



## Information Memorandum

To: Administration for Native Americans Grantees

Date: January 29, 2015 (Rev. Jan 18, 2018)

Subject: **Recognizing and Responding to Human Trafficking among American Indian, Alaska Native and Pacific Islander Communities.**

### I. Introduction

Human trafficking, also known as modern day slavery, is a growing concern. The crime involves the exploitation of a person for the purpose of compelled labor or a commercial sex act. Native communities have a history with this issue that goes back centuries, but the United States has only recently begun to systematically address this issue domestically. Since the passage of the Trafficking Victims Protection Act (TVPA) in 2000, law enforcement investigators, social service providers, and the general public have reported cases of forced labor, debt bondage, involuntary servitude, and sex trafficking, impacting a diverse range of populations including men, women, and children, who are U.S. citizens, lawful permanent residents, or foreign nationals.

The TVPA defines “severe forms of trafficking in persons” as:

- sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- 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.

A victim need not be physically transported from one location to another in order for the crime to fall within these definitions.

Human trafficking cases occur across the country, in tribal, rural, urban, and suburban settings and in a wide range of industries, as described in the 2014 Trafficking in Persons Report<sup>1</sup>:

*Trafficking can occur in many licit and illicit industries or markets, including in brothels, massage parlors, street prostitution, hotel services, hospitality, agriculture, manufacturing, janitorial services, construction, health and elder care, and domestic service.*

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<sup>1</sup> United States Department of State (June 2014). Trafficking in Persons Report. Available at: <https://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>

January is **National Slavery and Human Trafficking Prevention Month**<sup>2</sup>. The Administration for Native Americans (ANA) is highlighting the topic because among the diverse populations affected by human trafficking, indigenous peoples worldwide are at particular risk for both sex trafficking and labor trafficking. American Indian, Alaska Native and Pacific Islanders, have a heightened risk for sex trafficking among Native women and girls.

In 2014, ANA participated in several human trafficking listening sessions hosted by the U.S. Department of Health and Human Services (HHS) Administration for Children and Families (ACF) and other federal partners to learn about the human trafficking taking place both in urban areas and in reservations/native communities. Many in the community may not recognize that they are witnessing crimes that fit the definition of human trafficking.

## **II. Scope and Nature of Human Trafficking**

Worldwide, there are an estimated 21 million people in forced labor.<sup>3</sup> In the 2014 Trafficking in Persons Report, the U.S. State Department spotlighted indigenous peoples as particularly vulnerable to human trafficking, including children from hill tribes in northern Thailand seeking employment, aboriginal Canadian and American Indian women and girls victimized in the commercial sex industry, indigenous communities in Latin America forcibly recruited by illegal armed groups, and members of Batwa or pygmy groups subjected to conditions of forced labor in agriculture, mining, mechanics, and domestic service in remote areas of the Democratic Republic of Congo.

Human traffickers often proactively target those who are vulnerable due to prior experience of abuse, generational trauma or unstable living situations. Traffickers may be members of organized crime, legal businesses, and individuals, including family members or peers who force, trick, or coerce victims into a form of labor or into the commercial sex industry. The risk factors for trafficking of American Indian, Alaska Native and Pacific Islanders are the same for victims of trafficking in other parts of the world. First and foremost there is poverty, poor education, and inequality, and in some case an added risk is the **movement from rural to urban environments**. Compounding these issues for indigenous communities in the US are the over-representation of Native Americans in the foster care system, an increased prevalence of Native women as victims of violent crime such as domestic abuse and rape, and generational violence.

Specific examples of high areas of human trafficking impacting tribal communities in the United States are boom towns, such as the Bakken Oil fields in North Dakota and Montana, where there is a high influx of men into an under-resourced area; Duluth, MN with the shipping industry; and in Guam and Hawaii fueled by the military and tourism industries. The Anchorage Police Department has warned Alaska Native Villages about individuals recruiting young girls from rural areas. More awareness, education, and open dialogue about the problem will help to

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<sup>2</sup> Presidential Proclamation – National Slavery and Human Trafficking Prevention Month, 2018 (December 29, 2017). Available at: <https://www.whitehouse.gov/presidential-actions/president-donald-j-trump-proclaims-january-2018-national-slavery-human-trafficking-prevention-month/>

<sup>3</sup> Source: ILO: [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_181961/lang--it/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_181961/lang--it/index.htm)

prevent human trafficking and connect victims of trafficking with important community-based services.

### **III. Recognizing the Signs of Human Trafficking**

Knowing the red flags and indicators of human trafficking is a key step in identifying more victims and helping them find the assistance they need.

#### Common Work and Living Conditions:

The individual(s) in question

- Is not free to leave or come and go as he/she wishes
- Is under 18 and is providing commercial sex acts
- Is in the commercial sex industry and has a pimp / manager
- Is unpaid, paid very little, or paid only through tips
- Works excessively long and/or unusual hours
- Is not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- Was recruited through false promises concerning the nature and conditions of his/her work
- High security measures exist in the work and/or living locations preventing people from easily leaving (e.g. opaque windows, boarded up windows, bars on windows, barbed wire, security cameras)

#### Poor Mental Health or Abnormal Behavior

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid
- Exhibits unusually fearful or anxious behavior after bringing up law enforcement
- Avoids eye contact

#### Poor Physical Health

- Lacks health care
- Appears malnourished
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture

#### Lack of Control

- Has few or no personal possessions
- Is not in control of his/her own money, no financial records, or bank account
- Is not in control of his/her own identification documents (ID or passport)
- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating)

## Other Indicators

- Claims of just visiting and inability to clarify where he/she is staying/address
- Lack of knowledge of whereabouts and/or do not know what city he/she is in
- Loss of sense of time
- Has numerous inconsistencies in his/her story

This list is not exhaustive and represents only a selection of possible indicators. Also, the red flags in this list may not be present in all trafficking cases and are not cumulative.

To request help or report suspected human trafficking, contact the [National Human Trafficking Hotline](#), a 24-hour national anti-trafficking hotline and resource center that provides human trafficking victims and survivors with access to critical support and services to get help and stay safe and equips the community with tools to effectively combat all forms of human trafficking. Community members can call at 1-888-373-7888 or text INFO or HELP to: BeFree (233733).

## IV. Challenges to Combating Human Trafficking

Victims often feel shame and stigma about the abuse they have experienced or may even feel loyalty to the traffickers who are abusing them due to their trauma. Traffickers often manipulate, deceive, and lie to victims of trafficking and may try to blame victims for the abusive experiences. Misconception or misunderstanding of human trafficking in the community may also prevent trafficking victims from asking for help. Often, open dialogue about what is happening is difficult to discuss, particularly in small tight knit communities where everyone knows everyone else. This also makes it difficult for victims to come forward, especially if they have been exploited by family members or someone from within the community.

Similar to the dynamics of domestic violence, not all victims of human trafficking may readily self-identify as a victim or be ready to leave their abusive situation immediately. This creates a challenge for service providers. Those working with victims must respect their choices and freedom, including the right to refuse services until they are receptive. This respect must guide all efforts to provide support. What governments and communities can control, however, is the range of services and support available to victims so that they have a menu of options from which to choose.

What service providers helping survivors have told us is that there is a need for culturally relevant and trauma-informed approaches. 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.<sup>4</sup> Using women’s circles, sweat lodges, and other culturally appropriate practices has proven helpful in the healing process. Victims need a safe place to disclose, and may feel comfortable telling trusted community members at school, at afterschool activities, recreation centers, and places of worship.

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<sup>4</sup> United States Department of State. (June 2014) Trafficking in Persons Report.

## V. Community Response Coordination

The U.S. Department of Health and Human Services (HHS) has supported community-based responses to human trafficking since the passage of the Trafficking Victims Protection Act of 2000, which has been reauthorized several times and most recently under the Violence Against Women Act (VAWA) in 2013. The reauthorization of VAWA added sex trafficking to the list of interpersonal violence issues affecting Native American communities, recognizing the importance of investigating the crimes and providing protection to trafficking victims.

The Preventing Sex Trafficking and Strengthening Families Act of 2013 also addresses human trafficking, particularly efforts to address child sex trafficking in state and tribal child welfare systems. Title I of the newly enacted legislation requires states and tribes to develop and implement policies, procedures, and training for identifying, documenting, and determining appropriate services for children and youth at risk of sex trafficking.

Not all providers feel equipped to recognize the signs of trafficking, or have the necessary services in place to assist victims. While not all tools available for anti-trafficking service providers have been tested for reliability in American Indian and Alaska Native populations, it is important that social service and health providers use available screening tools and interview techniques adapted to culturally-appropriate settings that will help identify victims. One study, conducted with programs at the Minnesota Indian Women's Resource Center found that asking participants directly about whether they have traded sex was an important step to get girls to disclose.<sup>5</sup> The question was asked at initial intakes and in follow up assessments.

During the listening sessions, providers have identified a lack of support services for victims leaving sex trafficking, such as housing, mental health counseling, and employment. Communities have also been challenged in bringing perpetrators to justice. Victims expressed feeling fear of reprisal and/or self-incrimination if they testify and feel they have little to gain.

When victims are identified, they need access to a wide range of health, social, and legal services to begin to address trauma experiences, stabilize their living situations, and begin to rebuild their lives. The Federal government, through HHS and the Department of Justice (DOJ), provide grants to community-based service providers to support victims of trafficking through case management and comprehensive list of social service support. Grants for tribal communities seeking to address human trafficking in their communities are available through the ANA Social and Economic Development Strategies funding opportunity and through the Office of Justice Programs and Office of Tribal Justice within the Department of Justice.

Many federal resources, listed under the Resources section, are also available to provide training and technical assistance to equip communities with the knowledge and tools they need to strengthen coordination of anti-trafficking efforts. For example, the U. S. Department of Homeland Security's Federal Law Enforcement Training Center (FLETC) has partnered with the Bureau of Indian Affairs' Indian Police Academy, to deliver a "Train-the-Trainer" course for

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<sup>5</sup> Pierce, A. (2012) American Indian Adolescent Girls: Vulnerability to Sex Trafficking, Intervention Strategies. *American Indian and Alaska Native Mental Health Research Journal*. Colorado School of Public Health. Volume 19, Number 1.

tribal law enforcement. This course will provide certified instructors with material to deliver a 2-hour training session focusing on identifying signs and indicators of human trafficking that officers might encounter in their routine duties. HHS also piloted the SOAR to Health and Wellness training for health care providers to “Stop, Observe, Ask, and Respond” to human trafficking in five sites, including the Bakken area in North Dakota. [ANA Social and Economic Development Strategies](#) or [Department of Justice \(Office of Justice Programs and Office of Tribal Justice\)](#) grants can be used to help communities address community response coordination.

## VI. Prevention

Preventing sex trafficking in Native American communities is similar to crime prevention efforts in other areas. It takes education and awareness on the issue, a broad coalition of stakeholders such as schools, religious organizations, law enforcement, youth programs, and social service organizations working together to provide an array of positive supports.

Individuals that are susceptible to trafficking - such as those in poverty or homeless, victims of neglect or abuse, runaway youth, and those addicted to drugs or alcohol - need positive interventions and programs to strengthen their social determinants of health and health relationships. A well informed and healthy native community is less susceptible to human trafficking, but still not immune.

Additional prevention methods include reducing the demand for human trafficking by targeting commercial sex buyers and changing social norms regarding commercial sex through public awareness campaigns at a local or national level. Communities can also raise awareness on how the products and services purchased on a daily basis may be made by forced or trafficked labor.

ANA encourages grantees to connect with national resources and anti-trafficking organizations in their local communities to increase community capacity to prevent trafficking, identify young people who have been trafficked, and meet the needs of victims.

## VII. Resources

### Department of Health and Human Services

- HHS Administration for Children and Families **Office of Trafficking in Persons**. Visit [www.acf.hhs.gov/endtrafficking](http://www.acf.hhs.gov/endtrafficking)
- **National Human Trafficking Hotline** (NHTH), a national, toll-free hotline, 24 hours a day, 7 days a week, every day of the year. To report a tip, connect with anti-trafficking services in your area, or to request training and technical assistance, call 1-888-3733-888, or text INFO or HELP to us at: BeFree (233733), or visit <https://humantraffickinghotline.org/>
- **Child Welfare Information Gateway** compiles information on an expansive range of topics related to child welfare. Particularly relevant is the page on “Responding to Human Trafficking of Children,” at <https://www.childwelfare.gov/topics/systemwide/trafficking/>
- **National Indigenous Women’s Resource Center** (NIWRC) is dedicated to reclaiming the sovereignty of Native nations and safeguarding Native women and their children. They conduct public awareness campaigns, develop resources, provide training and technical assistance, develop policy, and conduct research. <http://www.niwrc.org/>

- **Strong Hearts Native Helpline:** Safe anonymous service for Native Americans affected by domestic violence or dating violence. Operated by the NIWRC. 1-844-7NATIVE <http://www.strongheartshelpline.org/>
- **Runaway and Homeless Youth Training and Technical Assistance Centers (RHYTTAC)** offers quality training and technical assistance to family and youth service organizations. The website houses resources including prerecorded webinars and resources on human trafficking. <https://www.rhyttac.net/>
- **Office of the Assistant Secretary for Planning and Evaluation (ASPE)**, U.S. Department of Health and Human Services, published a series of reports and issue briefs in 2007 to inform several aspects of serving victims of human trafficking, including residential facilities for child sex trafficking victims and evidence-based mental health treatments for victims, among other topics. <http://aspe.hhs.gov/hsp/07/HumanTrafficking/>
- **SAMHSA's National Child Traumatic Stress Network (NCTSN) and National Registry of Evidence-based Programs and Practices (NREPP)**, <http://www.nrepp.samhsa.gov> provide useful training, technical assistance, and information on trauma-informed care. <http://www.nctsn.org>

### Additional Federal Government Resources

- **U.S. Department of Education** – Human Trafficking in America's Schools: A Guide for School Communities: <http://safesupportivelearning.ed.gov/human-trafficking-america-schools>
- **U.S. Department of Education** - Fact Sheets: Human Trafficking 101 for School Administrators available at: <http://www2.ed.gov/about/offices/list/oese/oshs/humantraffickin101-schadmin.pdf>
- **U.S. Department of Education** – Fact Sheet: Human Trafficking of Children in the United States available at: <http://www2.ed.gov/about/offices/list/oese/oshs/factsheet.html>
- **U.S. Department of State – Office to Monitor and Combat Trafficking in Persons:** Visit <http://www.state.gov/j/tip/>
- **U.S. Department of Homeland Security** – Blue Campaign: Visit <http://www.dhs.gov/topic/human-trafficking>
- **U.S. Department of Labor** – Reducing Child and Forced Labor Toolkit: Visit <http://www.dol.gov/ilab/child-forced-labor/>
- **U.S. Department of Justice** – Office for Victims of Crime Trafficking Video Resource Guide and Anti-Human Trafficking Task Force Strategy and Operations e-Guide: Visit <https://www.ovcttac.gov/taskforceguide/>
- **U.S. Department of Justice** – Federal Bureau of Investigation: Visit [http://www.fbi.gov/about-us/investigate/civilrights/human\\_trafficking](http://www.fbi.gov/about-us/investigate/civilrights/human_trafficking)
- **Federal Strategic Action Plan on Services to Victims of Human Trafficking in the United States, 2013-2017:** Available at <http://www.ovc.gov/pubs/FederalHumanTraffickingStrategicPlan.pdf>