

TRANSPORTATION RESEARCH BOARD

# Human Trafficking and Mobility of Missing and Murdered Indigenous Women

July 29, 2020

2:00-3:30 PM Eastern

**@NASEMTRB**  
**#TRBwebinar**

# Planning Credits

- The American Institute for Certified Planners has approved this webinar for 1.5 Certification Maintenance Credits.
- Visit: [www.planning.org/cm](http://www.planning.org/cm) to report your credits.

# Learning Objectives

1. Understand federal Indian law and policy
2. Identify how transportation and transit officials can prevent human trafficking
3. Describe the mobility of indigenous women and girls in rural and tribal communities and provide safe alternatives

**#TRBwebinar**





**Not on MY BUS. Not on MY TRAIN. Not in MY COMMUNITY!**



**SECRETARY ELAINE CHAO – ADVISORY COMMITTEE ON HUMAN TRAFFICKING**

**Presented by  
Kristen Joyner & Chief David Lorenzen**

# SEVERE FORMS OF TRAFFICKING IN PERSONS

The term “severe forms of trafficking in persons” means:

(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

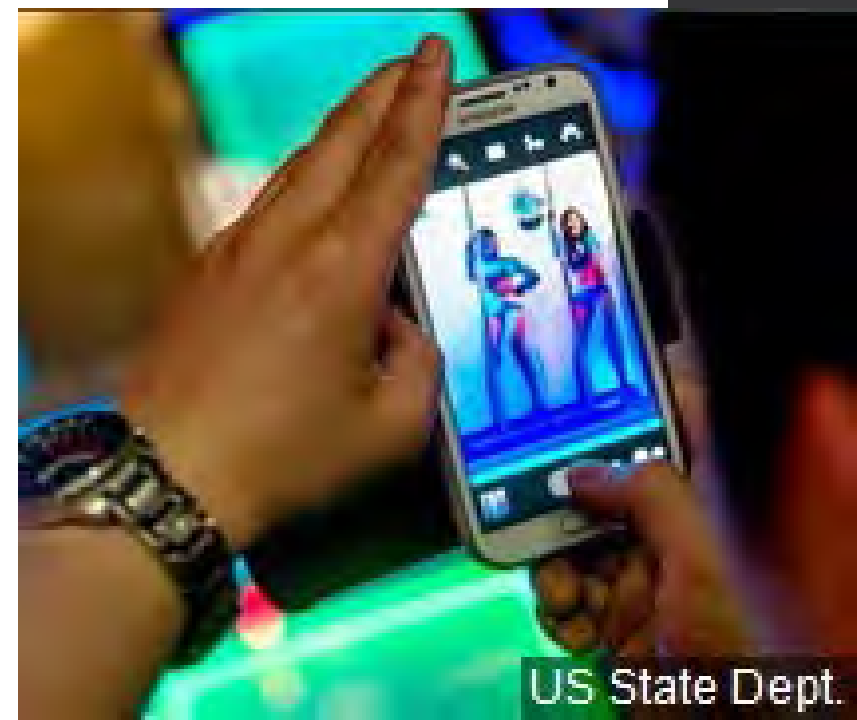
(B) the recruitment, harboring, **transportation**, provision, or obtaining of a person for labor or services, through the use of **force, fraud, or coercion** for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.



Evil Erin / Flickr / CC BY 2



Image - The Independent



US State Dept.

# Systemic Change Matrix

## On Ramps, Intersections & Exit Routes Report: Polaris

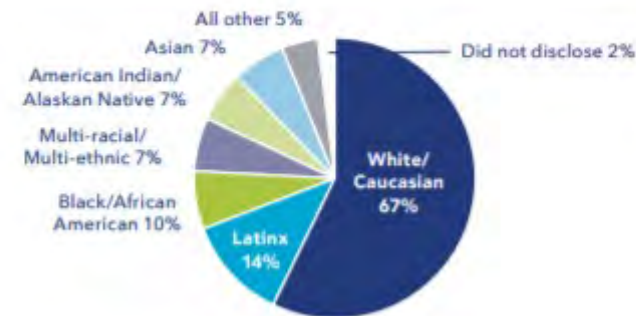
A strategic approach to ending human trafficking includes understanding the ways each of these systems enables or intersects with potential traffickers or victims. This matrix depicts the 25 types of human trafficking in the United States, cross-referenced with eight highlighted systems and industries, six of which are discussed in-depth in this report. Each system and industry can be activated to help disrupt and prevent the crime in unique and impactful ways.

	Financial Services Industry	Hotels & Motels	Housing & Homelessness Systems	Social Media	Temporary Work Visas	Transportation	Business Regulatory Systems	Health Care
Escort Services	●	●	●	●		●		●
Illicit Massage Businesses	●		●	●	●	●	●	
Outdoor Solicitation		●	●	●		●		●
Residential Sex Trafficking	●		●			●		●
Domestic Work	●		●	●	●	●		●
Bars, Strip Clubs, & Cantinas	●	●	●	●		●	●	●
Pornography	●			●		●	●	●
Traveling Sales Crews	●	●	●	●		●	●	●
Restaurants & Food Service	●		●	●	●	●	●	●
Peddling & Begging			●					
Agriculture & Animal Husbandry	●			●	●	●	●	●
Personal Sexual Servitude			●	●				●
Health & Beauty Services	●		●		●	●	●	●
Construction	●		●		●		●	●
Hospitality	●	●			●		●	
Landscaping	●				●	●		●
Illicit Activities	●		●			●		●
Arts, Sports & Entertainment	●			●	●	●	●	●
Commercial Cleaning Services	●	●	●		●		●	
Factories & Manufacturing	●		●		●		●	●
Remote Interactive Sexual Acts	●		●	●				
Carnivals	●				●	●	●	●
Forestry & Logging	●				●	●	●	●
Health Care	●		●		●		●	●
Recreational Facilities	●	●			●		●	

Figure 1.0:  
**Race/Ethnicity**

n=127

(Percentages non-cumulative – respondents could select more than one)



On-Ramps, Intersections, and Exit Routes:  
A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking

Figure 1.1:  
**Gender**

n=127

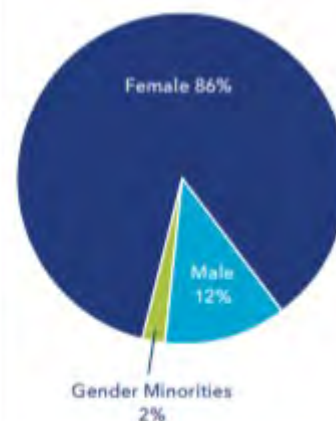


Figure 1.2:  
**Age at trafficking entry**

n=127

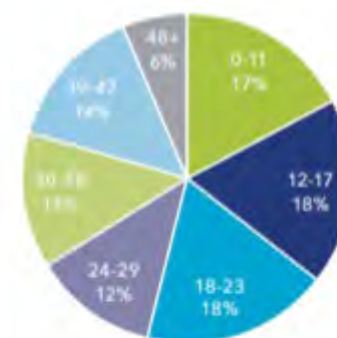


Figure 1.3:  
**Immigration Status**

n=126\*

\*One respondent did not answer.



	 Financial Services Industry	 Hotels & Motels	 Housing & Homelessness Systems	 Social Media	 Temporary Work Visas	 Transportation	 Business Regulatory Systems	 Health Care
Escort Services	●	●	●	●		●		●
Illicit Massage Businesses	●		●	●	●	●	●	
Outdoor Solicitation		●	●	●		●		●
Residential Sex Trafficking	●		●			●		●
Domestic Work	●		●	●	●	●		●
Bars, Strip Clubs, & Cantinas	●	●	●	●		●	●	●
Pornography	●			●		●	●	●
Traveling Sales Crews	●	●	●	●		●	●	●
Restaurants & Food Service	●		●	●	●	●	●	●
Peddling & Begging			●					
Agriculture & Animal Husbandry	●			●	●	●	●	●
Personal Sexual Servitude			●	●				●
Health & Beauty Services	●		●		●	●	●	●
Construction	●		●		●		●	●
Hospitality	●	●			●		●	
Landscaping	●				●	●	●	●
Illicit Activities	●		●			●		●
Arts, Sports & Entertainment	●			●	●	●	●	●
Commercial Cleaning Services	●	●	●		●		●	
Factories & Manufacturing	●		●		●		●	●
Remote Interactive Sexual Acts	●		●	●				
Carnivals	●				●	●	●	●
Forestry & Logging	●				●	●	●	●
Health Care	●		●		●		●	●

**Figure 1.0:**  
**Race/Ethnicity**

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*(Percentages non-cumulative – respondents could select more than one)*

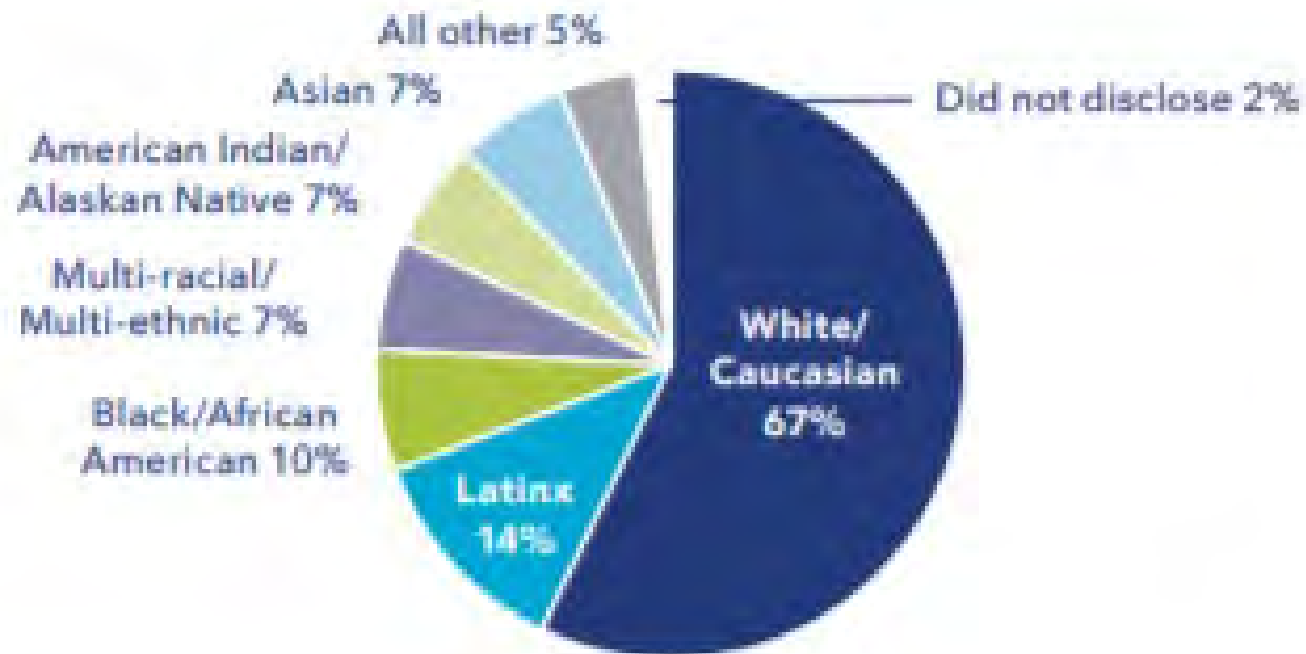


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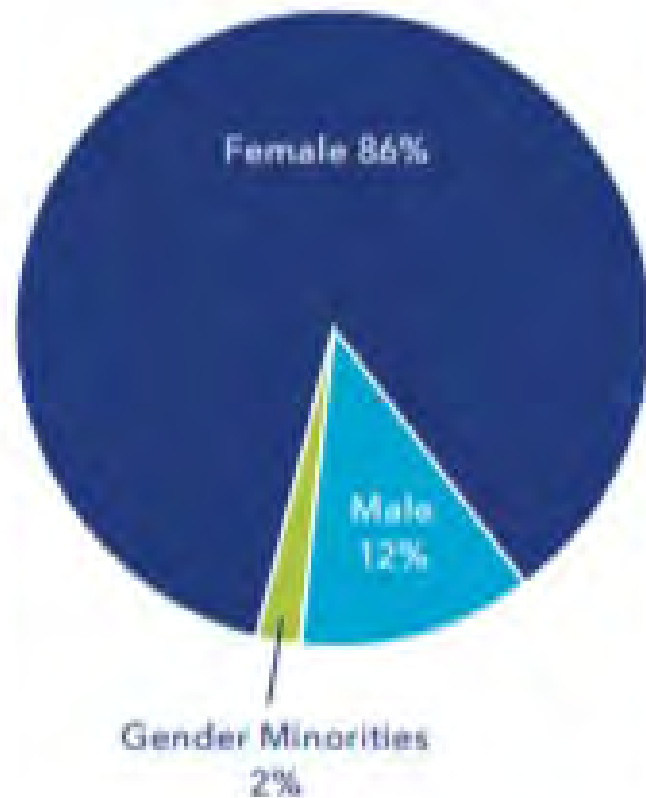


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**Age at trafficking entry**

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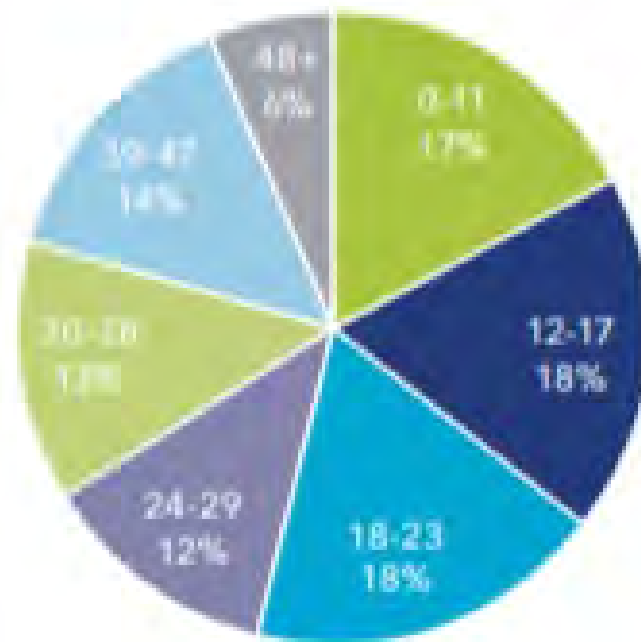


Figure 1.3:  
**Immigration Status**

n=126\*

\*One respondent did not answer.



# Smuggling vs. Trafficking

---

Crime against a

**B**ORDER VS

Crime against a

**P**ERSON



¿PUEDES  
VER A LA  
VÍCTIMA DE  
LA TRATA  
DE PERSONAS?



Las víctimas no son tan evidentes como usted piensa. Ponga fin a la explotación.

Llame al 888.3737.888 o mensaje de texto HELP al BeFree (233733)

polarisproject.org

Líderes del Transporte Contra la Trata de Personas



“Human trafficking is a form of modern slavery - a multi-billion dollar criminal industry that denies freedom to 20.9 million people around the world. And no matter where you live, chances are it's happening nearby.

From the girl forced into prostitution at a truck stop, to the man discovered in a restaurant kitchen, stripped of his passport and held against his will. All trafficking victims share one essential experience: the loss of freedom.”

Polaris Project

[www.polarisproject.org](http://www.polarisproject.org)



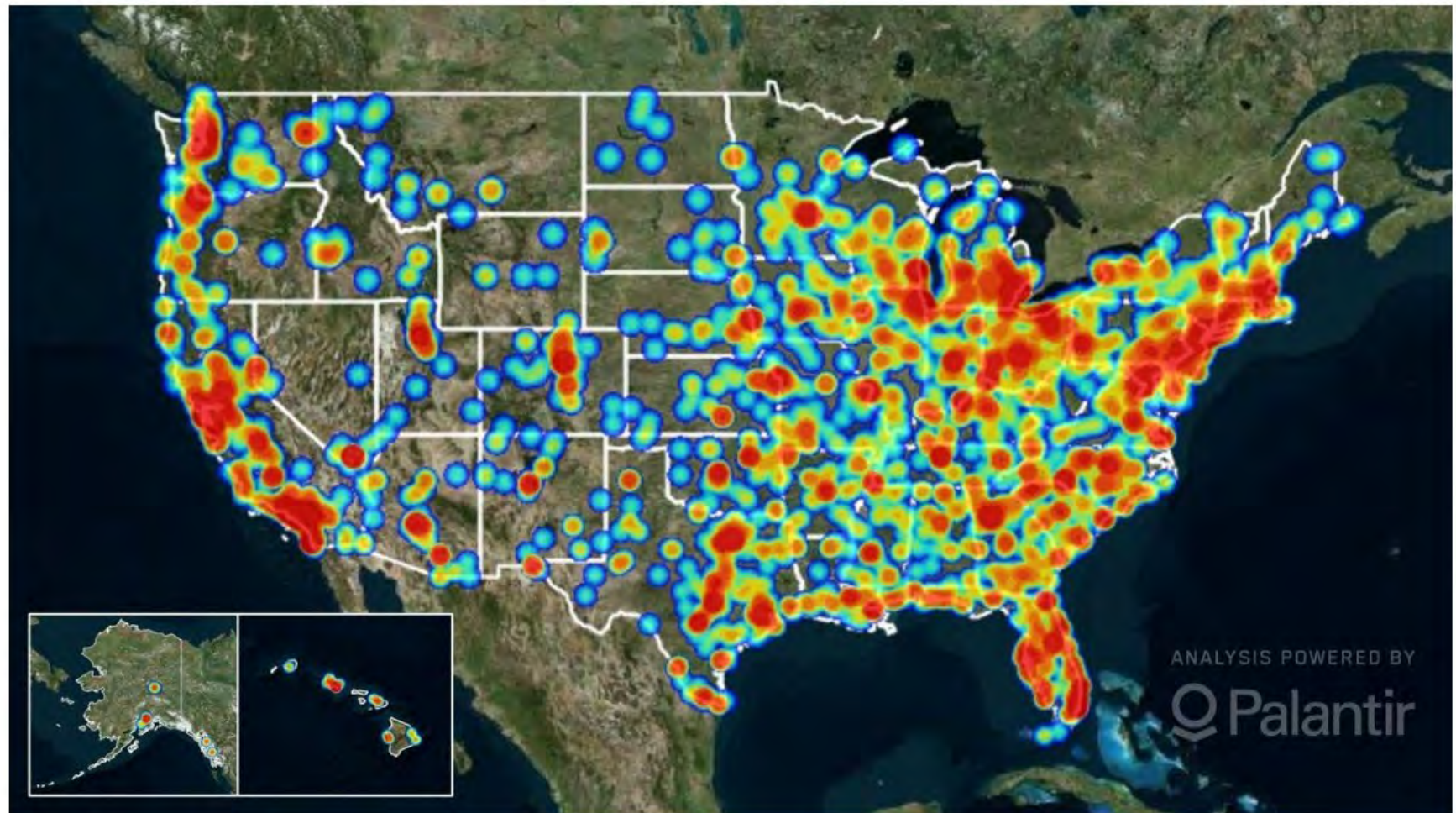
<https://www.youtube.com/watch?v=z8h9NAE4dwg>

# IS THIS REALLY HAPPENING?

## Locations of Likely Human Trafficking Cases in the U.S.

“Traffickers often rely on the transportation industry in every phase of human trafficking: for recruitment, moving and controlling victims, and for delivering victims to buyers who will complete their exploitation through either commercial sex or forced labor ventures.”

From the Executive Summary page 8



<https://polarisproject.org/2018-us-national-human-trafficking-hotline-statistics>

# 2018 U.S. NATIONAL HUMAN TRAFFICKING HOTLINE STATISTICS

**23,078**  
SURVIVORS  
IDENTIFIED

**10,949**  
HUMAN  
TRAFFICKING CASES

**5,859**  
POTENTIAL  
TRAFFICKERS

*Need help?* Polaris operates the U.S. National Human Trafficking Hotline.

Call 1 (888) 373-7888

\*Text "BeFree" 233733

Live Chat

 QUICK EXIT



# Human Trafficking in Indian Country



# Facts about Human Trafficking in Indian Country

- In 2015 the National Congress of American Indians found that an estimated 40 percent of women who are victims of sex trafficking identify as American Indian, Alaska Native, or First Nations.
- Why seek Natives? “We’re associated with fetishes,” such as long hair, exotic looks that sex patrons perceive as Asian or Hispanic, Imus-Nahsonhoya says.”We could look like anything.”



# Facts about Human Trafficking in Indian Country

- The high rates of poverty and hardship in tribal communities;
- Historical trauma and culture loss;
- Homelessness and runaway youth;
- High rates of involvement with child welfare systems, including entry into the foster care system;
- Exposure to violence in the home or community;
- Drug and alcohol abuse;
- Low levels of law enforcement all add up to a community rich in targets for traffickers.
-



# Facts about Human Trafficking in Indian Country

- Many tribes aren't equipped to deal with trafficking. "These tribes still don't have the right codes [laws] to prosecute traffickers," Imus-Nahsonhoya says. "We're not prepared to deal with trafficking in tribal casinos."
- "Tribal leadership is key to addressing trafficking," says Imus-Nahsonhoya.

Valaura Imus-Nahsonhoya, Hopi, Honwungsi Consulting Services

# Cultural and Spiritual Abuse

In a relationship, [cultural abuse](#) can include when your partner:

- criticizes you for not being “Native enough” or being “too Indian”
- degrades you through hurtful stereotypes
- prevents you from going to ceremonies, pow wows or feasts
- tells you how to practice your traditions
- uses tribal membership or blood quantum against you

Spiritual abuse can happen when a partner prays against you or your family or misrepresents spiritual or tribal beliefs to get you to do something you don't want to do. A spiritually abusive relationship restricts a person from honoring their spiritual side or religious beliefs or may force someone to abandon their beliefs entirely.



Shakowppe Mdewakanton Sio

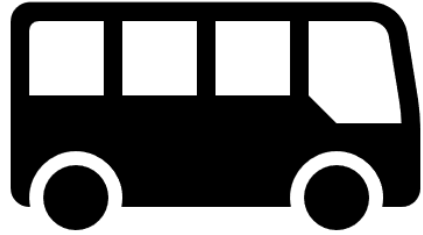
Stronghearts Native Helpline

# RED FLAGS

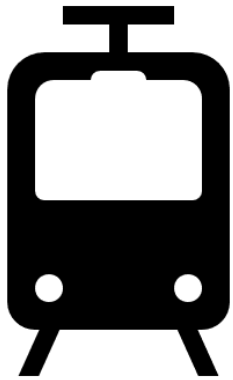
- Exhibits unusually fearful behavior after bringing up law enforcement
- Is not able to speak for themselves
- Unable to clarify where she is staying/address
- Brags about making/having money
- Numerous inconsistencies in story
- Has key cards for hotel rooms
- Talks about wild parties, invites others
- Is seen with older people (obviously not related)
- Tattoo's/Branding
- Multiple Electronic devices, with no explanation
- Frequent use of social media sites known for online dating/recruiting
- Seen in places not consistent with lifestyle



# Messaging and Training Tools



42% = survivors who stated buses were used in the facilitation of their exploitation.



26% = survivors reported public transit played a role in at least one exit attempt.

# PUT THE BRAKES ON HUMAN TRAFFICKING®

## PLEDGE

The U.S. Department of Transportation's Transportation Leaders Against Human Trafficking initiative calls on all transportation industry leaders to join us in our commitment to employee education, raising public awareness, and measuring our collective impact by signing this voluntary pledge.

We pledge with one voice as national leaders to join with partners across the transportation industry to work together and end human trafficking by:

- \* Educating our employees and organizational members on how to recognize and report signs of human trafficking
- \* Raising awareness among the traveling public on human trafficking issues by utilizing common messaging in targeted outreach campaigns
- \* Measuring our collective impact on human trafficking by tracking and sharing key data points

By uniting our efforts across the transportation sector, we will see greater progress in reaching our ultimate goal of eliminating human trafficking.

Signature, Date

Name, Title

Organization/Address

Phone

Email

*By signing this Pledge, you affirm that you are authorized to make this voluntary commitment on behalf of your organization, and you acknowledge and agree to grant USDOT permission to publicly reference that your organization is a TLAHT pledge signatory..*

Sign the Pledge.

Be a change agent!



## #1 'SEE SOMETHING SAY SOMETHING' APP FOR TRANSIT AGENCIES

Riders feel safer with ELERTS' app on their phone. Safety and security concerns can be reported in seconds. Transit agencies get immediate awareness of incidents. Heat maps show recurring problem areas.



*“Our See Something Say Something app has been in place for only six months and we are getting great responses. One transit agency has received 28 reports of HT; another agency received 14 such reports.”* Ed English CEO, ELERTS

# Real Human Trafficking Reports



## Bachman Human Trafficking

I think the woman next to this man may be held against her will. The man next to her keeps being very direct with her, making her drink water at his command, making her get up and ask other passengers for items. He's

now trying to get other women to "join him to make money".

We are on greenline train heading north, Pulling into Bachman Station. Front rear facing passenger car



## (Platform) Human Trafficking

Child endangerment. Woman has drugged child to silence her while woman panhandles.



## Other Human Trafficking

Man in red and individual, who looks to be an underage (pictured), seem to have an inappropriate relationship - witnessed kissing and rubbing mans upper leg.



## (Platform) Human Trafficking

Possible human trafficking I was just on a [redacted] train that stopped at 19th st [redacted] and the female passenger was trying to evade her fiend and the guy came back on [redacted] and said I'll slap you if u don't get off u could tell she was trying to run from him. She had a huge scratch on her neck that was somewhat bloody. She was wearing a purple sweater and purple shoes he was an African American male in his 30s



# County Connection Protocol

Observe *Potential Victim* **on bus**

- Use PRTT on the radio
- If *potential victim* is on the bus use the code words “County Connection 2477 “ Follow instructions given by Dispatch
- **Do Not** make contact
- Complete an occurrence report



# County Connection Protocol

*Potential Victim* is **off bus**

- Again - Call Dispatch - use PRTT on the radio.
- Follow Dispatch instructions
- Do Not make contact
- Complete an occurrence report



# ON THE ROAD TO **END** HUMAN TRAFFICKING

KNOW. WATCH. REPORT.



## FEEL TRAPPED? NEED HELP?

- Are you being forced to work against your will?
- Are you being threatened or tricked by your boss?
- Are you being forced to sell or trade sex acts?
- Do you want to get out of the life, but are trapped and afraid to leave?

### Get help.

Call 911 for emergencies.  
Call the National Human Trafficking Hotline,  
888-373-7888.

Or text "HELP" to 233733 (BeFree).

24/7 | Toll-Free | Confidential

## ¿TE SIENTES ATRAPADO? ¿NECESITAS AYUDA?

- ¿Estas siendo obligado a trabajar en contra de tu voluntad?
- ¿Has sido amenazado o engañado por tu jefe?
- ¿Te obligan a cometer actos sexuales?
- ¿Quieres un cambio de vida pero te sientes atrapado y atemorizado a salir?

### Obtén ayuda.

Llama al 911 para emergencias.  
Llama a la Línea Nacional Contra el Tráfico de  
Humanos, 888-373-7888.

O textea "HELP" al número 233733 (BeFree).

24/7 | Número gratuito | Confidencial

BeFree is permitted to send human trafficking reports of a national community including the Texas Governor's Commission for Human and Child Sex Trafficking, Texas state law enforcement agencies, and industry partners.



Call 888-373-  
Or text "Help"

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Or text "Help"

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PUT THE BRAKES ON HUMAN TRAFFICKING.

LEARN THE SIGNS  
report it now.  
888.3737.888  
text bef free  
(233733)

WHAT YOU SEE  
COULD SET SOMEONE FREE.

www.humantraffickinghotline.org

Transportation Leaders Against Human Trafficking



PUT THE BRAKES ON HUMAN TRAFFICKING.

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report it now.  
888.3737.888  
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(233733)

THE SIGNS OF  
MODERN DAY SLAVERY  
AREN'T THIS EASY TO SEE.

www.humantraffickinghotline.org

Transportation Leaders Against Human Trafficking



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WHAT YOU SEE  
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www.humantraffickinghotline.org

Transportation Leaders Against Human Trafficking



Sexually trafficked  
children are hiding  
in plain sight.

*metro.net/rescue*

LA METRO



Santa Fe Trails

<https://www.youtube.com/watch?v=GwnbzcRZmi0>

**Immediately:**

If you're watching a crime in progress, call 911 and then call the hotline. If you're at a truck stop/travel plaza or any other place of business, please notify the manager-on-duty of the suspicious activity; she/he needs to be aware of what is taking place on the lot and assist in ending it.

**Warning:**

Please do not approach traffickers. Allow law enforcement to deal with traffickers and recover victims. Approaching traffickers is not only dangerous for you and their victims but could lead to problems in the eventual prosecution of traffickers.

**Note:**

There is now a lifetime ban on a CDL for any individual who uses their CMV to commit a felony involving a severe form of human trafficking. All 50 states and DC have a law criminalizing sex trafficking. Some states punish sex purchasers the same as sex traffickers, generally with felony level crimes, and 31 states have a buyer-applicable trafficking law that prohibits a mistake-of-age defense in prosecutions for buying a commercial sex act with any minor under 18.

4/28/2024

**Make the Call, Save Lives.**

**Busing on the Lookout (BOTL)**

**1-888-3737-888 (US)**  
**1-800-222-TIPS (Canada)**  
**01800-5533-000 (Mexico)**

**Text INFO or HELP to BeFree (233733)**

[www.busingonthelookout.org](http://www.busingonthelookout.org)

Human trafficking is modern-day slavery. Traffickers use force, fraud and coercion to control their victims. Any minor being sold for sex is a victim of human trafficking. Trafficking can occur in many locations, including bus terminals, restaurants, hotels/motels, strip clubs, casinos, private homes, truck stops, etc. Moreover, traffickers utilize bus terminals to recruit victims out of, as well as the bus itself to transport their victims. Whether you work behind a ticket counter, conduct bus maintenance, or are a professional driver, members of the bus industry are in a position to spot potential human trafficking situations and save a life. To report a tip or to help a victim access services, call the National Hotline at:

**1-888-3737-888 (US) ■ 1-800-222-TIPS (Canada)**  
**01800-5533-000 (Mexico) ■ Text INFO or HELP to BeFree (233733)**

For law enforcement to open an investigation on your tip, they need "actionable information," and as many details as you can provide. Specific tips helpful when reporting to the hotline would include:

- Descriptions of cars (make, model, color, license plate number, etc.) and people (height, weight, hair color, eye color, age, etc.) Take a picture if you can.
- Specific times and dates (When did you see the event in question take place? What day was it?)
- Addresses and locations where suspicious activity took place

**Questions to Ask:**

- Do you know the person who is picking you up?
- Do you feel safe with the person you're traveling with?
- Do your parents/siblings/relatives know where you are? If not, why not?
- Are you free to come and go as you please?
- Are you or your family being threatened? What is the nature of the threats?

**Trafficking Red Flags to Look For:**

- Restricted or controlled communication—not allowed to speak for self
- Disheveled appearance, unkempt, alone, scared/crying
- Offers to exchange sex for a ride, meal, etc.
- Does not know the person who is picking them up
- Any acknowledgement that she/he has a pimp and is making a quota
- Signs of branding or tattooing (often of trafficker's name)
- Is not in possession of own ticket or ID



**Make the Call, Save Lives.**

**1-888-3737-888**

[www.busingonthelookout.org](http://www.busingonthelookout.org)

**BUSING ON THE LOOKOUT (BOTL)**  
**Public Transit Bus Drivers**

**The problem:**

Human trafficking — or modern-day slavery — is the exploitation of human beings through force, fraud, or coercion for the purposes of commercial sex or forced labor. There are an estimated 40 million victims of human trafficking globally, including thousands of school age children in the United States and Canada. Many of them are used in the sex industry, where they are sold on the street and in private homes or in businesses such as restaurants, truck stops, and motels.

Pimps/traffickers recruit out of schools, online, in shopping malls, as well as the streets and other locations, including bus stops and terminals. They utilize buses in transporting victims, and when victims are able to get out, a bus or bus terminal may be the first place they'll go to find safety or escape. Over 450 cases of human trafficking involving buses in the United States have been reported to the National Human Trafficking Hotline.

**The response:**

Busing on the Lookout (BOTL) recognizes that members of the bus industry are uniquely positioned to help law enforcement in recovering victims and arresting traffickers. Public transit bus drivers are the eyes and ears of cities throughout the United States and Canada. Many are also responsible for providing school transportation to high school students in several major metropolitan areas. As half of American and Canadian school children ride the bus daily, some victims will continue attending school during the day — and riding the bus — even while they are being trafficked or groomed at night.

- Public transit drivers should be on the lookout for signs of control, such as passengers who are not allowed to speak for themselves or carry their own tickets or identification documents. Victims may have markings or tattoos that could be a trafficker's branding, and a driver could overhear comments about having a pimp or needing to make a quota. Drivers should pay close attention to passengers who seem confused or afraid.
- Public transit drivers who provide school transportation see students almost every day as they shuttle them between home and school. Drivers should be on the lookout for changes in students' behavior, moods, or physical appearance. They should take note of frequent absences and pay attention to people waiting to pick up a student at the bus stop, particularly if that person displays controlling or manipulative behavior.

**The method:**

Train all drivers with BOTL materials by showing them the 30-minute BOTL training video and obtaining a wallet card for every driver. These materials describe human trafficking, outline a series of red flags and tips of what to look for, and explain how to report the situation to law enforcement and the National Human Trafficking Hotline. For more information see [www.busingonthelookout.org](http://www.busingonthelookout.org) or contact Annie Sovcik, program director for Busing on the Lookout, at [asovcik@truckersagainstrafficking.org](mailto:asovcik@truckersagainstrafficking.org).



3<sup>rd</sup> ROUND

# COVID-19 IMPACT ON TRAFFICKING:

Keeping Kids Safe Online



<https://truckersagainsttrafficking.org/covid-19-dispatch-series/>

# Combating Trafficking

## Native Youth Toolkit on Human Trafficking



### WHAT'S INSIDE:

- What is Human Trafficking?
- Stories of Human Trafficking
- Tips for Protecting Yourself
- Ways You Can Fight Human Trafficking In Your Community
- Additional Resources

*"You can save a life and make a difference in your community."*

—J.M., Shoshone-Bannock Tribal Member



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**  
Office of Trafficking in Persons



## Social Media Resources for Native Youth

### Like:

- [StrongHearts Native Helpline](#)
- [National Indian Women's Resource Center \(NIWRC\)](#)
- [Girls Educational & Mentoring Services](#)
- [Polaris Project](#)
- [Safe Horizon](#)



### Follow:

- [@StrongHeartsdv](#)
- [@niwrc](#)
- [@GEMSGirls](#)
- [@Polaris Project](#)
- [@SafeHorizon](#)
- [@ACFHHS](#)



### Follow:

- [StrongHearts Native Helpline](#)
- [NIWRC](#)
- [Girls Educational & Mentoring Services](#)
- [Safe Horizon](#)



### Subscribe:

- [NIWRC](#)
- [Polaris Project](#)
- [Safe Horizon](#)



#endtrafficking

#lookbeneaththesurface

"I was embarrassed to tell anyone, I didn't want to shame my family. I wanted to die. I eventually escaped and now work fighting trafficking. I never want anyone to go through what I went through. It's important to know the signs and have the tools to protect yourself. Hold events, movie screenings, and talk to your friends and family about human trafficking. If you see something suspicious report it. You can save a life and make a difference in your community." -- J.M., Shoshone-Bannock Tribal Member

# Thinking and Planning Best Practices

1. System Wide, Top To Bottom
2. Involve local resources & individuals
3. Identify First Responders
4. Tribal Leaders and Elected Officials
5. How will you report?
6. Feedback loop
7. Put traffickers on notice

Not on MY BUS. Not on MY TRAIN. Not in MY COMMUNITY!

# Let's Git to Gittin'!

"A nation's greatness is measured by how it treats its weakest members." Mahatma Ghandi

*Continue learning*  
Kristen Joyner  
South West Transit  
Association  
kjoyner@swta.org  
615-390-6863

# Tribal elders prefer that we do not begin our examination of MMIW with statistical data

- Patsy Whitefoot, as a Yakama tribal elder and family member of a sister that has gone missing she suggests that we begin with a statement that honors and respects the life of Missing and Murdered Indian People.
- Well thought out actions must be taken regarding our Missing and Murdered Indian People --U.N. Declaration statement as outlined "that indigenous peoples have suffered from historic injustices as a result,, their colonization and dispossession of their lands, territories and resources...and recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples".

# Indigenous people have rights



Patsy whitefoot

- “Indigenous individuals have rights of life, physical and mental integrity, liberty and security of person and Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any act of violence, including forcibly removing children of the group to another group”.
- The Department of Justice recognizes the United States’ unique legal relationship with federally recognized Indian Tribes. The United States Constitution, treaties, federal statutes, executive orders, and court decisions establish and define the unique legal and political relationship that exists between the United States and Indian tribes.

# Murdered Missing Indigenous Women - 5,712

- The National Crime Information Center reports that, in 2016 there were 5,712 reports of missing American Indian and Alaskan Native women and girls. (NCIC 2018). Federal Bureau of Investigation.
- The US Dept. of Justice's missing persons database, NamUs, only logged 116 cases.
- The Center for Disease Control and Prevention has reported that murder is the third-leading cause of death for Indigenous women.
- The rates of violence on some reservations can be up to 10 times higher than the national average. Urban Indian Health Institute, Seattle Indian Health Board (2016), citing National Institute of Justice who looked at Death Certificates.
- .

# National Intimate Partner and Sexual Violence Survey (NISVS)- NIPC, CDC, National Inst. Justice

- More than 4 in 5 American Indian and Alaska Native women (84.3 percent)
- have experienced violence in their lifetime. This includes -
- 56.1 percent who have experienced sexual violence.
- 55.5 percent who have experience physical violence by an intimate partner.
- 48.8 percent who have experienced stalking
- 66.4 percent who have experienced psychological aggression by intimate partner.
- The survey found one third of all American Indian women will be raped in their lifetimes.
- The National Institute of Justice (NIJ) funded the analysis of death certificates found that, one some reservations, Native women are murdered at a rate more than ten times the national average.



# U.S. Attorney's Office - Failure to prosecute



- During my time in the Spokane Tribal Attorney's Office, I worked with really good Tribal Prosecutors and we worked to hold perpetrators of rape, domestic violence, and child molestation accountable. We worked through law and order code changes that previously required proving "enticement" to get convictions on molestation. We worked with forensic interviewing specialist like Casey Family Partner services to have interviews hold up in court. Build a Good Case.
- Nevertheless, we continued to get declination letters from the United States Attorney's Office. We witnessed extreme cases of rape, sodomy and extreme violence that the U.S. Attorney's Office declined to prosecute. Even one severe violent case in which a tribal member was sliced ear to ear under her throat requiring 72 stitches.

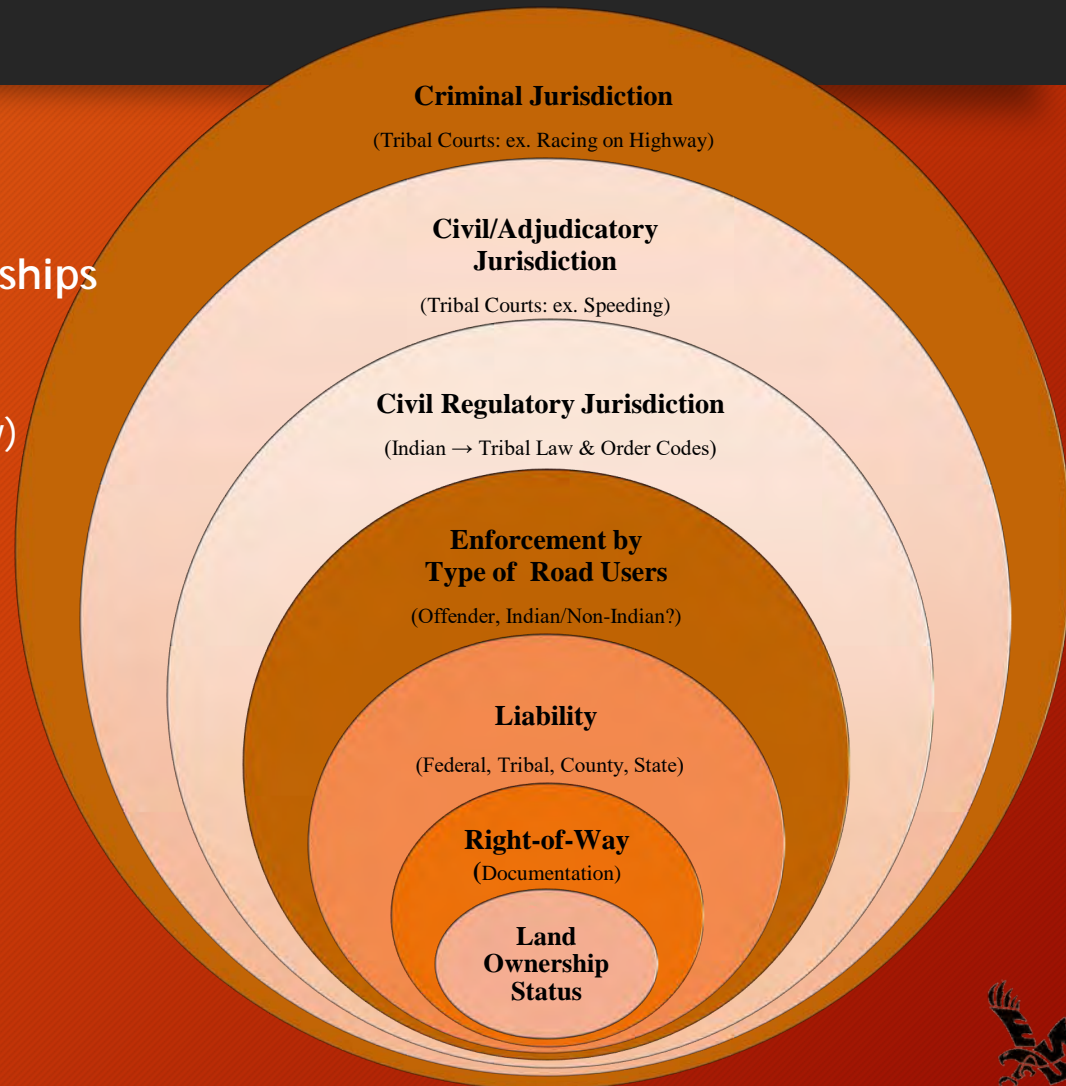
# Critical Issues of Tribal Jurisdiction

- Oliphant - No jurisdiction over Non-Indians
- Shortage of Tribal Law Enforcement
- Poor relationships with local counties - Spokane Tribe 4<sup>th</sup> July DV
- Complex Jurisdictional issues - PL 280, Yakama Retrocession
- Prejudice - Institutional Racism - No one even looks for us
- Major Crimes = Federal, FBI, U.S. Attorneys Office often declines prosecution.
- Wash State Patrol - told tribe their insurance won't cover there activities on reservation
- WSP- stop doing investigation when they found out 4 fatalities were tribal members on Hwy 97

# Jurisdictional Issues Tribal Nation's Relationships with State & Local Agencies

## The Tools for Intergovernmental Working Relationships

- \* Intergovernmental Cooperative Agreements  
(Potential regulatory, administrative, or judicial clarity)
- \* Cross-Deputization Agreements  
(Law Enforcement)
- \* MOU/MOAs  
(ex. EMS/Fire services)



Adapted from: Right-of-Ways over Tribal Lands  
18<sup>th</sup> Annual Northwest Tribal Transportation  
Symposium, Raquelle "Kelly" Myers, Staff Attorney  
for the National Indian Justice Center,  
California/Nevada TTAP.



# Improving Safety of Tribal Women - Holding perpetrators of DV accountable

- Enacting reforms on federal crimes to help enhance jurisdiction over crimes of domestic violence, tribal protection orders, and amendments to the Federal assault statute - would significantly improve the safety of women in tribal communities and allow Federal and tribal law-enforcement agencies to hold more perpetrators of domestic violence accountable for their crimes." Thomas J. Perrelli,
- Need for greater tribal jurisdiction over Domestic Violence Cases
- A Tribe's ability to protect a woman from violent crime should not depend on her husband's or boyfriend's race.
- It is immoral for an Indian woman to be left vulnerable to violence because her abusive spouse is non-Indian.

# Urban Indian Health Institute, Tribal Epidemiology center began study

- No research had been done on rates of violence against native women living in urban areas.
- Data not clear -Approximately 71% of American Indian and Alaskan Native live in urban areas. The American Indian/Alaska Native population: 2010 U.S. Census Bureau. Other reports estimate 55% rural and small town.
- UIHI-The study sought to assess why obtaining data on violence is so difficult, how law enforcement agencies are tracking and responding to cases, and how media is reporting on them.
- Try to understand the institutional practices that allow them to disappear not once but 3 times - in life, the media, and in data.




# Indigenous Mobility - Rez to City


- It is History and United States Government policies affect where tribal people live today.
- In the 1950s - Forced relocation from reservations to urban areas promoted by certain members of congress to prep for termination. Dako
- Termination policies - This policy eliminated government recognition of tribes and sell tribal lands. After they took most all the could.
- Barriers to obtaining quality housing, education and employment on the reservation. Have to move to city. Poor geography.

**×** COME TO DENVER.  
THE CHANCE OF YOUR LIFETIME!


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Retail Trade  
Manufacturing  
Government-Federal, State, Local  
Wholesale Trade  
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**Happy Homes**  
Beautiful Houses  
Many Churches  
Exciting Community Life  
Over Half of Homes Owned by Residents  
Convenient Stores-Shopping Centers

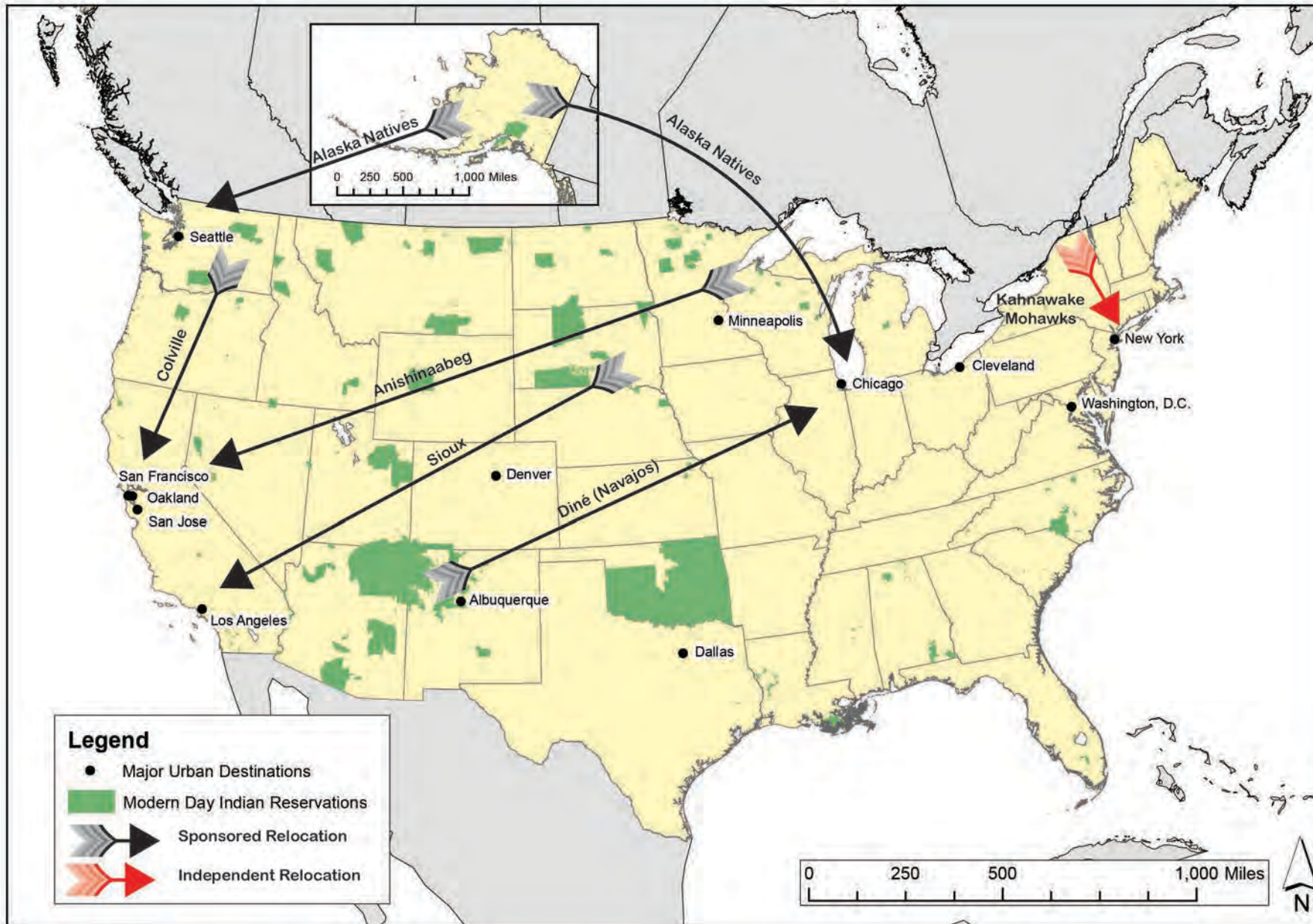


**Training**  
Vocational Training  
AutoMech, Beauty Shop, Drafting,  
Nursing, Office Work, Watchmaking  
Adult Education  
Evening High School, Arts and Crafts  
Job Improvement, Home-making



**Beautiful Colorado**  
\*Tallest\* State, 48 Mt. Peaks Over 14,000 Ft.  
350 Days Sunshine, Mild Winters  
Zoos, Museums, Mountain Parks, Drives  
Picnic Areas, Lakes, Amusement Parks  
Big Game Hunting, Trout Fishing, Camping





## Selected American Indian Relocations, 1950-1970

# Tribal Mobility - Patterns of Travel

- How do you interact with vulnerable communities?
- Traveling practiced routes of our parents, grandparents
- Tribal Mobility - Not random
- Traditionally we are expect to visit our elders.
- Current systems of travel are not keeping our women safe.



# Safety of Indigenous Women & Mobility

Tribal people have unique mobility patterns.

Indigenous women travel from Reservation to City and back to reservation for family and ceremony.

Tribal people are connected to other natives and travel to many different reservations. Hitchhiking.

Ivory - South Dakota - stranded in City of Spokane. She had been on Kalispel rez and boyfriend's family dropped her off.

Not allowed to buy a bus ticket. Mom was on the phone with a credit card. Cash systems. Tribal ID not State Id.

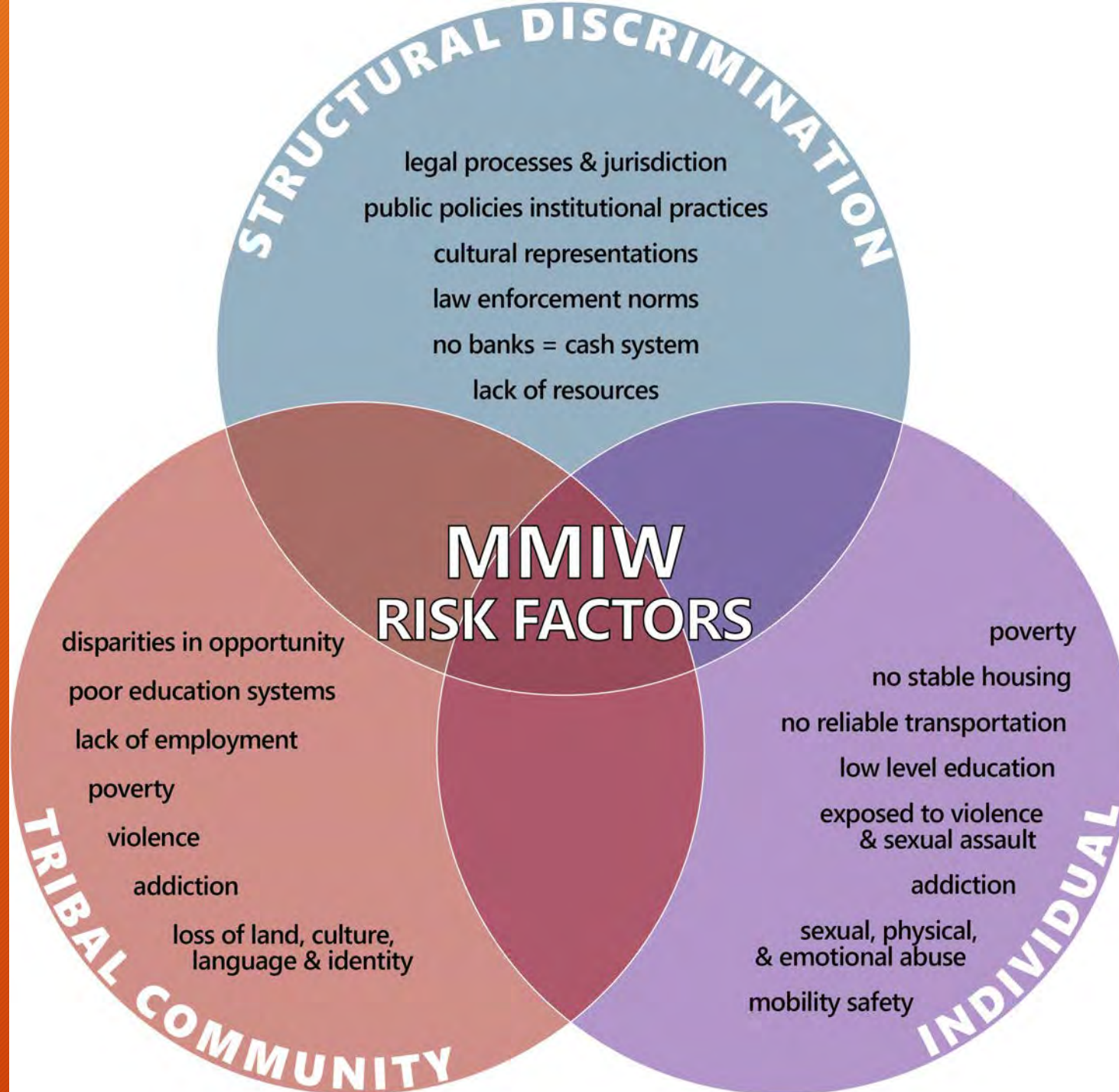


# Violence Against Women - Visibility matters

- ½ of all Indigenous women experience Domestic Violence
- Many DV perpetrators are non-native, We have no jurisdiction over non-Indians
- 67% of child abuse cases are thrown out by U.S. Attorneys Office.
- We had one molestation case that we had forensic interview that molester was yanking on his private. US Attny Declined. Oxygen tank.
- These Indigenous women were victims of domestic violence, sexual assault, police brutality, Sex workers, victims of trafficking, some victims identified as pregnant, homeless, some under age 18. Killed by partners- family member, serial killer, drug dealer.
- 83% of perpetrators identified were male, half were non-native

# Geography - Urban states/cities with highest # cases,

- New Mexico - 78 - Cities like Albuquerque (37)
- Washington - 71 - Seattle (45), (my daughter lives in Seattle)
- Arizona - 54 - Tucson (31)
- Alaska - 52 - Anchorage (31)
- Montana - 41 - Billings (29)
- California - 40 - San Francisco (18)
- Nebraska - 33 - Omaha, Missing persons database, just removed
- \*The Invisible - 153 Indigenous women, identified by UIHI that currently do not exist in law enforcement records.



MMIW Model  
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Margo Hill

# Media Coverage - Stereotyping

- More than 95% of cases were never covered by media
- Vast majority of MMIWG - was centered on reservation based violence.
- This minimizes this issue in urban spaces
- Bolsters the stereo type of American Indians as solely living on reservations and perpetuates the perception of tribal communities a violence-ridden environments.
- Media use language that can be perceived as violent or victim- blaming in their coverage of MMIWG.
- Drugs, alcohol, sex work, gang violence, victims criminal history, making excuses for the perpetrator.

# Human Sex Trafficking of Natives Youth

- North Dakota - Dusty Morsette, 23 male, sentenced to 45 years in federal prison: Bismarck, U.S. Attorney Purdue said "Morsette is a predator who targeted and exploited young girls and women of the Fort Berthold Reservation. He sexually abused multiple young girls, he engaged minor children to sell drugs for him, and he used physical force and coercion to force young woman to perform sex acts for money. The climate of fear he created for young girls and women on the Rez is no more." 2012
- Alaska - Homer Charter boat captain, Randall Scott Hines, 34 sentenced to 10 years prison. 2008-2011 Hines had sex with teenage girls and supplied girls with Meth and other drugs. 4 of the six teenage girls were under the age of 16.

# Alaska - How perp was caught - Charter fishing boat captain

- The crimes were discovered when a health care professional who had been trained by FBI on how to identify trafficking victims, noted that a group of adolescents has the same sexually transmitted disease.
- “Innocence Lost” task force to tackle sex trafficking. Developing and working cases, training and outreach.



# Difficult to detect trafficking cases – Rural

**HE PROMISED ME A  
PLACE TO STAY,  
THEN FORCED  
ME TO WORK AS A  
PROSTITUTE.**

[WATraffickingHelp.org](http://WATraffickingHelp.org)

**HELP STOP HUMAN TRAFFICKING.**

인신매매를 멈추고 도움을 받으세요

National Human Trafficking Hotline 1-888-3737-888 or text 233733

King County

City of Seattle

Port  
of Seattle

Sound Transit



- Cases are primarily Internet based;
- Trafficker directly recruit the victims;
- Drugs are typically involved;
- Victims are promised a better life and a chance to earn money
- Pimps isolate victims and remove them from their family.
- Victims have history of victimization. (Priest blaming dad)

# Oregon Human Trafficking

- Oregon are attracting trafficking activity as well. Police report that they encounter three to five victims of human trafficking per week; 80 percent of these are women and 50 percent are children.
- Commercial sex establishments line the I-5 corridor, including at truck stops, which facilitate transfers of sex trafficking victims between the Mexican and Canadian borders.
- Federal prosecutors have reported a recent surge in sex trafficking and related arrests in the Springfield-Eugene area. 6 Trends in Oregon, where more adults are travelling to Southern Oregon to have sex with children they have met online, confirm studies showing that rural children are the ones most often lured into prostitution, not inner city children. The Southern Oregon High-Tech Crimes Task Force reports a 29 percent increase in crimes involving child pornography and child sexual exploitation in the past year.

# Legislation at Federal, Tribal & State level

- Navajo Nation passes legislation to protect children from Human Trafficking.
- Violence Against Women Act (VAWA)- Needs to be reauthorized
- TLOA - Obama signed Tribal Law and Order Act that expands the punitive abilities of tribal courts across the nation. Tribal courts have had limited in the scope of punishment they could hand down in criminal cases, giving them the impression of a lower, less serious court.
- Savannah's Act - federal bill, required federal law enforcement to track and report data. (doesn't include cities) The bill was blocked by one vote, Bob Goodlatte of Virginia opposed certain provisions.
- Tribal Nation Resolution - Yakama Nation fighting drugs
- Challenges in accessing data - impede the ability of policy makers to make informed decisions to address this violence.

# Abducted from Tribal Park on Montana Rez

- Jackie - got human trafficked to Mexico. 21 years old. Sitting at a park. She was fighting with her mom. Had her headphones on and sitting at a park to "de-steam" and somebody grabbed her from behind and took her. They had her underneath a shed in Mexico and she crawled out of a little tiny hole and ran as fast as she could to border. Another girl got out with her and they told each other just run as fast as you can. Thankfully border police believed her and called her family in Montana. Her family came and got her and met her in San Diego. She is still traumatized. She doesn't know what happened to the other girl or if she got out.

# SPOKANE CITY Examples



- My niece Desiree, her tried to take her from Walmart parking lot at Pines and Sullivan, He had her car blocked in, she was going to cash her paycheck.
- My niece Nikki - drugged down at the Globe.
- Yakama tribal female - Tammy -Downtown Spokane Bar - she went to charge her phone and her phone was dead. Abducted. She came to and she was under maple street bridge. There was a 12-foot fence with a little tiny hole. Her shirt was ripped. She was beat up, her face beat up and She had to crawl under that fence. Wallet and money were gone, she was from Yakama tribe.
- Marlene, Northern Cheyenne, grew up in Spokane Foster Cares system. 4 months ago tribal female found half clothed in a Spokane alley. No shoes, no phone. Drug allegations. No investigation. No Media Coverage.

# Vulnerability to Human Trafficking

- Runaway/Homeless youth: The vulnerability of potential victims, especially minors, to sex trafficking in southern Oregon and rural towns is increasing, with sex crimes involving prostituted children and “survival sex” incidents among runaway and homeless youth on the rise.
- Minors cannot consent to any sexual activity and are victims by legal definition.
- Those involved in trafficking of persons do so by controlling the basic necessities of life of their victims. Safe and secure housing is not only a way of protecting victims but cutting the link between abuser and abused
- Awareness-raising - provide stickers with a national trafficking hotline telephone number in the renewal notices sent out to restaurants and bars throughout Oregon.

# Teenagers treated as criminals; “johns” offered johns school to avoid criminal record

- Teens over the age of 18 are most vulnerable, as they are legally considered adults and if they are arrested for prostitution, instead of receiving protection or assistance, they are treated as criminals, charged with sex crimes, and if convicted, face jail time and a criminal record.
- In contrast, “johns” (customers) in Oregon have been given the option of attending a “johns’ school” for a small fee to avoid any criminal record or fines.
- The traffickers or pimps are rarely prosecuted or convicted;

# Prosecution Challenges

- Proving coercion can be challenging
- Traumatized victims are reluctant to cooperate with law enforcement and may have difficulty articulating the complex combination of feelings of dependence, love and loyalty that compel them to remain under the control of the trafficker.
- Trauma-informed approach in the investigation and prosecution phase is critical.
- Trial is hard on Victims - it can be devastating to a young victim who may be struggling physically, mentally and emotionally with the after effects of being trafficked.

# Themes Developed in Oregon report

- Existence and impact of generational trauma
- Interconnected relationship between the incidence of foster care, homelessness, and vulnerability to human trafficking (OR Native children placed in foster care at a rate of 5x that of whites)
- Vast underreporting of sex trafficking and other crimes within Native communities
- Distrust of non-tribal law enforcement, both police and prosecutors
- Jurisdictional confusion among law enforcement and tribal members and crimes that involve Native Americans and take place on reservation.
- Lack of funding for traditional healing methods for Native Americans that have been victims of generational trauma and of crime, including trafficking.

# Foster Care, Homelessness - increased vulnerability for human trafficking

- In general, youth in foster care may also have an increased likelihood of becoming homeless,
- Homelessness also leads to an increased vulnerability to trafficking. Per one statistic, a homeless teen is approached within 72 hours of being on the street for recruitment in a trafficking enterprise.
- Given that Native children are overrepresented in the foster care system, and children in foster care are generally much more likely to become homeless, Native youth appear to have increased vulnerability for human trafficking.

# Today U.S. Attorney's are responding

- I have personally seen a change in U.S. Attorney's Office responding to cases happening on Indian Reservations.
- 3 year old - assault with a skull fracture. The assailant fled to Canada but was finally arrested and extradited. We met with FBI and 2 Assistant U.S. Attorneys. All hands on Deck.
- Recently a drug possession case at a tribal casino hotel. A patron facing 10 years.
- I believe because of MMIW initiatives, legislation, media on marches, the red hand painted on our face, we are making a significant change to how federal law enforcement authorities are dealing with our cases.

# Protecting Juvenile Victims of Trafficking

- The TVPA also mandates HHS to initiate a pilot program to protect juvenile victims of trafficking.<sup>146</sup> HHS must establish three residential treatment facilities that provide shelter, psychological counseling and independent living skills development. Congress authorized \$5 million for each year for fiscal years 2008 through 2011 for these facilities, but these were never actually funded.



# Choctaw Nation Guidelines for treatment of human trafficking victims



- Victims shall be:
- Housed in a shelter
- Not detained in jail
- Not fined or penalized
- Receive prompt medical care, food other assistance as needed
- Have legal assistance
- Be provided protection if safety is at risk



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Small Urban, Rural and  
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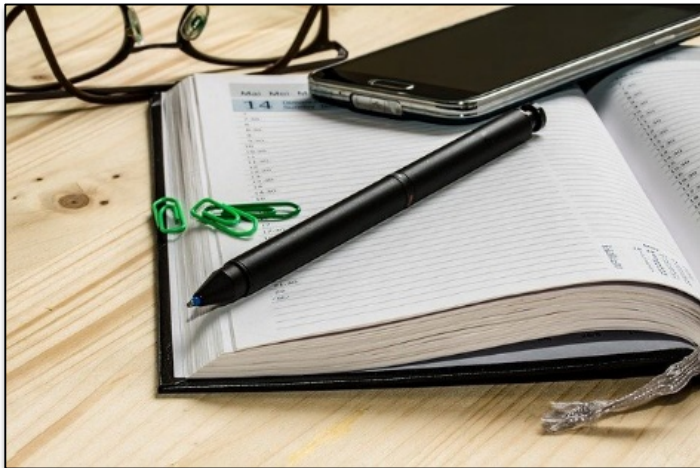
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