.

Chemical Use

- All youth reported some type of chemical use.
- Alcohol, Coke & Ecstasy
- The use of stimulants increases energy.
- Drugs may give a false sense of confidence.
- Drugs may be used to self medicate for anxiety, depression, PTSD, bipolar and/or ADHD.
- ‘...when stripping or escorting, women use thizzle or coke to loosen up and pimps will use heroin and weed to control the girls...these drugs can be used for coping too...' - Holger-Ambrose, B.; Langmade, C., Edinburgh, L., 2011

Poverty and Homelessness

- The majority (92%) of survey participants reported experiencing homelessness.
- Many youth reported entering the sex trade to get money to pay bills or secure food and/or shelter.
- Exchanging sex is a way for youth on the street to meet their immediate survival needs.
- “I started at age 14 because I was kicked out of the house and homeless and was friends with a female pimp who said she could show me an easy way to make money.” - Holger-Ambrose, B.; Langmade, C., Edinburgh, L., 2011

Video

- Follow-Up Discussion & Questions

Activity:

“A Day in the Life”

Overall Approach with Victims/Survivors

- Victim-Centered (no longer “criminal”)
- Strength Based/Positive Youth Development
- Harm Reduction
- Trauma Informed Care
- Importance of inclusion of relevant American Indian culturally specific services & approach
What is a respectful and effective approach to working with victims?

- First responders & service providers should listen and be genuine-be from the appropriate American Indian Community or have trusting relationships with that community.
- Give appropriate & vetted referrals.
- Allow people to disclose involvement when they are ready too.
- Use peer outreach workers (with youth especially) and/or survivors.
- Build a rapport.
- Language: Keep things general and use “Soft Words.”

Sources of Information