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COMBATING HUMAN TRAFFICKING: FEDERAL, STATE, AND LOCAL PERSPECTIVES

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

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COMBATING HUMAN TRAFFICKING: FEDERAL, STATE, AND LOCAL PERSPECTIVES

MONDAY, SEPTEMBER 23, 2013

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:30 p.m., in room SD–342, Dirksen Senate Office Building, Hon. Thomas R. Carper, Chairman of the Committee, presiding.

Present: Senators Carper, Heitkamp, McCain, Ayotte, and Chiesa.

OPENING STATEMENT OF CHAIRMAN CARPER

Chairman CARPER. I was going to say the Committee should come to order, but the Committee is already in order, and we thank you for gathering with us today.

I really want to thank Senator Heitkamp, who is en route—not from North Dakota, but she is, I think, in the building. She will be here momentarily. But she and Senator Chiesa, both new Senators, actually recommended that we hold a hearing on this subject. I do not know if this is something they coordinated or not. I know Senator Ayotte is a former Attorney General (AG). All three of them are former AGs from their respective States. But they have a strong interest in this issue, and they brought it to my attention and to the attention of Dr. Coburn, who is Ranking Republican on the full Committee, and we are very grateful to each of you for coming.

We have a second panel, I think, that is going to follow you, and we are going to go ahead and get started. I am going to ask, since Senator Chiesa is actually filling in for Dr. Coburn today, he moves from over there to right here, and Senator Heitkamp, is going to move from over there to right here. So we will figure this all out, and we will get in our right seats and get on with the hearing.

But human trafficking has been described as "modern-day slavery," and that is because its victims are in some cases forced to work, including as prostitutes, sometimes in sweatshops, against their will. Trafficking victims may not be physically imprisoned, but they are trapped in often hellish conditions through physical or mental coercion that makes escape impossible, or at least seem impossible.

It is easy to think of human trafficking as something that happens somewhere else—in countries far away from ours that are suffering through war or maybe poverty. But, sadly, human trafficking

is a real and a growing problem all over the world, including right here at home. And it can be invisible unless officials and citizens alike are trained to recognize the telltale signs.

By some measures human trafficking is the second most significant criminal enterprise in the world, generating an estimated $32 billion in revenue. To me that is stunning, and maybe to you as well. The statistics for one type of human trafficking—prostitution—are particularly shocking. I am told that every year more than 100,000 children in the United States are forced into prostitution. The average age of entry into prostitution is roughly 13 years of age. In fact, I understand that there have been reports of teenage girls forced to work as prostitutes by gangs and literally branded with tattoos to mark them as property.

While the word "trafficking" sounds like a crime that involves moving people, the truth is that human trafficking does not necessarily involve victims smuggled in from other countries—or even other States. Human traffickers prey on vulnerable people in our own communities. While some victims are undocumented immigrants, many are teenage runaways or other vulnerable individuals born and raised in the United States.

Just last year, in Wilmington, Delaware, a man was found guilty of forcing a 15-year-old girl to work for him as a prostitute. And just last month, the Federal Bureau of Investigations (FBI) conducted a 3-day operation in 76 cities that led to the rescue of 105 children who had been trafficked into the commercial sex trade. Two of the children were found in the Philadelphia suburbs, roughly 20, 25 miles from my home.

This issue reminds me of a passage from the Book of Matthew in the Bible. Some of you have heard it. I guess many of you have heard this. This is the reference to "the lease of these." But when Jesus describes how God looked on those who perform acts of kindness for the disadvantaged by saying "in as much as you did it to the least of my brothers, you did it to Me." And these vulnerable people being preyed on by human traffickers are clearly "the least" of our brothers and sisters, and I believe that we have a moral responsibility to make sure that they are being protected.

I am always looking to understand the underlying causes of things so that we are not just focusing on treating the symptoms. We are pretty good at treating symptoms. We do not always go after the underlying causes. In the case of human trafficking, I am hoping that our witnesses today can help us to better understand three key things:

First, we need to know what drives human trafficking so we can be more effective at stopping it.

Second, we need to get better at identifying victims so that we can more successfully intervene and remove them from their terrible situations.

And third, and last, we need to better identify potential victims of trafficking so that we can intervene before they are ensnared and offer them effective treatment or services before they fall prey.

Today we are fortunate to have two panels of witnesses who can help us understand the current efforts underway at the Federal, State, local, and tribal level to attack human trafficking head on.

On our first panel, we have four senior witnesses from the Departments of Justice (DOJ) and Homeland Security (DHS) who will speak to how the Federal Government has made human trafficking a priority for law enforcement and hopefully address some of the underlying causes.

On our second panel, we have four witnesses who will speak to how human trafficking impacts our communities and how State and local officials—and even school children—are tackling this problem.

I said just before Senator Heitkamp joined us how much I appreciate both of them suggesting that we hold this hearing. Dr. Coburn is not going to be able to join us at the hearing, and Senator Chiesa has grudgingly agreed to sit here and sit in as the Ranking Member of the full Committee.

We have been joined by Senator Ayotte, and it is interesting. I am the only person who is not a former AG. They are all recovering Attorney Generals. [Laughter.]

It is probably not a coincidence since they are all here and they have an intense interest in this because of their roles as law enforcement officers. But we are delighted that you are here, and we are going to start off with our friend from New Jersey who is sitting in for Dr. Coburn as the Ranking Member. And I am going to ask if Senator Heitkamp would like to speak for a while, and to also offer that to Senator Ayotte, if she would be interested in saying anything. You do not have to. If you would like to, feel free. Senator Chiesa.

OPENING STATEMENT OF SENATOR CHIESA

Senator CHIESA. Thank you, Mr. Chairman. Thank you for convening this hearing. Thank you for your leadership of this Committee. And thank you for your leadership on the issue of human trafficking.

As the Chairman said earlier, human trafficking should be called exactly what it is: "modern-day slavery." It is a plague on our Nation and the world. It is, to put it bluntly, a crime against humanity. It is a crime against the dignity of every person who is victimized by the ruthless criminals who trade in human beings. And it is a crime against society. As Dr. King said, "injustice anywhere is a threat to justice everywhere." And it is happening, not just in some foreign land; it is happening here, in our own country. Indeed, it is past time—to put an end to it.

We must not be content to make just a dent in human trafficking. We must do everything we can do to abolish modern-day slavery from our country and around the world. This is an ambitious goal, but not an impossible dream. We must commit ourselves to ending the nightmare that the millions of victims of human trafficking are living every day. Because none of us would give up our freedom for even a day, all of us must dedicate ourselves to ensuring that no one else suffers that fate.

There are more people in slavery around the world today than at any other point in our history. As many as 27 million people around the world are being held in bondage, forced to work in unsafe, degrading, and inhumane conditions. That is the equivalent to 3 times the entire population of New Jersey or 30 times the en-

tire population of Delaware. And an estimated 100,000 of them are right here in the United States. Deprived of their liberty, subject to unspeakable abuse, the victims of human traffickers cry for help. But, too often, their cries are unheard. Today in this hearing we are giving them a voice. We are hearing their pleas for rescue and for freedom. And most important, we are committing ourselves to answering their cries.

The war to eradicate human trafficking must be fought on many fronts. It requires the concerted, sustained efforts of law enforcement—Federal, State, and local. Intergovernmental cooperation is also essential to success. It requires legislators at every level to provide the resources that law enforcement needs to sustain an effective effort to bring human traffickers to justice. And it is not adequate to provide just enough resources to fund a limited effort. Without dedicated resources there cannot be a dedicated effort. It requires lawmakers to make changes to the laws that allow human traffickers to sell their victims with impunity. Modern slaves are no longer auctioned in the public square. They are sold on the Internet and on the back pages of newspapers. Human traffickers, and the publishers who take their advertisements, hide under the cloak of the First Amendment even though the First Amendment was never intended to protect criminal enterprises.

Eliminating human trafficking requires the active involvement of concerned citizens working together to raise awareness about this terrible problem and advocate change. Modern-day slavery exists in the shadows, but it leaves clues to its existence that informed citizens can recognize and call attention to. And it requires the close cooperation of Federal, State, and local governments. We must work together to uncover the crime where it exists, prosecute the criminals to the fullest extent of the law, and assist the victims so they are not twice victimized—first by their captors and then by the system that often treats the victims as criminals themselves.

As an Assistant U.S. Attorney and as the Attorney General of New Jersey, I was in a position to ensure that we put in place the dedicated resources to sustain a dedicated effort to combat human trafficking. But I know that the vast majority of law enforcement agencies across the country and at every level find themselves limited in their efforts by the limitations on their resources. To our witnesses today, I ask you to be very candid in your assessment of where we stand in the fight against human trafficking and to tell us exactly what more we need to do to bring about its eradication.

We have seen over the years effective, short-term efforts to combat human trafficking in places where it seems to grow overnight and disperse just as quickly. International sporting events, such as the Super Bowl—which is being played in New Jersey this February—often attract huge numbers of human traffickers. And in New Jersey, we are seeing a coordinated effort to let human traffickers know that they are not welcome, and that if they decide to bring their evil trade to our State, they will pay a heavy price.

But as important as such efforts are, they are just part of the solution and they are temporary in nature. For human traffickers, there is no off-season. And for their victims, there are no bye weeks or time-outs. Their captors exploit them day in and day out for as long as they can.

Mr. Chairman, I am very much looking forward to the testimony of our witnesses today. I want to again thank you for conducting this hearing today.

Chairman CARPER. You bet. I want to thank you. We want to thank you and certainly Senator Heitkamp for suggesting that we do it and encouraging us in a very strong and forceful way.

OPENING STATEMENT OF SENATOR HEITKAMP

Senator HEITKAMP. Thank you so much, Chairman Carper, and I want to once again reiterate how much we appreciate the opportunity to bring this level of attention to a problem that I think is way too often in the shadows of our society.

I am joined, I think by no small coincidence, by former AG's as we look at victimization and as we look at the challenges of providing services to provide effective enforcement of this kind of act. But we desperately need to take this problem out of the shadows.

We need to identify what the causes are, as the Chairman has said, but also what we can do to provide an effective deterrence to make this our shock value of this problem, we need to have that shock value reflected in our prosecutorial system. We need to make this one of our highest priorities, because as the Senator from New Jersey has said, this is, in fact, human slavery. There is no other way to, I think, identify it. There is no other way to talk about it. And I think way too often we think about this problem as a matter of the sex trade, but yet we know it even goes beyond that. We are looking at trafficking in domestic workers, and these are people who are not here as a result of which is a completely different issue. They are here without any activity on their own. They are here because they are providing a source of revenue. They are being treated as a commodity, not a human being, and we are not that society.

And so, Mr. Chairman, I look forward to the testimony. I look forward to hearing not only what the problem is, but what the solutions are and how we can move forward in a very bipartisan way, as you see the panel up here today, to identify a path forward to prevent this horrible activity from occurring within our borders.

Thank you, Mr. Chairman.

Chairman CARPER. Senator Heitkamp, thank you, and again, thank you very much for your strong encouragement of me.

Senator Ayotte, you are here. I know this is something you care about, and, please, if you want to say a few words, feel free.

OPENING STATEMENT OF SENATOR AYOTTE

Senator AYOTTE. Thank you. I want to thank you, Chairman Carper. I want to thank Senator Chiesa and also Senator Heitkamp. We do share, having been former Attorneys General and I think seeing what a horrible crime this is of human trafficking in each of our States.

I also want to point out, as Senator Chiesa has, that human trafficking is obviously an international problem and an international crime. And, in fact, one of the problems with human trafficking is that it is used to fund terrorism around the world.

So today we are going to be talking about domestic human trafficking, and it is absolutely horrific what happens to victims of

human trafficking. And they are treated like things instead of people, and that is so wrong. So we need to do everything that we can to learn from you about how can we be more effective in allowing these vulnerable victims to come out of the shadows, to properly enforce the crimes, and make sure that we have the right laws in place. And, frankly, we need to send a message that the Federal Government and State governments are working together, that we are not going to tolerate human trafficking in our country, and that we are going to make sure that victims are treated with dignity and respect and that we prevent future victims from falling prey to such horrific crimes.

And I will also say that we know the act of trafficking itself is a horrible crime, but it often fuels other criminal activities. And so we would like to hear from you today what other criminal activities are being fueled by human trafficking and how do we make sure that we come down on those criminals as well as those types of activities that are actually encouraging more trafficking rather than making sure that we stop these types of crimes.

So I thank all of our witnesses for being here, and most of all, I want to thank my colleagues for holding such an important hearing, and I look forward to working with all of you together on a bipartisan basis to address a problem that should not exist in the United States of America.

Chairman CARPER. Senator Ayotte, thank you. And thanks a lot for joining us today. A lot of our colleagues are not here. We have no votes today, and so some may wander in during the course of the afternoon, but the folks that are here convening this hearing care deeply about this issue and want to make sure we address it.

I am going to take a moment to introduce each of our witnesses on the first panel and then later the second panel. But our first witness is Ms. Alice Hill, who I think was one a judge. A superior court judge in L.A.?

Ms. HILL. Yes, Los Angeles Superior Court.

Chairman CARPER. All right. Should we call you "Judge"? Do people still call you "Judge?"

Ms. HILL. Occasionally they do, but I will take "Alice." I will take anything. That is fine. Thank you.

Chairman CARPER. I had 1 day last week when somebody called me "Congressman," somebody called me "Governor," somebody called me "Senator." And then I got a phone call from my 23 year old son Ben, who called me "Captain." He likes to call me "Captain." I said, "At ease, sailor. At ease."

Our first witness is Ms. Alice Hill, Senior Counselor to the Secretary of Homeland Security and Chair of the Blue Campaign, which we will be hearing about today. Before joining the Department in 2009, Ms. Hill served as a Los Angeles Superior Court Judge and as a Federal prosecutor in the Los Angeles United States Attorney's Office. Before her career in public service, Ms. Hill was a lawyer in private practice in Paris, France.

Our next witness is Jim—do you go by James or Jim?

Mr. DINKINS. Jim.

Chairman CARPER. Jim Dinkins, Executive Associate Director of Homeland Security Investigations (HSI) for U.S. Immigration and Customs Enforcement (ICE). As the Director, Mr. Dinkins has di-

rect oversight of ICE's investigative and enforcement initiatives and operations. Prior to assuming his current position, Mr. Dinkins held a number of leadership positions within ICE, including Special Agent in Charge for Washington, DC, and Baltimore. Mr. Dinkins began his law enforcement career with the U.S. Customs Service in 1986.

Our third witness is Anne Gannon. She is currently the National Coordinator for Child Exploitation Prevention and Interdiction at the Department of Justice. Prior to holding this position, Ms. Gannon served as an Assistant U.S. Attorney in the Central District of California for 9 years where she coordinated child exploitation investigations and prosecutions. In 2009, she was named one of the top women litigators in California for her work combating child exploitation. Ms. Gannon began her career as a law clerk to a U.S. district court judge in Arizona. Who was that judge, do you remember?

Ms. GANNON. Yes; Judge Raner Collins in Tucson.

Chairman CARPER. All right. I do not know if that somebody who rings a bell with our colleague here from Arizona or not, but he probably had something to do with that guy getting to be a judge. You never know. [Laughter.]

Our final witness is Mr. Joseph Campbell, Deputy Assistant Director for the Criminal Investigative Division at the Federal Bureau of Investigations. He is responsible for national level leadership of complex financial crimes, public corruption, civil rights, and criminal investigations. Mr. Campbell has held a variety of leadership positions within the FBI and began his career at the Bureau in 1990.

It is my understanding that only Ms. Hill and Ms. Gannon will be providing oral statements for the panel, so we will begin with Ms. Hill and then move to Ms. Gannon. And as questions come along, gentlemen, you will be invited to join in that.

Before you speak, let me just say a number of years ago—I think I was in the Senate, so it would have been in the last 12 years—I was on an Amtrak train heading north to home, something I do almost every day going back and forth. And I ran into one of my former colleagues from the House of Representatives. I believe it was John Miller, and I said to him, "What are you doing these days?" And he said, he worked at the State Department, maybe, and his principal focus was human trafficking. I do not know if it is someone you have ever worked with or knew, but he said——

Senator MCCAIN. Human rights.

Chairman CARPER. Pardon me?

Senator MCCAIN. Human rights.

Chairman CARPER. There you go, human rights. But, anyway, he said it is a big issue. This is a big issue. And he said even then that it is something I ought to think about and focus on as well. So I have thought about it for a while. We are really glad that you all are here. Your full testimony will be made part of the record, so feel free to summarize it as you wish. And I think at least one of you may have some video for us to see as well. Judge Hill.

TESTIMONY OF THE HON. ALICE C. HILL,[1] CHAIR, BLUE CAMPAIGN, U.S. DEPARTMENT OF HOMELAND SECURITY, AND JAMES A. DINKINS, EXECUTIVE ASSOCIATE DIRECTOR, HOMELAND SECURITY INVESTIGATIONS, IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY

Ms. HILL. Thank you very much, Chairman Carper, Ranking Member Chiesa, and Members of the Committee. The Department of Homeland Security welcomes and appreciates the opportunity to speak with you today.

The men and women of DHS are dedicated to combating the heinous crime of human trafficking. The Department's Blue Campaign coordinates and unites the Department's work.

Before discussing specific initiatives of the Blue Campaign, I would like to show you a short public service announcement (PSA) that illustrates what the Senators have been speaking about: That human trafficking occurs in the United States and that there is a need for the public to open its eyes to trafficking victims hidden in plain sight. We will play this now.

[Videotape played.]

This is an example of our attempt to engage the public in a conversation about what is occurring here in the United States. As has been mentioned, traffickers use force, fraud, or coercion to lure their victims and force them into labor or commercial sexual exploitation. As Chairman Carper and Senator Heitkamp noted, it is important to distinguish trafficking from smuggling. The two are often confused, and certainly in our Department, given our authorities, we want to make clear that there is a difference. Human trafficking is exploitation based and does not require movement. Smuggling is movement based across our borders illegally.

I want to share with you the story of a girl named Shyima Hall. Shyima's parents sold her into slavery when she was 8 years old. She was smuggled into the United States when she was 10 years old. She worked as a domestic servant in Orange County, California, 16 hours a day, scrubbing floors, cooking meals. She was rarely allowed outside. She never visited a doctor, and she could not speak English.

When she was 13, a concerned neighbor called in a tip to law enforcement, and Immigration and Customs Enforcement opened an investigation. Her captors were prosecuted, imprisoned, and then deported. Today Shyima Hall is a United States citizen, and her goal is to be an ICE agent because she wants to rescue others like her that she knows are hidden in plain sight in the United States. Shyima's story helps us understand the important role the government can play in identifying, investigating, and prosecuting human trafficking.

DHS is one of the lead Federal law enforcement agencies engaged in combating human trafficking. Through its Homeland Security Investigations, DHS is responsible for investigating and preventing human trafficking, both domestically and internationally. The U.S. Customs and Border Protection (CBP), is in a unique position to detect human trafficking on our borders, as is the U.S.

[1] The prepared statement of Ms. Hill and Mr. Dinkins appears in the Appendix on page 61.

Coast Guard (USCG) on our high seas, the Transportation Security Administration (TSA) at airports and mass transit facilities, and the Federal Emergency Management Agency (FEMA), in disaster areas.

Our investigatory authority, screening authority, and most of our assistance programs are authorized by the Trafficking Victims Protection Act (TVPA), and its subsequent reauthorizations.

In 2010 DHS launched the Blue Campaign to combat human trafficking. The Blue Campaign began and continues with no direct appropriations. It reflects a belief that we can be highly effective when we work collaboratively with our internal and external partners.

The Blue Campaign focuses on trainings so that we can detect human trafficking, as well as outreach so that we can prevent it from occurring. We have created specialized trainings and videos to educate State and local and tribal law enforcement officers at all levels on indicators of human trafficking. We want law enforcement to know how they can assist victims to be aware of the full range of resources available to them when investigating trafficking.

The Blue Campaign collaborated with the Department of State to create a general awareness training to educate the public on the indicators of human trafficking. We produced an informational video to help first responders identify possible victims of human trafficking. Just this summer, we entered into a partnership agreement with the National Association of Counties (NACo) to work with county personnel to identify human trafficking.

In 2012 DHS, along with the U.S. Department of Transportation (DOT), and Amtrak entered a partnership to train all 20,000 Amtrak employees and the Amtrak Police Department to recognize indicators of human trafficking, as well as how to report suspected cases.

We also work with the airline industry. CBP recently, together with DOT, launched the Blue Lightning Initiative, a training program to educate airline employees on human trafficking and how to notify law enforcement.

In fiscal year 2012, the HSI Tip Line received more human-trafficking tips than ever before—588 tips. We think that our efforts are working.

During that same year, ICE HSI investigated more cases with a nexus to human trafficking than ever before, resulting in over 950 criminal arrests, 381 convictions, and seized assets of more than $1 million. This year, we are on pace to exceed last year's record numbers, having already initiated 940 human-trafficking investigations.

We take a victim-centered approach in our investigations. We have victim assistance specialists across the ICE offices all over the United States. We have also expanded our Forensic Interviewing Program so that we have specially trained personnel to conduct the important interviews with the victims.

One disturbing trend we have encountered is increased gang activity. This has been observed right here in Washington, D.C. ICE, in collaboration with the Northern Virginia Human Trafficking Task Force and our Federal partners, recently investigated and successfully prosecuted cases where MS–13 gang members re-

cruited girls as young as 12 years old from our schools, on the street, and through social media into sex trafficking.

DHS, through its U.S. Citizenship and Immigration Services (USCIS) and ICE, provides immigration relief to eligible foreign trafficking victims. Immigration relief options assist law enforcement in stabilizing victims so that they may begin to recover and rebuild their lives.

I am proud of what DHS has accomplished, but there is still so much to do. We are working more every day to expand our partnerships. We regularly interact with our stakeholders for new ideas and new innovative ways to combat this crime.

The posters[1] that we have here are a great example of exactly that, and they are available at DHS.gov/BlueCampaign for anyone to download, print out, or we will give them hard copies.

The first here says: "Lured by fairy tale promises, she learned not every prince is charming," picturing a teenage girl. That relates to sex trafficking.

The next poster is in connection with labor trafficking. It states: "What good is a time card when his freedom clocked out long ago?"

And our final poster goes to domestic servitude. It reflects a person like Shyima enslaved in the home. It states: "Some prison cells have metal bars, and some have picket fences."

I appreciate the opportunity to represent the Blue Campaign and DHS before this Committee, and I would be pleased to answer any questions you may have and work with you to find the answers to the very important questions that you have already posed.

Thank you.

Chairman CARPER. Thank you, Judge Hill. Thanks very much. Mr. Dinkins, thank you for being here as well.

Ms. Gannon, I think you are next up. Please proceed.

TESTIMONY OF ANNE C. GANNON,[2] NATIONAL COORDINATOR FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION, OFFICE OF THE DEPUTY ATTORNEY GENERAL, U.S. DEPARTMENT OF JUSTICE, AND JOSEPH S. CAMPBELL, DEPUTY ASSISTANT DIRECTOR, CRIMINAL INVESTIGATIVE DIVISION, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE

Ms. GANNON. Thank you. Good afternoon, Chairman Carper, Ranking Member Chiesa, and Members of the Committee. Thank you for the opportunity to testify today about the Department of Justice and FBI's efforts to combat the scourge of human trafficking. As evidenced by the broad spectrum of investigative, prosecutorial, training, outreach, victim services, and research efforts by a wide array of components, the Department is fully committed to fighting human trafficking.

Human trafficking is a crime that strikes at the very heart of the American promise: freedom. Today in this country people are bought, sold, and exploited like slaves each and every day. They are trapped in lives of misery—often beaten, starved, and forced to

[1] The posters referenced by Ms. Hill appear in the Appendix on page 69.

[2] The prepared statement of Ms. Gannon and Mr. Campbell appears in the Appendix on page 72.

engage in prostitution or to take grueling jobs as migrant, domestic, restaurant, or factory workers with little or no pay.

The Department and its partners are working hard to identify and support victims and bring their abusers to justice. We provide significant resources, training, and technical assistance to our Federal, State, local, and tribal partners.

The FBI's efforts to investigate human trafficking are coordinated by the Civil Rights Unit (CRU) and the Violent Crimes Against Children Section (VCACS). The Civil Rights Unit investigates forced labor, sex trafficking by force, fraud, or coercion, and the sexual exploitation of foreign minors, while the Violent Crimes Against Children Section focuses on the commercial sexual exploitation of domestic children under the age of 18. Sex-trafficking prosecutions involving children do not require proof of the use of force, fraud, or coercion.

This year marks the tenth anniversary of the FBI's most prominent initiative to combat the growing problem of sex trafficking of children within the United States. In June 2003, the FBI and the Department's Child Exploitation and Obscenity Section (CEOS) joined the National Center for Missing and Exploited Children (NCMEC) to launch the Innocence Lost National Initiative (ILNI).

The FBI and its partners execute Operation Cross Country—a 3-day nationwide enforcement action focusing on underage victims of prostitution. Our seventh and most recent operation in July 2013 concluded with the recovery of 105 commercially sexually exploited children and the arrests of 150 pimps and other individuals.

To date, the task forces have rescued more than 2,800 children, and investigations have led to the conviction of more than 1,400 pimps, madams, and their associates. These convictions have resulted in multiple life sentences and the seizure of real property, vehicles, and monetary assets.

Our Civil Rights Unit investigates trafficking involving foreign nationals, which is often aimed at recent migrants and other economically disadvantaged individuals, particularly women and children.

Together with our law enforcement partners at DHS, appearing here today with us, as well as the Departments of Labor (DOL) and State, we are working hard to combat trafficking in any form—not only because of the physical and psychological toll it takes on individual victims and their families, but also the profits generated by this exploitation fuel further unlawful migration and organized criminal activity.

The Department's prosecution efforts are led by two specialized units, the Civil Rights Division's Human Trafficking Prosecution Unit, and the Criminal Division's Child Exploitation and Obscenity Section, which provide subject matter expertise and partner with our 94 U.S. Attorneys' Offices (USAOs) on prosecutions nationwide.

Taken together, these units initiated a total of 128 Federal human-trafficking prosecutions in fiscal year (FY) 2012, charging 200 defendants. During fiscal year 2012, DOJ convicted a total of 138 traffickers in cases involving forced labor and sex trafficking of adults and children.

The Human Trafficking Prosecution Unit (HTPU) works to enhance investigations and prosecutions of significant human-traf-

ficking cases, particularly novel, complex, multi-jurisdictional, and multi-agency cases and those involving transnational organized crime and financial crimes.

DOJ units have continued to lead the six anti-trafficking coordination teams (ACTeams), in collaboration with the FBI, DHS, and the Department of Labor. These ACTeams, through enhanced coordination among Federal prosecutors and multiple Federal investigative agencies, have developed significant human-trafficking investigations and prosecutions.

The Department and DHS have collaborated with Mexican law enforcement counterparts on the U.S./Mexico Human Trafficking Bilateral Enforcement Initiative, which has contributed significantly to restoring the rights and dignity of human-trafficking victims through outreach, interagency coordination, international collaboration, and capacity building.

The Child Exploitation Section coordinates and participates in training for Federal, State, local, and international prosecutors and investigators engaged in efforts to enforce Federal child exploitation laws. For example, in 2013, staff presented on best practices for investigating and prosecuting child sex-trafficking cases at a human-trafficking seminar in California and participated in a crimes against children training conference located in Vietnam.

All U.S. Attorneys' Offices established or participate in human-trafficking task forces and collaborate with private partners in several ways. Eighty percent of these task forces include members from a diverse set of nongovernmental organizations—community groups, faith-based organizations, victim advocacy groups, academic organizations, medical professionals, and legal aid offices.

The Department does more than investigate and prosecute those who exploit victims of trafficking. For example, the DOJ's victims specialists and non-government victim assistance service providers work with human-trafficking victims to advise them of their rights and to ensure they get the help they need to address their short-term and long-term needs—such as legal and repatriation services, immigration relief, housing, employment, education, job training, and child care.

In fiscal year 2012, the Department's Bureau of Justice Assistance and Office for Victims of Crime (OVC) jointly made awards to seven task force sites to execute a comprehensive approach to combating all forms of trafficking, including sex and labor trafficking of foreign nationals and U.S. citizens.

During fiscal years 2012 and 2013, the Office for Victims of Crime represented DOJ by serving as a co-chair along with DHS and the Department of Health and Human Services (HHS) in the development of the first-ever Federal strategic action plan to strengthen services for trafficking victims. The plan is scheduled for release in January 2014.

The National Institute of Justice (NIJ) has maintained the most active research portfolio on trafficking in the United States, making dozens of research awards over the past decade. Recent awards are tackling the toughest questions asked about human trafficking, including measuring the prevalence of labor trafficking, exploring the perpetration of trafficking, and evaluating best practices in service provision.

In April 2013, the Attorney General, on a recommendation from the Defending Childhood Task Force, called for the formation of the American Indian and Alaska Native Children Exposed to Violence Task Force. An initial focus will be actions to improve the Federal response to the needs of American Indian and Alaska Native children exposed to violence. This vulnerable population has been identified as being particularly susceptible to being lured by traffickers.

On behalf of Deputy Assistant Director Campbell and myself, we thank you again for the opportunity to testify here today and would now welcome any questions you may have.

Chairman CARPER. Ms. Gannon, thank you, and, Mr. Campbell, thank you for joining us as well.

Before I start the questioning, I just want to make just a note, a quick note, if I could. Senator McCain's wife, Cindy, as many of you may know, has been involved in the fight against human trafficking for some time, both in her own State and as the co-chair of the Governor's Task Force Against Human Trafficking or on Human Trafficking. She has worked outside of her State. She has worked even internationally, I think most recently with the first lady of Mexico, and I know you are very proud of her, and would you just convey our thanks to her for the great work that she is doing, John.

Senator MCCAIN. Thank you, Mr. Chairman.

Chairman CARPER. I want to go back a couple years. The year I was elected Governor, I said, Why don't we focus this Administration for 4 years or 8 years, however long I was going to get to be Governor of Delaware, and just focus on the underlying causes of why does a kid start school behind, why do they fall further behind, why do they become disruptive in classes, why do they drop out, get suspended, expelled, end up in crime, or dependent on all of us on welfare and that sort of thing. Why? And we focused really for 8 years on underlying causes.

We focused on teenage pregnancies, how to reduce them. I saw the other day that teen pregnancies are down by half in this country since 1992, the year I was elected Governor. And we are encouraged by that.

We focused a whole lot on parenting training for people, including people in prison, because almost all of them were parents. They were not very good parents. They did not have very good parents either.

We focused on the value of early childhood education. So we went after the root causes.

And what I want to do in my questioning, that is a way of telegraphing this pitch as I mentioned in my opening statement, is focus on root causes. In some cases the causes are what makes the traffickers want to traffic, $32 billion could be part of the reason, and what makes those who they end up recruiting or basically pressing into servitude, what makes the victims willing to do that or unable to escape that. Could we just talk about underlying causes? We will just start with you, Judge Hill, if you will, please, and then we will go from our left to our right. Please, Judge Hill, underlying causes.

Ms. HILL. Looking at the perspective of the traffickers, I think for them, unfortunately, this has proven to be a lucrative form of

criminal activity, and it is difficult to prosecute these cases. The victims are so traumatized, they have suffered such psychological damage, they have fear for their children, fear for themselves, their families, that they are sometimes unable to tell their stories.

Indeed, when ICE HSI encounters victims in the field, often they do not recognize that they are victims. They have suffered such brutalization that they are unable to recognize what has occurred. And often they are unable initially to testify regarding what occurred.

I speak as a former judge and a former prosecutor——

Chairman CARPER. I am going to interrupt you, if I may. Go back just a little bit before they actually have been recruited—or pressed into this kind of servitude. Just go back before that, if you will. How does it get started?

Ms. HILL. What we know is——

Chairman CARPER. And is there anything that we can do at that very early juncture?

Ms. HILL. Certainly what we know is that, with regard to sex trafficking in the United States of girls and boys, we know that many of these children have suffered trauma in the home and have suffered previous sexual abuse. We also know that many of them are runaways and that the more times—a study in Texas has shown that the more times a child runs away, the more likely that they are going to be the victims of human trafficking.

So we also know that poverty may drive this crime. We know that we have individuals who are seeking affection. This is common for some of our international victims, they "fall in love"—I will use that in quotes—ostensibly with their trafficker. We have seen families where the victim moves in with the trafficker's family. A child is born to the victim and the trafficker, and then the child is held by the family, and the trafficker takes the victim north to the United States in many instances to be trafficked here.

So there are a whole host of reasons. I do not think we have full understanding, but we certainly have some indicators that help us know what populations are more vulnerable. And one of them, we are very concerned about what is occurring in our schools, as is the Department of Education in our work with them, to make sure that our schools are also not an opportunity for traffickers who recognize that this is a profitable form of crime.

And I will just say, because these cases are difficult to prosecute, the victims have challenges in coming forward to tell their story. It makes it an attractive crime because the deterrence is not there. It is harder to prosecute.

Chairman CARPER. Good. Those are great points. Thank you.

Mr. Dinkins, do you want to add to that, or take away?

Mr. DINKINS. Yes, sir, real quickly. One of the things we have seen with our foreign nationals that come into the United States and end up becoming victims of sex trafficking or labor trafficking is those are individuals who are coming to America to live the American Dream. So they are coming here with some type of idea that they will get educated or they will work in a home and get stable employment when really they are coming here to fall prey to criminals who are seeking to exploit individuals, gang members who—that is their mode of operation, to prey on weak people, and

they find foreign nationals here. They do not have the support system of their family. They find their travel documents are held by their traffickers, and so they have no place to turn in a foreign country. But ultimately they came here to live the American Dream.

And as far as what we have seen, I think we have to also remember that many of these children, as you have mentioned, as young as 13 years old, become sex-trafficked. There are pedophiles that are out seeking them. So there is another underlying industry that is actually seeking to have sex with a minor, which is something that we also have to look at, as much as those who are trafficking them and those who are actually seeking to have sex with young children.

Chairman CARPER. All right. Thank you.

Ms. Gannon, underlying causes, please.

Ms. GANNON. Thank you. Yes, in terms of traffickers, traffickers view these victims as a commodity. For drugs they can be sold once. For individuals that are smuggled, they can be transported once. But a person who is held in a trafficking situation, whether it be labor or sex, can be used and sold multiple times. And, unfortunately, everyone from transnational organized crime to gangs to individual traffickers have realized this, and they view this as a business, and they use these victims to gain monetary advantage.

In terms of the underlying causes for the victims, unfortunately poverty is an issue that drives people to seek a better life and to seek economic and employment opportunities where the traffickers have no intention of complying with the compensation that they promised.

In addition, we see victims with no or precarious immigration status, as my colleague from DHS mentioned, and that makes them particularly vulnerable and reluctant to report.

In addition, we see young girls and boys with a desire to be loved, who may be, as Judge Hill mentioned, runaways from the foster care system. And that makes them particularly vulnerability as well. They may be living on the streets and a trafficker presents themselves as the first person to show them security and love, and that person then betrays them as well and forces them into prostitution or a forced labor situation.

Chairman CARPER. Thanks.

Mr. Campbell, please.

Mr. CAMPBELL. Yes, Chairman. I would reiterate what Ms. Gannon said as far as the children who are homeless, from disadvantaged homes, or just have low self-esteem. And quite often we understand that within 48 hours of being on the street as a runaway, they are quite often approached by traffickers and lured into the trade with this person who actually says that they love them, starts to take care of them, brings them into their home, sort of lures them into the trade itself.

Some are affiliated with gang members. They might be family members of gang members, friends of gang members, and the gang itself is involved in trafficking or becomes involved in it. And then those people are either lured into it or violently persuaded to become prostitutes, child prostitutes and so forth. And in some cases, individuals are simply kidnapped and forcibly held. And I think it

brings home the importance of training local law enforcement, our tribal partners, community organizations, school educators, et cetera, as far as recognizing where this can happen. I am sure many of you know of stories where children have been lured from so-called prominent high schools, places that you would know, where your kids or other kids of your friends go, and it would come as a surprise to you that kids could be lured from a place like that. But it happens all the time, unfortunately.

Chairman CARPER. All right. Thank you.

Again, we have focused for 8 years in Delaware on how do we strengthen the basic building blocks of a society of families, and the thought occurs to me, to the extent that we did that in order to make sure that kids did a better job in school, started prepared, finished, did not drop out, ended up not being a burden to the rest of us, not ending up in the criminal justice system, and we did it by focusing on the basic building blocks of our society. And I am just reminded here that maybe that is part of addressing the underlying symptoms.

I am going to telegraph my next pitch when we come back. In the National Governors Association (NGA)—I do not know, John, what it was like in the Attorney Generals Association, but the National Governors Association, we had a Center for Best Practices that is like a clearinghouse for good ideas. And I always used to say to my cabinet, every problem that we are facing in Delaware, some State has addressed that problem and figured out how to address it, how to solve that problem. And when we come back, a question I am going to ask you is: Are there any other countries out there that we ought to be looking at to see what they are doing, how they have dealt with the underlying problems and also the symptoms of those problems?

Senator Chiesa, you are going to be with us for too short a time. Senator Chiesa is only here for a limited duration, and we have very much enjoyed his presence and membership on this Committee and in the Senate. Again, I want to thank him and Senator Heitkamp for suggesting we have this hearing. Jeff, you are recognized.

Senator CHIESA. Thank you, Mr. Chairman. And thanks to all of you for being here. I appreciate not only your expertise on this issue but your passion for it.

We talk about this horrific act by identifying the people as property, and that is a concept that is so foreign to anybody that lives in this country. And one of the things that is particularly troubling to me is the way certain aspects of our business community can reinforce this concept, and I will tell you what I am talking about.

This February, the Super Bowl is going to be in New Jersey, and we have been preparing for that for a number of years on a bunch of security levels for sure—but also because we know that traffickers follow these international events and we know that there is an increased demand for it. We saw it in Dallas. We saw it in Indianapolis. And one of the really troubling things that we see as a result are web-based companies that advertise people as property on their websites.

I have had a chance to review some of these ads, and you will see children advertised in these ads with obvious signs of abuse on

their bodies. They do not even try to hide it. They put girls on these ads, young girls on their ads with bruises all over their bodies that prosecutors and detectives and agents will tell you are obvious signs of physical and sexual abuse. And they do not even care.

And what I want to talk to you about is I understand that we are not in the business—or I do not believe we are in the business of regulating speech and content. I have no interest in doing that. But I do have an interest in talking about businesses whose business model it is to advertise people as property. And what I want to ask each of you—and I will start with you, Judge Hill, and I appreciate the chance to meet with you last week—what can the Federal Government do with web-based companies that are engaging in these advertisements that promote and encourage child exploitation; what can the Federal Government do to better monitor and take action against these companies?

Ms. HILL. This is a challenging area for us, because as soon as we hone in on a particular advertiser, it is pretty elusive. They can disappear and reappear in some other format. So it is a challenge for us on an investigatory basis.

Certainly we applaud the efforts that are happening in the private business world of companies saying that they will not participate in human trafficking, either with their supply chains or in other methods of simply not having them participate in this effort at all. And we believe that we need to continue to educate the American public so that they will also express similar outrage, as we have with other issues, and see the change in the public view.

But at first, we need to have the American public recognize that there is a problem here in the United States, and, frankly, in my discussions, as I have gone out, I do not think that necessarily State and local law enforcement even believe that there is a problem. And they may not even believe that these ads would affect their community.

Once we have had a chance to share with them our training and our knowledge, almost universally—and this is borne out by the research of the Department of Justice—there is a recognition and then there is a heightened scrutiny, and that is where I think we need to start. We need to have all of our law enforcement partners recognize that this is a challenge for us and collaborate and find those best practices that will help us attack it.

Senator CHIESA. Thank you. Mr. Dinkins.

Mr. DINKINS. Absolutely, I think this is an area that we can all agree on, that we cannot arrest our way out of it. And I think by educating people, it really bears out the results that we have seen on the enforcement side, because we are able to identify, early on, red flag indicators of abuse.

You are talking about the web-based companies, and this was not my idea, but we certainly got some good investigative leads out of it. There was a private institution, a banking institution, that did just what you did. They searched the Internet looking for individuals advertising commercial sex on the Internet. Then, they looked at the same web addresses, phone numbers, and contact information, to see if they were advertising overseas in at-risk countries for au pairs or for employment opportunities in the United States, to

do a bait-and-switch. And, we actually came up with some very good leads on there. And that is great to create investigations, but the best way to do it is not have the ads and not have those web housers housing that type of material in the beginning. And usually, as Judge Hill mentioned, once we educate private businesses and web companies, they take action very quickly to rid themselves—nobody wants to be contributing to human trafficking.

Senator CHIESA. Thanks. The same question, Ms. Gannon.

Ms. GANNON. Thank you. The Department shares your serious concerns about the use of the Internet to perpetrate these types of crimes, and particularly against these vulnerable victims. The Department has had successful investigations and prosecutions related to online advertisements of minors for sex trafficking.

Just 2 weeks ago, I attended meetings where I was informed about the utilization and leveraging of technology to look for missing children in these ads, something the Department takes very seriously.

As a general matter, any prosecution of a website or an individual who is purchasing these types of services requires the government, whether it be State or Federal, to prove beyond a reasonable doubt that the website operators actually knew or had reasonable cause to believe that the advertisement was for a sexual act as opposed to a legal service, and that the individual depicted in the advertisement in the instance of minor sex trafficking is under the age of 18.

We will continue to aggressively combat human trafficking, whether it takes place online or off, and we are certainly cognizant of the unique factors that this type of trafficking advertisements present.

While our primary focus is on the traffickers of these victims, because they are primarily responsible for the caused harm to the victim, we have also engaged the Department in demand-side enforcement, and through operations we have looked at the purchasers of these type of sexual services on the Internet. And in the case of *United States v. Jungers* out of the Eighth Circuit, the Department pursued an affirmative appeal when the district court rejected those charges against a purchaser, and the Eighth Circuit agreed with the Department and found that the existing human-trafficking Federal statute 1591 does apply to purchasers of sexual services on the Internet.

Senator CHIESA. OK. And I hope you will continue to let this Committee know about things that they can do the strengthen your ability to bring those prosecutions, because they are so important.

And, Mr. Chairman, if I may have Mr. Campbell also respond to the same question.

Chairman CARPER. Sure.

Senator CHIESA. Thank you.

Mr. CAMPBELL. Yes, Senator. Where these websites are in some way supporting, according to the criteria of the statute, human trafficking, sex trafficking, we are certainly going to work closely with the Department of Justice to investigate and prosecute those. Some of those companies are more cooperative than others in regard to that issue, and we continue to work with them to increase that cooperation and really focus in this area.

If I may, I wanted to say something about these special events. You alluded to the Super Bowl. One thing that these ads do is demonstrate to us when there might be an increase of human trafficking, prostitution, et cetera, at these types of special events. It could be a sporting event. It could be a large business convention, some other type of event at any location in the United States. And we see from the proliferation of ads that there might be an influx of pimps bringing in their adults and children, because children are normally embedded also in adult prostitution rings. And in that case, what we do through our Crimes Against Children Interagency Task Forces is we begin gathering more intelligence about where this might occur. We look at social media sites. We look at the areas, the street tracks where they are being trafficked. We work through our other sources of information, even in drug areas and other gang areas to obtain information. We train our local partners on what to look for as well. We partner with local community services for them also to be focused in case we can do a rescue and they can provide services to them in that event. We use our Victim Assistance Services as well.

So it is an important focus area for us, and we are going to continue to be focused in that area as these events do occur around the country.

Senator CHIESA. Thank you.

Thank you, Mr. Chairman.

Chairman CARPER. You bet.

Senator Heitkamp, thank you again so much for bringing this here.

Senator HEITKAMP. Thank you. And thank you, Mr. Chairman. It is just so critically important that we get on top of this.

I look at this problem as kind of an hourglass, and Senator Carper I think has done a great job asking you to think about all of the potential victims out there and how do we avoid sending them into the pipeline to continue to be victims. And we all know that a lot of the runaways that we are talking about already were sexual assault victims, and that is the dirty little secret about runaway kids. They are usually running away from a condition like that.

Now, we have all the bad guys who would exploit all those kids. But then we have all the people who serve to be the customers of the bad guys. And we have learned from our work in domestic violence that there is a way to begin to have deterrence against those people who would participate on either end in terms of—I hate to use the word "shaming," but certainly before, if this was simply a family matter, it was a lot easier. But when it became a public matter and a crime against everyone in this country—which this one is. It is not just these victims. It is crime against every person in this country and the sensibility of every person in this country.

So I want to go to the demand side, and you have already begun that process of talking about it. But somehow we have to reduce the demand and the sense that it is OK to do this, it is OK to hire someone into domestic servitude, it is OK to use a prostitute, and maybe I do not know her age or his age, it is OK to run your factory on less than minimum wage, all of that is OK.

So I want you all to give me a couple ideas on how we build better deterrence into this system, and I want to start with you, Mr. Campbell. I am sure you have horrific stories that you could tell this Committee of situations, but I want to know what additional kind of tools we could provide or that could be provided to law enforcement to investigate the demand side.

Mr. CAMPBELL. Right. Well, certainly, the types of media campaigns that we conduct, such as when we did Operation Cross Country, where we put the word out to the public in regard to how to look for child trafficking, the vulnerable communities to look in, and partnering with community agencies and so forth, and exposing to the public, as you said, the fact that this does exist and that it is illegal and it is being vigorously investigated by partnerships of Federal and local agencies.

Senator HEITKAMP. I understand that may lead to more investigations and more complaints. But I am talking about preventing the marketplace from working.

Mr. CAMPBELL. Yes.

Senator HEITKAMP. We used to talk about publishing the name of every person who was engaged in spousal abuse. You have the ten most wanted. I mean, I am trying to get at what is going to stop people from demanding these services or using the services of human beings who are trafficks.

Mr. CAMPBELL. Well, certainly we have named individuals to the top ten most wanted, in fact, who are egregious offenders even at an international type scale as a way of exposing individuals, and we support local law enforcement in regard to what they do with information that they can use to expose these individuals as well and put them in local newspapers and that type of thing.

But I would respectfully also submit that a vigorous prosecution of these individuals that is nationally known, that is very effective, that results in large sweeps of rescuing victims, arresting pimps, a lot of times either ourselves or the locals arresting the johns, as they call them, that type of thing, I would submit that media exposure of that activity acts as a deterrent as well.

Senator HEITKAMP. Ms. Gannon.

Ms. GANNON. Thank you. I think your comparison to the domestic violence situation is very appropriate. Trafficking is not a private matter. As Judge Hill was talking about the young girl who was held in Orange County, it was a neighbor who came forward and reported that. And many years ago, perhaps in a domestic violence situation people would have turned the other way and thought that it was not their problem. But through public awareness of trafficking, we are encouraging people to come forward when they see something that looks wrong. When they see a young girl on the street, they might think twice and call law enforcement and say, this girl is in an area known for prostitution, she does not look to be 18, she does not look to be of age. And that would raise particular concern for them.

The Department has conducted research in this area. Specifically, the National Institute of Justice commissioned a study regarding demand-side enforcement and its effectiveness, and there is a website that provides information on the effectiveness of those programs as it relates to prostitution specifically.

As my colleague from the FBI stated, the Innocence Lost National Initiative and Operation Cross Country, through that media attention it does create a dialogue, and hopefully that dialogue is happening at schools when students read about this operation, it is happening at the dinner table where people can talk about it and discuss how this is an affront to the very basic nature of our country.

Senator HEITKAMP. Ms. Gannon—and I do not mean not to ask the other witnesses, but I did want to get a specific question in on Indian country.

Ms. GANNON. Absolutely.

Senator HEITKAMP. Because of its jurisdictional complexities, it presents some real challenges, and obviously Federal officials have a great deal of jurisdiction and are looked to as the savior.

I know that you were recently in North Dakota. Thank you for that visit. And I am wondering if you can offer any insights about strategies in Indian country that we should be pursuing.

Ms. GANNON. Actually, I have not had the opportunity to go to North Dakota, although I would love to. But specifically with regard to Indian country, I think there are opportunities that we have and that need to be addressed. Specifically, I have been working with members of the Office of Tribal Justice to increase public awareness, and I know that the U.S. Attorneys' Offices have been very active and have been looking to increase their number of Special Assistant United States Attorneys from tribal prosecutors' offices who are best situated to be in the community and to work together with the U.S. Attorneys' Offices to encourage reporting and to successfully prosecute Indian country cases.

Senator HEITKAMP. Thank you, Mr. Chairman.

Chairman CARPER. Did you want Mr. Dinkins and Judge Hill to respond? If you do, go ahead. Then I will recognize Kelly if she comes back and John if she does not.

Senator MCCAIN. Go ahead.

Chairman CARPER. Go ahead.

Senator HEITKAMP. I mean, I would love to hear the other two responses.

Chairman CARPER. Please. Just be fairly brief.

Senator HEITKAMP. I do not want to use up all my time.

Chairman CARPER. Just be fairly brief. Thanks.

Mr. DINKINS. Reducing the demand, as you suggested, I think is a key. I think that having strong sentences, which we have seen, for servitude-type cases has been very powerful and puts folks on warning.

It is probably a little more challenging when it comes to the commercial sex environment, particularly if it does involve children. As I mentioned earlier, that is a social illness that unfortunately is too common. And I do not think that even sending pedophiles away for 30 years will prevent another pedophile from possibly taking action. So I think that we need other avenues for treatment and to deal with that type of issue.

But definitely the heavy sentences, we are seeing life sentences in some cases for——

Senator HEITKAMP. I do have a question, Mr. Dinkins, because I was one of the leaders on civil commitment of sex offenders, many

of whom are pedophiles, repeat offender pedophiles. Have you seen anything coming out of those treatment programs that would encourage the Department or encourage us to believe that this is a treatable problem?

Mr. DINKINS. I am not really that suited to respond but I am very skeptical that this is a treatable problem.

Ms. HILL. I would like to address the demand-side question. The National Association of Attorney Generals approximately 2 years ago started their four-pillar campaign, and one of the pillars was to address the demand side.

As all you former Attorney Generals are well aware, much of this prosecution occurs in the State courts. There is an estimate that 95 percent of criminal conduct is addressed in the State courts.

One of the things that we have been working on at DHS, given my prior background as a State court judge, is to educate the judges. I believe that when I was on the municipal court, there were victims of human trafficking coming through my courtroom as defendants. I believe that they were pleading guilty to prostitution charges. I can remember someone sitting in the back, the pimp, staring me down, and the prostitute. But I simply did not understand the dynamics of what was occurring. I did not know that person in all likelihood could not enter a voluntary plea because they were being coerced into prostitution.

This is an area where the judges need to be educated, as they were with domestic violence. They were taught about the cycle of violence and why a victim would recant her testimony or his testimony at trial. Similar education is needed here to help address the issue of victims being revictimized through our court system. I think that will also help drive the discussion on how the State courts should address the demand side, particularly for sex trafficking.

Chairman CARPER. Thank you. Senator McCain.

OPENING STATEMENT OF SENATOR MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman.

At least six departments and agencies are authorized to receive $127 million in funding to combat human trafficking. Of that $127 million, $21 million is for investigations and prosecution of human trafficking in the United States. Maybe the witnesses could provide for the record what that $106 million that is not spent for investigations and prosecution is spent on. So if the witnesses would provide for the record what their various agencies spend and on what, I would be very interested.

Ms. Hill, was that you in that film there?

Ms. HILL. No, it was not me.

Senator MCCAIN. It is someone who looked a lot like you. I know about advertising. That is not a very good message. That showed two people bumping into each other and spilling their lunch. If you really want to have a message that will strike home to people, show the young lady that Ms. Gannon was talking about, show the people that have been victimized in a way that makes us so repulsed that we do not even want to think about it. That has been the most effective ads on things like smoking.

I do not know how much you spent on that, but it is a muddled message. People knocking each other down while having lunch is not a very effective message. I hope you will review it. And there are enough compelling stories associated with this horrible crime that I think you could get the message through a lot more effectively.

Mr. Dinkins, how strong is the linkage between drug cartels and human trafficking that are operating across mainly our southern border?

Mr. DINKINS. There is definitely a linkage. While not all drug-trafficking organizations that we have seen in Mexico and throughout the United States are engaged, we definitely have seen some trafficking organizations, drug-trafficking organizations involved in both human smuggling as well as human trafficking.

Senator MCCAIN. Did you see the July 31st Time magazine article, "Mexican Drug Cartels' Other Business: Sex Trafficking," that pointed out particularly that Mexican cartels like the Zetas have become heavily involved in the human-trafficking business from Mexico?

Mr. DINKINS. I definitely have seen that many of the Mexican drug-trafficking organizations have morphed into more organized crime. They are willing to make money in any way that they can, sir.

Senator MCCAIN. Well, you have seen it. How serious is the problem?

Mr. DINKINS. It is drug smuggling, as well as human trafficking, is very significant.

Senator MCCAIN. Well, the subject of this hearing is about human trafficking.

Mr. Campbell, what evidence have you seen?

Mr. CAMPBELL. Yes, well, as Ms. Gannon mentioned in her statement, we have the bilateral agreement with Mexico, and the purpose of that then is to share information and work against those cartels in all of the criminal activities that they are engaged in. And certainly this is an area of primary focus for the FBI.

Senator MCCAIN. And have you seen it grow larger? Less? The same? What trends are you seeing on that? The information we have is that organizations like the Zetas originally were simply in drug trafficking, and they have branched out into other areas, including human trafficking, including money laundering and some other activities. Have you seen an increase in human trafficking across the Mexican border by the cartels?

Mr. CAMPBELL. Senator, I do not have the information right now on the specifics of the growth of human trafficking related to——

Senator MCCAIN. Well, have you got an estimate?

Mr. CAMPBELL [continuing]. The border. I can provide that.

Senator MCCAIN. Do you have an estimate?

Mr. CAMPBELL. I do not, sir. I can provide you some other information. But I can tell you that human trafficking in general across the United States is unfortunately a growing problem. It is trending upward, Senator.

Senator MCCAIN. Ms. Gannon, one of the disturbing facts of this horrible stuff is that 95 percent of the young women and men who are subjected to this have a cell phone, and yet they never call in

to get relief from the terrible situation they are in. That is because of physical and mental debasement. What is your take on that?

Ms. GANNON. There is definitely an element of fear and retaliation. These traffickers are ruthless in manipulating their victims and putting fear of physical violence—and substantiated fear. They beat them, they tattoo them, they hold them in isolation. And so even if they do have a means of communication, many are reluctant to come forward.

I think the way to address that is by increasing public awareness, getting that hotline out there in the right places, whether it be truck stops, transportation hubs, so if they are moving they have a chance to see it; and also the engagement of community and faith-based organizations. So if that trafficking victim does go to a juvenile shelter at some point, that person at the shelter is trained to identify the signs of trafficking, knows what to do, who the appropriate person at the local police department or Federal agency is to call, and gives that victim some assurance that they will be treated with respect; law enforcement is there to help them, not arrest and hurt them; and that they can trust them in order to come forward, and they will receive the victim services that they so desperately need.

Senator MCCAIN. The Texas Attorney General said the Super Bowl is the largest single human-trafficking incident in United States history. That is a stunning statement. Do you think maybe we ought to have some of our people on hand, Mr. Dinkins, during the Super Bowl?

Mr. DINKINS. Absolutely, Senator. We are actually already working on that. Both myself and the Bureau have teams preparing in advance of the Super Bowl to educate the State and locals, as well as businesses and the non-governmental organizations (NGOs), to be on the lookout for human trafficking.

Senator MCCAIN. Well, if it is the largest single human-trafficking incident in United States history, you should not have too much difficulty detecting that, I would think.

Finally, I am somewhat interested in the six different departments and agencies that are involved in this. Are you satisfied with the level of cooperation, Ms. Hill?

Ms. HILL. I am. I think that there has been a remarkable partnership among the personnel that are present here, as well as DHS has entered into partnerships with agencies across the Federal Government and with the National Association of Counties. I think that on this issue, the folks that are involved work remarkably well together. All of us share a belief that modern slavery has to come to an end. Certainly there may be minor instances, but in my experience, we have worked closely together and shared resources, shared ideas, shared best practices to become more effective. Just in the time that I have been working on this issue, I have witnessed this myself.

Senator MCCAIN. Well, I am glad to hear of your confidence. I am sorry that since it seems that human trafficking is on the rise, your dedication has not shown the results that perhaps we might like to see.

I thank you, Mr. Chairman.

Chairman CARPER. Thank you, Senator McCain. And, again, our thanks to Cindy for all of her efforts in this regard.

John and I spent a lot of years in the Navy at about the same time, actually. He was a hero. I was just a guy who flew around in a plane. I was lucky enough that we did not get shot down. But this is an all-hands-on-deck moment. And there is also a real shared responsibility here. It just cannot be law enforcement. It just cannot be the Federal Government. It just cannot be the State government. It just cannot be nonprofits. It has to be all of us. And John's point is a really good one. We are spending a fair amount of money, and the question of how well we are coordinating what we do, and as much as we are trying to do a good job, everything I do I know I can do better, and obviously this is something we have to do better as well, and making sure we are not duplicating, that we are coordinating, and each of us is playing an appropriate role.

Senator Ayotte, Recovering Attorney General Ayotte, please.

Senator AYOTTE. Thank you. I want to thank the witnesses. I wanted to get at the issue to followup on what Senator McCain was asking about. I was struck, Judge Hill, when I heard you testify about the numbers from 2012, that these were improvements on the past, with 950 arrests, 381 convictions, and $1 million in forfeiture. And that struck me as fairly small given some of the estimates of what the problem is here.

How big is this problem in our country that obviously is a horrific criminal problem? But those numbers, just looking even from a State Attorney General perspective, I am glad that you are working really hard to improve them, but I just was really struck by, given the size of the United States and given the issues that we have heard about this afternoon.

Ms. HILL. Good data in this area remains a challenge. There are a number of efforts, as you have heard, in the Department of Justice and elsewhere to get good data.

One caution I would give with regard to the data that I gave, I am confident that underestimates what is actually occurring across the United States, and the reason for that is because prosecutors and judges may not choose to prosecute cases under a new statute, the human-trafficking statute. It requires additional proof that they may not need for a rape or kidnapping charge. It requires proof of forced fraud or coercion. To prove that, in almost all instances you will need the testimony of the victim, and sometimes, as we have discussed, the victim is going to be unable to tell his or her story in the courtroom.

So the prosecutors may choose another charge that requires a lower level of proof, or hopeful that they will get a similar sentence. They will use their discretion to make sure the conduct is addressed, even if it is not addressed under the Federal anti-human-trafficking statute or the statutes that we now have in close to 50 States.

I do not think that those statutes are used as widely as we know the problem is because—and this is based on my experience as a prosecutor and as a judge—an unfamiliar statute is a deterrent to the prosecutor and the judge. They want to make sure that the prosecution, if it is successful, does remain a successful conviction,

and this is probably a little inside baseball, but for a judge, the most likely place of reversal is on jury instructions, and the time that will occur was with a new statute, untested statute.

So there are built-in deterrents. The Department of Justice has looked at this as well, in terms of prosecutors, of why there are not as many human-trafficking convictions. So these numbers, the trend is positive. The absolute numbers I do not believe reflect what is actually occurring in the United States. But I do not have those numbers for you. I can only share my own experience in how these new statutes play out.

Senator AYOTTE. Do we have the right statute, meaning have there been any difficulties with the statute itself? Ms. Gannon, you mentioned the Jungers case in the Eighth Circuit in which the circuit court of appeals overturned the district court decision on basically holding the purchaser accountable under the trafficking statute. So has that been settled, is there any conflict among the circuits? Is there any issue that needs to be clarified from us in terms of the Federal statute?

Ms. GANNON. Just to make sure I was clear, in the Jungers case, the Eighth Circuit said that the statute does apply to purchasers.

Senator AYOTTE. Right, but it is obviously one circuit court of appeals. Is there any conflict there? Or is that issue fairly resolved in terms of prosecution across the country of these types of crimes? Because if we cannot prosecute the purchasers, then we are not obviously going to get at this crime, because the purchasers need to be fully prosecuted, held up, and the public needs to understand that those purchasers are going to be prosecuted, they will be—as my colleague Senator Heitkamp certainly said, they will know publicly the crimes that they have committed, because that is how we are going to discourage this also on the purchasing end. So I just want to make sure that there are not any legal issues that we should be aware of.

Ms. GANNON. No, Senator. There is no conflict among the circuits with regard to the application of 1591 to purchasers, and I can tell you that enforcement actions focused on purchasers, the demand side of trafficking, have occurred throughout the country. A few years ago, the Justice Department expanded the Project Safe Childhood Program to include minor sex trafficking domestically, and there is a very active list serve among Federal prosecutors about techniques, jury instructions, how to apply these laws, in addition to the subject matter experts here in Washington which field calls.

So we are working to make sure that the prosecutors in the field know how to use this law and how to apply it appropriately.

Senator AYOTTE. And one thing that leapt out at me as we talked about the issue of coordination—and obviously many of these victims, vulnerable victims, too many of them children—is part of the group that is coordinating all this, the Internet Crimes Against Children (ICAC) Task Forces.

Ms. GANNON. Absolutely.

Senator AYOTTE. Because I had the familiarity of working with my ICAC Task Force in New Hampshire, and, frankly, it is just shocking the amount of child pornography and sexual exploitation

that is occurring over the Internet. And so I see this as obviously a tool that these traffickers could be using as well.

Ms. GANNON. Absolutely. The Internet Crimes Against Children Task Forces are active in this effort as well, and they are funded and organized through our Office of Juvenile Justice and Delinquency Prevention, which I should have mentioned earlier as one of the organizations which really can address the root causes and reasons why some of these children find themselves in such a vulnerable area.

And another nice thing about the task force program in this instance is it really builds a bridge that has already existed for many years now between the Federal, State, and local law enforcement. And so adding trafficking awareness in a way that already has a structure in which the Department of Homeland Security and FBI participate in this program can maximize. And then in my experience as a Federal prosecutor in California, what happened was I then began speaking with the local district attorney's office, and so there is coordination as the State Attorneys General have focused on this issue, the State legislatures have focused on this issue and passed State laws, which may be very similar to the Federal laws, or slightly different, that the prosecutors at that level can also sit down and have a discussion about where most appropriately to pursue the case, factoring in everything from the elements necessary to the possible penalties to what is appropriate for the victim, the duration of the case. And I engaged in many conversations with my local prosecutor colleagues.

So that is an area where the numbers also—I think we are going to see an increase both in Federal investigations and prosecutions and as the States continue to engage in this issue, we will see it in both systems.

Senator AYOTTE. I want to thank all of you, and I know my time has expired, but one of the things we did when I was Attorney General is we did an Internet safety booklet that went into all of our schools, and I did that in partnership with the ICAC Task Force, getting their advice to see what that should say. And so I think that is a natural partnership because they are doing—at the local level, a lot of the partners in the ICAC Task Force are doing education in the schools in addition to their law enforcement function of enforcing the laws. So I am glad to hear that you are working with that task force because I think that is a natural partner right there. Thank you.

Chairman CARPER. Senator Ayotte, thank you, and thanks so much for joining us today and for all that you bring to this hearing.

You know what I was thinking? I was thinking, Senator Heitkamp, about some things you said the other day when you were in Delaware, talking about the Truth Campaign. I am sure our Attorney Generals remember not that many years ago, maybe a dozen or so years ago, the Attorney Generals of our country—and Senator Heitkamp was one of the leaders in this—all 50 States negotiated a settlement with the tobacco industry to deter young people from starting to use tobacco, and if they already started, to encourage them to quit. Remarkably successful. A remarkably successful effort. And I ended up being the founding Vice Chairman of the American Legacy Foundation, which was created out of this

effort. And in terms of a public awareness campaign, literally shaped by young people, by kids, teenagers, pre-teens who helped shape the message. It was called the "Truth Campaign." Hard-hitting, really to the gut, and all kinds of multimedia efforts, a lot of places like TV shoes, movies, venues that people our age—or at least my age—would never see. But, boy, it worked with the kids. I am thinking about best practices and what worked in terms of reducing young people's use of tobacco, the desire to find it attractive, incredibly successful.

The teen pregnancy campaign, I alluded to that earlier, teen pregnancy rates in this country since 1992 are down by half. A pretty amazing achievement if you think about it. And the challenge that is before us in this regard is daunting, but in terms of maybe some campaigns, teen pregnancy, tobacco use among young people, that have been remarkably successful literally in the last decade or two, maybe there are some lessons we can learn from them.

I said earlier that I would telegraph my pitch. I said I was going to come back to you and ask you to look around the world at other countries. This is a problem not just here but in a lot of other countries, advanced countries, developing countries, developed countries. But just think for us out loud about some best practices in other parts of the world where they are grappling with this and they are having some success, either on the supply side or the demand side, please. And, Judge, would you go first?

Ms. HILL. I think that we have looked internationally, certainly, at the Blue Campaign, and I will just explain how we came up with the term——

Chairman CARPER. And I am going to have to ask you to be pretty brief, if you would.

Ms. HILL. Sure. The Blue Campaign, it is a reference to the United Kingdom's efforts to combat human trafficking, the U.N. Office of Drugs and Crime Blue Heart Campaign to combat human trafficking, as well as a reference to the Thin Blue Line.

We have also entered into bilateral agreements with a number of nations to work together on capacity-building efforts with them. All of this similar in other nations, they need to build their capacity just as we need to build here. And so we look to their trainings and their other offerings to make sure that ours make sense.

Finally, we have entered into an agreement with Interpol so that we can learn together the best ways internationally to combat human trafficking.

Chairman CARPER. Good. Thank you.

Mr. Dinkins, just very briefly.

Mr. DINKINS. Sure. I am not sure if one country anywhere in the world actually has found the silver bullet to combat human trafficking, but——

Chairman CARPER. I like to say there are a lot of silver BB's. Maybe one of them has—we can pick up silver BB's from different places.

Mr. DINKINS. But we definitely are sharing ideas and practices, and as Judge Hill mentioned, I think a big important part of what we are doing is for those—making sure that the weaker countries that do not have that experience, we are bringing them up to the

same level as the rest of the developed world, and we are actively doing that.

Chairman CARPER. All right. Thanks. Ms. Gannon.

Ms. GANNON. Yes, we work with the Department of State who issues an international Trafficking in Persons Report, and that is a good tool to look at the challenges and successes that other countries have engaged in to address this issue.

Our subject matter experts in the Child Exploitation and Obscenity Section and Human Trafficking Prosecution Unit work extensively with international partners to address exactly what you are discussing in terms of best practices, and in particular, the Child Exploitation and Obscenity Section is quite active in international trainings and meetings.

Chairman CARPER. All right. Mr. Campbell.

Mr. CAMPBELL. Yes, we recently had an arrest of a top-ten fugitive involved in this type of activity in another country, a lot of cooperation there. We are seeing cooperation from the Philippines, Thailand, and we work very closely with Interpol and Europol as well, and we are involved in 40 different international task forces regarding child trafficking, child sex tourism, that type of thing.

Chairman CARPER. All right. Thank you.

Senator Chiesa? And I mentioned to Senator Chiesa and Senator Heitkamp that I would like for us to try to limit ourselves to 5 minutes in this round, so it is in your hands.

I am going to take a quick phone call, and I will be right back.

Senator CHIESA [presiding.] Thank you, Mr. Chairman. We have talked about how we are continuing to evolve as a law enforcement community and as legislative community in trying to educate ourselves about human trafficking. Part of that obviously is reminding people every chance we get that we have modern-day slavery, because that is something that shocks people when they hear it and they hear the statistics and they hear about the numbers that we have in this country and in other places.

So what I would like to talk to each of you about now is one of the issues we tried to deal with in New Jersey was when we come on a crime scene, our law enforcement officers are expertly trained to identify it, take it down, and then take steps to prosecute whoever might be involved in that criminal activity.

One of the things we started to ask them to do was to dig a little deeper and find what may not be obvious at first glance. I know that you have talked a lot about the sharing of information. Some of the questions went to that. I would like to know, as a result of the tremendous amount of knowledge that you are beginning to buildup, how much of that is shared with State and local law enforcement and through what methods is it being shared? I will start with Judge Hill.

Ms. HILL. At DHS, one of our primary focuses is law enforcement. So one of the very first products we produced after we had reviewed the academic literature was a computerized training for State and local law enforcement specifically designed to capture in video segments, for example, a brothel scene or a traffic stop or encountering a young teenager on the street dressed in a manner and in a place where you might believe prostitution was occurring, to alert the officers to what the indicators are from those scenes that

could lead you to believe that trafficking is possibly occurring, and then what should you do based on that.

We also have trained them on immigration relief because we know that our foreign-born victims will be interested in immigration relief, and it will help us as we investigate the case, help stabilize that victim.

So we have then worked internationally as well with the capacity building that Mr. Dinkins has referenced, so we go to many conferences, including the National Native American Law Enforcement Association, just last week in Las Vegas DHS was represented and presenting.

So wherever we can, we try to share our materials and also live programming to raise the level of understanding of trafficking.

Senator CHIESA. Thank you. Mr. Dinkins.

Mr. DINKINS. I will point out a couple different—because I do think this is a key for our successful investigations. Our State and local partners and tribal partners, are really the front line in detecting so much of the criminal activity. So, we do both formal training, for example in their different academies, but also informal training during roll call in the mornings, and afternoons at the change of shifts, recognizing that not everybody is going to go back through the police academy. So we do it, both informally and formally with our State and local law enforcement partners.

But also, I will point out another way that we have been able to hit a large number; that is through associations, like the Association of Certified Anti-Money Laundering (ACAMS) investigators; they are over 15,000 investigators from different financial institutions. We created webinars working with them to actually educate the investigators and the financial industry to identify red flag indicators for human trafficking. So we are doing it on many different fronts, sir.

Senator CHIESA. Thank you. Ms. Gannon.

Ms. GANNON. I agree that the coordination with State and local law enforcement and education and training for them is vital to combat this issue. The Justice Department's Bureau of Justice Assistance and Office for Victims of Crime, which are two grant components have been very engaged in this issue. They have provided grants to State and local law enforcement task forces, which are in addition to the FBI task forces, to examine comprehensive ways to combat this issue and provide them with the training and best practices.

In addition, the Office for Victims of Crime provides training on how to respond to victims of trafficking, which is an integral part to addressing this issue because a victim who is receiving the services that they need can assist with the prosecution of the offender. And so from July 1, 2011, to June 30, 2012, these grantees trained over 28,000 professionals representing schools and educational institutions, faith-based organizations and religious institutions, victim service providers, in addition to State, tribal, and local law enforcement. So we are doing that both through the FBI and the U.S. Attorneys' Office task forces, but also through these grant programs.

Senator CHIESA. Thank you.

Thank you, Mr. Chairman.

Chairman CARPER [presiding.] You bet.

Senator Heitkamp.

Senator HEITKAMP. Probably just to talk to you, Ms. Gannon, about the kind of challenges of working with these victims and the difficulty that we have.

One of the things that we did in domestic violence is we began to prosecute cases without victim testimony. It was a huge training effort, and it changed the way we looked at these cases. And one thing that the judge mentioned is the difficulty in having traumatized victims provide testimony. If our prosecutions are going to rely on victim testimony, we are not going to be very successful.

And so what strategies has DOJ advocated for to get beyond relying on victims and to do investigations and prosecutions that are not victim centered?

Ms. GANNON. The Department, through its Project Safe Childhood coordinators—and each U.S. Attorney's Office also has a civil rights/human trafficking prosecutor coordinator, and they receive training and information via e-mail list serves that provide them the best practices. So an essential part of a successful prosecution is finding the corroborating evidence.

Senator HEITKAMP. Of the number of prosecutions that you have had under the Federal anti-trafficking law, how many of them were done without a victim?

Ms. GANNON. I apologize, Senator. I do not have that information.

Senator HEITKAMP. It would be really interesting to find out because I think that if we are just always going to rely on repairing a victim, you are going to miss the statute, No. 1. And, No. 2, you may never get victim testimony for a whole lot of reasons that involve threats against family, threats against them. I mean, live in their world and you know why they are not cooperating with you. They have been told since they were this high that you are untrustworthy and that no one cares about them and only that person who trafficked them cares about them. And so, there is just a whole lot of things that we need to do better.

We focused a lot on the sex trade and sex trafficking, but I want to ask you, Ms. Gannon, what industries are particularly vulnerable to human trafficking on the labor side, and what are we doing to address those industries and making the users aware that they may, in fact, be buying shoes or may be eating at a restaurant that has a notorious reputation for using human slaves.

Ms. GANNON. If I just may answer your prior question, technology presents some challenges, but it provides a lot of opportunities, and I think that the Federal law enforcement community and prosecutors are looking to technology. A question was asked about cell phones, correctly, forensically examining those cell phones that a victim may have to look at text messages corroborating their information.

Senator HEITKAMP. Or social media.

Ms. GANNON. Social media. Culling through all of the information and evidence seized to build a successful prosecution and to support the victim is something that we absolutely look into and are concerned with.

In terms of labor trafficking, just last year there was an Executive Order (EO) addressing the issue of human trafficking and government contracting domestically, and that issue has also been addressed internationally as well. And we are working with the Senior Policy Operating Group, which is a group of many agencies across the government who meet and discuss important issues, and one of them is identifying industries. The Department of Labor is working on this issue and has issued a list of initial industries, and we are looking at that in order to maximize the effectiveness of the Federal Government's efforts to remove human trafficking from its supply chain.

Senator HEITKAMP. Just a point here. How helpful would immigration reform be to dealing with the labor issue on trafficking?

Ms. GANNON. Senator, at this time, I cannot comment on that but would be happy and the Department would be happy to provide you with any technical assistance on pending legislation.

Senator HEITKAMP. Because it would seem to me that if people knew that there was a path forward for coming out of the shadows, there would be less of this kind of activity.

Ms. GANNON. Well, that is something that we do focus on in terms of the immigration relief that is available through the T and U visa programs that are options for victims of trafficking to obtain status in the country, along with Continued Presence. So education is occurring on that in terms of specific immigration status for trafficking victims.

Chairman CARPER. Senator Heitkamp, the guy sitting next to you over there, John McCain, who just had to leave us, but John has worked a whole lot on comprehensive immigration reform. And when you asked that question, I thought immediately underlying causes. That could actually help address one of the underlying causes. That was just a great point.

Sometimes when we do these hearings, if we have time, I like to ask our witnesses to take maybe half a minute, just no more than half a minute, just go back—you gave opening statements. I am going to give you a chance to give a closing statement, and it is going to be a real short one. And just like one point, maybe just pick one point that you especially want us to remember to keep in mind that maybe you have said, that others have said, and part of what we are trying to do here is to find how do we better coordinate this effort across government, across our country, but also look for common ground between statements that you are giving and the testimony you have given.

Mr. Campbell, just give us one good takeaway, please. And I know that there are a lot of them, but give us one.

Mr. CAMPBELL. I would ask the public that if they suspect any child sex trafficking or human trafficking or something just does not seem right, maybe it is related to forced labor, to please call 1–800–CALL–FBI and report that information.

Chairman CARPER. Say that again?

Mr. CAMPBELL. It is 1–800–CALL–FBI.

Chairman CARPER. OK.

Mr. CAMPBELL. Or even just call local law enforcement if they have any concerns at all, and somebody can start working on that and perhaps end up rescuing someone.

Chairman CARPER. If you see something, say something. Now we have the number. Thank you. Say it again.

Mr. CAMPBELL. It is 1–800–CALL–FBI.

Chairman CARPER. Thank you. Ms. Gannon.

Ms. GANNON. Thank you. I would just like to state that the Department is fully committed to this issue. It is one of the Attorney General's priority goals as part of the Vulnerable People Priority Goal. We are committed to investigating this crime, prosecuting the offenders, and providing victims the services that they need.

Chairman CARPER. All right. Thanks.

Mr. Dinkins, a short statement, please.

Mr. DINKINS. Sir, awareness, awareness, awareness. And thank you for having this hearing to bring awareness to this issue.

Chairman CARPER. Thank you. And my thanks to Senator Heitkamp and Senator Chiesa for making sure I was aware of the importance, more aware of the importance of this. Judge Hill.

Ms. HILL. Thank you for having us. Most of the Federal Government's efforts as well as State efforts are based on the three P's: prevention, protection, and prosecution. I think this hearing has revealed that there has to be——

Chairman CARPER. Say those again, the three P's. Those are good.

Ms. HILL. Prevention, protection of the victim, and prosecution, and this hearing has revealed what others have already said before me. We need to have a fourth P: partnership. That is the way we are going to be able to really fight this and end modern slavery. Thank you.

Chairman CARPER. Those were great closing statements. Thank you all.

Again, you are going to be asked some additional questions for the record. I would just ask that when you receive those that you respond to them as promptly and as fully as you can. We are really grateful for your being here and for the work that you do. Thank you so much.

Now with that we will bring our next panel forward. Thank you.

We want to welcome our second panel today, and I am going to give very brief introductions for each of you. We are happy to see you. How many of you, raise your hand, were you able to be here for part or all of the first panel? Well, that is great. That is excellent.

Our first witness today is John Farmer, Jr. He became dean of the Rutgers School of Law—and I am tempted to say "New-ark" but we know it is "New-irk," New Jersey, in July 2009. In April 2013, he was appointed to serve as Senior Vice President and General Counsel of Rutgers University. His legal career has been service in high-profile government appointments, private practice, and teaching and law school administration. Mr. Farmer began his career as a law clerk to Associate Justice Alan Handler of the New Jersey Supreme Court. I am sure that the two of you know each other pretty well. Welcome.

Our next witness—and I am going to probably screw this one up—Suzanne—I am pretty good on your first name, but it looks like "Koplinger," "Koplinjer"?

Ms. KOEPPLINGER. Koepplinger.

Chairman CARPER. "Caplinger." "Cap." OK. Executive Director of the Minnesota Indian Women's Resources Center. Ms. Koepplinger serves on a number of boards, including the American Indian Community Development Corporation as a consultant for the Office of Victims of Crime Training and Technical Assistance Center. She is also one of 15 national leaders selected for the 2011–12 Move to End Violence Initiative hosted by the NoVo Foundation. Welcome. Nice to see you.

Next, our third witness is Lisa Brunner, Program Specialist for the National Indigenous Women's Resource Center. Ms. Brunner has worked in the domestic violence and sexual assault field for over 15 years and is also Executive Director of a nonprofit organization whose work addresses violence against Native Americans and Alaska Native women. Ms. Brunner has advocated on the local, State, national, and international levels to raise awareness about the violence against Native women within tribal communities, something that Senator Heitkamp has discussed with me earlier.

The final witness is Mr. Daniel—how do you pronounce your last name?

Mr. PAPA. Papa.

Chairman CARPER. Mr. Papa is a world history and government teacher at Jefferson High School in Jefferson Township, New Jersey. He is the director of Project Stay Gold, a student movement to abolish modern-day slavery. Under Mr. Papa's leadership, his students have recently launched a new campaign called "Not on Our Turf" to raise awareness of human trafficking surrounding the Super Bowl, which is being held in New Jersey next year.

All right. Please proceed. Your entire testimonies will be made part of the record, and so, Mr. Farmer, if you want to lead us off, we will get going. Thank you. And, again, I want to especially thank my colleagues Senator Heitkamp and Senator Chiesa for their encouragement and recommendation of witnesses for this hearing, which I think has just been very helpful, at least to me, and I think to a lot of us. Thank you. Mr. Farmer.

TESTIMONY OF JOHN J. FARMER, JR.,[1] SENIOR VICE PRESIDENT AND UNIVERSITY COUNSEL, RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

Mr. FARMER. Thank you, Mr. Chairman. I want to thank the Committee for inviting me here today to speak about human trafficking, one of the most important and significant civil and human rights issues of our time. Human trafficking is an issue that, like terrorism and drug trafficking, challenges both the categories we use to think about crime and, ultimately, the very structure of law enforcement itself.

It is also an issue that, like terrorism and drug trafficking, has touched my career at different times and in different ways. I served as New Jersey's Attorney General over a decade ago when the law enforcement community first became aware of what we now call human trafficking on a scale that transcended local, State, and national boundaries. New Jersey conducted one of the first under-

[1] The prepared statement of Mr. Farmer appears in the Appendix on page 83.

cover investigations of East European prostitution trafficking to bars and massage parlors and cooperated in an investigation of sweatshop labor conditions. Through these efforts, we had an early glimpse of the international dimensions of the trafficking issue. It was clear even then that this was an issue that defined ideological categorization even as it defied geographical boundaries. It is a tribute to our system that the issue has unified politicians as diverse in their orientation as Rep. Chris Smith of New Jersey, who sponsored pioneering Federal human trafficking legislation in 2000, and President Obama, who echo each other in recognition of its evils.

Last year, Rutgers Law School in Newark, where I was serving as Dean—I am currently on leave from that job so that I can serve as General Counsel of the university—hosted a conference on human trafficking. That conference, which we hosted in partnership with the Bergen County Prosecutors Office and Seton Hall Law School, was the second annual event intended to highlight the most serious criminal law issues of our time; it followed a symposium on cyber crime in 2011. The human-trafficking symposium brought home to me how far we have come in combating human trafficking, but also how far we have to go. I would like to highlight both issues in my testimony this afternoon.

First, there is no question that our States, Nation, and, to a lesser extent, the world have come a long way in terms of both awareness and action. In the 1990s, as awareness was beginning to dawn, we were as likely to see the women who were being trafficked as criminals as we were to see them as victims. To a lesser extent, this is still an issue. But in the intervening years, as the magnitude of the problem we face became clear, awareness has also grown and, with it, the tools available to law enforcement to combat the problem have multiplied. A few recent real-world examples should suffice to make the point.

Earlier this month, a prostitution ring operating out of Lakewood, New Jersey, was taken down. The women involved, who were all from Mexico, were reportedly promised jobs as house cleaners or baby sitters and lured across the border. Prior to the recognition of trafficking as an international law enforcement issue, the problem of prostitution in Lakewood would likely have been seen as an issue strictly for local or county or, at best, State law enforcement. Now, however, law enforcement has become accustomed to going beyond the local manifestation of criminal activity to the underlying and broader issues. The Lakewood ring, for example, is alleged to have been part of a broader ring operating out of New York and other surrounding States, with additional ties to Mexico itself.

This case follows closely upon the announcement in July 2013 of the arrests of 150 alleged traffickers and the recovery of 105 sexually trafficked children between the ages of 14 and 17 in the largest nationwide crackdown in history. Operation Cross Country took place in 76 cities across the country and involved the cooperative efforts of 4,000 law enforcement officers in literally dozens of local, State, and Federal law enforcement agencies. In my home State of New Jersey, 70 arrests resulted, mostly in the area around Atlantic

City. This kind of effort and cooperation was inconceivable back in the days when we did not recognize the scope of the problem.

Such complex investigations reflect more than just growing awareness; they also reflect substantive changes in the law and in the structure of law enforcement. According to the Polaris Project, some 39 States have passed anti-trafficking statutes as of August 2013. Under the leadership of Senator Chiesa, in his prior role as Attorney General of New Jersey, our State passed a cutting-edge anti-trafficking statute earlier this year that has been highlighted by the Polaris Project as a model for the Nation. The New Jersey legislation treats trafficked people as the victims that they are, making it easier for them to expunge convictions, to seek assistance, and to serve as witnesses. It builds on the existing criminal statutes to make it easier to reach trafficking networks. Senator Chiesa also as Attorney General created a Human Trafficking Office within the Division of Criminal Justice and issued a statewide law enforcement directive ordering an increase in trafficking investigations and prosecutions, an increase in law enforcement training, and an increase in services available to victims.

Trafficking has also been highlighted at the national level by the American Bar Association (ABA), which identified human trafficking as its signature issue for 2012, and by the Uniform Laws Commission, which adopted a Uniform Act on Human Trafficking in June 2013. This uniform act was approved by the ABA at its annual meeting in San Francisco in August. The adoption of a uniform State law will be a significant step as it will minimize the potential confusion and disparate treatment of both victims and perpetrators that could arise from differing laws in multiple jurisdictions.

We have, in short, come a long way in recognizing the scope of the trafficking problem and in aligning our laws and the structure of law enforcement to meet the threat to human liberty and the insult to human dignity posed by human trafficking. The question, then, is what remains to be done. What are the short-term threats and the long-term solutions? In the balance of my time, I would like to highlight a short-term threat and three areas in which more progress needs to occur.

The highest profile short-term threat—and a real test of the new laws and structure of our anti-trafficking efforts—will come with the festivities that will envelop New Jersey and New York surrounding the 2014 Super Bowl. Although the numbers are debated, experience has demonstrated that high-profile events like the Super Bowl attract an upsurge in human-trafficking incidents. One woman, who was enslaved as a child and now works to eradicate child prostitution, estimated that she would be expected to have sex with over 20 people per day during Super Bowl week. Considering the most effective ways to prepare for the Super Bowl will be a good way to talk about next steps in combating trafficking generally.

First, although we are on the road to having the right laws, having the right laws is a major achievement, but it will not be sufficient. The devil will lie in the details of the enforcement of those laws.

Second, because human trafficking is a crime that respects no boundaries, the geographic and bureaucratic boundaries that exist between and among law enforcement agencies themselves must be overcome. This has become, in an age of transborder crimes like terrorism or money laundering or illegal arms smuggling, the most challenging issue for law enforcement. The reality is that our law enforcement structure, with its emphasis on local police departments, augmented by statewide and Federal law enforcement, is largely a product of an age when threats were overwhelmingly local and isolated. The frustrations law enforcement experience, for example, in solving unsolved homicides is largely a function of the reality that law enforcement is trapped within the boundaries that do not constrain criminals.

A new kind of structure is required to cope with this reality. I am aware that the effectiveness of fusion centers in fighting terrorism has been controversial in Washington. My own view is that they are absolutely essential to effective law enforcement in a borderless criminal environment. I have visited the centers in New Jersey and in Las Vegas and have spoken with fusion center leaders from around the country. While they are, as a group perhaps too autonomous, they are in my view nonetheless essential, for they bridge a critical gap. In human trafficking, as in other borderless crimes, the scope of the conspiracies may transcend boundaries, but the first evidence of criminal conduct is likely to occur locally. Local reports of suspicious activity, reported to fusion centers capable of sifting and collating the intelligence, can be essential to identifying and interdicting the potential criminal conduct. Without fusion centers, or something like them, we have no hope of taking advantage of the street-level acumen of the vast majority of law enforcement officers.

This brings me to my final point of emphasis: awareness and training. If our local law enforcement officers are not trained adequately, they may not know to report suspicious precursor activity so that the dots can be connected. The Suspicious Activity Reporting (SAR) initiative undertaken by the Justice Department and the Department of Homeland Security—which I assisted in developing by conducting roundtables in Denver, Boston, and Chicago—in which precursor conduct and other indicators of criminal activity are identified in training modules designed to guide discretion toward objective factors such as conduct and away from inappropriate indicators such as race—afford a useful template that could, in my opinion, be adapted easily to the human-trafficking context.

Finally, in my view, the suspicious activity reporting concept must be extended beyond law enforcement to the general public. Hotel workers, for instance, if properly trained to look for the signature conduct of human trafficking, might be in the best position of all to report criminal activity. In New Jersey, training in human trafficking is, in fact, being extended to the hospitality industries in anticipation of the Super Bowl. This kind of training should occur nationwide, in my view.

Human trafficking, like terrorism and other transborder crimes, challenges us to adapt our laws and our government structures to make our own borders irrelevant. Thanks to the work of Senator Chiesa and others, we have put the right laws in place, and we

have begun to raise awareness. A further commitment to fusion centers and to initiatives like suspicious activity reporting will be an important next step, in my opinion, in enabling us to eradicate human trafficking.

Thank you again for your invitation to share my views.

Chairman CARPER. Mr. Farmer, thank you very much. Ms. Koepplinger.

TESTIMONY OF SUZANNE KOEPPLINGER,[1] EXECUTIVE DIRECTOR, MINNESOTA INDIAN WOMEN'S RESOURCE CENTER

Ms. KOEPPLINGER. Chairman Carper, Ranking Member Chiesa, Senator Heitkamp, thank you very much. On behalf of the women and children we serve at the Minnesota Indian Women's Resource Center in Minneapolis, I want to thank you for this opportunity to bring to your attention an egregious human rights violation that is being perpetrated against vulnerable Native American Children.

Sex trafficking of our children is a growing concern. In 2009, my organization published the first research in the country to analyze the scope of sexual exploitation of any demographic group. Copies are provided to you. The Shattered Hearts report found disturbing patterns of Native women being targeted by traffickers.

For example, of women and girls screening into direct service programs during this study, 40 percent of the women reported some involvement in commercial sexual exploitation, and 27 percent reported activities defined as sex trafficking under the TVPA.

Our current program for Native girls is screening for risk factors and involvement. We have found that almost three-quarters of the girls who are coming into our program have experienced long-term homelessness and had a family member diagnosed with mental illness and had experienced harassment, either physical or sexual violence. The same percent, 86 percent, also had a mental health diagnosis themselves, had child protection involvement, and 86 percent had experienced exposure to the sex trade. That is no coincidence.

At the 6-month followup, this program is really finding good results. About three-quarters of these girls were now getting housed safely and receiving mental health care themselves. Our program is the only one of its kind that is serving Native girls with a culturally strength-based service. It has a wait list, and we are receiving more recommendations and referrals from law enforcement officials every week.

We continue to receive reports that Native girls are being targeted for recruitment by traffickers to the oil fields of North Dakota and being sold in the "man camps." One alleged incident involved a 14-year-old Native girl who was reportedly sold to 40 men in one night. One 15-year-old girl in our program has told us that her brother's best friend has repeatedly tried to get her up to the man camps because, as he told her, "You can make us a lot of money, honey."

We also know that boys and gay, lesbian, bisexual, transgender and questioning (GLBTQ) or our "Two Spirit" relatives are also being perpetrated against, but we do not have any data. We recog-

[1] The prepared statement of Ms. Koepplinger appears in the Appendix on page 91.

nize that they are vulnerable, and more research needs to be made into this population.

We believe that the data we have is only a snapshot, a small portion of the true numbers being trafficked for a number of reasons. The widespread normalization of sexual violence in American Indian communities has numbed many youth to the point where they minimize and rationalize what is happening to them just as domestic violence victims do. Some girls are gang raped by Native Mob or other local street gangs and live in fear of the consequences of snitching. Methods of recruitment can involve "guerrilla pimping," which is essentially gang rapes and brutal beatings, or "finesse pimping," which is much more difficult to detect and interrupt. This is a grooming process and has a manipulative pattern similar to domestic violence perpetration, where the initial relationship is loving but becomes increasingly more controlling, until the end result is the girls are caught up in a web of abuse and violence that they cannot get out of. Drugs are often used to ensure compliance.

Most of these girls have multiple risk factors such as homelessness, early sexual abuse, and parental addiction or mental illness. Willingness to report or cooperate with law enforcement is rare due to the lack of secure housing and the complex traumas that these children suffer from. As they are reluctant to report to law enforcement, they are not counted in the national data sets as trafficking victims. The current requirement to make a law enforcement report and be certified by law enforcement in order to be counted as a trafficking victim is hindering our ability to get a true snapshot of what the scope of the problem is.

The damage to the victims is severe in both human and economic terms. Our 2012 research report, "Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: A Benefit-Cost Analysis," found the quantifiable damage to a girl recruited into sexual slavery includes traumatic brain injury, damage to reproductive systems, and injuries from violent assaults. Mental health issues such as Post-Traumatic Stress Disorder (PTSD) and dissociative disorders are common. Yet we cannot quantify the damage to a child's spirit, to her self-esteem, to her family or her community.

This analysis shows a definitive return on investment to the taxpayers of Minnesota of $34 for every $1 that is invested in early intervention and prevention services. We know what works, and we have the evidence that it not only saves lives but saves taxpayer dollars. It is now a matter of prioritization.

Since the publication of our Shattered Hearts report, my organization has engaged our local community and tribal partners in solutions. For example, the Fond du Lac Band of Lake Superior Chippewa is working to collect more data and create systemic responses to trafficking. I have conducted multiple trainings across the country, including with the Choctaw Nation of Oklahoma and the Fort Berthold Reservation in North Dakota. Across all systems, there is a need for more awareness of the tactics being used by perpetrators and for technical assistance in identifying and responding to the crime.

Again, in North Dakota, tribal sexual assault advocates are telling us of multiple young women who are reportedly being victim-

ized by traffickers but are too terrified to report the crime. The Bakken oil fields are indeed a boom to the economy of the region and have also created an explosive market for sex traffickers who find vulnerable victims among Native American children. This presents an opportunity for the businesses that are profiting there to step into their leadership role. There is a great need for more law enforcement, more victim services, more awareness, and more education. I hope that the industry will seize this opportunity to invest in the wellness of the entire community where they now live and work.

In Minnesota, our Human Trafficking Task Force has created a strong multidisciplinary response. In 2011 we passed a safe harbor bill, which recognizes juveniles sold into sex as victims of a crime and aligns the State's statute with the Federal TVPA. Last year, we presented to the State legislature a model services and housing program called "No Wrong Door," which is the result of a comprehensive team approach analyzing how we can better identify youth and get them into protective services and healing services rather than the juvenile justice system. We were successful in securing a modest amount of funding to begin that program, but we need additional resources to fully complete the data analysis and the training requirements that are part of the plan. And we are collectively beginning to design more effective approaches to reducing the demand for sexually exploited children, for without the demand there would be no supply.

So again I want to thank the Committee Members for their leadership in holding this hearing. No person should be viewed as a commodity. We need more resources, and we need to stop this as a market-driven enterprise and go after the demand where it starts.

Thank you very much.

Chairman CARPER. Thank you so much, Ms. Koepplinger.

Ms. Brunner, please proceed.

TESTIMONY OF LISA BRUNNER,[1] PROGRAM SPECIALIST, NATIONAL INDIGENOUS WOMEN'S RESOURCE CENTER

Ms. BRUNNER. Boozhoo.

Chairman CARPER. Boozhoo.

Ms. BRUNNER. Thank you for the invitation to be here to the Committee Members, thank you to Senator Heitkamp and your office reaching out with the invitation for the National Indigenous Women's Resource Center to be here.

Human trafficking of Native women in the United States is not a new era of violence against Native women but, rather, the continuation of a lengthy historical one with the colonization of America through wars, forced removal from their homelands to reservations, boarding schools, and forced urban relocation. Domestic human trafficking in the United States has a longstanding history.

Native women experience violent victimization at a higher rate than any other U.S. population. Congressional findings are that Native American and Alaska Native women are raped 34.1 percent, more than 1 in 3, will be raped in their lifetime; 64 percent, more

[1] The prepared statement of Ms. Brunner appears in the Appendix on page 409.

than 6 in 10, will be physically assaulted. Native women are stalked more than twice the rate of other women. Native women are murdered at more than 10 times the national average of the United States. Non-Indians commit 88 percent of the violent crimes against Native women.

Given the above statistical data and the historical roots of violence against Native women, the level of human trafficking given the sparse data collected can only equate to the current epidemic levels we face within our tribal communities and nations.

As an enrolled member of the White Earth Ojibwe Nation in Minnesota, I live, work, and raise my children on my reservation. I have worked for over 15 years addressing domestic violence and sexual assault of Native women and have witnessed and heard countless stories of human trafficking occurring to the point that we have girls as young as 12 years old who are victims. With the introduction of heroin, we now have an epidemic of the same age group, and women who are trafficked now have heroin needles in their arms. Native women and girls are sold for $20 worth of heroin.

We have mothers who call local county sheriff departments reporting their daughters missing only to be told, "We have better things to do with our time," or, "Why don't you be a mother and know where the hell your daughter is."

It is difficult, given the jurisdictional complexity of the 566 federally recognized tribes in the country with non-Public Law 280, Public Law 280, 638 Contract, Land Claim Settlement States, Oklahoma's checkerboard, and Alaska Native villages. To add to the complexity, if the perpetrator is non-Native, then the tribes and Alaska villages do not have criminal jurisdiction.

With the recent wide-range impact of extractive industries such as oil fracking and pipelines is predatory economics at its worse for the Fort Berthold Nation in North Dakota and Fort Peck Reservation in Montana. With the fracking of the Bakken formation comes "man camps." The victim advocates responding to calls for service on Fort Berthold said there has been a doubling and tripling of numbers of sexual assaults, domestic violence, and human-trafficking incidents since 2008.

The multiple layers of issues that have come to the forefront are the lack of documentation of these man camps. Emergency services often cannot find their locations, and since they are located in isolated and desolate areas, there often are no cell phone services available. There are two types of man camps: documented and undocumented. Undocumented camps are often 50 to 100 trailers that a rancher or farmer has set up on his land to rent out and make money. These undocumented camps present a special problem for emergency services and organizations since they do not exist on a map or have addresses.

The other issue involved with the man camps in Fort Berthold is lack of monitoring and registration of sex offenders whether they are in documented or undocumented man camps that pose a serious threat to the safety of women and children in the area.

In Montana, the Bakken oil boom has impacted the largest reservation, Fort Peck, and residing counties have experienced both a population and crime explosion.

The majority of employees from the oil rigs are not from Fort Peck tribes or Roosevelt County or even from Montana. There have been documented increases in drug use and human trafficking, theft, alcohol-related incidents, and assaults within the last year. Law enforcement response, tribal domestic violence/sexual assault services, and medical responses to these crimes have tripled in the last year.

Within northeastern Montana there are currently three man camps with several more only 70 miles away in the neighboring State of North Dakota. Many tribal advocates have responded to victims that have been trafficked at the man camps often preying on young Native women. Groups of men from the man camps use free access to drugs and alcohol as a method of coercion for young Native women to "get in the car" and go party. This has resulted in 11 young Native women ranging from the ages of 16 to 21 years of age reporting rape, gang rape, and other sex acts. The majority of these victims are afraid to report due to fear and shame.

The Fort Peck Tribes Sex Offender Registration and Notification Act (SORNA) program reports that 1 year ago there were 48 registered sex offenders. Now there are over 600 registered sex offenders. The struggle has been that non-Native sex offenders do not recognize the tribal jurisdiction and feel they do not have to report to the tribal SORNA program. However, the U.S. Marshals and other law enforcement agencies have assisted in gaining registration of known sex offenders on the tribal registry.

Another aspect of the domestic human-trafficking issues in the United States and Tribal Nations is the U.S. Adoption Industry. An article in Indian Country Today titled "Trafficking of Native Children: The Seamy Underbelly of the U.S. Adoption Industry," brings to light the practice of selling Indian infants and children to the highest bidder which brings in revenue for lawyers from $25,000 to $100,000 per child. In this article, it is stated that in 2012, 50 Native children were adopted out from North Dakota to South Carolina. These adoptions are done without the tribes' knowledge or consent or that of the biological fathers.

To really gain insight to domestic human trafficking in the United States, one must examine the many sectors in which this is facilitated, whether it be extractive industries, pimps, gangs, cartels, family members, or lawyers working in the adoption industry. Many different avenues must be examined and taken into account to fully understand what leads to this epidemic of human trafficking that not only impacts Tribal Nations and Alaska villages but all citizens of this country.

I am a program specialist with the National Indigenous Women's Resource Center. Our role as an organization is to serve as a National Indian Resource Center that provides technical assistance and training, resource development, policy development, research activity, and public awareness that also seeks to enhance Native American and Alaska Native tribes, Native Hawaiians, Tribal and Native Hawaiian organizations to respond to the violence against Native women.

Thank you for your time.

Chairman CARPER. Thank you for your time, and thank you for just terrific testimony. Compelling testimony.

Mr. Papa, welcome.

TESTIMONY OF DANIEL PAPA,[1] DIRECTOR, PROJECT STAY GOLD

Mr. PAPA. Good afternoon. I would like to thank the Committee for this opportunity to share the great work that my students have done, and I especially would like to thank Senator Chiesa for his commitment to fighting human trafficking and also his support of the modern-day student abolitionist movement.

As we gather here today, we have heard the statistics: 27 million slaves on Earth, more slaves than ever before, 100,000 people trafficked throughout the United States. In the face of this global crisis, my students have proposed a solution, and I believe that today is also about a day of solutions and a day of collaboration.

I believe that a solution to human trafficking within our country is inside our classrooms. I am proud to represent the great work that the students have done in my school.

The journey begins in October 2010. I was teaching about the introduction of slavery in America's past, and while teaching that, I made a connection to modern-day slavery. I have observed as a teacher that young people have a sensitivity to injustice.

As I have taught issues of injustice in the past throughout history, whether it has been the Holocaust, whether it has been slavery, I have noticed a different level of engagement in the room. Young people have a sensitivity, and that sensitivity to injustice has fueled Project Stay Gold.

While I made the connection, I had a student come to me and say, "Mr. Papa, we have to do something about this." With that, we had 35 students sign up, and we organized an awareness campaign inside of our school. The 35 students created a PowerPoint lesson, and they went into the sixth, seventh, and eighth grade social studies classrooms, and they taught a lesson on modern-day slavery and human trafficking. They created posters and posted them around the school. They made announcements on the morning announcements. They sold wristbands that say "Abolitionist" on it. The first day that we actually had the wristbands, we sold 400 wristbands in 24 hours.

We had teachers coming up to us from all around the school saying, "What are these posters about? What are these kids talking about? What is this issue?" Our young people are educating the educated. It was an unbelievable experience.

The students were so moved by the experience of sharing and exposing this crime. They came to me and they said, "Mr. Papa, we have to do more. What more can we do?" And so with that, we launched the website, ProjectStayGold.org. We created videos where the students spoke to the issue and they raised awareness. They used statistics, and so on, that they have learned and we launched these videos. And through that, the students were invited to many different events. They presented 2 years in a row at National Human Trafficking Awareness Day in Trenton, New Jersey, at our State Capitol, and that is where we met Senator Chiesa. The students also presented at the Department of Health and Human

[1] The prepared statement of Mr. Papa appears in the Appendix on page 412.

Services Awareness Day in New York City. They have presented at colleges, universities, public libraries, churches, and other communities.

With the Super Bowl coming to our State, students have launched a campaign called "Not on Our Turf" (students for a traffic-free Super Bowl). They have launched a website. They have created a video, and they have taken to social media as well.

Part of their vision is they have also organized a student summit on October 15 at Caldwell College in New Jersey, where they have invited students from all over the State to come, not only to learn the issue, but they are going to give students action kits and action packs that they can go back to their school and launch an awareness campaign with the Super Bowl coming to our State.

One of our students has initiated a petition on Change.org. He initiated it 3 weeks ago, and within 3 weeks he has 4,000 signatures calling for the National Football League (NFL) host committee, the Super Bowl host committee, to address the issue of human trafficking. And also part of their vision for Not on Our Turf Super Bowl Campaign is to create public service announcements that could be on radio and also on cable TV, where they will speak to the issue and raise public awareness.

I also want to mention that part of what our students are doing, it is not just awareness. Educating young people is prevention, and what we have seen, actually our students have gone out into other schools, they have gone to other middle schools and high schools, and they have taught lessons to others, and others schools are now joining in this effort. And what we have found is that, as young people educate young people, this is a solution. This is part of a solution.

There are three ways that I believe the Federal Government and State and local governments can partner with schools and with young people.

First, as we have mentioned already today, I believe that Federal, State, and local governments could work with the Departments of Education on bringing more of an awareness to the way harassment, intimidation, and bullying education has come into the schools, education regarding human trafficking.

I also believe that, grants could be offered to student movements who meet certain criteria to bring attention and awareness to human trafficking.

And I just also believe that government supporting the movements of young people is a very powerful step toward prevention as well.

Thank you.

Chairman CARPER. That is pretty amazing work that you are doing there, Mr. Papa.

Mr. PAPA. Thank you.

Chairman CARPER. Thank you.

On the first panel that presented, I asked each of the witnesses to talk about underlying causes. And we talk a lot about symptoms, but underlying causes, I am going to ask each of you to take a shot at that, and we will start with you, Mr. Papa. Speak to us about underlying causes and how we might address this huge problem by going after underlying causes. And just be fairly brief, if you would.

Mr. PAPA. Sure, absolutely. Thank you. My students have identified one underlying cause, and that is the acceptance of "pimp culture" in America, the idea that a Grammy was awarded to a song called P–I–M–P, Pimp; the fact that MTV has a show called "Pimp My Ride." My students have identified a "pimp" as a modern-day slave owner. And I believe that if we could educate America's youth of what a pimp really is, that could be a No. 1 step toward prevention.

Chairman CARPER. That is a great point. Thank you.

Ms. BRUNNER. Thank you. No. 1 would be poverty. Human traffickers prey on the vulnerable, and the vulnerable are in poverty.

The other is the lack of education, understanding that this is for all involved, whether it be the community members themselves, victim advocates, law enforcement, court personnel, judges, and schools to raise that awareness.

The other is drugs and alcohol because this ties hand in hand with that. Drugs and alcohol are used in order to entice victims and the fact that our women are being sold for $20 worth of heroin on our reservation where others it may be meth, that is significant, so addressing that issue also.

The other is there needs to be more training for law enforcement. When we look at our tribal law enforcement, we look at the complexities of our jurisdictions—you listening earlier to DHS' response and to the other lady that was sitting in this seat, they are talking about, special attorneys and you are talking about Federal. Well, when you look at the 566 federally recognized tribes in the country, the majority are Public Law 280, which is not Federal jurisdiction. That is State and counties. So the Federal Law Enforcement Training Center (FLETC), through DHS, they created the Domestic Violence Indian Country Training Program, which is not currently being delivered. Currently what is being taught at the Bureau of Indian Affairs (BIA) in Artesia, New Mexico, training our law enforcement, is to do dual arrest. This was done September 2 by Sergeant Greenwood at the BIA, but this is what they are doing. They are teaching dual arrest, which is setting us back 20, 30 years. And if this is what the capacity is for the training for law enforcement in order to respond to a massive epidemic, which 6 in 10 of us are going to be victims of, how are they supposed to be responding and educated on sex trafficking that is going unnoticed? They do not know what to look for.

Then funding to support victims; there needs to be more help and support. Thank you.

Chairman CARPER. Thank you so much. Ms. Koepplinger.

Ms. KOEPPLINGER. I would agree with what has been said, and to carry out a little bit what Mr. Papa said, it is the hypersexualization of our culture which tells young girls that their only value is in their sexuality and how attractive they are. I mean, selling Halloween costumes to 9-year-old girls that make them look, like they—how they should not look. That is one part of it, I think.

And I think until there is a real honest dialogue about a culture of impunity—sex trafficking is part of a systemic exploitation of those who have the least power; which tend to be women and children who are not Caucasian more often than not, although not ex-

clusively. It has similar dynamics to domestic violence, rape, sexual assault. It is a culture of impunity that has largely identified females as commodities or property. And until we have an honest dialogue about that, I do not think we are going to make any big headway.

Chairman CARPER. Thank you, ma'am. Mr. Farmer.

Mr. FARMER. I would agree with what Suzanne said and note that trafficking has many faces, and there are many causes. It is a very complex phenomenon. But what they have in common, in my view anyway, is where there is an erosion of sustaining social institutions whether it be the collapse of the Soviet Union, even that caused a vacuum that the Russian organized crime filled—or the collapse of the family in parts of America where you have teenagers running away from home and being victimized.

So my experience in law enforcement is that crime fills vacuums, and when there is a social vacuum created of whatever kind, crime is going to fill it. And in this context, it is filling it with our most vulnerable people.

Chairman CARPER. OK. Thank you. My next question goes back to actually a word, one of the words that was used by, I think, our judge a little bit earlier, and maybe a word that has been used by one of our witnesses here. Remember the judge mentioned—I think it was the judge who said there are three P's she went through, and then I think she mentioned a fourth one—partnership. I believe it was the judge who said that. And I heard the word "collaboration," and I think—was that you, Ms. Brunner?

Whenever I run into people who have been married a long time, I ask them, "What is the secret for being married a long time, 40, 50, 60 years?" And the best answer I have ever gotten is the two C's: communicate and compromise. And that is also the secret for a vibrant democracy: communicate and compromise. I think if we are going to be successful here on this front, there has to be a third C, and that C would be collaboration. Collaboration.

And as I said earlier, after Senator McCain had spoken and asked a question or two, I mentioned this is an all-hands-on-deck time, and that there is a shared partnership and a shared responsibility.

Let me ask you to focus on the Federal piece of that. Our role in this collaboration our role in this partnership And just speak very briefly, and then I am going to yield to my colleagues. Mr. Farmer.

Mr. FARMER. Well, I agree with the witness on the first panel who indicated that the Federal cooperation has been better in this context than in some others. I have been a Federal prosecutor and I have been in State law enforcement, also. And there is a tendency among Federal law enforcement to overlook the value of State and local law enforcement and to view themselves as sort of the be-all and the end-all.

I think that has improved since I was in office. 9/11 helped improve that. But it is still there, and really the intelligence on the ground is so important, especially in the context of human trafficking. So entities like fusion centers I think can play a vital role in bridging the gap that exists between Federal and State and local law enforcement.

Chairman CARPER. Thank you. Ms. Koepplinger and I would ask you to be brief, if you would, please.

Ms. KOEPPLINGER. I think one of the key things is that the Federal law is really framed as a law enforcement problem, but this is a human rights problem, and we really need to understand the role of the advocates and the NGO's on the ground who are serving the victims and how they can be helpful and how their work can help identify more victims and serve more victims. The data sets will never be complete if we do not allow the front-line advocates to determine who is a victim of human trafficking.

Chairman CARPER. Thank you. Ms. Brunner.

Ms. BRUNNER. Real quick, I would like to see the development of a Human Trafficking in Indian Country Task Force that is inclusive of all Federal, State, local, but also the NGO's and the advocates that are on the ground. Often we have a lot of Federal people with good intentions but who have no understanding of what we deal with in Indian country. They speak very little to that.

So if we could have a little bit more dialogue with that, I would appreciate it. Thank you.

Chairman CARPER. Thank you, ma'am. Mr. Papa.

Mr. PAPA. If the average age of entry into human trafficking in the United States is between the ages of 12 to 14, what better advocates are there than their peers who are middle school and high school age. So I think that if the Federal Government was able to support, through the Department of Education, a nationwide educational program brought to the school system, that would be an excellent step.

Chairman CARPER. Senator Heitkamp, that reminds me of that truth campaign, doesn't it? Just a little bit of that truth campaign on the American Legacy Foundation, which you helped create, was all about.

All right. Senator Chiesa, please.

Senator CHIESA. Thank you, Mr. Chairman.

Chairman CARPER. And this will probably be the last round of questions, but go ahead, if you will. We will go at least 7 minutes.

Senator CHIESA. Thanks to all of you for being here, and thanks for sharing your expertise. But, most importantly, thanks for sharing your passion on this issue. All of you have spoken with great passion about it because you have seen yourselves the impact it has on the people that are devastated by it, so thank you.

I do want to thank in particular my friends from New Jersey:

Dean Farmer, who has distinguished himself at every level of public service in New Jersey, as a line prosecutor, as the Attorney General, as a senior aide to the Governor, and now as the dean of our law school, jumping in to help Rutgers when they asked him to go over and be their in-house lawyer as they get through some struggles there. So thank you for being here.

And Mr. Papa, whom I have now known for a little less than 2 years, but whose students really had a big impact on me. I had done cases, and I had talked about it, but I watched young students talk about the issue of human trafficking with such passion and such creativity, I thought it really moved me, and it really helped me, helped focus me on the importance of spending my time

and my energy as Attorney General and doing everything I could to combat it, so thank you.

Dean, you talked earlier about the SARs and the role they can play. Can you talk a little bit about how you—I know you talked in panels that you sat on and things that you had done maybe in an academic setting. But talk about the role they played when you were—when I think of those, I think of those in financial crimes, in that context. Talk a little bit about how you have seen—in your own mind, how that has evolved into a tool that we should be using in this area of human trafficking.

Mr. FARMER. The thinking behind suspicious activity reporting is that you do, to some extent, academic studies of criminal conduct, and from those studies you extract objective factors that people can look for to identify precursor conduct that leads to crime. And then the object is to train people so that they can spot those indicators, notify law enforcement, notify the Federal law enforcement, or State or local, whatever the appropriate level is, and at that point it gets filtered up through the fusion centers and it gets proliferated through the government. And it is a way to bridge the gap between the different levels of government, and what it provides is a template that can be exported from the context of terrorism to other contexts, and there is no more important one that it can be exported to really than human trafficking.

Senator CHIESA. And you talked a little bit about making sure that our boots on the ground, the people you described as having the best instincts to recognize these cases. And one of the things that we talked about in New Jersey was to better prepare our law enforcement personnel. They have great instincts. They have great commitment. What I thought we had not done, I had not done a good enough job on was explaining to them that it is OK to take a longer look; it is OK to drill down a little bit further.

Can you tell us your thoughts on that? Do you think that is a worthwhile way for our law enforcement community to be trying to eradicate this crime?

Mr. FARMER. Absolutely. And, the tremendous pressure on local law enforcement is to solve the crime that exists today, and that discourages the longer look. And so raising awareness that there is a longer look to take I think is critical in dealing with State and local law enforcement.

So once they know there is a bigger problem, as we found with what turned into the undercover investigation of the East European trafficking in bars and massage parlors, it started as just a prostitution case, and then it grew. And we realized it was a much bigger problem. And once they are alerted to that, better investigations will follow.

Senator CHIESA. Thank you. As the son of a retired school teacher, Mr. Papa, I cannot say that does not influence my respect and my admiration for all that you are doing. I have had four or five chances to sit face to face with your students and talk about this issue, and their level of comprehension astounds me.

You talked about some of the cultural things that you are seeing. Talk to us very candidly about the way those things are talked about in your classroom, not just by the leaders who are involved in the programs that you are pursuing that are so terrific, but

maybe some of the kids who would be more apt to find themselves in this situation because they do not have either a familiar support network or they do not feel part of a group at this school.

You hear these conversations every day, whether it is in the hallways or in the classrooms. Talk a little bit more about that and how you think that is a sign that we have become desensitized to the things that can lead us to the spot we find where people are enslaved.

Mr. PAPA. I will never forget my second year teaching. I had a girl come into the classroom, and she had a shiner. She had a black eye. We obviously took the proper steps and called the Division of Youth and Family Service (DYFS) and so on.

A few weeks later, I noticed she was not in my classroom. She was not there for a few days. A few days turned into a week or two. And I asked one of her friends where she was, and she told me that she ran away because she could not take her dad hitting her any longer. And she was in eighth grade, and she ran away to Pennsylvania.

So I think that it is systemic in, I think, every school throughout the country. And the one thing that I have seen, though, is I have seen the ability for young people to reach out to other young people within schools who are hurting like a girl like that.

Senator CHIESA. And that is the thing I would like you to give us a little bit more information on. Your students are now going out to other schools and educating other students.

Mr. PAPA. Right.

Senator CHIESA. And I think that is a great thing to be doing. Can you tell us about some of the reactions you are having from both the students and the teachers at the other schools that you are going to when you talk about human trafficking?

Mr. PAPA. I do not know if this is surprising or not, but from teachers, there is a lot of skepticism, and the students are coming back, and they are saying, even students who are wearing the wristbands, they have initiated conversations with parents or family members, and the parents or family members say, "What are you talking about? This does not exist. This is not true."

So it seems as if the students are really on the front lines of even trying to convince adult communities. As Mr. Farmer mentioned, when we did an awareness night at our school back in January, we had two police officers from our town come. And afterwards they came up to us, and they said, "We had no idea that this even existed. We did not know anything about this until we came here tonight."

So I think the reaction is pretty shocking. The main reaction, though, which is the reaction of success, is the ability for a young person to communicate to another young person. And I think, the most important step in education is not what we learn, but it is what we do with what we learn. And if our young people are able to educate their peers and teach them that it is not enough just to know, but it is more than that; it is about doing something with what you know, starting a campaign, starting a Twitter account, starting a Facebook account, and really getting the word out. I think that is the biggest key.

Senator CHIESA. Thank you very much.

Thank you, Mr. Chairman.

Chairman CARPER. You bet. Senator Heitkamp.

Senator HEITKAMP. You all are just excellent, and you have just done such great work in this area, and you really have put a human face on this problem. I think the last panel was all about kind of the bureaucratic response, assuming everyone knew. But you are at that level where you are dealing every day with victims, and you are dealing every day with this problem, and looking at it from a systemic, long-term view, because this is not going to change overnight. This is a problem that has been with us since the beginning of humanity. And it is something that I think we thought we eradicated, kind of like eradicating smallpox or polio, and then all of a sudden it comes back because we lose focus and we lose attention and we think it is OK, because it is not us, because it is their kids not our kids, because it is those people and not all of us.

And so we are all in this together, and just from every one of you, I just feel a lot more optimistic than I did before I got here knowing that you are out there thinking about it, thinking about it in fusion centers and how you are going to look at jurisdictional challenges, thinking about how you are going to educate kids and not let them be victims, and then thinking about the special needs of very vulnerable populations.

Dean Farmer, if you think jurisdiction is complicated between you and New York City, you try and figure it out in Indian country and a large land-based Indian center.

I want to raise another symptom of this problem—especially in Indian country, and I would like both of you to respond to an observation that I have, which is, as we look at the high rate of suicide, young teenage suicide, on the reservations and really off the reservations within our Native people population, how much of that do you think is related to abuse, neglect, trafficking?

Ms. KOEPPLINGER. Well, I do not have any good data, but I think that there is a very strong correlation. We see extraordinarily high rates of child abuse in many of our families. That historic trauma, multi-generational trauma that so many families experience has not really been unpacked, and until we understand how to heal whole families, we are going to continue to struggle with this.

I think the suicide rate is absolutely linked with alcohol and drug addiction and mental illness, and those in many cases are an offshoot of early sexual trauma that has not been dealt with and the child has not had a chance to heal. So I think there is a strong correlation.

Ms. BRUNNER. I would agree with Suzanne. I would say a majority of the suicides of our children is due to violence, due to child abuse, due to drugs and alcohol.

Just last year, we had a 14-year-old girl hang herself because she was raped. A month later, we had another 14-year-old hang himself with a shoestring on a bathroom doorknob. And then the following month, we had a 19-year-old girl found hanging 3 days from a tree who was 12 weeks pregnant. The level of suicide is at epidemic levels, and we really do need to look at the level of the violence that is being perpetuated and which our children are trying to navigate.

Senator HEITKAMP. If we could give the United States Government's effort a grade in this area, I guess my question is: What grade would you give us? And I will start with you, Dean Farmer.

Mr. FARMER. Why can't you just start with the teacher at the other end? [Laughter.]

Senator HEITKAMP. He is used to this.

Mr. FARMER. Well, I am an easy grader. I would say a B-plus. I think the level of awareness has risen. The effort is there. The coordination could be better.

Ms. KOEPPLINGER. So is this a grade on its work in Indian country or——

Senator HEITKAMP. Well, both.

Ms. KOEPPLINGER. C-minus, maybe. I mean, I am encouraged. I am seeing progress. But there is still a lot of work to be done, particularly with——

Senator HEITKAMP. And just for maybe some of the folks who are not as familiar with Indian jurisdiction, the Federal Government has a unique relationship, whether it is the trust and treaty relationship or whether it is primacy in jurisdiction. And you both raised the specter of the problems that we have right now in Fort Berthold. We could use five FBI agents in Fort Berthold right now. We have 3,000 pending criminal cases in tribal court. A vast majority of those cases are drug related. But we know we have these ongoing problems. So just so we know that what we are grading here is a different jurisdictional challenge. Lisa.

Ms. BRUNNER. I would have to say on a national level a C, just because it was only a few years ago that Suzanne and I, with her invitation, were at HHS talking with their human trafficking division where the funding that was available was not available to address domestic, it was only international. So to see the change occurring is good.

For Indian country, I give it a D just simply because of the jurisdictional issues, the lack of funding coming into Indian country, the lack of education and awareness and training for law enforcement, and building those collaborative relationships that are necessary between tribal, State, and Federal agencies to have a united front to address this issue.

Thank you.

Senator HEITKAMP. Thank you. Mr. Papa.

Mr. PAPA. From my perspective, I would say a B. I think that even what we are doing here today, the fact that President Obama has made speeches about it, there has been such a greater attention brought, as I have seen even over the last 3 years from the Federal Government as I followed it.

However, I really believe very strongly that there needs to be far more outreach into the school systems in order to prevent and educate young people of their risk factors and the warning signs, especially from Departments of Education, at the Federal and State level as well.

Senator HEITKAMP. I just have a few minutes, and I just want to make a comment about victimization and about the work that we have done over the years dealing with victims. It is not easy for victims to come forward. It is not easy for victims to talk about their victimization. It is not easy because there is a lot of shame,

especially in Indian country with young girls who may have used drugs and alcohol and ended up in a very bad situation.

And so we need to be more concerned about how we deal with victims so that they know that there is justice for them, regardless of what their behaviors were. And I think there is a lot of blaming that goes on, and we need to step back and spend some time talking about how we are going to deal with this problem from a holistic standpoint.

I just thank you all for putting a very human face on this and some great expertise. I think you gave us some great ideas.

Chairman CARPER. Amen. Senator Heitkamp, I just mentioned to Senator Chiesa, the two of you came up with this idea, and I really did not know fully what to expect. This has been a terrific hearing. We have had great witnesses. I thank you both for recommending several people to testify and for really providing leadership. Although you are both fairly junior in the U.S. Senate, you have really provided great leadership on this point.

I have said, Senator Chiesa, in the first panel, we gave the first panel a chance to make brief closing statements. I am going to ask Senator Chiesa to make a very brief closing statement. I am going to ask you if you would make just a very brief closing statement after Jeff, and then we will wrap it up. Thank you.

Senator CHIESA. Thank you, Mr. Chairman.

It is hard to believe we are talking about people as property in 2013, but we are. But I think it is encouraging that, thanks to the Chairman's leadership and people like Senator Heitkamp, we are able to talk about it at the highest levels of government so that we bring attention to it—in our schools, in our communities, everywhere that we can.

So I really appreciate the passion that all of you brought to this issue today. I really appreciate the chance, Mr. Chairman, to talk about this issue today. And I hope that we will continue to talk about it and that everybody who is sitting in our chairs will continue to listen so that we can make sure that people understand it is out there and that we are using every resource we can and considering every community. I come from a prosecutor's mentality because that is where I worked. From a victim's perspective as well. All of these perspectives are really important so that we get to a solution that addresses all of it, eradicating it, deterring it, and returning some quality of life to the victims.

So thank you.

Chairman CARPER. Thank you. Senator Heitkamp.

Senator HEITKAMP. I am reminded of a story of a gentleman that I used to work with in North Dakota. He was around the juvenile justice system in North Dakota, and he did a series of meetings across the State, and everywhere he went he got a lot of suggestions, and a lot of times he was told what he could not do. And they would say, "You cannot do this, and you cannot do that, and you cannot do this, and you cannot do that." And at the end of one of these meetings, an elder lady came up to him—actually, it was on the reservation—and she said, "Mr. Lick, what you cannot do . . ." And he thought, "One more." And she said, "You cannot give up."

And we cannot give up on these victims. We are better than that as a country. We are better than that as a people. We are better

than that in our humanity. And we will lose ground if we lose focus.

And so human slavery has never been OK. It will not be OK on our watch. And so I want to thank the great Senator from New Jersey and the Senator from Delaware for their allowing me to be part of this important hearing, and thank you all again for putting a very human face on this problem.

Chairman CARPER. Well, again, I want to thank our witnesses. Just a wonderful panel. And thank you for your heart and thank you for your conviction and for your steadfast determination to make sure we do not ignore these problems, that we say something, say something constructive, and keep saying it until we deal even more effectively with this problem.

A special thanks to Senators Heitkamp and Chiesa. We would not be here but for your encouragement.

But, last, as my colleagues know, every Wednesday there is a prayer breakfast. Imagine this, Democrat and Republican Senators gather at a prayer breakfast. We read the Scripture together. We pray together. We even sing a hymn every now and then. I usually do not get to go because they do it fairly early on Wednesday mornings, and I am usually on a train trying to get here. But they asked me to speak last Wednesday, and one of the things I mentioned was how should our faith guide us in what we do. And the Golden Rule just rings loud and clear here for me, and it probably does for you as well.

The other thing I mentioned was: what is the role of government? Whatever the problem or issue that we are facing, what is the role of government? And I oftentimes rely on the words of Abraham Lincoln, who said a lot of memorable things, but he used to say, "The role of government is to do for the people what they cannot do for themselves."

There is a role here for the Federal Government, and there may well be a role for this Committee. It is Homeland Security and Governmental Affairs. Long before it was Homeland Security, it was Governmental Affairs. And we have broad investigative powers into the whole range of the Federal Government, and we use those not just in a "gotcha" kind of mode, but in a way to see how we can foster collaboration, how we can foster greater partnership, how we can realize what is the role of government, not just Federal, not just State, not just local, not just law enforcement, not just nonprofits, the faith community, what is the role of all the families, our families. There is a shared responsibility, and this is an all-hands-on-deck moment.

I am encouraged, having certainly reminded us that we have a problem here, to also realize there are a lot of things that are working that we ought to be doing more of, and I am more encouraged that we just might do that.

All right. With that having been said, again, Senator Chiesa, Senator Heitkamp, and to all of our witnesses, thank you so much.

Thank you. The hearing record will remain open for 15 days—that is until October 8, my sister's birthday—at 5 p.m. for the submission of statements and questions for the record.

With that, this hearing is adjourned. Thank you so much.

[Whereupon, at 5:17 p.m., the Committee was adjourned.]

APPENDIX

Opening Statement of Chairman Thomas R. Carper
Combating Human Trafficking: Federal, State, and Local Perspectives
September 23, 2013

As prepared for delivery:

I'd like to begin by thanking Senator Heitkamp and Senator Chiesa for asking us to hold this hearing today to bring some needed attention to the issue of human trafficking.

Human trafficking has been described as modern-day slavery. This is because its victims are forced to work, including as prostitutes or in sweatshops, against their will. Trafficking victims may not be physically imprisoned, but they are trapped in often hellish conditions through physical or mental coercion that makes escape impossible, or at least seem impossible.

It's easy to think of human trafficking as something that happens somewhere else – in countries far away from ours that are suffering through war and poverty. Sadly, human trafficking is a real and growing problem all over the world, including here at home. And it can be invisible unless officials and citizens alike are trained to recognize the tell-tale signs.

By some measures human trafficking is the second most significant criminal enterprise in the world, generating an estimated $32 billion in revenue. That is simply stunning. The statistics for one type of human trafficking, prostitution, are particularly shocking. I'm told that, every year, more than 100,000 children in the United States are forced into prostitution. The average age of entry into prostitution is 13 years old. In fact, I understand that there have been reports of teenage girls forced to work as prostitutes by gangs and literally branded with tattoos to mark them as property.

While the word 'trafficking' sounds like a crime that involves moving people, the truth is that human trafficking doesn't necessarily involve victims smuggled in from other countries –or even other states. Human traffickers prey on vulnerable people in our own communities. While some victims are undocumented immigrants, many are teenage runaways or other vulnerable individuals born and raised in the United States.

Just last year, in Wilmington, Delaware, a man was found guilty of forcing a 15 year old girl to work for him as a prostitute. And just last month, the FBI conducted a three-day operation in 76 cities that led to the rescue of 105 children who had been trafficked into the commercial sex trade. Two of the children were found in the Philadelphia suburbs.

This issue reminds me of a passage from the Book of Matthew in the Bible (Matthew 25:31), when Jesus describes how God looks on those who perform acts of kindness for the disadvantaged by saying 'in as much as you did it to one of the least of my brothers, you did it to me.' These vulnerable people being preyed on by human traffickers are clearly 'the least of my brothers,' and I believe that we have a moral responsibility to make sure that they are being protected.

I am always looking to understand the underlying causes of things, so that we are not just focusing on treating the symptoms. In the case of human trafficking, I am hoping that our witnesses today can help us to better understand three key things. First, we need to know what drives human trafficking so we can be more effective at stopping it. Second, we need to get better at identifying victims so we can more successfully intervene and remove them from this terrible situation. Lastly, we need better identify potential victims of trafficking so that we can intervene before they're ensnared and offer them effective treatment or services before they fall prey.

Today, we have two panels of witnesses who can help us understand the current efforts underway at the federal, state, local, and tribal level to attack human trafficking head on. On our first panel, we have four senior witnesses from the Departments of Justice and Homeland Security who will speak to how the federal government has made human trafficking a priority for law enforcement, and hopefully address some of the underlying causes. On our second panel, we have four witnesses who will speak to how human trafficking impacts our communities, and how state and local officials—and even school children—are tackling this problem. Senator Chiesa, I understand that you are pinch hitting for Dr. Coburn today. Thanks again to you and Senator Heitkamp for bringing this important issue to our attention.

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Opening Statement of Senator Jeffrey S. Chiesa
U.S. Senate Committee on Homeland Security and Governmental Affairs
Hearing: "Combatting Human Trafficking: Federal, State, and Local Perspectives"
September 23, 2013

Thank you, Mr. Chairman. I want to begin by thanking you, Mr. Chairman, for convening this hearing. I also want to commend your leadership, not just of this Committee, but also on the issue of human trafficking. Human trafficking – more accurately called modern day slavery – is a plague on our Nation and on the world. It is, to put it bluntly, a crime against humanity. It is a crime against the dignity of every person who is victimized by the ruthless criminals who trade in human beings. And it is a crime against society. As Dr. Martin Luther King Jr. said, "injustice anywhere is a threat to justice everywhere." And it is happening, not just in some foreign lands; it is happening here, in our own country. And it's time – indeed, it is past time – to put an end to it.

We must not be content to make just a dent in human trafficking. We must do everything we can to eliminate it – to abolish modern day slavery from our country and around the world. This is an ambitious goal, but it is not an impossible dream. We must commit ourselves to ending the nightmare that the millions of victims of human trafficking are living every day. Because none of us would give up our freedom for even a day, all of us must dedicate ourselves to ensuring that no one else suffers that fate.

There are more people in slavery around the world today than at any other time in history. As many as 27 million people around the world being held in bondage, forced to work in unsafe, degrading, inhumane conditions. That's the equivalent to three-times the entire population of New Jersey – or 30-times the entire population of Delaware. And an estimated 100,000 of them are right here in the United States. Deprived of their liberty, subject to unspeakable abuse, the victims of human traffickers cry for help. But, too often, their cries are unheard. Today, in this hearing, we are giving them a voice. We are hearing their pleas for rescue and for freedom. And most important, we are committing ourselves to answering their cries.

The war to eradicate human trafficking must be fought on many fronts. It requires the concerted, sustained efforts of law enforcement – federal, state, and local. Intergovernmental cooperation is essential to success. It requires legislators at every level to provide the resources that law enforcement needs to sustain an effective effort to bring human traffickers to justice. And it's not adequate to provide just enough resources to fund a limited effort. Without dedicated resources there cannot be a dedicated effort. It requires lawmakers to make changes to the laws that allow human traffickers to sell their victims with impunity. Modern slaves are no longer auctioned in the public square. They are sold on the internet and the back pages of newspapers. Human traffickers, and the publishers who take their advertisements, hide under the cloak of the First Amendment even though the First Amendment was never meant to protect criminal enterprises.

Eliminating human trafficking requires the active involvement of concerned citizens working together to raise awareness about this terrible problem and advocate change. Modern day slavery exists in the shadows, but it leaves clues to its existence that informed citizens can recognize and call attention to. And it requires the close cooperation of federal, state, and local governments. We must work together to uncover the crime where it exists, prosecute the criminals to the fullest extent of the law, and assist the victims so they are not twice victimized – first by their captors and then by the system that often treats the victims as criminals themselves.

As an assistant U.S. attorney and as the attorney general of New Jersey, I was in a position to ensure that we put in place the dedicated resources to sustain a dedicated effort to combat human trafficking. But I know that the vast majority of law enforcement agencies across the country and at every level find themselves limited in their efforts by limits on their resources. To our witnesses today, I ask you to be very candid in your assessment of where we stand in the fight against human trafficking and to tell us exactly what more we need to do to bring about its eradication.

We have seen over the years effective, short-term efforts to combat human trafficking in places where it seems to grow overnight and disperse just as quickly. International sporting events, such as the Super Bowl – which is being played in New Jersey this February – often attract huge numbers of human traffickers. And in New Jersey, we are seeing a coordinated effort to let human traffickers know that they are not welcome, and that if they decide to bring their evil trade to our state, they will pay a heavy price.

But as important as such efforts are, they are just part of the solution and they are temporary in nature. For human traffickers, there is no off-season. And for their victims, there are no by-weeks or time-outs. Their captors exploit them day in and day out for as long as they can. Mr. Chairman, I am very much looking forward to the testimony of our witnesses and just want to again thank you for convening this hearing.

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Opening Statement of Senator Heidi Heitkamp
Combating Human Trafficking: Federal, State, and Local Perspectives
September 23, 2013

Thank you Chairman Carper. I would also like to thank Ranking Member Coburn, Sen. Chiesa and the other members of this Committee as we look to focus attention on a major human rights issue that can be challenging to identify and too easily overlooked in this country.

First, I would like to recognize our distinguished panelists who have joined us here this afternoon. We have before us accomplished members of the federal government who have made human trafficking a priority. Our second panel is comprised of an impressive group of individuals who are on the frontlines of addressing this issue. Thank you all for coming today, your presence here and your testimony before this Committee are a crucial step in creating greater awareness here in Washington, and across the country, of the scourge of human trafficking.

As the former Attorney General of North Dakota, human trafficking has always been an issue that I have been keenly aware of but have had difficulty getting my head around. There is seemingly little reporting or data available on the issue as it pertains to domestic human trafficking. It was because of this perceived lack of attention and information that Senator Chiesa and I approached Chairman Carper recently about the need to bring attention to the issue of human trafficking. I expressed to the Chairman that I had heard an increase in anecdotal concerns being presented to me about potential incidents of human trafficking, an alarming trend that I felt needed to be brought to the forefront of discussions at every level of federal, state, local, and tribal government.

All too often, human trafficking is confused with human smuggling. I believe that, given the nature of human smuggling and the varied and complicated issues related to undocumented immigration, trafficking is frequently lumped in as just another problem created by illegal immigration. Human smuggling involves foreign nationals, who do not have proper documentation, seeking out and paying for the services of a smuggler to bring them across the border and into our country. While there are certainly abuses that occur in the context of human smuggling, it is important to remember that the vast majority of those being smuggled are willing participants in the act.

Human trafficking is not human smuggling. Trafficking victims rarely, if ever, have a choice in the matter at any time during their ordeal. Trafficking involves an active predator that seeks to prey upon the most vulnerable members of our society. They prey upon our homeless, our abused, our young women and children, our Native women and children, our immigrant communities … they prey upon those on the margins of our society who we all are at fault for overlooking and ignoring. It is imperative upon all of us to not just look at human trafficking, but to stop turning a blind eye to those on the margins and addressing the root causes that lead many of these victims to be so vulnerable in the first place.

Human traffickers possess no moral compass or value for human life itself … those who traffic in human beings simply attach a dollar value to each individual the same way they would any other commodity. . The human and social costs to this country of these deplorable acts are real. Even when we are able to rehabilitate and provide appropriate services to the victims, they have lived a life devoid of societal connections, are lacking in many basic skills necessary for entering the legitimate workforce, and must bear the mental and physical scars of modern-day slavery.

It is time for all levels of our society to realize that this is not a problem that occurs in "other" countries … that this is something that they only read about or see in movies or on television. Human trafficking is occurring in communities all across the United States, and it is not just sex trafficking. Labor trafficking, especially of newly arrived immigrants, documented and undocumented, is an enormous problem. Whether in factories, on farms, or in your local diner, human trafficking of workers is right under our noses. No longer can we turn a blind eye to this issue, and I look forward to today's testimony and discussion as a launching point for further action on this issue.

Joint testimony of

Alice Hill

Chair, Blue Campaign

U.S. Department of Homeland Security

&

James Dinkins

Executive Associate Director

Homeland Security Investigations

Immigration and Customs Enforcement

U.S. Department of Homeland Security

before the

Committee on Homeland Security & Governmental Affairs

United States Senate

"Combating Human Trafficking: Federal, State, and Local Perspectives"

on

Monday, September 23, 2013

2:30pm

342 Dirksen Senate Office Building

Introduction

Good afternoon Chairman Carper, Ranking Member Chiesa and members of the Committee. The Department of Homeland Security (DHS) welcomes and appreciates the opportunity to appear before the Committee. The men and women of DHS are dedicated to combating the heinous crime of human trafficking using the programs and authorities provided to us by Congress and the President. The Department's Blue Campaign coordinates and unites this work.

Before we discuss the specific initiatives of the Blue Campaign, we would like to recognize that fighting the hidden crime of human trafficking is a collaborative effort. DHS depends on strong partnerships with other federal agencies, foreign governments, international organizations, law enforcement, first responders, the faith-based community, non-profit organizations, the private sector, as well as our state, local, and tribal counterparts. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) and the Senior Policy Operating Group (SPOG) bring together federal departments and agencies, including DHS, to ensure a whole-of-government approach that addresses all aspects of human trafficking. DHS also co-chairs the SPOG victim services working group along with the Department of Justice and Health and Human Services, which is responsible for leading development of the Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States. We forged additional partnerships that unite and amplify our joint efforts. DHS greatly appreciates the collaboration and commitment of its partners.

Blue Campaign

DHS is one of the lead federal law enforcement agencies responsible for investigating and preventing human trafficking. Our investigative authority, screening authority, and most of our assistance programs are authorized under the Trafficking Victims Protection Act (TVPA) and the subsequent reauthorizations.

DHS and its components work to combat human trafficking every day. U.S. Immigration Customs Enforcement (ICE) investigates both international and domestic human trafficking cases. U.S. Citizenship and Immigration Services (USCIS) and ICE provide immigration relief to trafficking victims. The Federal Law Enforcement Training Center (FLETC) provides training to law enforcement professionals on how to identify indicators of human trafficking and how to conduct human trafficking investigations. The Office of Intelligence and Analysis (I&A) facilitates training and webinars to state and major urban area fusion centers on the signs and indicators of human trafficking and the April 18, 2013 Fusion Center protocol for reporting. U.S. Customs and Border Protection (CBP) is in a unique position to detect trafficking on our borders, as are the U.S. Coast Guard (USCG) on the high seas, the Transportation Security Administration (TSA) at airports and mass transit facilities, and the Federal Emergency Management Agency (FEMA) in disaster areas.

DHS unites these missions under the Blue Campaign to combat human trafficking. Blue is the international color of human trafficking awareness, and the Blue Campaign name references the global anti-human trafficking symbols of the Blue Heart and the Blue Blindfold, as well as the "thin blue line" of law enforcement. To increase awareness of this crime domestically and internationally, in June of 2010, Secretary of Homeland Security Janet Napolitano launched the Blue Campaign.

Before we talk about the Blue Campaign, we would like to share a story that demonstrates why DHS cares so deeply about human trafficking. When Shyima Hall was eight years old, her parents sold her into slavery. She was smuggled into the U.S. when she was ten years old. She worked as a domestic servant in Orange County, California, 16 hour days, scrubbing floors, cooking meals and cleaning house. She was rarely allowed outside. She never went to school. She never visited a doctor or dentist and did not speak English. When she was 13, a concerned neighbor called in a tip to law enforcement and ICE opened an investigation. Her captors were prosecuted, imprisoned and then deported. In 2012, Shyima became a U.S. citizen. She is now 23 years old and has said that her dream is to become an ICE Special Agent, in order to help others in similar situations. Shyima's story helps us understand the important role the government can play in identifying, investigating and prosecuting human trafficking. However, we only found out about Shyima because a neighbor called in a tip. Human trafficking is a hidden crime—and every one of us needs to know the indicators to look for.

Training and Outreach

The Blue Campaign was begun, and continues, with no direct appropriations, reflecting a belief that we are all more effective when we work collaboratively with our internal and external partners. Early in the campaign, we developed training to ensure that those in our workforce who encounter potential victims of human trafficking understood the indicators of trafficking. We also created specialized training for the federal contractor workforce. Federal regulations create a zero tolerance for government contractors who traffic persons. In response, DHS launched specialized training for acquisition officers about human trafficking that provides information about penalties for traffickers who execute business contracts with the U.S. Government.

We brought all of our components together to make sure our efforts increased identification of and assistance to victims of trafficking. As part of their efforts through the Blue Campaign, DHS components conduct trainings and webinars, produce informational videos, develop informational materials, provide victim assistance, conduct investigative efforts, and conduct outreach.

The Blue Campaign utilizes academic research to shape the focus of the campaign. A recent Northeastern University study noted that few municipal and county agencies had human trafficking training or investigated human trafficking cases. An Urban Institute study found a

significant lack of awareness among law enforcement and a lack of prioritization which resulted in many cases being passed over by state and county legal systems.

State and Local Outreach

We created a specialized training to educate law enforcement officers at all levels on the indicators of human trafficking, how they can assist victims, and the resources available to them when investigating such cases. In addition, we developed training videos for state, local, county, tribal and territorial law enforcement to create awareness that immigration relief options are potentially available to foreign victims of human trafficking and how these benefits aid law enforcement in achieving successful investigations.

The Blue Campaign also works with our federal government colleagues, foreign governments, international organizations, law enforcement at all levels, non-governmental organizations (NGOs), the faith-based community, the private sector, and the general public to share ideas and resources and build a force-multiplying network of diverse but complementary parts. Partnerships augment our efforts by bringing together diverse experiences, amplifying messages, and leveraging resources. Together we can effectively combat human trafficking, by making sure that people understand the crime, recognize its indicators, and know how to seek help and report tips.

Federal Outreach

DHS, along with the Departments of Justice and Labor, partnered to create an advanced human trafficking training course that brings together agents and prosecutors to work on investigating and prosecuting these crimes. This interactive course focuses on complex issues of human trafficking: search warrants, witness interviewing techniques, immigration relief, evidence gathering, and discovery issues.

International Outreach

We also took new steps to expand our international law enforcement engagement. On October 8, 2012, Secretary Napolitano signed an agreement with INTERPOL Secretary General Ron Noble to allow INTERPOL to place its logo on Blue Campaign materials and distribute them to all 190 member countries. DHS and INTERPOL will work together to share training and awareness materials and best practices, strengthen support for victims, increase regional partnerships, and enhance cooperation on combating human trafficking.

The Blue Campaign also utilizes the expertise and feedback from its community stakeholders and partners to shape the focus of the campaign's efforts. The Blue Campaign meets bi-annually with federal, state, local, tribal, non-governmental and community organizations, emergency management and medical professionals and private sector partners to receive feedback and guide future initiatives.

Awareness Products

Many stakeholders emphasized that misconceptions about the nature of trafficking exist widely. A common misconception about human trafficking is that it only occurs outside the United States, or if it does occur domestically the victims are all noncitizens. In order to educate the public that human trafficking exists in every country, including the United States, the Blue Campaign developed a series of posters that depict different forms of human trafficking and produced a Public Service Announcement (PSA) titled, "Out of the Shadows." These posters and PSA emphasize that victims can be many types of people, such as young children, women, men, U.S. citizens, new immigrants, and that they come from all socioeconomic groups.

To address the lack of general awareness and training available for non-law enforcement communities and individuals, the Blue Campaign collaborated with the Department of State and other federal agencies to create a 15-minute general awareness training to educate the public on the indicators of human trafficking and how to report it. DHS also developed cards, posters, and pamphlets that list the indicators of human trafficking and provide a hotline number to those who need help or want to report a suspected trafficking case. These materials are available in 17 languages to meet the language access needs identified by stakeholders and victim assistance information.

The stakeholders also identified the need for more specific information tailored for their communities that listed the tools and resources applicable to their role in fighting human trafficking. The Blue Campaign developed handout materials with tailored messages for NGOs, faith-based organizations, law enforcement, judges and lawyers, first responders, and healthcare professionals to educate about victim identification and crime reporting, the case investigation process, and available resources for victim support.

We also recognize that first responders and health care professionals are in a unique position to identify victims. We produced an informational video to help first responders – including firefighters and emergency medical technicians – identify possible victims of human trafficking, and created indicator cards and posters geared to those professionals. We continue to conduct briefings and webinars at the request of local and national medical first responder groups and associations.

Partnerships

Over the past three years, the Blue Campaign developed a variety of trainings and materials, and through our partnerships we have been able to expand them to new audiences and support the efforts of our government and private sector partners.

Most recently, on September 17, 2013, the Blue Campaign announced a partnership with Western Union. Western Union agents are in a unique position to recognize human trafficking and other illicit activity of criminal organizations and businesses that utilize alternative financing

mechanisms to move and store money. Through this alliance, Western Union will provide the Blue Campaign's multilingual training and awareness materials to select Agent locations in the Southwest border region of the United States and certain other high risk locations. These materials highlight the signs of human trafficking and how to accurately report them. Participating agents will also receive additional training from Western Union on how to detect a potential human trafficking victim and how to involve law enforcement.

Engaging with all levels of government is a priority for the Blue Campaign. The Blue Campaign is pursuing partnerships with national associations representing state, local, tribal and territorial elected and appointed officials. In July 2013, DHS entered into a partnership agreement with the National Association of Counties (NACo) to promote awareness of human trafficking through the Blue Campaign. NACo is the only national organization that represents county governments in the United States and provides essential services to the nation's 3,069 counties. Through this partnership, DHS will deliver webinar training, share resources to bring awareness about human trafficking and co-brand public awareness materials with both Blue Campaign and NACo logos.

We partnered with the U.S. Department of Transportation (DOT) to enhance awareness and victim identification to the transportation industry. DOT adapted the Blue Campaign's awareness training to their workforce and in 2012, nearly all 55,000 of its employees have taken the course.

In 2012, DHS, DOT, and Amtrak entered a partnership to train all 20,000 Amtrak employees and Amtrak Police Department officers to identify and recognize indicators of human trafficking, as well as how to report suspected cases of human trafficking. We also work with the airline industry to think strategically about how it can assist in victim identification. CBP, together with DOT launched the Blue Lightning Initiative, a training program to educate airline employees how to identify human trafficking in airports or during flights and how to notify law enforcement. Since the Blue Lightning Initiative rollout, five airlines have committed to use the Blue Lightning Initiative: Delta, JetBlue, Allegiant, Silver Airways and North American.

The initial partnership with DOT led to further collaborations and joint partnerships with transportation industries. DHS and DOT provided the training to approximately 6,000 state and local law enforcement, including investigators at the Federal Motor Carrier Safety Administration, on the best ways to detect human trafficking on trucks and buses, and these trainings will continue.

These partnerships and outreach are leading directly to more tips, more investigations and improved services for victims, and will help us achieve our ultimate goal of supporting successful prosecutions and deterrence.

Investigations and Victim Support

In fiscal year 2012, ICE Homeland Security Investigations (HSI) Tip Line (1-866-347-2423) received more human trafficking tips than ever before, receiving 588 tips—up from 384 in FY 2011 and 231 in FY 2010.

We investigate hundreds of human trafficking cases each year and work with the Department of Justice to ensure cases are successfully prosecuted. In FY 2012, ICE HSI investigated more cases with a nexus to human trafficking than ever before, resulting in 894 initiated cases, 381 convictions, and seized assets of more than $1,000,000. We take a victim-centered approach in our investigations and have Victim Assistance Specialists across the ICE offices all over the United States. In recognition of the needs and unique challenges of interviewing trafficked minors and other child and special needs victims, DHS expanded its Forensic Interviewing Program to five full-time Forensic Interview Specialists.

We have observed an increase in the correlation between human trafficking and gang activity. We know that some gang members work directly with non-gang trafficking organizations. For example, gang members provide "security" enforcements at certain brothels.

Gangs have now added human trafficking to their existing crimes of drugs and firearm trafficking. Gangs recruit young girls and compel them to commit acts of commercial sex. This has occurred right here in Washington, D.C. ICE in collaboration with the Northern Virginia Human Trafficking Task Force and our federal partners recently investigated and successfully prosecuted cases where MS-13 gang members in Washington, DC, Prince George's County, MD, and Alexandria, VA, recruited girls as young as 12 near schools, on the street, at house parties, and through social media into sex trafficking.

These joint efforts resulted in a life sentence of a MS-13 gang member that sex trafficked a 12 year old runaway whom he met at a party in Prince George's County, Maryland. The 12 year old runaway asked for his help in finding a place to stay, and the very next day he was selling her for sex acts in Washington, D.C. and surrounding counties. For three months the MS-13 member sexually exploited the victim for money every day of the week. The trafficker also admitted to having sex with the victim and allowed MS-13 gang members to have sex with her free of charge.

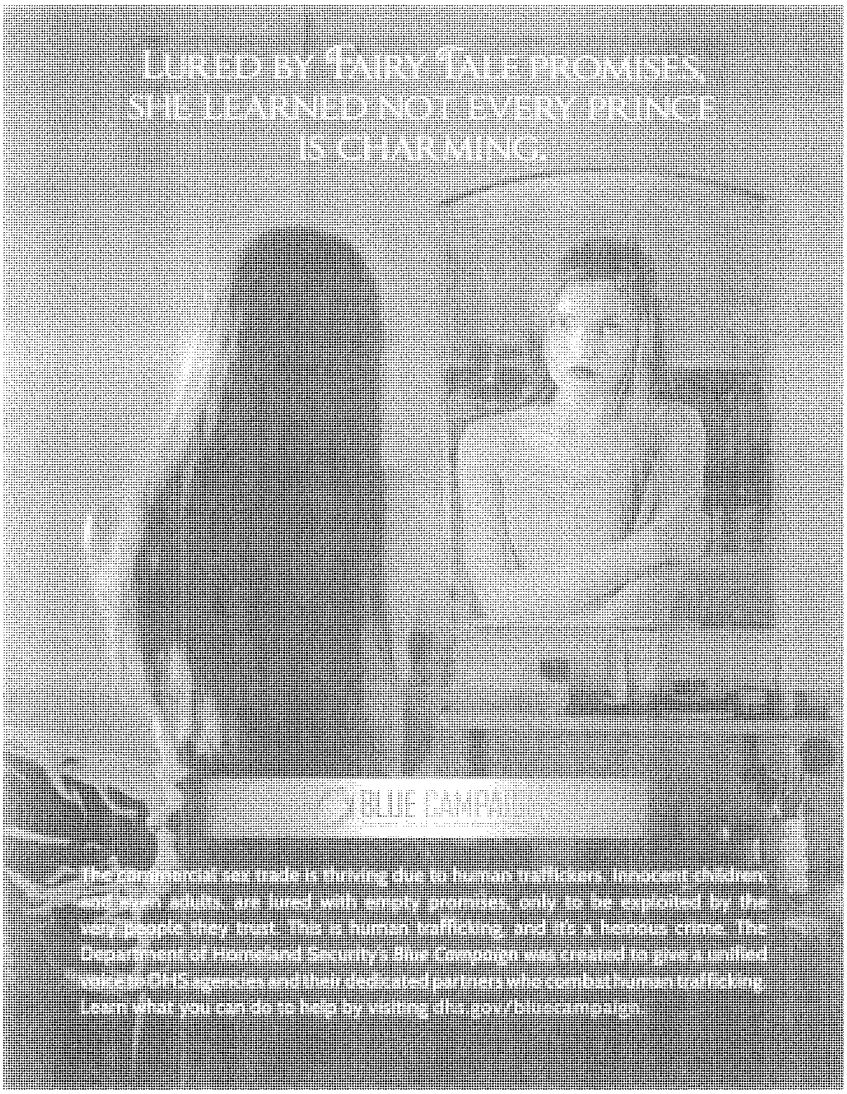
DHS also provides immigration relief to eligible foreign trafficking victims, a critical component to ensuring victim participation for the successful investigation and prosecution of human trafficking cases. There are three forms of immigration relief available for victims of human trafficking – Continued Presence, T visas, and U visas. DHS has streamlined its training about immigration relief for victims to increase awareness among law enforcement agencies. These short- and long-term relief options assist law enforcement in stabilizing victims so that the victim can begin to recover and rebuild his or her life.

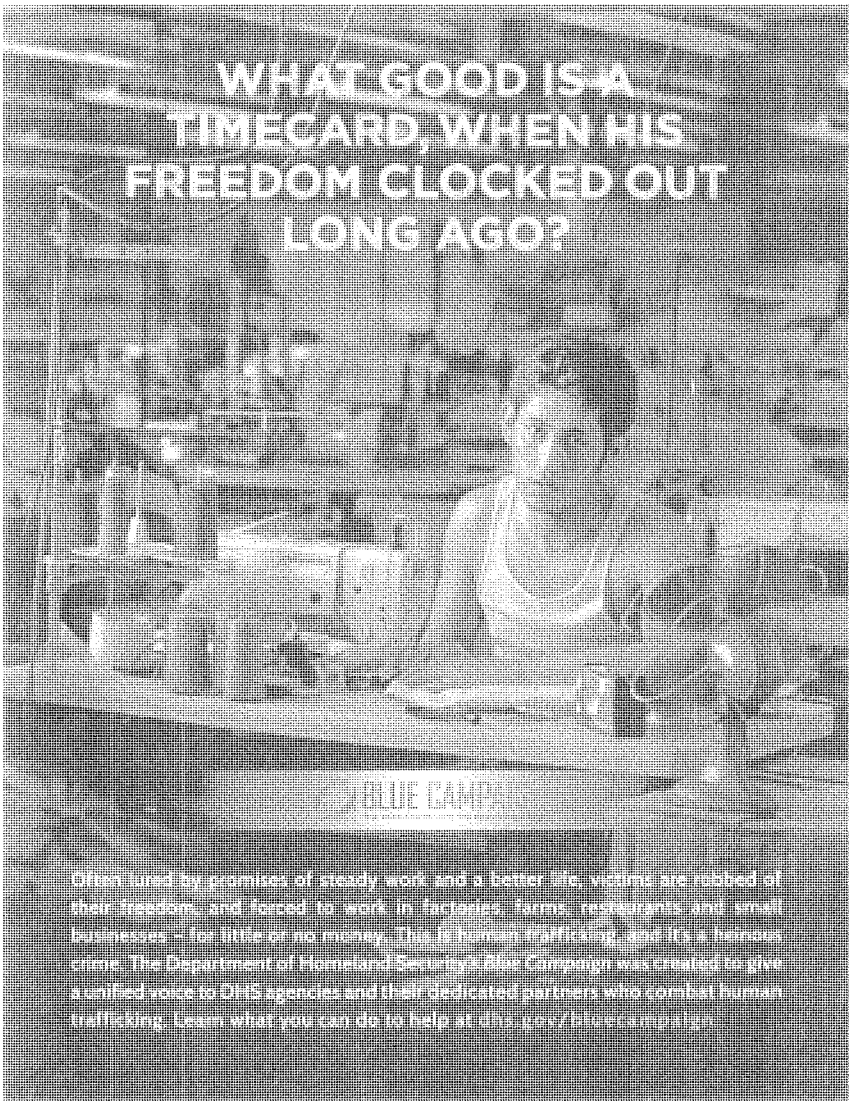
We are proud of what DHS has accomplished, but there is much to do still. We are working more every day to expand our partnerships, and we interact regularly with our stakeholders for new ideas and new innovative ways to combat this crime.

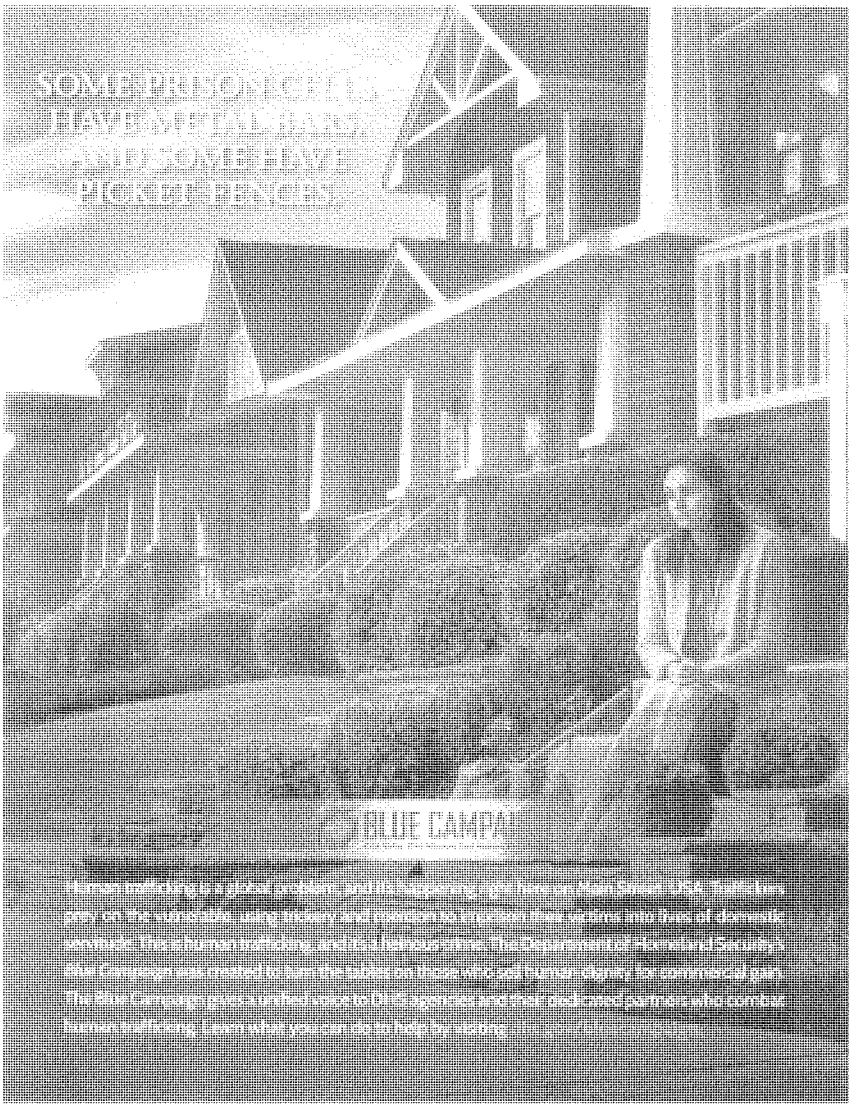
In closing, we will continue to work hard to develop our initiatives to meet the needs of victims, law enforcement, and service providers. We are committed to providing quality information, trainings and products that give communities the information they need to fight human trafficking.

We appreciate the opportunity to represent the Blue Campaign and DHS before the Committee, and we would be pleased to answer any questions you may have at this time.

Thank you.


LURED BY FAIRY TALE PROMISES,
SHE LEARNED NOT EVERY PRINCE
IS CHARMING.
BLUE CAMPAIGN
The traffickers are made to think that children, innocent children, and yes, adults, are lured with empty promises, only to be exploited by the scoundrels they meet. This is human trafficking, and it's a heinous crime. The Department of Homeland Security's Blue Campaign was created to galvanize law enforcement agencies and their dedicated partners who combat human trafficking.
Learn what you can do to help by visiting dhs.gov/bluecampaign.


WHAT GOOD IS A TIMECARD, WHEN HIS FREEDOM CLOCKED OUT LONG AGO?
BLUE CAMPAIGN
Often lured by promises of steady work and a better life, victims are robbed of their freedom, and forced to work in factories, farms, restaurants and small businesses – for little or no money. This human trafficking isn't a hoax, it's a horror. The Department of Homeland Security's Blue Campaign was created to give a unified voice to DHS agencies and their dedicated partners who combat human trafficking. Learn what you can do to help at dhs.gov/blue-campaign.


SOME PRISON CELLS
HAVE METAL BUNKS
AND SOME HAVE
PICKET BENCHES.
BLUE CAMPA

Department of Justice

JOINT STATEMENT OF

ANNE C. GANNON
NATIONAL COORDINATOR FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION
OFFICE OF THE DEPUTY ATTORNEY GENERAL

AND

JOSEPH S. CAMPBELL
DEPUTY ASSISTANT DIRECTOR – CRIMINAL DIVISION
FEDERAL BUREAU OF INVESTIGATION

BEFORE THE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ENTITLED
"COMBATING HUMAN TRAFFICKING: FEDERAL, STATE, AND LOCAL PERSPECTIVES"

PRESENTED

SEPTEMBER 23, 2013

Joint Statement of
Anne C. Gannon
National Coordinator for Child Exploitation
Prevention and Interdiction
Office of the Deputy Attorney General
and
Joseph S. Campbell
Deputy Assistant Director – Criminal Division
Federal Bureau of Investigation

Chairman Carper, Ranking Member Coburn, and Members of the Committee:

Thank you for the opportunity to present an overview of the work of the Department of Justice (the Department) and its Federal Bureau of Investigation (FBI) to combat the scourge of human trafficking. As evidenced by the broad spectrum of investigative, prosecutorial, training, outreach, victim services, and research efforts by a wide array of components, outlined below, the Department is fully committed to fighting human trafficking.

Human trafficking, also known as trafficking in persons or modern-day slavery, is a crime that strikes at the very heart of the American promise: freedom. Today, in this country, people are bought, sold, and exploited like slaves each and every day. They are trapped in lives of misery—often beaten, starved, and forced to engage in prostitution or to take grueling jobs as migrant, domestic, restaurant, or factory workers with little or no pay.

The most vulnerable among us, including our children, are being exploited both online and in person. Often targeted because of individual vulnerabilities, many have already experienced abusive or troubled families, have disabilities, or come from families with very limited resources. In the hands of their traffickers, these individuals will be subjected to numerous sexual assaults and continued abuse.

The Department and its partners are working hard to identify and support victims and bring their abusers to justice. We provide significant resources, training and technical assistance to our federal, state, local, and tribal partners.

Enforcement: Investigation

The FBI's efforts to investigate human trafficking are coordinated by the Civil Rights Unit (CRU) and the Violent Crimes Against Children Section (VCACS). The CRU investigates forced labor, sex trafficking by force, fraud or coercion and the sexual exploitation of foreign minors while the VCACS focuses on the commercial sexual exploitation of domestic children under the age of 18. Sex trafficking prosecutions involving children do not require proof of the use of force, fraud, or coercion.

Innocence Lost National Initiative

This year marks the tenth anniversary of the FBI's most prominent initiative to combat the growing problem of sex trafficking of children within the United States. In June of 2003, the FBI and the Department's Child Exploitation and Obscenity Section (CEOS) joined the National Center for Missing and Exploited Children (NCMEC) to launch the Innocence Lost National Initiative (ILNI). While it is difficult to imagine, the average age of a child targeted for prostitution in the United States is between 11 and 14 years old. Once under the control of a pimp, the proceeds of the commercial sexual exploitation of the child are controlled by the captor, and attempted escapes often result in brutal beatings or even death.

The FBI and its ILNI partners execute Operation Cross Country—a three-day nationwide enforcement action focusing on underage victims of prostitution. Our most recent operation in July 2013 — our seventh and largest such operation – concluded with the recovery of 105 commercially sexually exploited children and the arrests of 150 pimps and other individuals.

This most recent sweep took place in 76 cities and was carried out by the FBI in partnership with local, state, and federal law enforcement agencies and NCMEC. Over 1,300 law enforcement officers across the country have been trained through the Protecting Victims of Child Prostitution Course at NCMEC, which supports the ILNI.

Task force operations can begin as local actions, targeting such places as truck stops, casinos, street "tracks," and Internet websites, based on intelligence gathered by officers working in their respective jurisdictions. The FBI has developed special teams and protocols for prevention and enforcement actions surrounding large-scale sporting events and other events of national interest. By utilizing information obtained through these operations, and by building a strong rapport with victims, the FBI often uncovers organized efforts to prostitute women and children across many states. These investigations can lead to local, state, or federal charges.

To date, the ILNI task forces have rescued more than 2,800 children. Investigations have led to the conviction of more than 1,400 pimps, madams, and their associates who commercially exploit children through prostitution. These convictions have resulted in lengthy sentences, including multiple life sentences and the seizure of real property, vehicles, and monetary assets.

In addition to the ILNI, the FBI also coordinates the Violent Crimes Against Children International Task Force – a select cadre of international law enforcement experts working together to formulate and deliver a dynamic global response to crimes against children through the establishment and furtherance of strategic partnerships, the aggressive engagement of relevant law enforcement, and the extensive use of liaison, operational support, and coordination.

Through this task force we are working closely with our partners to: reduce the vulnerability of children to acts of sexual exploitation and abuse which are facilitated through the use of computers; identify and rescue child victims; investigate and prosecute sexual predators who use the Internet and other online services to sexually exploit children for personal or financial gain; and strengthen the capabilities of federal, state, local, and international law enforcement through training programs and investigative assistance.

Trafficking Exploiting Foreign Nationals

Our CRU investigates trafficking involving foreign nationals, which is often aimed at recent migrants and other economically disadvantaged individuals, particularly women and children. Preying on the vulnerabilities of people seeking a better life, traffickers force migrants without documentation or with precarious immigration status to work in poor, unsafe conditions where they are exploited for prostitution, domestic servitude, migrant farm labor, or toil in restaurants and service industry jobs. Compounding the problem, the number of migrants subjected to these types of crimes is underreported, as many fear deportation or are afraid of retaliation against themselves or their families.

Together with our law enforcement partners at the Department of Homeland Security (DHS), appearing here today with us, as well as the Department of Labor and the State Department's Diplomatic Security Service, we are working hard to combat trafficking in any form—not only because of the physical and psychological toll it takes on individual victims and their families, but also the profit generated by this exploitation fuels further unlawful migration and organized criminal activity.

Through our efforts, we work with other local, state, tribal and federal law enforcement agencies and national victim-based advocacy groups in joint task forces that combine resources and expertise on the issue. Today, the FBI participates in over 100 human trafficking task forces and working groups around the nation who work shoulder-to-shoulder in an effort to combat the exploitation of individuals who work in industries, such as agriculture and domestic service, and who are forced into prostitution and/or slave labor.

The FBI's many field offices produce threat assessments to determine the nature and extent of human trafficking in their areas of jurisdiction. They also aggressively pursue human trafficking investigations and develop actionable intelligence. This valuable information aids us with future potential cases, and helps us to better understand the nature and scope of the problem. And finally, these offices are charged with building relationships with civic and community groups and non-governmental organizations that can refer cases and provide valuable insights and information.

FBI CRU's pending human trafficking investigations have increased from 167 in 2009 to 459 by the end of fiscal year 2012. Since 2009, our investigations in this area have resulted in 480 arrests, 336 informations and indictments, and 258 convictions.

Enforcement: Prosecution

The Department's prosecution efforts are led by two specialized Units, the Civil Rights Division's Human Trafficking Prosecution Unit, and the Criminal Division's Child Exploitation and Obscenity Section, which provide subject matter expertise and partner with our 94 United States Attorneys' Offices (USAOs) on prosecutions nationwide.

The Civil Rights Division, through its Criminal Section Human Trafficking Prosecution Unit (HTPU), in collaboration with USAOs nationwide, has principal responsibility for prosecuting

forced labor and sex trafficking of adults by force, fraud, and coercion, while CEOS provides expertise in child exploitation crimes, including child sex trafficking, and works in collaboration with USAOs to investigate and prosecute cases arising under federal statutes prohibiting the commercial sexual exploitation of children and the extraterritorial sexual abuse of children.

Taken together, USAOs, HTPU, and CEOS initiated a total of 128 federal human trafficking prosecutions in FY 2012, charging 200 defendants. Of these, 162 defendants engaged predominately in sex trafficking and 38 engaged predominantly in labor trafficking, although several defendants engaged in both. In FY 2012, the Civil Rights Division, in coordination with USAOs, initiated 55 prosecutions involving forced labor and sex trafficking of adults by force, fraud, or coercion. Of these, 34 were predominantly sex trafficking and 21 were predominantly labor trafficking; several cases involved both. In FY 2012, CEOS, in coordination with USAOs, initiated 18 prosecutions involving the sex trafficking of children and child sex tourism.

During FY 2012, DOJ convicted a total of 138 traffickers in cases involving forced labor, sex trafficking of adults, and sex trafficking of children. Of these, 105 predominantly involved sex trafficking and 33 predominantly involved labor trafficking, although some cases involved both. The average prison sentence imposed for federal trafficking crimes during FY 2012 was nine years, and terms imposed ranged from probation to life imprisonment. During the reporting period, federal prosecutors secured life sentences against both sex and labor traffickers in four cases, including a sentence of life plus 20 years, the longest sentence ever imposed in a labor trafficking case.

Civil Rights Division

Since the Department created the HTPU within the Criminal Section of the Civil Rights Division in January 2007, HTPU has played a significant role in coordinating the Department's human trafficking prosecution programs. HTPU's mission is to focus the Civil Rights Division's human trafficking expertise and expand its anti-trafficking enforcement program to increase human trafficking investigations and prosecutions throughout the nation. HTPU works to enhance DOJ investigation and prosecution of significant human trafficking cases, particularly novel, complex, multi-jurisdictional, and multi-agency cases and those involving transnational organized crime and financial crimes.

Consistent with increases in trafficking caseloads across the Department, in the past four fiscal years, from 2009 through 2012, the Civil Rights Division and USAOs have brought 94 labor trafficking cases, compared to 43 such cases over the previous four years, an increase of over 118%. This is in addition to the substantial increase in the number of adult sex trafficking cases prosecuted by the Civil Rights Division and USAOs.

The HTPU, the Executive Office for U.S. Attorneys (EOUSA) and multiple USAOs have continued to lead the six anti-trafficking coordination teams (ACTeams) in collaboration with the FBI, DHS, and the Department of Labor. Following a competitive, nation-wide selection process, six pilot ACTeams were launched in July 2011 in Los Angeles, California; El Paso, Texas; Kansas City, Missouri; Atlanta, Georgia; Miami, Florida; and Memphis, Tennessee. Since that time, the ACTeams, through enhanced coordination among federal prosecutors and multiple federal investigative agencies, have developed significant human trafficking

investigations and prosecutions, including the first multi-district, multi-defendant combined sex trafficking and forced labor case in the Western District of Texas, the first domestic servitude prosecution in the Western District of Missouri, and the first Eastern European forced labor case initiated in the Northern District of Georgia, in addition to numerous other significant investigations and prosecutions.

Of particular interest to this Committee, the Department and DHS have collaborated with Mexican law enforcement counterparts on the U.S./Mexico Human Trafficking Bilateral Enforcement Initiative, which has contributed significantly to restoring the rights and dignity of human trafficking victims through outreach, interagency coordination, international collaboration, and capacity-building. Through the Initiative, the United States and Mexico have worked as partners to bring high-impact prosecutions under both U.S. and Mexican law to more effectively dismantle human trafficking networks operating across the U.S.-Mexico border, prosecute human traffickers, rescue human trafficking victims, and reunite victims with their families. Significant bilateral cases have been prosecuted in Atlanta, Georgia; Miami, Florida; and New York, New York. To advance the interdisciplinary Initiative, the Department and DHS have participated in meetings in both the United States and Mexico to ensure that simultaneous investigations and prosecutions enhance, rather than impede, each other. These efforts have already resulted in three cross-border collaborative prosecutions, involving defendants who have been sentenced in Mexico and the United States to terms of imprisonment of up to 37.5 years, and resulting in the vindication of the rights of dozens of sex trafficking victims.

Outreach and training continue to be a large part of the Department's efforts to combat human trafficking. HTPU attorneys presented numerous in-person trainings as part of the Federal Law Enforcement Training Center State and Local Law Enforcement Training Symposiums. CRT, FBI and other Department components joined with the Department of State to create an Advanced Human Trafficking Investigator course at the FBI Training Academy in Quantico, Virginia, for Central American law enforcement officers. The program has trained investigators from El Salvador, Guatemala, Nicaragua and Panama. DOJ, DHS, and DOL collaborated to develop and deliver the Advanced Human Trafficking Training Program to the ACTeams, bringing federal agents and federal prosecutors together for an intensive skill-building and strategic planning to enhance their anti-trafficking enforcement efforts.

Criminal Division

The CEOS' mission is to protect children from sexual exploitation by investigating and prosecuting not only child sex trafficking, but also child pornography, and extraterritorial exploitation of children. CEOS conducts and participates in training for federal, state, local and international prosecutors and investigators engaged in efforts to enforce federal child exploitation laws.

For example, in 2013, CEOS's section chief presented on best practices for investigating and prosecuting child sex trafficking cases at a human trafficking seminar in Riverside, California, and participated in crimes against children training conference hosted by the International Centre for Missing and Exploited Children in Vietnam. Also within the past year, CEOS attorneys presented at international conferences in Taiwan, Mexico, Belgium, and Washington, DC,

providing training to law enforcement, prosecutors, state officials, judges, and subject matter experts from various disciplines in the areas of child sex tourism and trafficking in minors.

In March 2013, Weylin Rodriguez was sentenced to life plus five years in prison following his conviction for forcing multiple minor and adult victims to engage in prostitution and for various firearms offenses in the recruitment of three minor females and two young adults to work in prostitution. Rodriguez kidnapped some of his victims, and lured others through false pretenses followed by violence. After luring his victims, he and two co-conspirators (aka his "bottom girls"), advertised the victims for prostitution online, and forced the victims to solicit for prostitution on the streets. Rodriguez kept all the money received by the victims for the commercial sex acts. To prevent the victims from leaving his prostitution ring, Rodriguez inflicted severe physical beatings to create an atmosphere of fear. He also threatened the victims with guns on numerous occasions, and shot at a customer in front of a victim. Rodriguez has several prior convictions involving drugs, firearm, as well as a sexual offense against a minor. The case was prosecuted jointly by CEOS and the Middle District of Florida.

In May 2012, James Mozie was sentenced to life imprisonment following his conviction in a jury trial of eight counts of child sex trafficking, one count of conspiracy to commit the same, and one count of production of child pornography. At trial, several juvenile victims testified that they either worked or were recruited to work as prostitutes for Mozie and his girlfriend, Laschell Harris, from their residence in Oakland Park, Florida. When customers arrived at the home, they paid a cover charge to the security guard working the front door. The females, many of them minors, worked in the house dancing for tips and engaging in sexual activity with male customers for money. The seven victims, all minors when the offenses occurred, testified that Mozie required them to have sex with him as part of their "orientation," which he explained was his way of "testing the merchandise." They also testified that Mozie would take sexually explicit pictures of them, which he attached to text messages advertising the brothel. Also in 2012, Harris was sentenced to 156 months imprisonment after pleading guilty to one count of sex trafficking, and co-conspirator Willie Rice, who acted as a security guard for Mozie, was sentenced to 48 months imprisonment after pleading guilty to possessing a handgun while a felon. The case was prosecuted jointly by CEOS and the Southern District of Florida.

Executive Office for United States Attorneys

Consistent with the Consolidated and Further Continuing Appropriations Act, 2012, all USAOs established or participate in human trafficking task forces (HTTF), and collaborate with private partners in several ways. Eighty percent of the HTTFs in which USAOs are involved include members from NGOs. Participating private organizations include community groups, faith-based organizations, victim advocacy groups, academic organizations, medical professionals, and legal aid offices. These private organizations provide various forms of assistance to the HTTFs, including tips on women and girls who were being trafficked, social services for victims, and training in conjunction with USAOs.

Public Awareness, Victim Services and Research

Federal Bureau of Investigation

The Department does more than investigate and prosecute those who exploit victims of trafficking. For example, the FBI's Office for Victim Assistance, along with victims specialists from the USAOs and/or other non-government victim assistance service providers, work with human trafficking victims to advise them of their rights and to ensure they get the help they need to address their short-term and long-term needs—such as legal and repatriation services, immigration relief, housing, employment, education, job training, and child care. Nearly 400 victims have been provided services as a result of Operation Cross Country. With the launch of the Innocence Lost National Initiative, the FBI task forces have encountered significant challenges in identifying and providing services for these victims. Often with histories of poverty, homelessness, and/or exposure to violence and abuse, victims may have difficulties reaching out for help or determining who they can trust. Juveniles who become involved in sexual trafficking face myriad obstacles and enormous needs – including very basic needs such as safe housing, subsistence, and schooling – if they are able to leave that life. In addition, they may need substance abuse treatment, medical treatment for conditions like HIV/AIDS, and mental health services. Many face impediments to reuniting with their family of origin, so they need help to prepare for independent living.

Executive Office for United States Attorneys

In order to prevent and increase the reporting of human trafficking, the Department's Executive Office for United States Attorneys developed a public awareness campaign with the cooperation of Polaris Project, a nongovernmental organization dedicated to combating human trafficking. The campaign's advertisements targeted ethnic groups from countries associated with human trafficking in the U.S. An advertisement was developed, translated, and placed in selected newspapers in 18 cities for a period of two to three months during the fall of 2012. The advertisements defined human trafficking, explained that trafficking violates state and federal laws, and encouraged readers who considered themselves to be victims of, or witnesses to, human trafficking to call the National Human Trafficking Hotline, which is operated by Polaris with a grant from the federal government. Polaris provided statistics that showed a significant increase in calls to the hotline from cities where the ads were placed during the periods of time that the ads were running in those cities.

Office of Justice Programs

In FY 2012, the Department's Bureau of Justice Assistance (BJA) and Office for Victims of Crime (OVC) jointly made awards to seven task force sites to execute a comprehensive approach to combating all forms of trafficking, including sex and labor trafficking of foreign nationals and U.S. citizens (male and female, adults and minors). BJA made seven awards of up to $500,000 for 24 months to support law enforcement agencies (one in each task force site) to coordinate the goals, objectives, and activities of the entire task force in close collaboration with the local USAO and the task force partner victim service organization (one in each task force site) to coordinate the provision of a comprehensive array of culturally and linguistically appropriate services to all trafficking victims identified within the geographic area affected by the task force. OVC made seven awards to victim service provider partners who participate on the task forces. In total, $6,609,586 was awarded by BJA and OVC.

In addition to providing direct services, OVC trafficking victim-service grantees across each grant program work to enhance the community's capacity to identify and respond appropriately to victims of trafficking. From July 1, 2011 to June 30, 2012, grantees trained 28,462 professionals, representing schools and educational institutions, faith-based organizations and religious institutions, victim service providers, civic and business community organizations, and state, tribal and local law enforcement. The top five topics covered by grantees were: the definition of human trafficking; identification of human trafficking victims; procedures for reporting human trafficking; services available to victims; and legal assistance for victims of human trafficking.

During FY 2012-2013, OVC represented DOJ by serving as a Co-Chair along with DHS and the Department of Health and Human Services in the development of the first-ever federal strategic action plan to strengthen services for trafficking victims. After extensive interagency collaboration, the co-chairs drafted the plan and released it for public comment. Over 300 comments were received and OVC is working to incorporate the public's input. The plan is scheduled for release in January 2014.

In order to ascertain the scope and primary methods of perpetration of human trafficking, identify effective means of prevention, and maximize the impact of available victim services, the National Institute of Justice (NIJ) has maintained the most active research portfolio on trafficking in the U.S., making dozens of research awards over the past decade. Recent NIJ awards are tackling the toughest questions asked about human trafficking, including measuring the prevalence of labor trafficking, exploring the perpetration of trafficking and evaluating best practices in service provision. For example, an ongoing NIJ-funded project focuses specifically on one of the most under-studied aspects of human trafficking: the relationship between gangs and human trafficking. This project will measure the nature and extent of gang involvement in human trafficking by gathering data from four sources: victims who are assisted by social service agencies in San Diego County, non-public law enforcement incidence and arrest records, persons identified as trafficking victims and perpetrators at San Diego middle and high schools, and the traffickers themselves.

For FY 2013, NIJ is funding a study focusing on the Somali-American diaspora and its involvement in two transnational crimes: radicalization to violent extremism and trafficking in persons. This study will build scientific knowledge on these crimes with an emphasis on how transnational issues converge in a context of profound community vulnerability and active criminal networks. The co-occurrence of radicalization and trafficking in disadvantaged refugee and immigrant communities warrants an examination to better understand the transnational and convergence issues involved, and how they can inform evidence-based community practices.

Efforts to Combat Trafficking Exploiting Tribal Members

The challenges the Federal Government faces in developing and sustaining effective child welfare and juvenile justice systems and providing effective services to juveniles have been studied and documented at the Department and in other federal agencies for decades. In April 2013, the Attorney General, acting on a recommendation from the Defending Childhood Task Force, called for the formation of the American Indian and Alaska Native Children Exposed to Violence Task Force (Task Force). In recognition of the unique role the Federal Government

plays in Indian Country issues, a working group of federal agencies was established as part of the Task Force. The working group will complement the objectives of the advisory committee of the Task Force, which will consist of non-federal experts in children's exposure to violence. The initial focus of the working group will be actions to improve the federal response to the needs of American Indian and Alaska Native children exposed to violence. This vulnerable population has been identified as being particularly susceptible to being lured by traffickers.

From July 8, 2013 through July 12, 2013, the Department's Office on Violence Against Women (OVW) conducted a site visit to western North Dakota meeting with local law enforcement, tribal leaders, victim advocates, the U.S. Attorney for North Dakota, state and tribal coalition leaders, and service providers from both North Dakota and Montana. OVW is exploring providing funds to law enforcement and victim service providers in western North Dakota and eastern Montana to address domestic violence, sexual assault, stalking, and trafficking.

In FY 2012, BJA solicited proposals to address the issue of human trafficking on Tribal Lands by developing and providing training to build awareness of the existence of human trafficking in Indian Country, and providing law enforcement and community stakeholders with the tools necessary to begin the process of victim identification, rescue and restoration, while providing appropriate consequences for perpetrators in a consistently applied manner. BJA received four applications through a competitive process and awarded $305,000 to the Upper Midwest Community Policing Institute (UMCPI) to develop and pilot the training.

BJA will design and plan the delivery of Human Trafficking Training to Tribal Law Enforcement which will begin a pilot phase of training by the end of 2013. BJA is planning to seek additional funding to expand the number of sites which can be trained moving forward.

In response to law enforcement concerns about possible human trafficking on the Fort Berthold Reservation in western North Dakota, the U.S. Attorney's Office for the District of North Dakota (USAO-ND), the FBI, and multiple tribal organizations created a Human Trafficking Working Group to address the abuse of women and children through prostitution on the Fort Berthold Reservation. The work of this group resulted in the April 2012 conviction of a New Town, North Dakota man on 16 counts of sex trafficking, sexual abuse, drug trafficking, and witness tampering. The facts revealed at trial established that the defendant had conspired to distribute marijuana around the Fort Berthold Indian Reservation. As part of this conspiracy, the defendant recruited minors and young adults to be part of a gang. According to testimony at trial, the defendant also used physical force and coercion to cause an adult female he had recruited for the gang to engage in commercial sex acts on the Fort Berthold Indian Reservation and in Williston and Minot. USAO-ND believes that innovative, cooperative efforts, like the investigation that led to this conviction, are essential to battling organized criminal activity on the reservations.

Conclusion

The Department's efforts to combat human trafficking present a multifaceted approach to a multifaceted problem. As a result, our efforts span from investigation to prosecution, and are supplemented by an array of investigative, training, outreach, and victim services carried out by a wide range of components. Simply put, we are proud of the work we do in this area, and look

forward to continuing to have a leading role in the government-wide fight against human trafficking.

We thank you again for the opportunity to appear to testify here today, and would now welcome any questions you may have.

Testimony of John J. Farmer, Jr.,

Before the Senate Homeland Security

Committee, September 23, 2013

I want to thank the Senate Homeland Security Committee for inviting me to speak today about human trafficking, one of the most significant civil and human rights issues of our time. Human trafficking is an issue that, like terrorism and drug trafficking, challenges both the categories we use to think about crime and, ultimately, the very structure of law enforcement itself.

It is also an issue that, like terrorism and drug trafficking, has touched my career at different times. I served as New Jersey's Attorney General over a decade ago, when the law enforcement community first became aware of what we now call human trafficking on a scale that transcended local, state, and national boundaries. New Jersey conducted one of the first undercover investigations of east European prostitution trafficking to bars and massage parlors in New Jersey, and cooperated in an investigation of sweat shop labor conditions; through these efforts, we had an early glimpse of the

international dimensions of the trafficking issue. It was clear even then that this was an issue that defined ideological categorization even as it defied geographical boundaries; it is a tribute to our system that the issue has unified politicians as diverse in their orientation as Rep. Chris Smith of New Jersey, who sponsored pioneering federal human trafficking legislation in 2000, and President Obama, who echo each other in recognition of its evils.

Last year, Rutgers Law School in Newark, where I was serving as Dean – I am currently on leave from that job so that I can serve as General Counsel of the university – hosted a conference on human trafficking. That conference, which we hosted in partnership with the Bergen County Prosecutors Office and Seton Hall Law School, was the second annual event intended to highlight the most serious criminal law issues of our time; it followed a symposium on cyber-crime in 2011. The human trafficking symposium brought home to me how far we have come in combating human trafficking, but also how far we have to go. I'd like to highlight both issues in my testimony this afternoon.

First, there is no question that our states, nation, and to a lesser extent the world, have come a long way in terms of both awareness and action. In the 1990s, as awareness was beginning to dawn, we were as likely to see the women who

were being trafficked as criminals as we were to see them as victims. To a lesser extent, this is still an issue. But in the intervening years, as the magnitude of the problem we face became clear, awareness has also grown and, with it, the tools available to law enforcement to combat the problem have multiplied. A few recent real world examples should suffice to make the point.

Earlier this month, a prostitution ring operating out of Lakewood New Jersey was taken down. The women involved, who were all from Mexico, were reportedly promised jobs as house cleaners or baby sitters. Prior to the recognition of trafficking as an international law enforcement issue, the problem of prostitution in Lakewood would likely have been seen as an issue for local or county or, at most, state law enforcement. Now, however, law enforcement has become accustomed to going beyond the local manifestation of criminal activity to the underlying and broader issue. The Lakewood ring, for example, is alleged to have been part of a broader ring operating out of New York and other surrounding states, with additional ties to Mexico itself.

This case follows closely on the announcement, in July, 2013, of the arrests of 150 alleged traffickers and the recovery of 105 sexually trafficked children between the ages of 14 and 17 in the largest nationwide crackdown in history. Operation Cross

Country took place in 76 cities across the country and involved the cooperative efforts of 4,000 law enforcement officers in literally dozens of local, state, and federal law enforcement agencies. In my home state of New Jersey, 70 arrests resulted, mostly in the area around Atlantic City.

Such complex investigations reflect more than just growing awareness; they also reflect substantive changes in the law and in the structure of law enforcement. According to the Polaris Project, some 39 states have passed anti-trafficking statutes as of August 2013; under the leadership of Senator Chiesa, in his prior role as Attorney General, New Jersey passed a cutting-edge anti-trafficking statute earlier this year that has been highlighted by the Polaris Project as a model for the nation. The New Jersey legislation treats trafficked people as the victims they are, making it easier for them to expunge convictions, to seek assistance, and to serve as witnesses. It builds on the existing criminal statutes to make it easier to reach trafficking networks. Senator Chiesa also, as Attorney General, created a Human Trafficking office within the Division of Criminal Justice, and issued a statewide law enforcement directive ordering an increase in trafficking investigations and prosecutions, an increase in law enforcement training, and an increase in services available to victims.

Trafficking has also been highlighted at the national level by the American Bar Association, which identified human trafficking as its signature issue for 2012, and by the Uniform Laws Commission, which adopted a Uniform Act on Human Trafficking in June 2013; this uniform act was approved by the ABA at its August meeting in San Francisco. The adoption of a uniform state law will be a significant step, as it will minimize the potential confusion and disparate treatment of both victims and perpetrators that could arise from differing laws in multiple jurisdictions.

We have, in short, come a long way in recognizing the scope of the trafficking problem and in aligning our laws and the structure of law enforcement to meet the threat to human liberty and the insult to human dignity posed by human trafficking. The question, then, is what remains to be done. What are the short-term threats, and the long-term solutions? In the balance of my time, I'd like to highlight a short-term threat and three areas in which more progress needs to occur.

The highest profile short-term threat – and a real test of the new laws and structure of our anti-trafficking efforts – will come with the festivities that will envelop New Jersey and New York surrounding the 2014 Superbowl. Although the numbers are debated, experience has demonstrated that high-profile events like the Superbowl attract an upsurge in human

trafficking incidents. One woman, who was enslaved as a child and now works to eradicate child prostitution, estimated that she would be expected to have sex with over 20 people per day during Superbowl weeks. Considering the most effective ways to prepare for the Superbowl will be a good way to talk about next steps in combating human trafficking generally.

First, having the right laws is a major achievement, but it will not be sufficient. The devil will lie in the details of the enforcement of those laws.

Second, because human trafficking is a crime that respects no boundaries, the geographic and bureaucratic boundaries that exist between and among law enforcement agencies themselves must be overcome. This has become, in an age of transborder crimes like terrorism, or money laundering, or illegal arms smuggling, the most challenging issue for law enforcement. The reality is that our law enforcement structure, with its emphasis on local police departments, augmented by statewide and federal law enforcement, is largely a product of an age when threats were overwhelmingly local, and isolated. The frustrations law enforcement experiences, for example, in solving unsolved homicides, is largely a function of the reality that law enforcement is trapped within the boundaries that do not constrain criminals.

A new kind of structure is required to cope with this reality. I am aware that the effectiveness of fusion centers in fighting terrorism has been controversial in Washington. My view is that they are absolutely essential to effective law enforcement in a borderless criminal environment. I have visited the centers in New Jersey and in Las Vegas, and have spoken with fusion centers leaders from around the country; while they are perhaps too autonomous, they are in my view nonetheless essential, for they bridge a critical gap. In human trafficking, as in other borderless crimes, the scope of the conspiracies may transcend boundaries, but the first evidence of criminal conduct is likely to occur locally. Local reports of suspicious activity, reported to fusion centers capable of sifting and collating the intelligence, can be essential to identifying and interdicting the potential criminal conduct. Without fusion centers, we have no hope of taking advantage of the street-level acumen of the vast majority of law enforcement officers.

This brings me to my final point of emphasis: awareness and training. If our local law enforcement officers are not trained adequately, they may not know to report suspicious precursor activity so that the "dots" can be connected. The Suspicious Activity Reporting initiative undertaken by the Justice Department and the Department of Homeland Security, which I assisted in developing by conducting roundtables in Denver, Boston, and Chicago, in which precursor conduct and other

indicators of criminal activity are identified in training modules designed to guide discretion toward objective factors such as conduct, and away from inappropriate indicators such as race, afford a useful template that could, in my opinion, be adapted easily to the human trafficking context.

Finally, in my view, the SAR concept must be extended beyond law enforcement to the general public. Hotel workers, for instance, if properly trained to look for the signature conduct of human trafficking, might be in the best position of all to report criminal activity. In New Jersey, training in human trafficking is in fact being extended to the hospitality industries in anticipation of the Superbowl. This kind of training should occur nationwide.

Human trafficking, like terrorism and the other transborder crimes, challenges us to adapt our laws and our government structures to make our own borders irrelevant. Thanks to the work of Senator Chiesa and others, we have put the right laws in place and we have begun to raise awareness. A further commitment to fusion centers and to initiatives like SAR will be an important next step, in my opinion, in enabling us to eradicate human trafficking.

Thank you again for the invitation to share my views.

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Testimony before the U.S. Senate Committee on Homeland Security and Governmental Affairs at hearing titled "Combating Human Trafficking: Federal, State, and Local Perspectives". September 23, 2013

Dear Chairman Carper, Ranking Member Coburn, and Committee Members:

On behalf of the women and children we serve at the Minnesota Indian Women's Resource Center in Minneapolis, I thank you for this opportunity to bring to your attention a grave and egregious human rights violation being perpetrated against vulnerable Native Americans in our country. Sex trafficking and the commercial sexual exploitation of children is of growing concern in our community. In 2009, the Minnesota Indian Women's Resource Center published the first research on the scope of sex trafficking of any demographic group. Our *Shattered Hearts: the commercial sexual exploitation of American Indian women and children in Minnesota* report found highly disturbing indicators that American Indian females were being targeted by sex traffickers for commercial sexual exploitation (CSE). For example, of women and girls screening into three direct service programs during the study, 40 % of incoming clients reported involvement in some type of commercial sexual exploitation and 27 % reported activities defined as sex trafficking under the Trafficking Victims Protection Act (TVPA). Our current direct service program for trafficked and high risk Native girls is screening all youth entering the program for sexual exploitation risk factors and involvement. Using standardized assessment tools we found that 71 % of girls entering the program had experienced long term homelessness, had a family member diagnosed with mental illness, and had experienced harassment and/or physical or sexual violence. Eighty six percent had a history of child protection systems involvement, and the same percentage (86%) of these girls reported some exposure to the sex trade. At a six month follow up screening, 71% of the girls were safely housed and 100% had begun receiving mental health care. All girls in this program also reported that they now knew where to get help and how to avoid high risk situations and people who were a bad influence on them. Three girls from the current cohort graduated from high school this year, the first in any of their extended families to do so. This program is the only one of its kind to provide these culturally strength based services to this population, has a wait list, and is receiving more referrals from law enforcement agencies every week.

We continue to receive reports from girls in our programs, from Greater Minnesota tribal sexual assault advocates, and local law enforcement that Native girls are being targeted for recruitment by traffickers to the oil fields of North Dakota and being sold in the "man camps". One alleged incident involved a 14 year old Native girl who was reportedly sold to 40 men in one night. A 15 year old girl in our program reported that her brother's best friend had been making frequent attempts to take her to North Dakota where, he said, she could "make lots of money" for them.

The Minnesota Indian Women's Sexual Assault Coalition's 2011 report *Garden of Truth: the Prostitution and Trafficking of Native Women in Minnesota* interviewed 105 Native women with prostitution arrest records. They found that a majority of the women had been sexually abused as children, had been raped, and were currently or previously homeless. Anchorage Police and FBI statistics show that Alaska Native women represent 33 % of all prostituted and trafficked women in the city, yet Alaska Natives make up less than 8% of

the total population. Most Native females are sold in urban areas, but it is unknown how many of these women initially came from reservation communities or are city residents. We have no data on the scope of exploitation of boys or GLBTQ or "Two Spirit" youth, but recognize them as also vulnerable. National statistics tell us that over 70 % of American Indian people in this country reside in urban areas, not on their home reservations. Solutions must include tribal and urban populations for maximum benefit.

We believe the data we have on hand to reflect only a small portion of the true picture of those who have been trafficked into prostitution, for a number of reasons. The widespread normalization of sexual violence in American Indian communities has numbed many youth to the point where they minimize and rationalize what is happening to them just as domestic violence victims do. Many are engaged in survival sex simply to have a place to sleep at night. Others are gang raped in by Native Mob or other local street gangs and are living in fear of the consequences if they do not comply. Native Mob is only one of the gangs we have seen involved in the trafficking of Native girls due to their unique vulnerability. Methods of recruitment can involve what we call "guerrilla pimping", which is simply gang rape with brutal beatings, or "finesse pimping" , which is often much more difficult to detect and interrupt. This is a grooming process, and has a manipulative pattern similar to domestic violence perpetration, where the initial relationship is loving but becomes increasingly more controlling, with the end result being girls caught in a web of violence and abuse with little hope to escape. Drugs are often used to ensure compliance. Most of these girls have multiple risk factors such as homelessness, early sexual abuse, and/or addiction or mental illness of parents/caregivers. Willingness to report or cooperate with law enforcement is rare due to the lack of secure housing and deep, complex trauma these children suffer from. As they are reluctant to report to law enforcement, they are not counted in the national data sets as trafficking victims. The current requirement to have a law enforcement certification of victimization in order to be counted as a trafficking victim has limited our understanding of the scope of the problem nationally. We believe that 80 – 90% of trafficked youth are under the radar and not being reported for this reason.

The damage to the victims is severe in human and economic terms. Our 2012 research report *Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: A Benefit-Cost Analysis,* found the quantifiable damage to a juvenile female recruited into sexual slavery includes high rates of physical damage including traumatic brain injury, damage to reproductive systems, and injuries from violent assaults. Mental health issues such as PTSD, dis-associative disorders, complex anxiety disorders are common. We cannot quantify the damage to a child's spirit, or self-esteem, or to her family. Yet this analysis shows a definitive return on investment to the taxpayer of $34 for every $1 spent on early intervention and prevention services. We know what works, and have the evidence that it not only saves lives, but saves taxpayer dollars. It is now a matter of prioritization.

Since the publication of our *Shattered Hearts* report, the Minnesota Indian Women's Resource Center has engaged our local community and tribal partners in solutions. The Fond du Lac Band of Lake Superior Ojibwe is working to collect more data and create systemic responses to sex trafficking. I have conducted training in indigenous communities across the country, including the Choctaw Nation of Oklahoma and the Ft. Berthold Reservation in North Dakota. In each instance, there is a need for more awareness of the tactics being used by perpetrators, and requests for technical assistance in identifying and responding to this crime. There is a gap in the need for coordinated responses and the resources available. In North Dakota, for example, tribal sexual assault advocates report numerous young women who had reportedly been victimized by sex traffickers but were too frightened by threats of consequences to their loved ones to report these crimes to law enforcement. The Bakken Oil Fields are indeed a boon to the economy of the region, and have also created an explosive market for sex traffickers who find vulnerable victims among Native American and other marginalized groups. This presents the opportunity for the businesses that are profiting from the oil industry to step into their leadership role. There is a great need for more law enforcement, more awareness and education, and more victim services in this region. I hope that the industry will seize this opportunity to invest in the wellness of the entire community in which they now work and live.

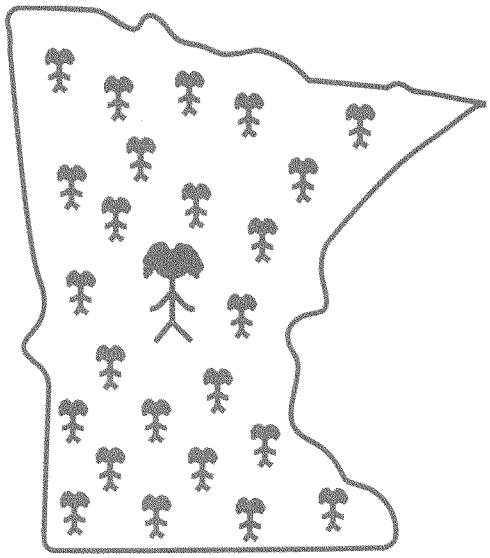
The Minnesota Human Trafficking Task Force has created a strong multi-disciplinary response to human trafficking. In 2011 the State passed the Safe Harbor for Youth Act, which aligns state statute with the Federal Trafficking Victims Protection Act in recognizing any juvenile sold into prostitution as a victim of a crime. In 2012 we presented a state-wide housing and services response called No Wrong Door for Services to the legislature. This is a comprehensive approach – developed by teams of prosecutors, police officers, county child protection workers, social workers, faith community, public health professionals, educators, and front line advocates – to create an effective system of housing and services that would work in partnership with law enforcement and county child welfare teams to effectively identify victims of CSE and route them into appropriate healing services rather than the juvenile justice system. We were successful in securing initial funding to begin implementing the No Wrong Door Model, but are seeking additional resources to fully fund the comprehensive approach that includes more accurate data collection systems to help us better understand the scope of the problem. We are collectively designing more effective approaches to reduce the demand for sexually exploited persons, for without the demand there would be no supply.

I want to again thank the Committee Members for their leadership in recognizing the importance of a comprehensive approach to ending the sexual slavery of vulnerable people. No person should be viewed as a commodity. One study tells us that a pimp can earn between $150,000 - $200,000 for each single child sold repeatedly for sex. Sex trafficking is a highly lucrative criminal enterprise that is robbing our communities of the youth, who are our future. It is reliant upon a market demand that must be stopped. We need more resources across sectors, but particularly within law enforcement, victim services, and child protection departments – to begin to interrupt this human rights violation and ensure that all children can grow up without being sentenced to a lifetime of trauma and violence.

Thank you.

Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: *A Benefit-Cost Analysis*

Executive Summary



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Setting The Stage

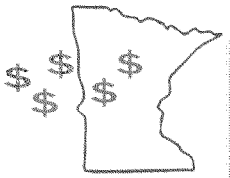
The Federal Bureau of Investigation (FBI) identified Minnesota as one of a dozen states with notable sex trafficking activity, particularly of juveniles.[1] Sex trading, prostitution, and sex trafficking are all terms used to reflect the act of exchanging sexual services for something of value. We use the term "sex trading" to include all these forms, including sex trafficking. When the individual providing these services is under the age of 18, this activity is a federal crime under the Trafficking Victims Protection Act (TVPA). Thus, according to Federal law all juvenile sex trading is, by definition, sex trafficking.

In the summer of 2011, the State of Minnesota passed the Safe Harbor for Youth Act. The Minnesota Safe Harbor Act views youth under the age of 16,[2] who are involved in any form of sex trading (including trafficking) as children in need of protection. It also increases penalties for purchasers, pimps and other traffickers of minors for the purpose of prostitution. The Act more closely aligns Minnesota State statues with federal law (the TVPA) and creates structures for victimized youth to be routed into protective or healing services. Full implementation of the law is deferred until 2014 to allow law enforcement, service providers and judicial systems time to align with the new law's requirements.

The Safe Harbor Act focuses on runaway and homeless girls in the State of Minnesota as a population at greatest risk of sex trading and trafficking. The analysis in our study is oriented to this current policy context of the Safe Harbor Act. Our benefit-cost model assumes that current investments by the state as described in this report will remain constant. Sex trading and trafficking of juveniles causes significant and documented harm to individuals and communities, such as poor health and mental health outcomes, unplanned pregnancy, violence, and more.[3] Here we summarize our study that demonstrates early intervention to prevent adolescent sex trading is in the best interest of Minnesota taxpayers.

[1] http://www.fbi.gov/minneapolis/about-us/what-we-investigate/priorities#violent_crime; National Security Priority Area number 8.
[2] This is accurate as of July 2012. It is possible that the legislature may raise that to age 18 in line with the Federal legislation (TVPA).
[3] The full report has an extensive discussion of these harms (p. 16-48). See for example, Estes, R., & Weiner, N.A. (2001). The Commercial Sexual Exploitation of Children In the U.S., Canada and Mexico. Philadelphia: University of PA School of Social Work.

Key Finding



Early intervention to avoid sex trading and trafficking of Minnesota female youth passes a rigorous benefit-cost test with a return on investment of $14 in benefits for each $1 in cost. Therefore, we find that it is in the best interest of Minnesota taxpayers to invest in prevention and early intervention services for runaway and or homeless adolescent girls in the state who are at highest risk for sex trading and trafficking.

This report reflects only the benefit to the taxpayer through government expenditures and does not include private philanthropic investments. The benefit cost model assumes that the specific current state expenditures described in the report remain constant. The full cost of sex trading and trafficking of adolescents extends well beyond taxpayer expenditures. The return on investment would be much larger if the full social, community and individual costs of sex trading and trafficking of adolescents were considered.

About The Report

The authors were hired by the Minnesota Indian Women's Resource Center (MIWRC) using a grant by the Nathan Cummings Foundation to provide a carefully constructed benefit-cost analysis of early intervention to prevent sex trading by Minnesota's female youth, under the age of 18. Our definition and scope of analysis includes survival sex, sex trafficking of juveniles, and so-called juvenile prostitution. The authors of this report use the term "sex trading" to describe the sale of sex and sexual activity for money, food, drugs, clothes, a place to stay or anything else. We do not only use the term "trafficking" because part of our analysis includes those adolescents who continue sex trading into adulthood, where sex trading is not necessarily trafficking according to Federal law.

The full 83-page report is a quantitative evaluation of benefits and costs related to early intervention and prevention of sex trading and trafficking of adolescent females in the State of Minnesota. The report focuses narrowly on benefits and costs to the tax payers of Minnesota.

The report is complex because the issue of adolescent sex trading and trafficking is complex and it is not well researched. There is wide individual variation of experiences among adolescent females and vast differences in individual trajectories of sex trading and trafficking. While much research has been conducted on this topic, we found no nationally representative sample in a longitudinal study of adolescents involved in sex trading and trafficking on which to base our model. This is a difficult group with which to conduct research. Girls who trade sex (including victims of trafficking) are stigmatized by society and are often disconnected. Some are forcibly controlled by others. They are hard to find, lack trust and may be scared to participate in research. Therefore, our analysis rests on conservative best estimates based on available scholarly evidence. When judgment was required we selected the most conservative option. For purposes of this study the authors focused on research pertaining to sex trading and trafficking among runaway and homeless adolescent girls ages 12-17, as well as, the proportion of those youth who trade sex into adulthood. We include all racial and ethnic groups.

The Benefit-Cost Model

Our benefit-cost model examines the return to the tax payers of Minnesota if they invest in prevention of female adolescent sex trading, including sex trafficking. The model assumes that current state expenditures on the health and wellbeing of the population of Minnesota remain constant.

Research shows that sex trading and trafficking cause harm to the individuals providing sexual services as well as the broader community. Some of these harms require public expenses paid for by the tax payers of Minnesota. In our model the "benefits" are the avoidance of these harms by successful intervention that prevents female adolescent trading sex (and trafficking), where these harms reflect public spending. The "costs" are expenditures the state must make to pay for the early intervention and prevention program. The benefit-cost analysis is a quantitative economic model that compares the cost of the program with the multi-year stream of benefits resulting from prevention of sex trading and trafficking.

We calculated our Return on Investment (ROI) as a net present value. The formula for our calculation of net present value is provided in this summary. Our model uses additional formulas, not shown here, to derive valuations for each variable in our net present value formula.

$$NPV = \sum_{t=1}^{T} \frac{B_t}{(1+r)^t} - IC$$

NPV Net Present Value: if this is a positive number, the program passes a benefit cost test.
t Time in yearly increments.
Expenditures for the intervention program are incurred at t = 0,
Benefits from the program accrue in discrete years starting in t = 1.
T The full time horizon over which benefits accrue.
IC Investment Cost, i.e. the cost of the intervention program.
Bt Benefits per yearly time period - defined as the value of harms avoided in each year.
r Discount rate

Harms of Sex Trading Avoided (Benefits)

Sex trading (trafficking) is associated with many short and long term harms to adolescent females involved. This includes a wide range of poor health and mental health outcomes, experience of violence and intimidation, homelessness, chemical dependency, unplanned pregnancy, involvement in criminal justice, decreased lifetime earning, welfare expenditures (food stamps, MFIP, Social Security, Medicare, etc.), and loss of human potential. For this study we identify, document and quantify only those harms that can be directly attributed to sex trading and that have a clear impact on the public treasury. We identify and evaluate 16 specific harms that research with strong empirical evidence shows are caused by sex trading, including trafficking.

16 Analyzed Harms

- Minor assault
- Major assault
- Post traumatic stress disorder
- HIV/AIDS
- Chlamydia early-treatment
- Chlamydia late-treatment
- Unintended pregnancy with abortion
- Unintended pregnancy with birth
- Arrest as juvenile
- Arrest as adult
- Court hearing – adults
- Incarceration - adults
- Probation - adults
- Foster care for children in state custody
- Chemical dependency treatment
- Forgone income tax revenue

For each of the 16 harms analyzed in our model, we specify a unit of measure, estimate of unit cost, time profile, and harm quantity per year. Each of these harms has a high degree of complexity with respect to both prevalence and dollar valuation.

Time profile is both important and hard to document. The length of time an individual is involved in sex trading influences the degree of harm to the individual, and thus to local and state expenditures that address these harms. We found no representative, longitudinal study on the average length of time adolescents engage in sex trading. This is a hidden problem in many communities, highly stigmatized and often unrecognized. Absent clear empirical evidence, we constructed a pattern of trajectories that resulted in an estimated average duration of 7 years in the sex trade per juvenile, which is consistent with the limited empirical evidence. Our model requires an average age of first involvement in the sex trade. We set an average age of 14, which is consistent with the limited evidence.[4] This implies that two thirds of these adolescents will continue trading sex into adulthood. This justifies the inclusion of costs to the tax payer incurred by those adolescents who continued trading sex into adulthood.

Numerous additional harms caused by sex trading have been documented by research and practice, but were not included in this analysis because we could not identify a direct cost to the public treasury or we could not establish a clear and direct causal link to sex trading as an adolescent. Some of these include untreated medical issues, poor mental health, pain and suffering, the impact of multi-generational trauma and poverty, the full cost of welfare payments, and lost human potential. Thus, our conservative analysis likely reflects a minimum return on investment to the taxpayer.

Our identification and quantification of harms has some limitations. Many assumptions and rough estimates are involved in reaching these results.[5] But we believe the estimates are reasonable given the available evidence and

[4]Please note that this is an average derived for the purposes of this model only. We are not making a statement on the actual average age of first involvement in sex trading. The research is not yet clear enough to definitively establish an average age of first involvement. Research and practitioners report seeing both much younger and older age of first involvement in sex trading.

[5]A full discussion of the literature and our estimates can be found in section 3. Harms Related to Sex Trading on page 14 of the full report.

likely represent a low end of the potential value of harms. We have taken great pains in assembling and evaluating the empirical information on which our estimates are based, and where we were forced to make choices, we elected more conservative assessments of both harm prevalence and unit costs. Detailed analysis of the cost savings of harms avoided by early intervention and prevention is highly complex and not presented in this summary. The reader may find explanation of these factors in the full report.

We reiterate that our model only considers costs that directly affect public budgets (i.e. expenses incurred by the tax payers of Minnesota). The social harms of adolescent sex trading extend well beyond these. Additional costs and/or loss of benefits are incurred by non-profits, school systems, families and communities, and the overall economy. But the analysis of the full social value of the harms of adolescent sex trading, including trafficking, was beyond the scope of this study.

Intervention and Prevention Program

A state-wide program that would fulfill the goals of the Safe Harbor for Youth Act will need to consider the following elements: screening of runaway and homeless female youth for their risk of sex trading, including trafficking; referral to specific programs based on the screening; housing of various types as needed. Such a program is not yet in operation in Minnesota. To evaluate costs we combined information from a promising public health model in Ramsey County, MN with estimates of housing needs provide by the Homeless Youth Services Coordinator for the State.

We use expenditures by an existing program of this nature currently operating in an urban area, the Runaway Intervention Program (RIP) in Ramsey County. Program costs include screening, referral and health exam for all youth in the target population. RIP does not provide housing, so these costs are not included in their program cost estimates. RIP provided cost estimates for the overall program and for the most intensive level. This program has demonstrated success with this population and evaluated program outcomes. Using secondary data on homelessness and runaway youth in Minnesota we estimate that each year there are at least 391 female youth who trade sex in Minnesota.[6] Our model estimates the accuracy of "filtering" youth into the correct level and type of services as well as the effectiveness of each program element at preventing and intervening in sex trading. [7] We assume therefore that the statewide version of RIP would serve a minimum of 496 individual girls in the first year.

Minnesota's Safe Harbor Act targets runaway and homeless youth as the key population for intervention services, as they are most vulnerable to exploitation. Lack of stable housing for adolescents is a key risk factor for sex trading, including trafficking. Therefore we also include the cost of housing in our estimate of program cost. The Homeless Youth Services Coordinator for the Department of Human Services at the State of Minnesota provided cost estimates per day for each type of housing, an estimate of the proportion of homeless youth requiring each type of housing, as well as average length of stay per housing type. Some youth require no housing support. Others need only emergency shelter; while others require transitional or long-term supportive housing. We used this data to construct a weighted average of the total cost of shelter per person and the dollar amount currently spent by the state to support this housing.[8]

[6] Wilder, (2010). Homelessness in minnesota 2009: Results of the wilder statewide survey (pp. 1-85). Saint Paul, MN: Wilder Research; Larson, A. (2008). Estimating homeless and highly mobile students Minn-Link Issue Brief (Vol. 7B, pp. 1-2). Minneapolis, MN: Center for Advanced Studies in Child Welfare. Described in detail in Appendix A2 (p. 65-6) Wilder study; child welfare study

[7] Filtering and program effectiveness are described in the report in section 2 (p. 8-9), in section 4 (p.50), section 5 (p. 55-58), and in Appendix A1 (p. 64).

Benefit-cost results

We find that prevention of adolescent sex trading is in the best interest of Minnesota taxpayers. It results in a return on investment of approximately $34 for every $1 spent. Our quantitative assessment factored in several sensitivity analyses pertaining to five main model parameters: discount rate, program effectiveness, filtering efficiency, elasticity of demand and elasticity of supply. The results of our sensitivity analysis can be found in the full report.

Our best estimate finds that for each adolescent female in the intervention program, the tax payers of Minnesota will save at least $58,229 over a 30 year time horizon. If the program serves a cohort of 496 girls, the state would save approximately $28.9 million.

The greatest annual savings projected in the model accrue in the first and second year after the intervention. In the first year, the state would likely save $5,120 per year for each individual with a likely total savings of over $2.5 million (with an additional $2.6 million in the second year). Table 7 in the full report shows the annual aggregate benefit per client per year for all 30 years of the model.

Each adolescent served in programming during every additional year of program operation will initiate their own additional stream of benefits to the State of Minnesota.

Conclusion

The findings of this research clearly demonstrate a positive net value, or return on investment to the public sector, of at least 34:1 for early intervention with adolescent girls at risk of sex trading (including sex trafficking). While acknowledging the complexity and difficulty of fully estimating the cost of harms to this population, the damage to juvenile girls is likely under-reported due to the stigmatization of the activity and reluctance of girls to admit sex trading.

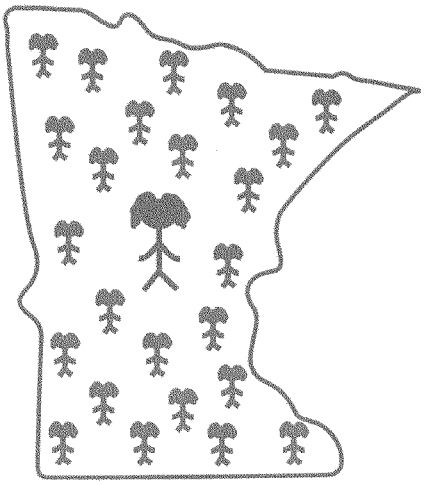
Our work in estimating the value of harms caused by sex trading and trafficking of adolescents took pains to understate them when judgment was required. Due to limited evidence, some forms of harm are entirely excluded from our model. We are unable to definitively quantify some costs, such as long term mental health problems, traumatic brain injury, and lost consumer power. Others are costs that are likely unquantifiable, such as lowered self-worth, pain and suffering. Therefore, we believe that the evidence we have compiled argues strongly that pursuit of early intervention and prevention of adolescent sex trading is in the best interest of Minnesota citizens. This is true even from the narrow perspective of direct cost to tax payers through public budgets, but does not include long term harms mentioned above or the human impact on the victims or their families.

Most of the harms of sex trading, including trafficking, of adolescents are not paid for directly by public expenditures. Some are paid for by the non-profit sector and philanthropy. For example, youth serving housing agencies, health clinics and case management programs for this population seek funds from a wide ariety of sources. But most of the immediate costs are borne by individuals and their families. Many adolescents involved in sex trading do not receive needed services and live on the streets (or in precarious housing). Our model does not account for the lifelong toll associated with intangible harms such as fear, pain, suffering, and the lost human potential of those adolescents involved in sex trading, their children and their families. If our analysis included a broader conception of benefit and cost, such as the costs borne by individuals, families and communities, the recommendation would only be stronger.

* Calculations of these costs estimates can be found in section 4, Program Costs (p. 48-55).

Early Intervention to Avoid Sex Trading and Trafficking of Minnesota's Female Youth: *A Benefit-Cost Analysis*

Full Report



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2012

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Abstract

We provide analysis of an innovative policy to reduce social harms from sex trading among female youth, including adolescents (e.g. survival sex, prostitution, sex trafficking). The policy consists of early intervention efforts with adolescent females to prevent and dissuade them from sex trading. Our framework treats the program as an investment project and calculates its net present value, where the benefits are understood to be harms avoided by successfully reducing the extent of sex trading. We approach the analysis from the narrow perspective of the public budget. That is, both the cost of the program and the specific harms from sex trading are evaluated in terms of the burden they impose on a community's government expenditures. We do not examine the full social costs of sex trading. Our valuation of harms is a conservative estimate based on available social science data. We conduct sensitivity analysis with respect to key model parameters such as program effectiveness, discount rate and other model parameters. The program returns positive Net Present Value in all but the most pessimistic scenarios, which we believe are highly unlikely to prevail. In our best estimate it returns $34 in benefit for each $1 in cost.

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Section One:
The Policy Problem and Our Framework of Analysis

Policy makers, the academic literature, and practitioners in the community offer multiple ways of describing, framing and dealing with youth involvement in commercial sex markets, sex trafficking and prostitution in the United States. Sex trading, prostitution, and sex trafficking are all terms used to reflect the act of exchanging sexual services for something of value. When the individual providing these services is under the age of 18, this activity is a federal crime under the Trafficking Victims Protection Act (TVPA).

We orient our analysis to the current policy context in the State of Minnesota. On August 1, 2011, the Minnesota State Legislature passed, and the Governor signed, several new provisions related to what it terms "juvenile prostitution" and "sexually exploited youth."[1] This legislation, known as the Safe Harbor for Youth Act, represents part of a larger policy debate in the state around issues of prostitution, sex trafficking and child welfare; policy driven by awareness that juvenile sex trafficking is a problem. The Twin Cities of Minneapolis and St. Paul were identified by the Federal Bureau of Investigation "as one of 13 cities with a large concentration of child prostitution enterprises."[2] The Safe Harbor Act more closely aligns Minnesota State statues with the federal law (TVPA) and creates structures for victimized youth to be routed into protective or healing services.

The policy context in Minnesota is two-pronged. (1) The act reclassifies youth under the age of 16 who are involved in prostitution and/or sex trafficking (as defined in Minnesota Statute) from a criminal/delinquent framework to a victim-centered public health focused approach. Full

[1] See Minnesota State Legislature, Special Session 1, 2011; SF0001, 2011 and HF0001, 2011

[2] http://www.fbi.gov/minneapolis/about-us/what-we-investigate/priorities#violent_crime; National Security Priority Area number 8.

implementation of the law is deferred until 2014 to allow law enforcement, service providers and judicial systems time to align with the new law's requirements. (2) The Act also clarifies and increases penalties for patrons, pimps, purchasers, promoters and traffickers of juveniles for the purposes of sexual exploitation or prostitution.

The legislation and policy agenda must necessarily incorporate a wide range of perspectives. It is therefore important that we are clear and straight-forward with the scope of analysis provided here and the terms and definitions we use throughout. We know of only two published benefit-cost studies analyzing youth involvement in sex trading (2005, 2006).[3] While informative for our project, DeRiviere's work pertains to a Canadian context and has a somewhat different scope and purpose.

For the purposes of our analysis, we must clearly define terms using language that does not prejudice the facts or our findings. We use the term "sex trading" to describe the sale of sex and sexual activity. Sex trading refers to selling or trading sex or sexual activities for money, food, drugs, clothes, a place to stay or anything else. Sex trading can be in the context of survival sex, engagement in local sex markets, and trafficking facilitated by a pimp or trafficker (herein called a "market facilitator"[4]). Thus our definition includes prostitution, survival sex, and sex trafficking of juveniles.

The current policy agenda in the State of Minnesota contemplates action with a specific population of adolescents deemed most at risk for involvement in sex trading. The legislation describes the population as follows: "homeless, runaway, and truant youth who are at risk of

[3] The Shapiro Group (Trouteaud, Parker, & Shapiro, 2010) conducted a benefit-cost study of policy in the State of Georgia, but it was not published in a peer reviewed journal and has some methodological shortcomings.
[4] Language used by Curtis, Terry, Dank, Dombrowski & Khan, 2008.

sexual exploitation."[5] Therefore, our analysis is framed around the impact of sex trading on this population of youth. We focus specifically on adolescent females and the impact of sex trading on their life course trajectory; although we note that a growing body of literature suggests adolescent males also comprise a significant proportion of children involved in sex trading (Curtis, Terry, Dank, Dombrowski, & Khan, 2008; Edwards, Iritani, & Hallfors, 2006; E. Saewyc, MacKay, Anderson, & Drozda, 2008; Weitzer, 2009).

In this research we ask the following question. What is the potential benefit to the **public budget** of early intervention and prevention of sex trading among female adolescents in the State of Minnesota, and how much would this cost? Public expenses to deal with and remediate some of the harms of sex trading are currently incurred by the State of Minnesota and local governments in a haphazard fashion. Could the State of Minnesota and local communities save money by providing services and coordinated prevention programs to female adolescents who might otherwise become involved in sex trading? To answer this question we analyze data on **costs to the public budget related to sex trading among female youth**. Many of the public costs related to sex trading are monetized expressions of various harms suffered by female youth that are caused by commercial sex activity and paid for by public dollars. Our model does not include the wider social, economic and personal costs of sex trading.

Several types of harm are caused by sex trading. These include damages to the mental and physical health of adolescents and adults who trade sex, reduction in their legal economic productivity during and after involvement in sex trading, burdens on public programs that address some of the personal damages incurred, law enforcement resources allocated to suppression, and harm to the community environment in which sex trading occurs. We compare

[5] S. F. No. 1, August 1, 2011: lines 24.27 through 24.31. An amendment of Sec. 8. Minnesota Statutes 2010, section 626.558, subdivision 2a, is amended to read: Subd. 2a. ~~Juvenile prostitution)~~

the portion of such costs that are a burden on state and local budgets to the potential costs of possible intervention. The Runaway Intervention Project (RIP) currently in operation in Ramsey County, Minnesota has been posed as a potential model program for the state and serves as the basis of intervention policy that we seek to evaluate in benefit-cost terms.[6] Housing is a critical need for adolescents at risk of sex trading and trafficking. Because the RIP model does not provide housing, our analysis adds the cost of housing for runaway and homeless youth to the cost of the model RIP program.

Current policy nation-wide with respect to sex trading and commercial sex is largely one of suppression through criminalization of the activity for all parties involved. Although this approach may diminish the extent of sex markets in comparison to legalization or decriminalization, criminalization is itself the source of some of the social damage (Weitzer, 2009). An alternative policy approach evaluated in our study consists of early intervention with female adolescents in order to avoid their entry into sex trading. Such an approach is described in recent legislation passed by the State of Minnesota. The legislation contemplates expenditures in two areas, a system-wide outreach effort to identify girls at risk and establishment of programs that prevent and/or intervene in the sexual exploitation of girls.[7] The goal of such programs is to restore these youth to a "healthy" developmental life course – one in which they recover from or avoid sex trading, are no longer homeless and/or running away from home, and exit involvement in street life.

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[6] The Women's Foundation of Minnesota, MN Girls are Not For Sale campaign, provided funding to several entities in Ramsey County to support the development of a statewide model based on their county practices, including RIP (announced via press release on March 30, 2012).

[7] This is described as a sexually exploited youth outreach program. A multidisciplinary child protection team may assist the local welfare agency, local law enforcement agency, or an appropriate private organization in developing a program of outreach services for sexually exploited youth, including homeless, runaway, and truant youth who are at risk of sexual exploitation. (see S. F. No. 1, August 1, 2011: lines 24.27 through 24.31. An amendment of Sec. 8. Minnesota Statutes 2010, section 626.558, subdivision 2a.)

To the extent that prevention efforts are successful, the harms associated with commercial sex are avoided. On the other hand, a program of this nature requires resources, which responsible policy makers must take into consideration. Our study contributes to this policy debate through careful analysis of the costs and benefits of an early intervention strategy. We assess costs and benefits from the narrow perspective of the government budget, which ultimately are costs and benefits to Minnesota taxpayers. In an early intervention program funded by state and/or local government, the expenditures are budget costs. To the extent that a program reduces future expenditures from government budgets that would have been incurred to address the social harms, these are benefits to the budget. Another benefit to the government budget is increased tax revenue available from women who may be more productive in legitimate employment if they have avoided involvement in sex trading.

An alternative approach is to address the benefit-cost analysis from a wider social welfare perspective. Some of the costs and many of the benefits of intervention would accrue to individuals and groups independently of the government budget. For example, if a medical problem associated with sex trading is only partly rectified by spending of a public health agency, the remaining expenses and the personal suffering are part of the full social cost of the harm. If early intervention avoids the medical problem, the benefit to the government budget would be limited to the avoided expenses of the public health agency. But the full social benefit would include also the private expenses and personal suffering that are avoided through the intervention.

Our paper does not pursue this more general benefit-cost analysis. First, the impacts of sex-trading on public budgets are interesting and important by themselves. Second, the more general approach would have to embrace all the issues we raise in this paper, so our analysis can be seen

as a part of it. Third, moving from the narrow perspective of budgetary impacts to the viewpoint of social well-being broadly understood introduces considerably more complexity and uncertainty into the analysis. We leave that project for future research. Finally, a policy that passes a benefit-cost test within our narrow analysis would also pass under the generalized approach. Differences between the social value of harms avoided and the budgetary savings from harms avoided are likely to be quite large.

A critical assumption supporting our analytical framework pertains to the current practice of social policy in Minnesota. We presume that the community has previously established policies that address some of the negative consequences of sex trading and that these policies entail expenditures from the government budget. Examples include some degree of medical care provided by the government and attempts by police to suppress sex trading through arrests and criminal justice sanctions. It is the reduction of such expenditures that comprise benefits in our framework. We assume that current policy commitments would continue into a future shaped by the early intervention policy that we analyze. Without such commitments, intervention to help female adolescents avoid sex trading would not result in benefits to the government budget since the government would not have spent resources on the harms.

The next section of our study describes a quantitative model on which our benefit-cost analysis is based. In section 3 we identify several social harms associated with sex trading and describe their likely prevalence and time profile. An estimate of a unit cost for each harm is also developed based on available literature. We rely extensively on previous research on social harms associated with sex trading. Since this research spans many years, estimates of unit costs that we use are adjusted to 2011 dollars using the U.S. GDP deflator to put them on a common accounting unit. Establishing quantitative measures of the harms and their cost to the public

budget is complicated by significant variability and many uncertainties. In this process we take care to evaluate the reliability and precision of the data. If clear published evidence is lacking we adopted the most conservative estimate. In section 4 we describe the Runway Intervention Project (RIP) currently operating in Ramsey County, which is very similar to the kind of intervention and prevention project contemplated in the new Minnesota statues. Program operating costs for RIP have been assembled by Ramsey County, and a team of researchers has conducted evaluation outcomes that have been published. Additional costs of specialized housing are also considered. Section 5 is the core of the study, where we show the calculation results and directly compare benefits and costs. Based on data evaluation in the previous sections and different assumptions with regard to program effectiveness, we conduct some sensitivity tests on our calculations. A concluding section reviews key points and shortcomings and makes suggestions for refinement and further research.

Section Two:
The Quantitative Model

A program like we analyze can be understood as an investment project: expenditures for the program now will yield a stream of benefits into the future, which consist of the monetary value of harms avoided. Although intervention may well involve a multi-year time frame, for simplicity we model these expenditures as occurring in an initial period, $t = 0$. For each year of running the program there will be a stream of future benefits tied to a cohort of program participants. Considering several years of running a program would simply replicate these streams.

We denote the cost of the program as IC (for investment cost). The stream of benefits is assumed to begin in the next period, $t = 1$, and to continue to a time horizon T. We denote per period benefits as B_t. Using r as a discount rate[8], the following expression summarizes the benefit cost comparison as a net present value calculation[9]:

$$NPV = \sum_{t=1}^{T} \frac{B_t}{(1+r)^t} - IC \qquad (1)$$

If this net present value is positive, the program passes a benefit cost test.

Thus far the model is simple and straightforward. Difficulties arise in identifying specific details for how the investment costs and the benefits are determined. The value of IC is determined as the cost of running the intervention program from the perspective of the

[8] The discount rate we use is the average yield on recent issues of Minnesota's general obligation bonds.
[9] The standard procedure in an economic analysis involving comparison of values that accrue in different time periods calculates "present values" through discounting future values using an appropriate rate of interest. (See previous note.) The basic notion is that a sum of money equal to a given present value could grow into an amount equal to the future value that was discounted, if it grew at the interest rate used in the calculation in a compounded manner.

government budget. This consists of expenditures for facilities, services and personnel who work in the program as well as housing for program clients.

Concept of Benefits – Harms Avoided

Identifying the details on the benefits side is considerably more complex than determining the value of programming (IC). The essential concept is that dissuading and preventing individuals from engaging in sex trading allows the community to avoid the harms associated with sex trading. These depend on several considerations. First, how large is the adolescent population engaged with intervention? We denote this as Z. Second, how effective is the intervention program? We adopt a simple representation of effectiveness in the form of a coefficient, α, which denotes the fraction of program participants that are dissuaded and prevented from trading sex. Third, we must identify specific harms that arise from sex trading, describe their temporal dynamics, and assign values to them, where these values represent burdens on the public budget. Other aspects of the social environment influence effectiveness of the program in reducing sex trading and must be brought under review in evaluating benefits.

Sex Trading Potential and Program Filtering

Even without intervention some members of the adolescent population engaged with the intervention (denoted as Z) may not engage in sex trading. To the extent that Z contains such individuals, avoided harms cannot be claimed as program benefits, since the harms would not have been incurred in any case. This diminishes NPV because some participants impose cost without returning any benefit. We use θ to represent the proportion of Z that has sex trading potential. This means that $\alpha \times \theta \times Z$ represents the number of female adolescents successfully dissuaded from engaging in sex trading as a result of participating in the intervention. Participants are drawn from a larger female adolescent population (YP) through a

process of referral and filtering by which individuals are selected according to their potential to engage in sex trading. Although YP is a population of concern because these female adolescents are in difficult economic and social circumstances, only a fraction of them are potential sex traders. We use γ as a symbol to represent this share. Estimates of YP and γ for Minnesota are developed in the Appendix, section A1.

The degree of accuracy in filtering youth into the intervention via screening and referral has a bearing on the NPV. More effective filtering will raise the NPV of early intervention. Yet filtering must be an imperfect process, so that some individuals from YP will be selected into the intervention program even though they are unlikely to ever engage in sex trading. We use β to represent the effectiveness of filtering. If a filtering process is completely ineffective, $\beta = 0$ and we have $Z = YP$ and $\theta = \gamma$. That is, all the female adolescent population of concern enters the program, and the share of participants with sex trading potential is identical to that of YP. If filtering is completely successful, $\beta = 1$, and only members of YP with sex trading potential are brought into the program, resulting in $Z = \gamma YP$ with $\theta = 1$. (See the Appendix for details.)

The Potential of Replacement in the Sex Market

Dynamics in the sex market also influence effectiveness. Female adolescents who are successfully dissuaded and prevented from trading sex might be replaced by others entering or entered into the market. If an individual is dissuaded but then replaced by a new recruit, then effectively there are no benefits from reduced harms because the extent of sex trading has not been reduced. The extent to which replacement like this would occur is an open question that ultimately must be answered by empirical research, and the existing literature provides little guidance here. We have devised an approach that allows us to incorporate the issue into the

model and then tied this to rough empirical information in a way that allows an approximate answer.

Conceptually this question can be framed as the net effect of the intervention program on the equilibrium quantity of sex trading in the relevant market – i.e. our sex trading venue of interest. This, in turn, is reflected in the labor market for sex trading. Our analytical framework involves answers to three questions: 1) How much does the intervention program reduce the quantity of sex traders? 2) To what extent does this reduction increase earnings in the sex market? 3) To what extent does this earnings increase induce an increase in the quantity of sex traders from other sources that replace individuals dissuaded by the program? Benefit estimates should be based on the net reduction in sex traders, which accounts for this replacement effect.

The first question is answered by examining the program effectiveness and its scope (i.e. how many adolescent females participate). An answer to the second question depends on the price elasticity of demand for adolescent sex traders, which is derived from the demand for their sexual services. The third question is answered using the price elasticity of supply of adolescent sex traders. In the extreme cases of either a perfectly inelastic demand or a perfectly elastic supply, there would be no effect on the equilibrium quantity of female youth trading sex. In other extreme cases – perfectly elastic demand or perfectly inelastic supply - there would be no replacement, in which case the intervention program would have maximum effect.

It is not reasonable to presume that these extreme cases apply to the actual conditions of the sex trading venue of concern here. We bring this replacement effect into the model through a "non-replacement" coefficient, ρ. Specifically, ρ represents the fraction of a dissuaded cohort that is <u>not</u> replaced by new entrants. For example, if experience in the intervention program dissuaded 100 female adolescents from trading sex, and if the subsequent market adjustment led

to 40 new entrants (say, by immigration), then $\rho = 0.60$. The interval [0,1] bounds ρ, and its precise value depends on estimates of the demand and supply elasticities. (See the Appendix for full details.) Bringing this into the model results in the following expression for the net reduction in female youth trading sex as a result of the program intervention: $\alpha \times \theta \times Z \times \rho$.

To our knowledge, there are no studies that have attempted to measure the demand elasticity for sexual services in any venue. However, we can surmise that for our venue of interest this would be a relative elastic demand because sexual services are not a necessity for buyers and there are substitutes in the form of pornography, sex shows in clubs, and sexual services available in other venues. We chose a value of -2 as a central estimate and undertake sensitivity analysis by also considering less elastic demand responses. Again on the supply side, there is very little empirical evidence in the literature. Considering the nature of this essential labor input suggests that the supply would be relatively inelastic. The social circumstances of female youth are not easily altered in a way that would induce them toward sex trading, natural population growth is slow, and inward migration is difficult to accomplish due to both cultural and legal institutions related to youthful female populations in the United States. We choose a value of 0.5 as a central estimate and undertake sensitivity analysis by considering greater and lesser values (1.0 and 0.2). Given these central estimates of the demand and supply elasticities, the value of ρ is 0.81. A table in the Appendix shows values of ρ for a range of assumed values for both price elasticities, and we use three additional values of ρ in sensitivity analysis.

We also note that other facets of proposed legislation in Minnesota may affect market outcomes and possibly the value of the non-replacement coefficient. Specifically, aspects of the legislation address the demand side of sex trading by increasing penalties for buyers who are convicted. This may have a reducing effect on demand, but it is not clear whether the demand

elasticity would be affected. Legislation also increases penalties for market facilitators, such as individuals who promote sex trading as managers and seek market opportunities in this role. As with increased penalties on buyers, this may have a reducing effect on supply. Moreover, it is reasonable to conclude that this will make facilitators less willing to respond to increased price by seeking new market entrants. That is, supply would likely become more inelastic, which reduces the replacement effect. Our analysis does not incorporate these other aspects of the developing legislation because all such effects are speculative at this point. Our approach is to provide a carefully constructed benefit – cost analysis for only the intervention program for adolescent females envisioned in the analysis as though this were the only part of new policy toward sex trading in Minnesota.

Modeling the Avoided Harms

We use H_{jt} to represent a quantitative measure of a harm j that occurs in year t, for a single representative individual engaged in sex trading. (We use the integer m to represent the number of particular types of harm, so $j = 1, m$.) All the harms we consider occur in a probabilistic sense, so the quantified representations are expected values of harms. Specification of the units for H_{jt} depends on the particular harm represented. For example, H_{jt} may be the average number of arrests experienced or the average loss of tax revenue from legitimate income in a given year, t. Some of the harms may take on integer values, but for other harms integer values are inappropriate. For example, one harm is infection by HIV, which we represent as the probability that a representative individual has become infected by the end of year t.

Clearly there will be a great deal of variability in H_{jt} across individuals. The extent of harms experienced will depend on the particular environment for sex trading as well as individuals' efforts to evade the harms, for example by using condoms and avoiding dangerous clients. For

our purposes we assume an individual experience based on a carefully constructed "average"[10] of adolescents and women engaged in sex trading.[11] The extent of harms of type j avoided in year t can then be calculated as: $\alpha \times Z \times \theta \times \rho \times H_{jt}$.

In general each type of harm will have a distinct time profile that describes the value of H_{jt} across the time horizon, $t = 1, T$. For example, the time profile of becoming infected with HIV is quite different from the profile of arrest and legal sanction. To help understand time profiles of harms we distinguish incidents from harms and sex trading trajectories from the time profiles of harms. But all three concepts are interrelated.

By incident we mean a particular event that precipitates harm or a series of harms. If an incident is associated with only one type of harm, the distinction is not necessary. But some incidents cause multiple harms. For example, an arrest for prostitution precipitates the harm of the arrest itself but also may lead to the harms of court appearance and incarceration. A criminal record inhibits a person's ability to rent an apartment or secure a job. The budgetary impact of each harm is distinct. An arrest does not necessarily lead to incarceration, so we need to distinguish the incident of arrest from the harm of incarceration. Similarly a violent attack is an incident that may precipitate harms including medical attention in an emergency room, psychological counseling, and long-term disability. Again, incidents and related harms should be distinguished. Likewise, an incident at one point in time may cause a harm that emerges later in life. For example, Chlamydia is often asymptomatic when first contracted, and it is easy to cure if treated immediately. If untreated, however, Chlamydia can lead to pelvic inflammatory

[10] Although best modeling practice would use population averages of the harms experienced in a representative individual model, data limitations force us to use non-representative sample means to approximate this average.
[11] The extent of harm may be be dependent on time through changes in behavior. If females learn through experience to avoid some of the harms, the time profile would fall. On the other hand, physical injury and psychological stress may cause some women to lose ability to avoid some of the harms due to cognitive impairment (caused by factors such as drug use and traumatic brain injury) and worsening economic situation. In this case H_{jt} may well rise through time for certain types of harm. Our model does not attempt to account for such changes.

disease and infertility later in life. Clearly the time profile of harms is dependent on the temporal patterns of incidents, but is also distinct from them. Two examples of time profiles for harms are illustrated in an appendix.

By trajectory we mean the temporal pattern of engaging in sex trading. For example, for a female adolescent sex trading might begin at age 14 and continue for four years until age 18. Or it might continue until she is age 28 or 45. We rely on prior studies to support reasonable assumptions with respect to trajectories of representative individuals. Because some harms persist after an individual ceases trading sex, the time horizon for harms is longer than that for sex trading trajectories. Moreover, the trajectory of sex trading may affect the time profile of harms within any given time period. If the time profiles of harms were uniform across trajectories, calculation of an aggregate value of all harms could proceed on the basis of a single representative individual with an average trajectory. This is not correct, however, when the time profiles of harms depend on trajectories.

A precise calculation would identify a continuous distribution of a sex-trading cohort across the range of possible trajectories and link it to profiles of harms unique to each trajectory. We approach this in an approximate way by assuming a discrete uniform distribution in which a cohort is equally divided into six groups with sex trading trajectories of 2, 4, 6, 8, 10 and 12 years. We use an index, g, to represent each of these groups, so $g = 1, 6$. This is applied to the measure of harms, H, along with indexes j and t. Thus H_{gjt} represents the quantitative measure of harm type j experienced by a member of group g at time t. For some types of harm, $H_{gjt} = H_{kjt}$ for all g and k, which simplifies calculations. But this is not true for all harms, and the model reflects these distinctions. The extent of harm j experienced at t by an average member of a

cohort is calculated as $\left[\frac{1}{6}\right]\sum_{g=1}^{6} H_{gjt}$. Effectively this treatment of trajectories defines a composite individual constructed in equal parts from all six groups of her cohort.

For every type of harm we specify a unit cost value, which consists of the amount of public expenditure required to address one unit of the harm under prevailing public policy. For example, if medical treatment is provided by a public health agency for an injury or infection, this expense provides the valuation. We denote these unit cost values as V_j, $j = 1, m$ and assume they remain constant across time. When the harm at issue is reduced tax revenue, V_j is simply 1. For this particular harm, then, $1 \times \left[\frac{1}{6}\right]\sum_{g=1}^{6} H_{gjt}$ represents potential tax revenue not collected in year t because a (composite) woman engaged in sex trading earns less in legitimate employment than she would have, had she not engaged in sex trading. Combining the several harms with their valuations, and recognizing six distinct trajectories for a cohort, we have the following calculation for B_t:

$$B_t = \alpha \times Z \times \theta \times \rho \times \sum_{j=1}^{m} V_j \left[\frac{1}{6}\right] \sum_{g=1}^{6} H_{gjt} \qquad (2)$$

Because we model the benefits of intervention using a representative individual approach, we can perform a benefit-cost assessment independently of knowing the variable Z by considering the intervention cost IC on an individual basis. A positive NPV using equation (1) is equivalent to a positive value for the formula below,

$$NPV / Z = \sum_{t=1}^{T} \frac{B_t / Z}{(1+r)^t} - IC / Z \qquad (3)$$

where $B_t / Z = \alpha \times \theta \times \rho \times \sum_{j=1}^{m} V_j \left[\frac{1}{6}\right] \sum_{g=1}^{6} H_{gjt}$ is derived directly from equation (2). At the same time, knowing Z allows us to evaluate the full scale of potential net gains from an intervention

program, or full loss in the event that program cost exceeds the present value of benefits. We treat this scaling issue in detail in the Appendix. In section 5 we provide estimates of both the full NPV as well as NPV per program client, as specified in equation 3.

We turn now to consideration of the particular types of harm that arise from sex trading in the Minnesota environment, description of their time profiles and what kinds of issues must be addressed in assessing V_j for each one.

Section Three:
Harms Related to Sex Trading

Our benefit-cost model requires that we identify harms caused by sex trading and specify their prevalence, time profiles and unit cost in order to establish monetized expressions for them. Many studies have been undertaken to describe and document the harms associated with sex trading among female adolescents and adult women (Vanwesenbeeck, 2001), but never quite in the quantitative way that we undertake.

Our study focuses on sex trading in Minnesota within the context of recent policy decisions. The target population for intervention and prevention of involvement in sex trading in Minnesota consists of runaway and homeless adolescents, up to age 15 years. Therefore, in our use of previous research and empirical studies we give more weight to studies conducted on populations most similar in demographics and geography to runaway and homeless female youth in Minnesota. We also consider studies of adult women who traded sex as adolescents because a proportion of adolescents engaged in sex trading will continue sex trading into adulthood. Given typical trajectories of sex trading, it is important to consider studies on both populations in our examination of harms. Our study only looks at females, but does not address distinctions of race or ethnicity.

Venues and Trajectories of Sex Trading

Harms caused by sex trading vary substantially across individuals' experiences. The particular environment of the exchanges – which we call *venue* – and the duration of trading activity – which we call *trajectory* – are key factors that influence the extent of harms. Our model requires us to specify venues and trajectories relevant to the target population of the intervention program. Since there is no representative sample of all sex trading activity, we do

not know the proportion of female youth involved in different types of settings and therefore cannot easily weigh our calculation of harms according to venue and trajectory (Shaver, 2005).

As discussed in depth below, many studies suggests that runaway and homeless female youth tend to trade sex in street-based and other venues that are noted as dangerous and low paying, characterized by limited individual control. Our specification of trajectories is derived from the literature on girls and young women who trade sex in these same contexts. We rely less on studies based on venues described in the literature as relatively higher paying brothel and escort service environments.

If time profiles of harms were uniform across different trajectories, we could proceed to evaluate harms experienced by a cohort on the basis of a representative individual characterized simply by an average trajectory. However, because criminal justice harms and cumulative harms (such as HIV/AIDS and child foster care) are not uniform with respect to trajectory, the model calculations must identify distinct time profiles of harms for each kind of trajectory. As noted above, we approach this problem by specifying six different trajectories that are defined in two-year increments, from 2 to 12 years of trading activity. Moreover, we assume that equal parts of a cohort are represented in each of these groups. The remainder of this subsection discusses empirical research on which our assumptions of venue and trajectories are based.

It is often assumed that all adolescents who trade sex will become adults who trade sex. Cohen & Piquero note, with respect to crime in general, that "a consistent finding indicates that antisocial and deviant behavior that emerges early in the life course tends to continue into childhood, adolescence, and adulthood" (2009, p. 26). Thus, the literature suggests a strong trend toward continued deviant behavior as adolescents become adults. The focus in these studies tends to be on juveniles who commit "serious" crimes, such as murder, assault, and theft.

They are not differentiated by gender and none specifically examine sex trading (M. Cohen & Piquero, 2009; Delisi & Gatling, 2003; Farrington & Welsh, 2007; Welsh et al., 2008). Some recent studies on sex trading question this conclusion, finding that some females who trade sex as adolescents will not trade sex as adults (Edwards et al., 2006); likewise not all adults who trade sex did so as adolescents (Martin, Hearst, & Widom, 2010).

Most information about sex trading trajectories comes from retrospective data collected from adult women about their experiences as adolescents (Dalla, 2006; DeRiviere, 2006; Martin et al., 2010; Wilson & Widom, 2010). The existing literature suggests great variability in sex trading trajectories. Many women continue sex trading into their 30s and 40s (Dalla, 2006; Martin et al., 2010). Potterat, Woodhouse, Muth & Muth (1990) found an average of 5 years involvement in prostitution. Their conclusion is based on nearly 20 years of public health surveillance data on 1,022 women engaged in sex trading in Colorado Springs, CO. On the other hand, in retrospective interviews with adults who were homeless and traded sex as adolescents, a recent study found an average length 19.9 years of involvement in sex trading (Miller et al., 2011).[12]

Many studies show that engagement in crime and delinquency, as well as homelessness as an adolescent, can inhibit educational attainment and present challenges to entering mainstream society as an adult (M. A. Cohen, Piquero, & Jennings, 2010). Low educational attainment, lack of involvement in mainstream employment and early pregnancy all contribute to a propensity to engage in sex trading (Martin et al., 2010). In the absence of clear empirical evidence from a longitudinal study, we assume a pattern of trajectories in which equal parts of a cohort trade sex for 2, 4, 6, 8, 10 and 12 years. This implies an average duration of 7 years, which is consistent

[12] table A2 in the Appendix summarizes studies related to sex trading trajectories.

with the limited empirical evidence. If trading begins at age 14, our assumed pattern implies that two thirds of adolescents who trade sex will continue this into adulthood.[13]

Identifying Harms

While many studies describe personal and social harms caused by sex trading, a comprehensive and systematic assessment is difficult to derive from the literature. Still, we have found much useful empirical information. We describe this literature and how we use it to identify and quantify the harms in order to show readers the reasoning and assumptions built into our model. Most studies are based on convenience and snow-ball samples and focus on correlations between sex trading and harms, often without clearly establishing causation.

Some of the harms described are precursors to sex trading or create vulnerabilities exploited in sex trafficking, such as childhood sex abuse or running away from home (Estes & Weiner, 2001). Harms that pre-date sex trading are not included in our model because the early intervention program to prevent sex trading would not prevent these harms. Other studies posit a causal link between sex trading and future harm, documenting that some specific harms are directly attributable to sex trading. For some harms, such as chemical dependency, the literature is mixed on whether the harm leads to sex trading or was caused by sex trading (Dalla, 2006; Graham & Wish, 1994; McClanahan, McClelland, Abram, & Teplin, 1999; Surratt, Inciardi, Kurtz, & Kiley, 2004). Causality can run both ways. In our study we include only harms that have reasonable scientific backing as having been caused by sex trading, and we use very conservative estimates.

[13] There is no clear and definitive scholarly evidence of an average age of first sex trade. The research literature shows a wide range of age of first sex trade for juveniles, ranging from very young to age 17. Many studies find an average age of first sex trade for juveniles between 13 and 14 years old (see Martin et al., 2010). We did not want to overestimate the degree of cumulative harm in early adolescence, therefore for our model we selected age 14 as the onset of sex trading in line with our conservative approach. Further, we believe the early intervention and prevention program will likely focus on younger girls.

Some of the most damaging harms of sex trading include such consequences as low self-worth, mental illness, physical pain, fear, loneliness, reduced cognitive capacity, and diminished potential. These are difficult to quantify and to express as monetary values. However, most of these harmful outcomes do not impose any direct demands on the government budget, and so they do not enter our narrowly constructed benefit cost analysis. But these harms without direct impact on the government budget are not entirely absent from our model. They impose monetary costs related to sex trading indirectly through reduced tax revenue and greater need for public assistance due to reduced employment.

Harms that impact the government budget can be organized into four categories: (1) public health (violence, pregnancy, sexually transmitted infections, chemical dependency and other mental health problems); (2) law enforcement (arrests, court proceedings, and corrections, including probation); (3) social welfare programs (child protection, medical assistanee and income support) and (4) reduced income tax revenue.[14] In the following subsections we carefully consider social science literature related to each of the identified harms caused by sex trading. We explain our reasoning for inclusion and provide estimates of time profiles and unit costs. We also evaluate the reliability of information we must rely on to support a quantitative model and the assumptions we must make. These descriptions of harms form the building blocks for our benefit-cost results presented in section 5. Table 1 at the end of this section provides a summary of the harm descriptions developed here and utilized in the computational model.

[14] We exclude consideration of sales tax revenue because a youth would pay roughly equivalent amounts whether she earned income from sex trading or legitimate employment. But only in the lattter case would government collect income tax from her.

Public Health

Numerous harms of a public health nature result from trading sex. We organize our analysis around five classes of health effects: physical injury from violence, sexually transmitted infections (STIs), pregnancies, mental health and chemical dependency.

Impacts of Violence

Studies of teens and women who trade sex show that violence, both physical and emotional, is common in their lives (Church, Henderson, Barnard, & Hart, 2001; Kurtz, Surratt, Inciardi, & Kiley, 2004; Martin et al., 2010; R Parriott, 1994; Romero-Daza, Weeks, & Singer, 2003; Salfati, James, & Ferguson, 2008). However, not all of it can be seen as *caused* by sex trading. Violence that occurs in the context of sex trading – such as assaults by clients and market facilitators – is directly attributable to the activity and so is included as a *harmful incident* in our framework. We do not describe these forms and types of violence in detail. Rather we estimate the contribution of violent incidents to several related harms that induce public expenditures for medical treatment. These include physical injuries as well as mental health damage, such as PTSD and traumatic brain injury. Our model does not account for the physical and psychological impact of the threat of violence and long-term stress, which recent research suggests has a stunning, negative impact on the development of the adolescent brain (Glaser, 2000; Wilson & Widom, 2010). In this regard our results understate the benefits of an intervention program.

Physical injuries that do not require medical attention, while very real and common, are excluded from our model since there is no associated government expenditure. Injuries requiring medical treatment are distinguished at two levels of severity: major injuries require hospitalization; minor injuries do not. The mental health damages from violent incidents elicit

direct expenditures from the government but also affect government budgets indirectly. For example, PTSD reduces capacity of individuals to work, which in turn increases income support payments and reduces taxable income. While these consequences of violence are quite real and documented in research, it is impossible to know precisely how much of such harm is caused by violence experienced in the context of sex trading.

The literature on violence in sex trading does not provide a clear or straightforward estimate of violence. Several authors posit lower rates of violence among adult women who trade sex in higher paid so-called "indoor" sex trading venues versus lower paid so-called "outdoor" venues which are street-based and public (Church et al., 2001; Weitzer, 2009). Further, these studies argue that workers in indoor venues tend to be adults who were not exploited as youth. Therefore, we will exclude these studies from consideration here and focus on empirical research among teens and women who traded sex as adolescents. To derive an estimate of violent incidents for a typical individual engaged in sex trading, we consulted several studies focusing on sex trading among runaway/homeless youth and adult women who trade sex in so-called outdoor venues to derive a conservative estimate of an "average" rate of occurrence. We then use reasonable assumptions to tie incidents of violence to specific harms.

Empirical research reveals a wide range of lifetime experience of violence in the context of sex trading. Field studies find between 50% and 99% of all persons who trade sex are victims of violence (Judd, Roman, & Eddy, 2007; Martin et al., 2010; Nixon, Tutty, Downe, Gorkoff, & Ursel, 2002; Romero-Daza et al., 2003). Saewyc et al. (2008) studied a sample of 1,465 street-engaged youth and found that 95% of sexually exploited females had been physically abused by a relative, friend, controller, purchaser or stranger (p. 41). Not all of this was directly linked to sex trading, however. This same study, in their sample of older street youth, found that in the

context of sex trading 18% reported being sexually abused and 25% physically abused (pp. 27, 43). Church et al. (2001) found that 48% of women who traded sex in-doors had been assaulted by a client, while 81% who worked out-doors had been assaulted (p. 524). Assault by market facilitators was not included in this study and could only increase the total incidence of violence.

Other research has found that 75% of women reported being subjected to violence at the hands of market facilitators (e.g. pimps and traffickers), and 84-86% reported aggravated assault and physical violence (Hunter, 1993; Jody Raphael, Reichert, & Powers, 2010; Raymond, 2001). Raymond and Hughes (2001) also found that 80% of women were sexually assaulted, and 85% experienced psychological abuse by market facilitators. Collectively these data suggest that it is reasonable to make a conservative estimate of 0.80 for a cumulative probability of experiencing assault as a direct result of sex trading. At the same time, the figures on which the trajectory-long likelihood of 0.80 is based do not distinguish experience of violence from multiple incidents, nor do they indicate the length of trajectory.

While these studies are informative, our model requires an estimate of violent incidents on an annual basis that is consistent with this trajectory-long probability. We also need distinction by severity of injury. Other studies have examined the experience of violence during shorter time periods. Some surveys asked samples of women who traded sex about their recent experience with violence. Kurtz et al. (2004) found that around half the women who traded sex in a street venue from which their sample was drawn had been assaulted by a client in the past year, and one third had been assaulted in the previous month (Kurtz et al., 2004). The sample surveyed by Church et al. (2001) found that half of the sample in an "outdoor" venue reported violence from clients in the previous six months (Church et al., 2001). These studies do not

reveal, however, whether this includes multiple incidents in the preceding months or to what extent the attacks resulted in medical care.

Research by Hunter (1993) shows an annual assault rate from market facilitator of 58 incidents among the women in the sample who experienced assault (84%). The annual rate of rape perpetrated by market facilitators reported by the sample was 16 among the women who reported being raped (78%). However, these rates do not include violence perpetrated by clients. A survey by Raymond et al. (2001) of women trading sex found that 50 percent of them experienced assaults frequently, sometimes daily. A study in Rhode Island found that women who trade sex on average require treatment in an emergency room 3 times per year (Open Doors, 2009). But it is not known whether these visits resulted from violence perpetrated against the women.

What is clear from this empirical information is that violence against women who trade sex is quite common. But the variety of circumstances, limited sample sizes and inconsistencies in survey reporting do not provide reliable guidance to determine a good estimate of the rate of assaults that would precipitate medical expenditure by state and local government in Minnesota. We are left with a need to specify two distinct assault rates for the model with highly imperfect empirical bases. Yet this field research does place some boundaries on reasonable assumptions.

If we assume a sex trading trajectory of 7 years and a likelihood of 0.80 that a typical female youth will experience one or more assaults across the trajectory that require medical attention (including rape) the corresponding (constant) annual probability of such assault is approximately 0.2. This is well below the prevalence reported by some of the research reviewed above, but those researchers did not speak to the need for medical care. We apply the annual probability of

0.2 for minor assault (requires outpatient medical care) and reduce this by a factor of 4 to calculate a probability of 0.05 for major assault (requires hospitalization).

It is similarly difficult to determine required medical expenditures resulting from this violence. The National Center for Injury Prevention and Control (NCIPC 2003) has calculated the costs of intimate partner violence, which is similar to the kind of violence experienced in sex trading. For physical assault the mean medical cost is $2,665 for those who receive treatment.[15] We will use this as the unit cost of minor assault and multiply it by 20 to provide a rough unit cost for major assault of $53,300. The NCIPC also found an average of $1,017 in mental health costs associated with an assault.[16] We assume that in all incidents of assault requiring medical attention victims are also provided mental health care as part of their treatment. For minor assault we add medical and mental health costs to arrive at $3,682, which is converted to $4,433 in 2011 dollars. The mental health treatment for major assault is treated below as post-traumatic stress disorder (PTSD) with a separate cost entry. The unit cost of medical treatment for major assault is converted to $64,174 in 2011 dollars.

The accumulation of experience with violence and the threat of violence can lead to emotional problems later in life, manifesting as a diagnosed mental illness such as post-traumatic stress disorder (PTSD), impaired cognitive functioning, traumatic brain injury, and inability to sustain employment. While all these harms may impose costs on public budgets through mental health treatment expense, higher levels of income support and reduced income tax revenue, it is difficult to establish a quantitative assessment.

For purposes of this study we only include PTSD in our model since it can be directly linked to violence and threat of violence caused by sex trading. PTSD is more likely to affect someone

[15] (National Center for Injury Prevention and Control, 2003) p. 29.
[16] Op. cit., p. 30.

with repeated exposure to violence, so it would have a higher prevalence among cohort groups that trade sex across longer trajectories. The effects may emerge well after the event that caused it, so the actual time profile of the harm would extend beyond the trajectory. Treatment may require longer than a year, which adds to the aggregate value of the harm as well as altering the time profile. We are not able to address all of these complexities.

We assume all incidents of major violence requiring hospitalization also require treatment for PTSD. This is justified for several reasons. First, our estimate of the cost of medical treatment for assault is very conservative. It does not account for adolescents and women who do not receive medical attention for assault. It is likely that a high proportion of those affected by assault never seek treatment. Second, our model does not include the threat or perceived threat of assault. Third, we are not accounting for the repeated exposure to assaults over the course of the longer trajectories specified in our model. The incidence of PTSD is likely much higher than just for those who experienced major assault. Rand (2008) estimated that PTSD costs approximately $5,900 to treat among returning war veterans.[17] We adopt his estimate as our unit cost for PTSD and convert it to 2011 dollars resulting in $6,159 as the unit cost. This does not include the cost of treating co-morbid occurrence of major depression and anxiety, which are likely high among adolescents and teens who trade sex. Thus using the figure from Rand is a conservative estimate of the cost of this harm.

Sexually Transmitted Infections

Trading sex is a high risk behavior that increases the likelihood of contracting an STI, including HIV/AIDS. Condom use could remediate some of this harm, but condom use is not universal in the venue of sex trading that we address in this research.. The literature suggests

[17] Cost figure retrieved from the following URL on April 9, 2012.
http://www.rand.org/publications/randreview/issues/summer2008/wounds2.html

that condoms are used more frequently in transactional sex than in non-transactional sex and that adolescents tend to use condoms less frequently than adults (Martin et al., 2010; Ruth Parriott, 1994; Romero-Daza et al., 2003). A nationally representative sample of adolescents in the U.S. found that 19.8% of girls who traded sex had been told by a doctor that they had HIV or another STI compared to 4.1% of girls who did not trade sex; clear evidence that HIV and STI can be directly attributable to sex trading (Edwards et al., 2006).

The prevalence of HIV/AIDS among adolescents and adults who trade sex is extremely variable by study and locale ranging from 1.5% in a self-reported study in Minneapolis (Ruth Parriott, 1994) to 78% in an international brothel context (Willis & Levy, 2002). Self-reported positive HIV rates tend to be much lower than rates reported from testing. In a sample of women who use drugs in a street-based sex trading context in Miami, Kurtz et al. (2005) found that 22.4% were HIV positive. A study of 255 women in Vancouver, BC who had been street-entrenched youth found that 23% were HIV positive (Miller et al., 2011). Curtis et al. (2008) in an extensive study of youth who trade sex in New York City found that 2% self-reported being HIV positive.

A focus on Minnesota data seems prudent given the variability of HIV rates across the US. In Minnesota the rates of HIV among all adolescents are low, close to 0%, with only 232 known cases (Minnesota Department of Health, 2011). A 2000 needs assessment study of sex traders in the Twin Cities, conducted by the Hennepin County Community Health Department, found that 13% of respondents self-reported being HIV positive (Persell, 2000). For the purposes of our model, we need the annual probability of becoming infected with HIV, in order to calculate a cumulative probability that a person will be in a state of being HIV positive in any given year of their trajectory. The study by the county health department does not indicate how long the sex

traders had been engaged in sex trading. However, if we presume active sex trading across 10 years, an annual probability of around 1.4% would result in the cumulative likelihood of 13%. We employ this annual probability in our model with respect to the HIV/AIDS harm.

The quantitative representation of the harm is the cumulative probability of being infected by HIV, which we assume will become revealed through testing followed by treatment with anti-retroviral therapy (ART) as well as for consequences of AIDS. The time profile for this harm is rather complex because it depends on trajectories of sex trading and will be present for the remainder of an infected individual's life. We specify different time profiles for each of the six cohort groups in accordance with the groups' distinct trajectories. A graphical representation of this is shown in the appendix.

We make a simplifying assumption regarding the ending of these time profiles, which we presume is precipitated by death of the individual. Antiretroviral therapy (ART) for people infected with HIV continues to evolve, and this changes the cost of medical treatment and life expectancy, both of which are used to calculate benefits in our model. We use the most current and authoritative estimates (Sloan, 2012). Sloan et al. uses an HIV simulation model (CEPAC: Cost Effectiveness of Prevent AIDS Complications) to analyze sensitivity of survival and therapy costs to particular features of disease etiology, such as the evident extent of infection at the time a patient presents to care. They also speculate that, despite the emergence of generic drugs for ART that will lower pharmaceutical costs, lifetime cost of care for HIV positive patients will likely increase in future as they have over recent decades.

We ignore these details and adopt their "base case" for survival (26.5 years, p. 45) and annual cost per patient (20,170 constant 2010 euros, p. 54). Since their cost calculations are in constant 2010 euros, we convert to dollars using the average 2010 dollar/euro exchange rate

(1.326 $/euro[18]) and then inflate the converted figure to constant 2011 dollars using the U.S. GDP deflator, as we have for all cost figures. (See table A2.) These calculations return annual cost per patient of $27,309 (constant 2011 dollars).[19] This becomes the unit value that we apply to the expected number of individuals who become HIV positive as a result of sex trading. We truncate the survival estimate to 26 years, which imposes a slight downward bias to our benefit calculations.

Using the survival value of 26 years, and assuming sex trading begins at age 14, if an individual became infected in the first year they are expected to die at an age of 40. Since new infections will be contracted in a cohort through year 12, given our assumptions on trajectories, some individuals will be expected to die of AIDS as late as age 52. Given that our model implies half the HIV infections in a cohort will be incurred by year 4 of the trajectories, we use the expected death year for individuals infected in year 4 as the assumed truncation year for all HIV profiles. This is year 30 from the start of sex trading, when the representative individual has reached age 44.

Prevalence data is available on STI rates that are reported to the federal Centers for Disease Control and Prevention. In addition to HIV/AIDS, this includes gonorrhea, syphilis and Chlamydia. Except for Chlamydia, we lack clear data on the rates of infection among adolescents who trade sex. Therefore, for STIs other than HIV we will consider only Chlamydia; it has the highest prevalence, and we have good estimates on cost of treatment. By

[18] Calculated from daily rates reported by the European Central Bank. Accessed on 29 May 2012 from: http://www.ecb.int/stats/exchange/eurofxref/html/index.en.html

[19] This annual cost of HIV/AIDS therapy is quite close to an estimate by Schackman et al. (2006) based on the U.S. health care system using 2004 data (Schackman et al., 2006). Using the same simulation model, their base case estimate of annual treatment cost is $25,574 in 2004 dollars. Adjusting to 2011 dollars results in a cost of $29,933. We choose to rely on Sloan et al. because their research is more recent and the cost estimate is somewhat lower, which is part of our attempt to be conservative in the assessment of benefits in our model.

excluding other STIs from the model, we derive benefit estimates that are understated to the extent that these result in additional public health expenditure. Moreover, reducing the rates of STIs among people who trade sex may lower the overall rates of STIs in the general population. However, we exclude this potential general public health benefit because there are fewer people who trade sex with STIs. Again, our estimate of benefits is conservative.

Chlamydia is often asymptomatic and thus likely under counted in self-report surveys and public health data generally. In Minnesota youth are disproportionately affected; 69 percent of Chlamydia cases (N=9,788) infect youth ages 15-24, a group who account for only 14 percent of the total Minnesotan population (Lynfield, 2011). Because Chlamydia is often asymptomatic, many cases go unnoticed and untreated, potentially leading to other problems. The Centers for Disease Control and Prevention (CDC) estimate that 75 percent of cases are not treated in early stages (Centers for Disease Control and Prevention (CDC), 2004). Long term health complications from untreated Chlamydia include sequaelae, Lymphogranuloma venereum, ectopic pregnancy, infertility, and chronic pelvic pain (Partnership, 2011). Chesson, et al. (2004) report that 10 percent to 40 percent of untreated chlamydia infections will result in pelvic inflammatory disease (PID). We do not have good prevalence data for many of these complications, so our model does not address them in detail. However, we do consider two variants of Chlamydia harm: a short-term experience that is discovered and treated soon after infection, and a long term infection with more costly consequences that is discovered and treated three years after contracting the pathogen.

A recent study of sexually exploited girls in St. Paul, Minnesota who participated in the RIP program found that 55% tested positive for Chlamydia at enrollment (L. D. Edinburgh &

Saewyc, 2009) and had likely contracted the infection during the preceding year.[20] The girls were tested whether they had symptoms or not. We use this proportion as an annual probability of incidence during active sex trading. We rely on the previously cited epidemiological research to support two further assumptions that allow us to convert this into annual rates of harm. We assume that 25% of cases will be discovered and treated in the year of infection and that another 25% of the cases are discovered and treated three years after infection and require more extensive medical attention because of health complications such as sequaelae and PID. The remaining cases are assumed never to be discovered and so not treated. Thus in both cases the quantity of this harm is 0.55/4 = 0.1375, but in the long term variant this appears with a three year lag. This approach seems to us conservative in that we presume that half of the infections by Chlamydia result in no harms at all.

Estimates of unit costs come from The Minnesota Chlamydia Partnership (2011). The Partnership estimates that one case of Chlamydia costs $108 to treat, and cases that involve sequaelae and/or PID cases cost $1334. As these are 2011 estimates, we use them directly in the model. Chesson, et al. (2004) calculate average productivity losses for untreated Chlamydia at $130, and for cases that resulted in PID the loss is estimated at $649. However, these productivity losses are not direct costs to governments in Minnesota and are excluded from our calculations.

Pregnancy

Reliable data on pregnancy and sex trading among adolescents are not available, but several studies provide some direction. One study found that 50% of adolescents who trade sex have had at least one pregnancy (Deisher, Farrow, Hope, & Litchfield, 1989). Some of these result in

[20] Personal communication with Laurel Edinburgh, M.S., P.N.P., R.N.C., Midwest Children's Resource Center, Minnesota Children's Hospital, St. Paul, Minnesota (26 February 2012).

elective abortions. A study of adult women involved in prostitution in the Twin Cities by Parriot (1994) found that 25% of pregnancies resulted in elective abortion. Martin et al. (2010) found that over 50% of the adult women who traded sex as adolescents had at least one live birth while involved in sex trading. A very recent study of sex trading among women attending family planning clinics in Northern California found an increased rate of unintended pregnancies and almost double the rate of abortions among the 8.1% of their sample who had traded sex compared to the women who had not traded sex (Decker et al., 2012). Yet it is difficult to determine how many unintended and unwanted pregnancies directly result from transactional sex.

However, whether a pregnancy occurred as the result of transactional sex or not, evidence suggests that sex trading has ramifications in the child welfare system. Early prevention of sex trading or intervention that restored female adolescents to a normal developmental trajectory would help women avoid unwanted pregnancy and child welfare burdens. These welfare issues are addressed below. In this section we consider only the medical costs of pregnancy results: live births or abortion.

If we use the Deisher et al. finding (50%) as the cumulative likelihood of becoming pregnant and assume 4 years of trading, this implies an annual probability of becoming pregnant at 0.16.[21] We will presume that half of these pregnancies result in abortions and the other half in live births. As the governmental burden of a live birth and subsequent child dependency is a much higher cost, our assumptions here are conservative in that field research suggests a smaller proportion end in abortions.

[21] This estimate captures pregnancies prior to age 18.

The costs for an abortion in the Midwest range from $520-790 depending on the length of pregnancy and procedure type. The unit cost we use is an average cost of abortion: $635.[22] We assume this is an estimate for 2011 and use it directly in the model. A recent study conducted by the Brookings Institution, Center on Children and Families, estimated the average cost to the tax payer of unintended pregnancy using 2008 dollars. They found the public cost of a birth, including limited prenatal care and delivery, to be between $5070 and $8,697, with $7,171 as an average (Monea & Thomas, 2011), p. 89). This average is the unit cost we use for live birth. This figure is reasonable in a Minnesota context, as the Minnesota Council of Health Plans found that the cost for a "perfect" pregnancy with prenatal care and uncomplicated vaginal birth in 2003 was $8,751 on average.[23] We use the average of the Council of Health Plans estimate and the middle figure from Monea and Thomas (2011) as the cost of a live birth: $7,960. Inflating this to 2011 dollars results in $8,493.

Monea and Thomas (2011) also found that a year's worth of medical care for an infant on Medicaid costs $6,100. We only include medical costs for infants during the first year. This cost is added to the cost of live birth for a total unit cost of $13,271 for pregnancy that results in live birth. The Monea and Thomas cost data are for 2008, so converting this to 2011 dollars results in $13,855.

Mental Health Harms

Victims of child sexual abuse experience much higher rates of mental health problems (Browne & Finkelhor, 1986). Youth engaged in sex trading are likely to experience many of the same short and long-term mental health issues. Research on runaway adolescents suggests that they experience much higher rates of mental illness than their peers. Furthermore, runaway

[22] Midwest Health Center. http://www.midwesthealthcenter.org. July 18, 2011.
[23] Minnesota Council of Health Plans, 2005 "How much does it cost, 2005," accessed online March 15, 2012.

adolescents are more likely to become chemically dependent and to have more depressive symptoms as they become young adults (Tucker, Edelen, Ellickson, & Klein, 2011). A preponderance of research evidence indicates that sexual exploitation and sexual abuse of children cause high rates of severe mental health problems (Browne & Finkelhor, 1986; Estes & Weiner, 2001; E. Saewyc et al., 2008; E. M. Saewyc & Edinburgh, 2010; Willis & Levy, 2002; Yates, MacKenzie, Pennbridge, & Cohen, 1988). It is quite clear that sexual, physical and emotional abuse, which often accompany sex trading, have negative impact on the mental health of adolescents and that this impact lasts well into adulthood.

However, the research literature does not contain sufficient data for us to estimate the probability of incidence for individual mental health harms that can be directly attributable to sex trading by female youth. This would be a purely speculative exercise. Nor does the literature provide figures on treatment costs. Mental illness tends to be under treated, which implies that, compared to physical illness, even less of the cost of these harms is borne by the public budget. Thus we are not able to directly include these harms in the model. At the same time, we recognize that compromised mental health is ubiquitous among youth who trade sex and sometimes leads to a series of harms including: low educational attainment, difficulty maintaining legitimate employment, reduced income, homelessness, and substance abuse. Such personal difficulties place fiscal burdens on government in the form of income support, reduced income tax revenue and expenses for substance abuse programs. Some of these are identified below and included in the model, but we exclude any direct public burden for mental health damages other than those associated with incidents of assault, which are described above in the section on violence.

Chemical Dependency

While it is clear that trading sex is associated with substance abuse and chemical dependency (Jody M. Greene, Susan T. Ennett, & Christopher L. Ringwalt, 1999; J. Raphael & Shapiro, 2004; E. M. Saewyc & Edinburgh, 2010; Surratt et al., 2004; Weber, Boivin, Blais, Haley, & Roy, 2002), the causal relationship is hotly contested in the literature. A study by one of the authors found that sex trading typically pre-dated substance use for adult women who first trade sex as a minor (Martin et al., 2010). Likewise, a large study in Vancouver Canada found that whether or not substance use predated sex trading, the onset of sex trading accelerated the use of drugs. They also found that sexually exploited youth were more likely to use psychoactive drugs than non-sexually exploited youth (E. Saewyc et al., 2008).

We include a harm of chemical dependency in our model. Many studies report that the rate of chemical dependency and substance use among sexually exploited girls is at least 50% (Curtis et al., 2008; J M Greene, S T Ennett, & C L Ringwalt, 1999; E. M. Saewyc & Edinburgh, 2010; Weber et al., 2002). We use this to identify a 0.5 cumulative probability that an adolescent will become chemically dependent across 4 years of trading sex. We assume that the dependency will result in one instance of treatment. This cumulative probability implies an annual likelihood of dependency at 0.16. Many studies show that individuals who continue trading sex into adulthood are even more likely to become chemically dependent as they age (Dalla, 2006; J. Raphael, 2002; J. Raphael & Shapiro, 2004). We estimate that continued trading raises the 4-year cumulative probability of chemical dependence to 0.75.[24] This implies an annual likelihood of incidence at 0.29 for youth who trade sex into adulthood. We apply this higher annual probability to years 7 to 12 of a sex-trading trajectory (thus it does not apply to cohort groups 1

[24] Our study does not encompass women who first traded sex as an adult. The relationship between sex trading and substance use may be different for adult women who first traded sex as adults (Martin et al., 2010).

through 3) while we use the lower annual probability for the first 6 years of a trajectory. As with the earlier years, we presume that an incident of chemical dependency will result in one treatment. Although not all who become chemically dependent will undergo treatment, we believe our assumption of only one treatment is conservative because relapse is common and many people undergo more than one treatment, some as many as twelve.

A group of graduate students from the University of Minnesota, Humphrey Institute conducted a return on investment study of the PRIDE Program of the Family Partnership in Minneapolis, including costs associated with chemical dependency treatment; the program supports adolescents and women who trade sex with advocacy, case management and supportive services (Cunnigham, Klauber, & Sylvain, 2006). They found that typical treatment costs $117 a day for 90 days, which totals $10,534 per instance of treatment. Additional costs include a chemical health assessment ($92) and aftercare, which they estimate costs $23,169 per year. This includes case management, attendant mental health services, transportation, child care if needed, and transitional sober housing. All these elements sum to a unit cost of $33,795, which becomes $37,102 in 2011 dollars.

Law Enforcement

In the mid 1980s Pearl reported that around 40 percent of public money spent on prostitution control was spent on law enforcement (Pearl, 1987). Law enforcement costs related to arrest, trial and corrections for prostitution charges can be directly attributed to sex trading. However, juveniles are rarely charged for prostitution in Minnesota. This will become even less likely in the future as many county prosecutors publicly stated that they will no longer charge juveniles with prostitution.[25] Most law enforcement costs directly related to sex trading result from arrest

[25] Statements reported in *Minneapolis Star Tribune,* February 26, 2011, "Teen Prostitutes Get New Status," http://www.startribune.com/local/east/116933628.html.

and conviction of females who continue trading sex into adulthood.[26] We presume that juveniles may be arrested and then released once their age is determined, so our model includes the cost of arresting them.

Our assumptions on trajectories imply that two thirds of a cohort of female adolescents will continue sex trading into adulthood if they start at age 14. Thus several additional criminal justice costs are relevant. Yet we know that not all women who trade sex into adulthood are arrested for prostitution (Martin et al., 2010; Shaver, 2005; Weitzer, 2005). A recent study in Minneapolis found that only one-third of its community-based sample of adults who traded sex had ever been arrested for prostitution. Analysis of criminal justice data in Hennepin County (the location of Minneapolis) provides some guidance on arrests and convictions among women who have been arrested for prostitution. Among women convicted of prostitution in 2006 the lifetime average number of arrests per person was six.[27] Women on probation for prostitution have an average number of two probation supervision entries.[28] A woman who is incarcerated for prostitution will spend an average of six months in jail (Cunnigham et al., 2006). (Table A5in the Appendix provides estimates of the criminal justice cost imposed by a typical individual who is convicted of prostitution.)

These observations do not provide precise estimates of law enforcement harms to include in the model, but they do inform reasonable estimates. We rely on the Minneapolis study that showed 33% of women trading sex had been arrested for prostitution. If we assume an average 7 year trajectory for the group, this implies a probability estimate of 0.05 as the likelihood of being

[26] It is quite likely that adolescents who trade sex have law enforcement contact related to other activities, including drug use, curfew and truancy violations, and shop-lifting (Curtis et al., 2008; Green et al., 1993; Tyler, 2009). However, it is not possible to directly attribute these costs to sex trading, so we exclude them.

[27] Data analysis conducted in conjunction with the GIFT Research Project, research conducted with GIFT a probation approach to prostitution in Hennepin County. Data provided to L. Martin by Julie Rud, Manager, Office of Policy, Planning and Evaluation, Hennepin County Department of Community Corrections and Rehabilitation in an email dated 11/26/07.

[28] Julie Rud, personal communication

arrested in any given year. For women 18 years and older, we presume that each arrest results in a court appearance, conviction and sentencing to either a jail term or probation. We assume that 2/5 of convictions result in a jail sentence of 183 days, and that 3/5 of convictions result in probationary supervision. Applying these shares to the arrest probability, the annual expected value of days in jail is 3.66, and the expected value of probation is .03.

Each arrest takes a considerable amount of police time. The process includes: obtaining a solicitation, making the arrest, transporting the arrestee to the police station, confirming identification, completing reports and testifying in court (Pearl, 1987).[29] In a prostitution case police spend on average three hours, typically working as a team of two. At $50 an hour, adding operation and maintenance for a squad car, and participation of other personnel and facilities, Cunningham et al. (2006) estimate that an average arrest costs $2000. This figure has been criticized as too high. However, an arrest event involves further steps of processing and evaluation that require public resources. We use the estimate of $2000 as the unit cost for arrest, noting that this harm involves more than mere apprehension.[30] Transforming into 2011 dollars, this unit cost becomes $2,196.

Arraignment costs include district court operation costs, judges, clerks (judicial and law), court reporters, interpreters and psychological services. In 2004 overall court costs ranged from $98 to $244 per offender depending on the charge.[31] Cunningham et al. (2006) found that the cost of arraignment and court appearance per prostitution arrest averaged $176 and required public defender fees of $351. We combine these to use $527 as the unit cost for a court

[29] Also validated by personal correspondence with Lt. Nancy Dunlap, Sex Crimes Unit, Minneapolis Police Department, email dated June 16, 2011.
[30] We thank Devere Woods of the Indiana State University Department of Criminology and Criminal Justice for these insights.
[31] Julie Rud, Policy, Planning and Evaluation Manager, Department of Community Corrections and Rehabilitation, Hennepin County, personal communication via email, June 3, 2011.

appearance, assuming that all arrests are processed like this. This is a conservative estimate because these figures do not include the cost of failure to appear, issuance of bench warrants, judicial reviews and other incidental court costs. In 2011 dollars, this cost is expressed as $579.

Post-adjudication costs must also be considered. Incarceration in jail costs about $90 per day in Hennepin County.[32] We use this as the unit cost and assume it is already expressed in 2011 dollars. Some cases result in probationary supervision rather than a jail sentence. Women convicted of prostitution can be referred to differing levels of probation supervision, depending on the charge and prior history.[33] The main costs include a probation officer's salary at $45.52 an hour and associated administrative support. Cunningham et al. (2006) estimated the average cost for a probation sentence in Hennepin County at $807. We use their estimate as a unit cost for a standard sentence to probationary supervision and convert it to 2011 dollars as $886.

Social Welfare Programs

The literature identifies numerous social welfare programs that produce expenditures related to harms caused by adolescent sex trading. These include child protection, medical assistance and income support.

Child Protection Expenditures

Many adolescents and women who trade sex are mothers of young children during their trajectory of trading sex. Public intervention in the interest of child protection may impose costs on government budgets for foster care and adoption. An arrest with incarceration makes the need for foster care even more likely. A recent study of sex trading in Minneapolis found that 75% of women with children did not live with their children, thus imposing public costs for child

[32] Marcy R. Podkopacz, Ph.D., Director of the Research Division and Business Practice Unit, Personal communication, June 3, 2011.
[33] J. Rud and L. Martin, "GIFT Research Project: AFS Historical Prostitution Supervision Approaches," May 2010, report for Hennepin County, Department of Community Corrections and Rehabilitation.

welfare (Martin et al., 2010). On average, women in the study had two children. While many teens and women who trade sex eventually lose custody of their children, this does not usually happen until the child is over one year of age. We include estimates of the cost of foster care as a harm, but not the cost of adoption. The larger element from the public perspective is the subsidy for foster care.

Although we have an estimate from the Martin et al. (2010) study that informs the likelihood of losing custody, it is not clear how many women who trade sex actually have children. To provide a reasonable estimate, we use the cumulative likelihood of a live birth to a member of the cohort (based on an annual probability of 0.08) and adjust this downward by half to account for adoptions. Using the cumulative probability reflects the increased likelihood that a child will be placed in foster care when the cohort member trades sex over a longer trajectory. (We do not explicitly analyze prospects of a sex trader having more than one child that would go into foster care.) As with the HIV/AIDS harm, a distinct time profile is required for each possible trajectory. We assume further that 75% of the children not adopted would go into foster homes (based on Martin et al., 2010), that custody loss would occur only after the first year, and that foster care would prevail only during the mother's trajectory of active trading. That is, we assume children sent into foster care are returned to the mother after she ceases sex trading activity. We recognize that this is not always the case, but these assumptions make our cost calculations conservative. Accounting for more extended periods of foster care would impose greater burdens on the public than we include. Our assumptions effectively truncate the time profile of this harm at year 12.

Minnesota Department of Human Services releases daily maintenance and difficulty of care subsidy rates by age to be paid for out-of-home placements (Minnesota Department of Human

Services, 2010). Daily rates in 2011 were: $20.69 for children 0 to 11 years; $23.90 for children 12-14; and $24.63 for children 15-20. There is also a one-time initial clothing allowance rate per out-of-home placement for each age category: $417, $705, and $798. The State also pays an additional daily rate based on a "difficulty of care" assessment. Given the unfavorable circumstances for many of the children of women who trade sex, it is more likely that the higher rates will apply in comparison to the general population of children. Since we have no direct information on the "difficulty of care" status of such children, however, we ignore this special subsidy. Given the young age of the target population and our assumptions on trajectories, only the first subsidy rate category is relevant. Thus the unit cost for this harm comes to $20.69 x 365 = $7,552. We add the $417 clothing allowance for a total unit cost of $7,969 for foster care.

Reduced Earnings Potential

Involvement in sex trading may diminish an individual's earning potential across their lifetime, but the extent of such effects depends on the details of their experience. Factors in play here include low educational attainment, health and mental health issues that may cause disabilities, criminal record, and lack of job skills. Aside from the criminal record, these factors are related to the physical and psychological damages that female youth incur from sex trading, particularly in the venues with which we are concerned. In addition to these long run effects, earnings in legitimate employment may be reduced because a woman is using her time in sex trading across the period of her trajectory. Diminished earnings impose a burden on the public budget in two ways: increased need for income support and reduced tax revenue from earnings in the formal economy.

Research has shown that sex trading activity and earnings in the formal economy are inversely correlated. Martin et al. (2010) collected earnings and employment information from a

sample of adult women active in sex trading in Minneapolis ($n = 117$). In this group 66% had earned less than $10,000 in the year preceding the survey (2005) and 89% were not employed in the formal economy at the time of the survey; most lived in extreme poverty. Although not reported in the published study, the rates of public assistance provided to people in their survey was very high. In other research Parriott (1994) found that 74% of females who were trading sex received public aid during the time they were actively trading sex. Causality, however, can run in both directions. The search for income often drives women into sex trading.

The time profile for the harm of diminished earnings could extend across the life span of the individual. However, we have no research to use in quantifying this connection, so we cannot incorporate these harms into our model without completely arbitrary assumptions. But exclusion pushes our estimates toward understating the benefits of reducing sex trading by an intervention program. Finding a way to incorporate these earnings issues would strengthen the case supporting such investment.

Reduced Income Tax Revenue

We have included the harm of reduced earnings in a limited way, using reasonable assumptions based on the field research of Martin et al. (2010). The specific harm is reduced income tax revenue that can be linked to sex trading activity. The essence of our calculation is to find a difference between what a female youth would earn in legitimate work if she were not engaged in sex trading and what she might be earning in legitimate employment while also trading sex. The difference in income tax revenue is our measure of the harm. The time profile extends only across the trajectory of sex trading, and we also assume individuals enter the labor force at age 16, the standard for labor statistics. Thus this harm is irrelevant to cohort group 1, which has ceased trading sex by age 16.

In their survey (conducted in 2006), Martin et al. asked respondents about annual income levels (M) in brackets: $M \leq \$10{,}000$; $\$10{,}001 \leq M \leq \$20{,}000$; $\$20{,}001 \leq M \leq \$30{,}000$; and $M >$ \$30,000. If we apply the shares of their sample declaring incomes in each bracket and assume the midpoint of each bracket as average for that group, and set the top bracket average income at \$35,000, we calculate an average income for the group at \$11,241. It is not clear from the survey whether the respondents were reporting only legitimate income or all forms. We will assume this to be legitimate income and thus taxable, an assumption that errs on the side of understating the harm of reduced tax revenue. We need to compare this with an estimate of what women in this demographic group potentially earn were they not engaged in sex trading. Since the data we rely on for the two income estimates are from different years (2006 and 2010) we adjust them to 2011 dollars using the U.S. GDP deflator. Thus income of \$11,241 in 2006 dollars is adjusted to an equivalent of \$12,341 in 2011 dollars.

We calculate potential earnings using data from the Bureau of Labor Statistics (U S Bureau of Labor Statistics, 2011) on median weekly earnings by educational attainment combined with data on educational attainment for women in Minnesota aged 18 to 64 (U.S. Census Bureau, 2012). Among this group of women, 39.5% had attained a college degree, 54.1% had only reached a high school diploma, and 6.6% had not achieved a full high school education. Among the demographic group targeted by the intervention policy, it is certainly possible for some to be successful in completing higher education, but it is likely that the proportions in these three categories of attainment will be skewed toward less achievement. To remain conservative in our calculation of this harm, we will assume their educational attainment is limited to high school or less. Using the proportions cited above, we calculate that about 89% (i.e. 54.1/60.7) would complete a high school education and 11% (i.e. 6.6/60.7) would not. Median weekly earnings in

2010 are reported at $626 for workers with a high school diploma and $444 for those with less than a high school education (U S Bureau of Labor Statistics, 2011), (p. 8). Assuming a work year of 50 weeks implies annual earnings of $31,300 and $22,200 for each group. Finally, applying the weights of 89% and 11% we reach an estimate of average annual earnings at $30,299. Adjusting this to 2011 dollars we have $30,937.

Minnesota has three income tax brackets, but at the relevant level of income only two rates apply: 5.35% on income up to $23,670, and 7.05% on income between $23,670 and $77,730.[34] We assume filing status as single and not head of household. Since we are looking at the increase of earnings over a baseline, the standard deduction used in Minnesota is not relevant. Thus our calculation of tax revenue not received due to sex trading is:

$$HarmTxR = 0.0535 \text{ x } (\$23{,}670 - \$12{,}341) + 0.0705 \text{ x } (\$30{,}937 - \$23{,}670) = \$1{,}118.$$

Summary Comments on Harms and Their Values

Any attempt to calculate the value of harms from sex trading is fraught with uncertainty and inaccuracy. This applies to both quantifying the harms (H_{jgt}) as well as establishing unit costs (V_j). Table 1 summarizes our results from this effort, which are incorporated into our benefit calculations presented in section 5. The harm profiles that are shown in this table represent the case for an 8-year trajectory of sex trading that begins at age 14. The computational model contains five additional trajectory representations. Many assumptions and rough estimates are involved in reaching these results, and we admit a high degree of uncertainty in the outcomes. We have tried to explain clearly how we arrived at these estimates, all of which are based on

[34] Rates and brackets from Minnesota Revenue website: http://taxes.state.mn.us/individ/pages/residency_and_filing_status_filing_requirments_for_individuals_inctxrates.aspx

empirical studies. That said, we welcome critical information on both method and evidence that may improve the model.

Where choices had to be made regarding larger and smaller figures, we have chosen in a way to understate the benefit calculation of our project. For example, we know that physical, psychological and legal harms from sex trading also reduce earnings potential and thus burden the public budget through increased income support. We have excluded this from our calculations. We expect that some adolescent females in the target population may earn college degrees, but we assume not. This approach of conservatism in claiming benefits from an intervention policy strengthens any conclusions that such a policy passes a benefit-cost test and casts doubt on a conclusion that it fails such a test.

Table 1. Summary of Harms Descriptions - Assumes 8 Year Sex Trading Trajectory Starting at Age 14

Class and Type of Harm	Unit of Measure (expected values)	Estimate of Unit Cost ($)	Time Profile (d)	Harm Quantity Year 1	Year 4	Year 8	Year 11	Year 12
Public Health Expenditures								
Injury from Assault								
Minor (a)	prob. of incidence	4,433	During trajectory	0.20	0.20	0.20	0	0
Major	prob. of incidence	64,174	During trajectory	0.05	0.05	0.05	0	0
PTSD	prob. of incidence	6,159	During trajectory	0.05	0.05	0.05	0	0
STI's								
Chlamydia-early treatment	prob. of incidence	108	During trajectory	0.138	0.138	0.138	0	0
Chlamydia-late treatment	prob. of incidence	1,334	During trajectory w/ 3 yr lag	0	0.138	0.138	0.138	0
HIV/AIDS	prob. of infected state	27,309	Persists until death at age 44	0.014	0.055	0.107	0.107	0.107
Pregnancy with abortion	prob. of incidence	635	During trajectory	0.08	0.08	0.08	0	0
Pregnancy with birth (c)	prob. of incidence	13,855	During trajectory	0.08	0.08	0.08	0	0
Chemical dependency	prob. of incidence	37,102	During trajectory	0.16	0.16	0.29	0	0
Criminal Justice Expenditures								
Adolescents: Arrests	prob. of incidence	2,196	During trajectory	0.05	0.05	0	0	0
Adults								
Arrests	prob. of incidence	2,196	During trajectory	0	0	0.05	0	0
Court hearings	prob. of incidence	579	During trajectory	0	0	0.05	0	0
Incarceration	days	90	During trajectory	0	0	3.66	0	0
Probation supervision	no. of sentences	886	During trajectory	0	0	0.03	0	0
Child Foster Care Expenditures	child-years	7,969	During trajectory	0	0.083	0.166	0	0
Forgone Income Tax Revenue	dollars	1	During trajectory after age 18	0	1,118	1,118	0	0

Notes:
(a) Minor injuries require medical attention but no hospitalization.
Major injuries require hospitalization.
(b) Assumes trading starts at age 14 and adult treatment under law enforcement begins in year 5.
(c) Includes public expense for prenatal care, delivery, postpartum care and infant Medicaid cost for first year of life.
(d) During trajectory means the harm is incurred when the individual is active in sex trading.

Case Study of Multiple Harms

Because our quantification of harm values is complicated by their variety, probabilities and time profiles, we also present a constructed case study of the public cost of harms imposed by an individual adolescent who experiences many of harms included in our model. This provides readers with useful perspective to help in understanding our results in section 5. Our case study

seeks to be compatible with respect to the published literature by describing an experience that is fairly typical. It is also shaped by one of the author's field research. Rather than the composite individual of our model, we specify a trajectory and experience of harms as follows.

We presume an adolescent who trades sex from age 14 through age 26 (12 years). In the public health category we assume the following: one episode of minor assault per year; one episode of major assault during the 12 years, which requires hospitalization; diagnosis and treatment for PTSD; contraction of Chlamydia with late treatment; three pregnancies with one abortion and two live births; and two chemical dependency treatments, one as an adolescent and the second as an adult. We assume the individual does not become infected with HIV. In the criminal justice category we presume six arrests, six court proceedings, two probation referrals, and six months in jail. Finally, we assume twelve child-years of foster care payments, as well as lost tax revenue across 10 years at the annual average used in the model. Calculations of the public expenditures required to address these harms is presented in table 2. The total burden across this individual's trajectory comes to $354,165 (undiscounted).

Table 2. Calculation of Harm Values for Constructed Case Study

Public Health Expenditures	*Unit Type*	Cost/unit ($)	#/units	Total cost ($)
Injury from Assault				
Minor (a)	treatment	3,209	12	38,508
Major	treatment	64,174	1	64,174
PTSD	treatment	5,900	1	5,900
STI: Chlamydia-late treatment	treatment	1,334	1	1,334
Pregnancy with abortion	procedure	635	1	635
Pregnancy with birth	medical care	13,855	2	27,710
Chemical dependency	treatment	37,102	2	74,204
Criminal Justice Expenditures				
Arrests	number	2,196	6	13,176
Court hearings	number	579	6	3,474
Incarceration	days	90	183	16,470
Probation supervision	cases	886	2	1,772
Child Foster Care Expenditures	*Child-years*	7,969	12	95,628
Forgone Income Tax Revenue	*annual revenue*	1,118	10	11,180
Total (across 12 years, undiscounted)				**354,165**

Section Four: Program Costs

The cost side of our benefit-cost analysis identifies the public resources required to operate an intervention program. This is *IC* in our model notation. The Safe Harbor for Youth Act recently enacted by the State of Minnesota envisioned three primary components to a statewide intervention model: identification of adolescents who are at risk for, or are currently, trading sex; screening and referral to appropriate programs; and program services to match level and type of program needed (this includes program intensity and possible cultural considerations).[35] There are many exemplary intervention and prevention programs in the State of Minnesota that address sex trading among adolescent females. For this paper we review the Runaway Intervention Project (RIP) developed by Ramsey County, Minnesota. This initiative was selected because it closely matches the criteria laid out in the Minnesota Safe Harbor for Youth Act, and we have published evaluation results and program descriptions, as well as cost data from program managers.[36] We use the experience of this program to inform the cost side of our analysis. We supplement this with cost information on housing provided by the Homeless Youth Services Coordinator for Minnesota to arrive at a central estimate for cost per person served by an intervention program.

[35] The Safe Harbor Youth Intervention Project (SHYIP) was initiated by Sexual Offense Services of Ramsey County, Ramsey County Attorney's Office – Juvenile Division, and Midwest Children's Resource Center as a pilot project funded by the Minnesota Legislature (S.F. 2915). Its goal was to promote coordination and communication among key stakeholders in the county (Safe Harbor Youth Intervention Project, Report to the Legislature, January 8, 2008). See also, Edinburgh et al., 2012.

[36] In addition to published sources we rely on personal communications with the following program staff: Laurel Edinburgh, Midwest Children's Resource Center, Children's Hospital, nurse practitioner and researcher with the Runway Intervention Project; Elizabeth Saewyc, program evaluator for RIP, University of British Columbia School of Nursing and Division of Adolescent Medicine, Vancouver, Canada; and Kathryn Richtman, Ramsey County Attorney's Office, RIP documents provided on December 9, 2011.

Description of RIP Program

RIP is a public health, systems approach that seeks to reestablish a healthy developmental trajectory for female adolescents who are at risk for sexual exploitation (or have experienced it) related to running away from home and truancy from school. RIP focuses on girls aged 15 years and younger. The program seeks to stabilize runaway youth within their families of origin, although that is not always possible. It provides services through screening, referral, and levels of programming based on need. At risk and exploited adolescent females are identified by law enforcement, school staff, social workers and others in the course of ongoing duties and referred to RIP. The program has been in operation for five years, and evaluation results have been published in peer reviewed journals (E. Saewyc et al., 2008; E. M. Saewyc & Edinburgh, 2010). RIP is the only example of a comprehensive systems approach to remediate experience and risk of sexual exploitation among runaway and homeless adolescent females in the State of Minnesota. RIP is for young adolescents and provides services specific to sexual exploitation. It does not provide all the services that adolescents may need as they age into early adulthood, such as job training and chemical dependency treatment). Nor does it provide housing for those adolescents who cannot be unified with their families. We therefore add consideration of the cost of housing to our model (see below, p. 60).

RIP has four primary components. The first is screening and referral that provides initial assessment and places the individual in an appropriate level of programming. The second is the County Attorney's Truancy Intervention Project (TIP), a county program designed to improve school attendance and family connectedness. This component is used with girls deemed to be at low to moderate risk for sexual exploitation. A third component is for girls deemed at moderate

risk for sexual exploitation, running away and other risky behaviors. They are referred to empowerment support groups offered through Sexual Offense Services (SOS).

The fourth component is for girls who have already experienced some form of sexual exploitation or are at great risk of experiencing sexual exploitation and are at high risk for running away. These youth are referred to intensive intervention services provided through the Midwest Children's Resource Center (MCRC). Because family unification is one of the goals, RIP does not serve girls who are victims of family abuse. These girls are referred to Child Protective Services. Similarly, girls whose families are homeless are referred to other services within Ramsey County (E. Saewyc, 2011).

Most RIP referrals were runaways with significant disconnection from school who had not experienced sexual exploitation and/or abuse and were served by parts two and three of the program. Program evaluation results for part four, the intensive component, of RIP suggest that the program offered through MCRC is highly effective at intervening with girls who have experienced high levels of sexual exploitation including rape, sex trading and trafficking. In fact, program evaluators report a 96.7% overall effectiveness rate at intervening in and preventing further sexual exploitation.[37] The intensive program in RIP reduces risk factors known to inhibit healthy development and increases protective factors known to promote healthy adolescent development and remediate trauma (E. M. Saewyc & Edinburgh, 2010). The intensive services provided by RIP essentially seek to remediate many of the "harms" we describe above. This type of programming is likely to be similarly successful with the target population envisioned by the Minnesota Safe Harbor for Youth Act. Unfortunately, we do not have evaluation or effectiveness data for the less intensive components of RIP. We therefore do

[37] Personal communication, evaluator Dr. Elizabeth Saewyc, University of British Columbia, Vancouver, Canada, April 6, 2012.

not know if this portion of the program effectively dissuades and preventions female adolescents from engaging in sex trading.

Cost Estimates

Because our conceptual framework is based on a representative individual, we calculate the cost per participant for RIP using a weighted average of the intensive and less intensive components. We assume that the intervention requires one year, so costs are expressed in annual terms. Some of the work of RIP is conducted by government agencies and community non-profits that are already operating in Ramsey County. This includes the Saint Paul Police Department (SPPD), the Ramsey County City Attorney's Office, school staff and others. Ramsey County uses a shared community-wide protocol for identification and approach to adolescents who trade sex or are victims of sexual exploitation (L. Edinburgh, Huemann, Richtman, Marboe, & Saewyc, 2012). We do not include a pro-rated portion of their costs, but it is reasonable to assume that they would be operating with or without RIP in place and so their contribution to RIP programs is modest.

We derive cost estimates for RIP based on cost information from 2010 provided by the Ramsey County City Attorney's Office, published estimates of cost, and numbers of clients served at each level of RIP. Government is a vital supporter of RIP operating costs. The contribution in 2010 was $318,023.[38] According to published sources, the intensive component of RIP costs between $2,500 and $3,000 per client in a one-year program (E. M. Saewyc & Edinburgh, 2010). We adopt the high end of this range for use in our model.

In 2010, out of 1,637 runaways identified in Ramsey County, 509 were deemed eligible for RIP after screening and enrolled in some aspect of the RIP model (E. Saewyc, 2011), (p. 2).

[38] Personal communication, Kathryn Richtman, Ramsey County Attorney, personal communication, December 12, 2011.

Of those 49 were referred to MCRC for intensive services. In addition, 24 youth who had been referred to MCRC late in 2009 received approximately six months of intensive RIP at MCRC during 2010. Thus, in 2010 the intensive component of RIP cost approximately $183,000.[39] That leaves approximately $135,023 to be divided among the remaining 460 RIP clients in 2010.[40] So, lower intensity elements of RIP cost approximately $295 per client. These figures include the cost of screening and referral.

Each RIP client who is referred to the intensive program requires a comprehensive medical evaluation that costs between $125 and $400.[41] Other clients receive a medical exam in some cases, but not all. The staff of RIP is of the opinion that a medical exam should be standard for all clients of such a program, so we will represent such a cost in our model and set this at the midpoint of the range cited: $262. Thus a client referred into the intensive component costs $3,262 to serve while clients served by the other components cost $557 each.

Approximately 10% of clients referred for RIP services required the intensive component of the program. Applying this weight to calculate an average cost, we have $828 per client-year for a representative individual. Adjusting this to 2011 dollars brings the cost to $845.

This does not include provision of housing for program clients, which adds much more to the cost. Most clients served by RIP do not require housing because they are reintegrated with their family. But much of the target population for the Safe Harbor for Youth Act are homeless, and the expense required to provide shelter must be considered in our model for youth who cannot or will not be reunited with their families. If Minnesota social policy broadly intends to provide shelter to adolescents, then housing costs are not properly a component of the

[39] 49 clients x $3,000 for one year of RIP = 147,000. 24 clients x $1,500 for six months of RIP = 36,000.
[40] The total program cost in 2010 of $318,023 minus $183,000 equals $135,023.
[41] Personal communication with L. Edinburgh, January 24, 2012.

intervention program cost as they would have been born by the budget in any case. Yet it is not clear that all program clients would have received housing support from the state if they were not participating in the program. We avoid settling this issue by presenting estimates of net benefits both with and without the housing cost.

The Minnesota Department of Human Services provides three types of housing for youth: emergency shelter, transitional housing and permanent supportive housing. Each type has a different cost and is required in a different degree. In a statewide program, some of this need would be in rural areas and small towns, and some would be needed in urban areas, where it is more costly. However, we do not know the urban and rural proportions of the homeless youth in the target population. For purposes of our analysis we use urban cost figures derived from Hennepin and Ramsey Counties in the Twin Cities Metropolitan area. These will likely overstate the actual cost of providing housing in a state-wide program.

The Homeless Youth Services Coordinator for the State of Minnesota has provided cost estimates for each type of housing as well as an estimate of the proportion of homeless youth that would require each type.[42] Emergency shelter with 24-hour support services costs on average $160 per day per youth, and the average stay is 28 days. We presume that all youth served by the statewide model would require emergency shelter. The Coordinator estimates that around half of all homeless and runaway youth will require only emergency shelter before finding stable housing that does not require governmental subsidy. This is because some runaway youth are able to be reunited with their families, some may find other relatives or caring adults with whom to live, and some are referred to residential services for mental health and/or chemical dependency.

[42] Data produced for this report by Beth Holger-Ambrose, Homeless Youth Services Coordinator, Minnesota Department of Human Services, personal communication, February 14 and 15, 2012. Figures are for 2011.

Roughly half of homeless and runaway youth, therefore, will need additional housing support beyond emergency shelter. Transitional housing in the metro area costs on average $87 per day per youth[43], and permanent supportive housing in the metro area costs $51 per day per youth. The Coordinator estimates that approximately 35% of homeless youth will require transitional housing and 15% will require supportive housing. We assume one full year of housing support for half of program clients, with four weeks in the emergency shelter and the rest in one of the two latter forms. For the other half of clients only emergency shelter is provided.

While these assumptions imply a substantial housing cost (over 10 times the program intervention cost), the State of Minnesota only pays for a fraction of these housing support programs. In 2011 Minnesota contributed nothing to the budget for supportive housing, about 5.2% of the transitional housing budget, and about 8.4% of the emergency shelter budget. Applying these proportions to the three daily rates for housing cost, we have the following as the Minnesota share of the daily costs: emergency shelter, $13.39; transitional housing, $4.48; supportive housing, $0.0. If the federal subsidy is reduced, adjustments should be made. Either state funds would be increased or the extent of housing support diminished. For the purposes of our analysis, we assume federal programs continue as they were in 2011.

In sum, we have the following estimate for annual shelter cost for a representative individual: *Shelter Cost* = 28 x $13.39 + 337 x $4.48 x 0.35 = $903. This is already in 2011 dollars so needs no adjustment for inflation. Combining intervention programming and housing, we estimate the annual cost of the intervention program per client served will be approximately $1,748 with shelter cost included.

[43] This is the average of costs for two types of shelter service, a congregate site cost ($133.72/day) and a scattered site cost ($39.56/day). Information provided by Beth Holger-Ambrose, personal communication with L. Martin.

Section Five:
Quantitative Evaluation: Comparing Benefits with Costs

Because we presume that the intervention is a program of a one year duration, the present value of cost is simply the calculated program cost. Moreover, this cost is relatively certain, although we consider cost with and without the housing component. The benefit side of the analysis is more complicated. Table 3 shows estimates of the present value of benefits for one representative individual as a program client. We include sensitivity analysis with respect to discount rate and program effectiveness. As noted in section 2, the benefit calculations take into account the effectiveness of filtering youth into the program in order to induct participants who have potential to engage in sex trading and divert others. The calculations in table 3 assume 90% efficiency in filtering, which means the θ parameter is set at 0.77. (See appendix for details.) Benefit calculations also address the replacement problem, whereby dissuaded and prevented adolescent sex traders are replaced by new market entrants. Results in table 3 use our best estimates for market elasticities (demand: -2.0; supply 0.5), which result in a non-replacement coefficient, ρ, at 0.81.

Table 3. Model Results: Present Value of Benefits in $ per Client with Sensitivity Analysis

Discount Rate	Effectiveness Parameter					
	$\alpha = 1$	$\alpha = .90$	$\boldsymbol{\alpha = .70}$	$\alpha = .50$	$\alpha = .30$	$\alpha = .10$
1.38%	93,541	84,187	65,479	46,771	28,062	9,354
2.38%	85,682	77,114	**59,977**	42,841	25,705	8,568
3.38%	78,933	71,039	55,253	39,466	23,680	7,893

Assumes: 90% filtering effectiveness and $\gamma = 0.25$, so that $\theta = 0.77$.
Assumes: demand elasticity at -2 and supply elasticity at 0.5, so $\rho = 0.81$.
See section 2 or appendix for details. Best estimate in bold.

Across the rows we vary the discount rate, with the middle row being our central estimate of the rate. Top and bottom rows are calculated with rates one percentage point lower and higher respectively. Across the columns we vary the effectiveness of intervention, understood to be the proportion of cohort (Z x θ) that is dissuaded from engaging in sex trading. In the model notation this is the α parameter, and here we consider six values ranging from 0.10 to 1.0. The model program on which we base the cost estimates, RIP in Ramsey County, found an effectiveness rate of 96.7% for the intensive and most expensive component. But we do not have data to clearly articulate the effectiveness of the other aspects of RIP. Therefore we cannot specify a precise figure for α, so our approach is to consider a wide range of values. Discussion with the RIP staff indicates that on average they are successful with the less intensive intervention components as well. Taken together, setting α somewhere between 0.9 and 0.70 is a reasonable assumption. Following a conservative approach, we adopt $\alpha = 0.70$ as our best estimate. Combining it with the actual discount rate calculated from recent yields on Minnesota general obligation bonds, our best estimate for the present value of benefits is $59,977 per client.

Sensitivity to the discount rate is modest; with the lower discount rate returning benefit estimates 7% higher than the actual prevailing rate. The higher discount rate resulted in benefits 6% lower. This is not surprising because the major part of the benefits accrue during the period of active sex trading in years 1 to 12, which is not very far into the future. (The time profile of aggregate benefits is explored below.) Because all benefits are treated alike with respect to the effectiveness parameter, the present value calculations are simply proportional to α. Thus the benefit per client when $\alpha = .50$ is 71% of the value when $\alpha = .70$. (i.e. This is the ratio of the effectiveness coefficients: 0.5/0.7 = 71%)

Comparing the values in table 3 to our estimates of program cost per individual with housing included ($1,748) the results show that the program as modeled here passes a benefit-cost test in all cases. In the best estimate case the program returns about $34 in avoided harm for each dollar of investment. In the most pessimistic estimate in table 3, with the lowest program effectiveness (10%) and the highest discount rate, the estimates show return of about $5 for each dollar of cost. If we consider that some form of housing support would be provided even without the intervention program to dissuade sex trading, one could argue that the program cost exclusive of the housing component is the relevant comparison to make. Our estimate of this cost is only $845 per client, which implies that the program would return about $9 for each dollar invested even under the most pessimistic effectiveness assumption and highest discount rate.

Table 4 is structured similarly to table 3. Here we subtract the estimated cost per client from the benefits in table 3 to provide estimates of the net present value (*NPV*) per client. In the top part of this table we include housing costs in the calculation, while the lower part excludes these costs entirely. As discussed above, the actual net burden of housing cost on the Minnesota government imposed by an intervention program is likely somewhere between these two extremes. Even when the full burden of housing is included in program cost, however, for all levels of program effectiveness our estimates show a positive *NPV* per client. Given this outcome, we include the full state expense on housing as part of program cost in the other results presented below with our sensitivity analysis.

Table 4. Model Results: Net Present Value in $ per Client

Discount Rate	Effectiveness Parameter					
	$\alpha = 1$	$\alpha = .90$	$\boldsymbol{\alpha = .70}$	$\alpha = .50$	$\alpha = .30$	$\alpha = .10$
Part A: State Funded Housing Cost Included						
1.38%	91,793	82,439	63,731	45,023	26,314	7,606
2.38%	83,934	75,366	**58,229**	41,093	23,957	6,820
3.38%	77,185	69,291	53,505	37,718	21,932	6,145
Part B: No Housing Cost Included						
1.38%	92,696	83,342	64,634	45,926	27,217	8,509
2.38%	84,837	76,269	**59,132**	41,996	24,860	7,723
3.38%	78,088	70,194	54,408	38,621	22,835	7,048

Assumes: 90% filtering efficiency and $\gamma = 0.25$, so $\theta = 0.77$.
Assumes: demand elasticity at -2 and supply elasticity at 0.5, so $\rho = 0.81$.
See section 2 or appendix for details. Best estimate in bold.

Further Sensitivity Analysis

How sensitive are these results to other key parameters of the model? Table 5 presents further analysis with respect to our assumptions on filtering efficiency and market elasticities, which affect the non-replacement coefficient. These results are *NPV* calculations analogous to part A of table 4, while varying these other model parameters. We present calculations only for the central estimate of the discount rate ($r = 2.38\%$) and our assumed value of 25% of the female youth population of concern having potential to become sex traders ($\gamma = 0.25$). Part A of table 5 assumes program effectiveness at 70 %, our best estimate. Part B presents the same NPV comparisons with program effectiveness lowered to only 50%, a very pessimistic assumption. The lowest figure here still shows a positive *NPV* per client with the most pessimistic assumption for filtering efficiency (10%) and market conditions that provide the most replacement of dissuaded adolescent females. Under these pessimistic assumptions the *NPV* remains positive until program effectiveness falls below 14% (i.e. $\alpha < 0.14$). Our conclusion that this program passes a benefit ~ cost test is quite robust to a range of values for these parameters.

Table 5. Sensitivity Analysis of *NPV* per Client

		Elasticities and non-replacement parameter			
	E_D	-2	-2	-1	-0.5
	E_S	0.2	0.5	0.5	1
Filtering Efficiency	$\theta \setminus \rho$	0.91	**0.81**	0.68	0.35
Part A: $\boldsymbol{\alpha = 0.7}$					
$\beta = 1.0$	1	85,761	76,145	63,643	31,909
$\boldsymbol{\beta = 0.9}$	**0.77**	65,634	**58,229**	48,603	24,168
$\beta = 0.7$	0.53	44,632	39,535	32,909	16,090
$\beta = 0.5$	0.4	33,256	29,409	24,409	11,715
$\beta = 0.3$	0.32	26,255	23,178	19,177	9,022
$\beta = 0.1$	0.27	21,879	19,283	15,908	7,339
Part B: $\alpha = 0.5$					
$\beta = 1.0$	1	60,759	53,890	44,960	22,293
$\beta = 0.9$	0.77	46,382	41,093	34,217	16,764
$\beta = 0.7$	0.53	31,380	27,740	23,007	10,994
$\beta = 0.5$	0.4	23,255	20,507	16,935	7,868
$\beta = 0.3$	0.32	18,254	16,056	13,199	5,945
$\beta = 0.1$	0.27	15,129	13,274	10,863	4,743

Assumes full housing cost, $r = 2.38\%$ and $\gamma = 0.25$. Best estimate in bold.

Aggregate NPV Results

Table 6 presents our calculations for total *NPV* of the intervention program with the assumptions described in section 2 and in the Appendix with respect to the total number of participants. Both program and housing costs are included. Essentially this scales up table 4 results by the projected number of clients: $Z = 496$. Our best estimate for key parameters (interest rate, program effectiveness, filtering efficiency and market conditions that influence replacement) shows net return of $28.9 million in value to the public budget in Minnesota per year of intervention.

Table 6. Model Results: Aggregate Net Present Value ($1000s)

Discount Rate	Effectiveness Parameter					
	$\alpha = 1$	$\alpha = .90$	$\boldsymbol{\alpha = .70}$	$\alpha = .50$	$\alpha = .30$	$\alpha = .10$
1.38%	45,530	40,890	31,611	22,331	13,052	3,773
2.38%	41,631	37,381	**28,882**	20,382	11,882	3,383
3.38%	38,284	34,369	26,538	18,708	10,878	3,048

Assumes: 496 clients in intervention program and same parameter values as in Table 4.
Best estimate in bold.

Patterns of the Benefits

Given that the benefit side of this model is rather complex, it is useful to consider the information partly disaggregated. Figure 1 and table 7 show the pattern of benefits per individual client over the time horizon of the model. The graph and the third column of table 7 represent the present value of the harms avoided in each year aggregated across all types, using the middle discount rate, program effectiveness at 70% and other parameter values set as in table 3. This confirms a comment made above – most of the benefits accrue in early years. The gradual step down pattern follows from our assumption on trajectories, as 1/6 of the cohort falls out of sex trading every two years. The only harms extending beyond year 12 are long-term Chlamydia infection and HIV/AIDS.

Specific dollar amounts of aggregate benefit that underlie figure 1 are presented in table 7, which also shows aggregate benefit for other assumed values of program effectiveness. This table shows estimates of the annual budgetary savings to Minnesota governments that would result from reduced sex trading by the target group of our study on a per client basis. Given the estimated cost of intervention per client ($1,748), our estimates show that the program more than pays for itself in the first year of benefit except under the most pessimistic assumption of program effectiveness (i.e. 10%).

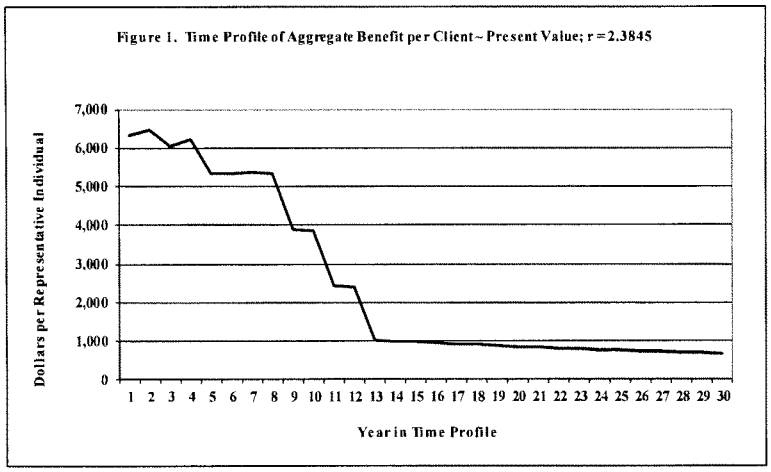


Figure 1. Time Profile of Aggregate Benefit per Client~ Present Value; r = 2.3845
Dollars per Representative Individual
7,000
6,000
5,000
4,000
3,000
2,000
1,000
0
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
Year in Time Profile

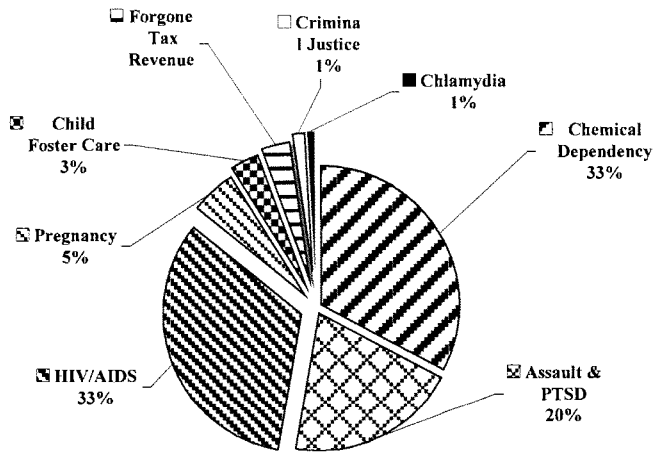
Table 7. Annual Aggregate Benefit per Client in Present Value

Year	$\alpha = 0.90$	$\boldsymbol{\alpha = 0.70}$	$\alpha = 0.50$	$\alpha = 0.30$	$\alpha = 0.10$
1	6,582	**5,120**	3,657	2,194	731
2	6,759	**5,257**	3,755	2,253	751
3	6,313	**4,910**	3,507	2,104	701
4	6,501	**5,057**	3,612	2,167	722
5	5,546	**4,313**	3,081	1,849	616
6	5,573	**4,335**	3,096	1,858	619
7	5,590	**4,348**	3,106	1,863	621
8	5,560	**4,324**	3,089	1,853	618
9	4,044	**3,145**	2,247	1,348	449
10	4,004	**3,114**	2,225	1,335	445
11	2,533	**1,970**	1,407	844	281
12	2,492	**1,938**	1,384	831	277
13	1,074	**835**	597	358	119
14	1,037	**806**	576	346	115
15	1,012	**787**	562	337	112
16	977	**760**	543	326	109
17	954	**742**	530	318	106
18	932	**725**	518	311	104
19	910	**708**	506	303	101
20	889	**692**	494	296	99
21	869	**676**	483	290	97
22	848	**660**	471	283	94
23	829	**644**	460	276	92
24	809	**629**	450	270	90
25	790	**615**	439	263	88
26	772	**600**	429	257	86
27	754	**586**	419	251	84
28	736	**573**	409	245	82
29	719	**559**	400	240	80
30	703	**546**	390	234	78
Total	77,114	**59,977**	42,841	25,705	8,568

Notes: Calculations based on authors' model assuming parameter values as in Table 3: $r = 2.38\%$; $\theta = 0.77$; $\rho = 0.81$.

Figure 2 shows the composition of the present value of harm values by major type relative to each other. Again these values are based on the same parameter settings used for figure 1. This perspective shows that the main sources of benefits from an intervention lie in public health issues. If we include the assault-related harms, these account for 90% of the benefits that would accrue from dissuading adolescent females away from sex trading.

Figure 2. Composition of Aggregate Benefit ~ Present Value



Section Six: Conclusions

We provide a quantitative evaluation of benefits and costs for an innovative program that addresses a social problem in the state of Minnesota: sex trading by female youth. We focus on experiences likely to occur among female adolescents in situations of socio-economic disadvantage. We conceive the benefits of such a program as harms avoided by successful intervention that dissuades female adolescents from trading sex, where these harms reflect public spending that intended to address problems related to sex trading. This is a difficult and uncertain empirical task. We identify and evaluate 16 specific harms, each with a degree of complexity and not well studied by previous research. This effort involves considerations of epidemiology, law enforcement, and labor markets combined with behavioral variability of the targeted population.

We derive cost estimates through examination of an existing program of this nature currently operating in an urban area, the RIP program in Ramsey County. The costs of operation are very modest in comparison to the benefits we project, but if we consider in addition the need to provide shelter to program participants, the cost is increased by a factor of 2.

Table 4 summarizes our calculations as the Net Present Value per client served. This is our best effort to provide a quantitative assessment along with sensitivity analysis pertaining to two main model parameters. Table 5 presents further sensitivity analysis with respect to other model parameters. In all cases presented in these tables, Net Present Value per client is positive. Only by driving parameter values to extremely pessimistic levels does Net Present Value become negative. We do not believe values like this are reasonable approximations to reality in Minnesota, so we conclude that tax payers in Minnesota would receive a net gain if such a

program were implemented. In our best estimate the aggregate Net Present Value returned would be approximately $28.9 million.

Given that our work in estimating the value of harms avoided took pains to understate their quantity and unit cost when judgment was required, and given that we have entirely excluded some forms of harm, we believe that the evidence we have compiled argues strongly that pursuit of social policy of this nature is in the best interest of Minnesota citizens even from the narrow perspective of public budgets. If a broader conception of benefit and cost were the basis of such an evaluation, the recommendation would only be stronger.

The most important work ahead to build on our analysis is to improve its empirical foundation. This includes refined evaluations of all the harms, but work is especially needed with respect to mental health issues and how lifetime earnings potentials are affected by a period of engaging in sex trading. Another area of empirical research that is needed is longitudinal surveys of sex trading behavior to provide more accurate characterization of trajectories and experience of harms. Finally, a more complete census of female adolescents at risk for moving into sex trading is another important piece of empirical information that would improve the accuracy of this kind of research.

Appendix:
Technical Details of the Model and Empirical Information

A1. Filtering Parameter β, translating YP into Z and deriving θ

Total female youth population of concern is YP, of which a fraction γ are potential sex traders. All are referred for evaluation through a filtering process that inducts $\gamma\ YP$ into the intervention program while attempting to divert $(1-\gamma)YP$ toward other sources of support. We assume the filtering process admits all of $\gamma\ YP$ but is imperfect in that a portion of $(1-\gamma)YP$ are also admitted. The effectiveness of filtering is specified as β, where $\beta = 0$ means no discrimination is possible and $\beta = 1$ means perfect discrimination. Thus $(1-\beta)(1-\gamma)YP$ denotes the number of clients admitted who have no sex trading potential. The total number of clients served is expressed as Z, of which a fraction θ are potential sex traders. The relationships between Z, YP and β and between θ, γ and β are as follows:

$$Z = \gamma YP + (1-\beta)(1-\gamma)YP \tag{A1}$$

$$\theta = \frac{\gamma YP}{Z} = \frac{\gamma YP}{\gamma YP + (1-\beta)(1-\gamma)YP} = \frac{\gamma}{\gamma + (1-\beta)(1-\gamma)} = \frac{\gamma}{1-\beta(1-\gamma)} \tag{A2}$$

Thus if filtering is completely ineffective $Z = YP$ and $\theta = \gamma$. If filtering is completely effective, $Z = \gamma\ YP$ and $\theta = 1$. If filtering effectiveness is 90%, $YP = 1{,}525$ and $\gamma = 25\%$, we find the following values:

$$Z = .25 \times 1{,}525 + (1-.9)(1-.25) \times 1{,}525 = 496$$

$$\theta = \frac{0.25}{1-0.9(1-0.25)} \cong 0.77$$

Table A1 shows values for Z and θ for seven assumed values of filtering efficiency.

Table A1. Sensitivity of Key Parameters to Filtering Efficiency

Filt. Efficiency: β	1	0.9	0.7	0.5	0.3	0.1	0
Parameter: θ	1.00	0.77	0.53	0.40	0.32	0.27	0.25
Cohort Size: Z	381	496	724	953	1182	1411	1525

Assumes $YP = 1525$ of which 25% are potential sex traders: $\gamma = 0.25$.

A2. Estimates of the Target Population in Minnesota

There are no data documenting the size of the female adolescent population who trade sex in in the State of Minnesota. Two observations aid us in establishing a reasonable estimate. First, we have survey counts of the number of homeless female youth in Minnesota. Second, we rely on research using particular samples of homeless female youth that report the fraction who trade sex. The resulting estimate will likely under count the target population because some female youth who are not homeless may trade sex, and some homeless youths are not counted in the surveys. However, the estimate will serve as a good proxy for the female adolescent population targeted in the Safe Harbor for Youth Act described in the introduction. In our model notation, these individuals are represented by YP.

Every three years Wilder Research conducts an extensive one-night count of the homeless population in the State of Minnesota (Wilder, 2010). The last survey for which we have data was conducted in 2009. Wilder found that "on any given night, an estimated 2,500 Minnesota youth experience homelessness" (2010, p. 45). Of that number, sixty-one percent were female; thus we can estimate that there were approximately 1,525 homeless female youth. This serves as our estimate of YP. Wilder notes that this is likely a low estimate since independent homeless youth

are less likely to stay in formal shelters than homeless adults and families, and are thus harder to find and count. Further, the count does not capture many youth who experience short-term homelessness (p. 48). To put this number in context, a recent study conducted by the Center for Advanced Studies in Child Welfare at the University of Minnesota estimated that there are 9,460 homeless and highly mobile students enrolled in public school across all age ranges in Minneapolis, St. Paul and Duluth (Larson, 2008). Roughly one-third of them are adolescents (Larson & Meehan, 2009). This second source of data confirms that the Wilder estimate of 1,525 is reasonable.

Several studies evaluate the share of homeless female adolescents engaged in sex trading, with estimates ranging from 10 percent to 50 percent (J M Greene et al., 1999). Here we selected three primary studies with the most appropriate population, sample size and sampling techniques. With a nationally representative sample of youths in shelter and a multi-city sample of street youth, Greene et al., 1999 found that 26% of females had traded sex (p. 1407). Saewyc et al. developed a sample size of 1,845 homeless youth in cities across British Columbia, Canada and found that one in three had been "sexually exploited" (E. M. Saewyc, Taylor, Homma, & Ogilvie, 2008) (p. 6). Finally, Tyler found that 20% of female homeless youth traded sex from a sample of 151 homeless young adults in the Midwestern United States (Tyler, 2009).

Therefore we will assume that 25% of the female adolescent homeless population will trade sex. This serves as our estimate of γ. This implies that 381 female adolescents that might result in intervention benefit in the form of avoided harms, i.e. this is the estimate of *YP* with potential for sex trading. However, an intervention program would likely engage a larger proportion of homeless female adolescents because filtering will not be perfect. If we assume filtering is only 90% effective, the minimum number of program participants is increased from 381 to 496. With

this filtering effectiveness, and given an estimate of 25% of *YP* having the potential to engage in sex trading, the proportion program participants who are potential participants in sex trading is calculated as 0.77. We use these values, $Z = 496$ and $\theta = 0.77$, in deriving our central estimates for benefit per program participant and the overall *NPV* in section 5.

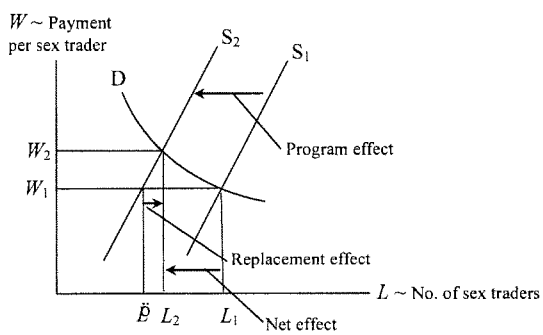
A3. Market Analysis for Replacement by New Market Entrants: Values for ρ

The main text described the problem posed by the potential for one female adolescent who is successfully dissuaded or prevented from trading sex through the intervention program to be replaced by a new, different individual who enters or is brought to the venue. To the extent that replacement occurs, the benefits from the program are reduced because decreases in the extent of sex trading and its associated harms is offset to some extent by the new individuals entering the market to replace those who were dissuaded. This problem can be approached through analyzing how the equilibrium quantity of sexual services responds to the program intervention, which depends on the program effectiveness, program scope and the price elasticities of demand and supply in the relevant venue.

This market adjustment extends to the "derived" market for sexual services labor. Our analysis is illustrated in figure A1, which shows a stable demand curve (D) and two equilibria that result from an original supply curve (S_1) and a supply curve shifted leftward (S_2) due to a degree of success in dissuading adolescent females away from sex-trading. The market illustrated is the derived demand for sex trader labor (L) with the quantity variable (horizontal axis) is expressed as number of workers. The original equilibrium quantity of workers is denoted as L_1. Impact of the intervention program is shown as the leftward shift of the supply curve, which is derived from the program effectiveness coefficient, α, multiplied by the number of

potential sex traders in the program cohort, θZ. This is shown as the horizontal distance from L_1 to $\ddot{P}$. If there were no price effects, $L_1 - \ddot{P}$ would also be the extent of reduction in sex trading. However, the reduction in the supply of sex traders due to the intervention raises the wages, which in turn calls forth an increase in the quantity supplied of sex traders along the supply curve S_2. This change from $\ddot{P}$ to L_2 represents the replacement effect that offsets the direct impact of the intervention program, so that the net reduction in sex traders is $L_1 - L_2$. We capture this effect in the model by specifying a coefficient, ρ, that is applied to the benefit calculation for a representative individual. A stronger replacement effect implies a smaller ρ and thus diminished benefits. In relation to figure A3, $\rho = \frac{L_1 - L_2}{L_1 - \ddot{P}}$, and the range of ρ is [0, 1].

Figure A1. Market Analysis of Replacement Effect



The replacement effect is smaller, and the net reduction larger, when demand is more elastic (i.e. more price sensitive) and supply is less elastic (i.e. less price sensitive). In the extreme case of a perfectly inelastic (i.e. vertical) supply, the absence of any wage influence on the quantity of sex traders would result in a zero replacement effect ($\rho = 1$). In the extreme case of perfectly elastic demand (i.e. a horizontal demand) there would not be any wage rise, and again there

would not be any replacement effect. By contrast, perfectly elastic supply or perfectly inelastic demand would result in complete replacement and ρ=0. Figure A3 shows an intermediate case where the impact of the intervention program is partially offset by new market entrants. Table A1 shows values of ρ for three assumed values for each of the price elasticities. These figures were derived from market simulations using constant elasticity forms for the demand and supply relations as follows. Demand: $W = bL^{-\frac{1}{\eta}}$; Supply: $W = kL^{-\frac{1}{\varepsilon}}$; where η = price elasticity of demand and ε = price elasticity of supply. To model the program effect on supply, the k parameter was increased to cause a 10% reduction in L at a constant wage. Boldface indicates our best estimate assumed values, and sensitivity analysis is presented using values along the table diagonal with ρ values at 0.35, 0.68 and 0.91.

Table A2. Values for Non-replacement Coefficient ρ in Relation to Price Elasticities

	Demand Elasticity		
Supply Elasticity	-0.5	-1	**-2**
0.2	0.73	0.84	0.91
0.5	0.51	0.68	**0.81**
1.0	0.35	0.51	0.68

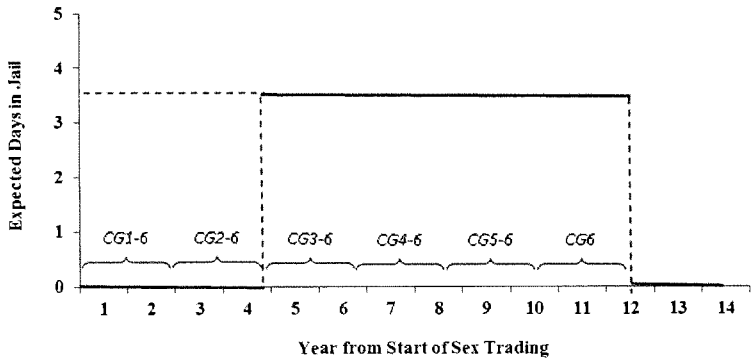
Because of the way ρ enters the model (see equation 2) reducing or increasing ρ has proportionate impact on program benefits. Thus if demand elasticity is at -2 and the supply elasticity is changed from 0.5 to 1.0, program benefits would be reduced by about 16%, the same as the reduction of ρ from 0.81 to 0.68.

A4. Examples of Time Profiles for Harms

Our idea of time profiles for harms is unusual, so we present these illustrations to assist the reader with an intuitive understanding. We consider two harms in the illustrations: incarceration and being infected with HIV. We assume a cohort composed of six groups, each of which follows a distinct trajectory of sex trading that differ by two years. Thus cohort group 1 (*CG1*) trade sex for 2 years, *CG2* trade for 4 years, *CG3* trade for 6 years, and so on to *CG6*, who trade sex for 12 years. We also assume the sex trading activity begins at age 14.

Figure A2 shows the harm time profile for incarceration. Since incarceration only occurs if the individual is engaged in sex trading after age 18, this harm profile begins at 0, jumps to a constant expected value of 3.66 incarceration days in year 5, and then falls back to 0 at year 13, when all members of the cohort have discontinued trading sex. The profile does not apply to all cohort groups across the time range, and the relevant groups are noted in the figure. For example, in years 11 and 12, the profile applies only to *CG6*. But in years 9 and 10, it applies to *CG5* and *CG6*. Model calculations account for the cohort fractions to which harms apply.

Figure A2. Time Profile for Harm: Incarceration



The harm of infection by HIV is more complicated. As repeated exposure occurs, the cumulative probability of being infected rises at the rate of 1.4% annually. When a cohort group ceases trading sex, the probability stops rising but will remain at the level reached for the rest of an individual's life. Because each cohort group has a different trajectory for trading sex, each has a unique cumulative probability at the end of sex trading. This complicated time profile is shown in figure A3, where labels connect cohort groups to harm profiles. For illustration we show these profiles only out to year 15, but in reality they extend across the individuals' life spans. For modeling purposes we simplify by truncating these time profiles at year 30 from the start of sex trading, when the representative individual has reached age 44. Details supporting this assumption are provided in the text.

Figure A3. Time Profile for Harm: HIV/AIDS

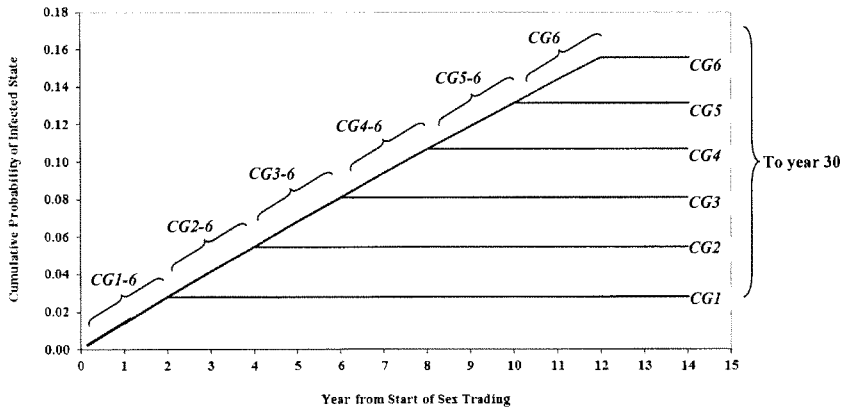


Table A3. Studies on Typical Trajectories in Sex Trading

Average Length	Sample Size	Sample Characteristics	Source
5+ years	65	Retrospective interviews	(DeRiviere, 2006) p. 369
16.4 years	35	Retrospective interviews	(Dalla,,2006) p. 279
5 years	1,022	Longitudinal study, length of "career"	(Potterat et al., 1990) p. 240
11.5 years	36	convenience	(Oselin, 2010) p. 532
13.6 years	130	Longitudinal study	(Ward & Day, 2006) p. 416
19.9 years	255	Retrospective interviews	(Miller et al., 2011) p. 36

These studies did not use representative samples. All but one used convenience sampling and they mostly focus on street-based, outdoor sex trading venues and/or adults who were street-engaged youth.

Table A4. Adjusting Unit Cost Estimates to Constant 2011 Dollars

GDP Deflator		Estimates of Harm Unit Costs			
Year	Index	Description	Year	Current $s	2011 $s
2000	88.7	Minor assault	2003	3,682	4,433
2001	90.7	Major assault	2003	53,300	64,174
2002	92.2	PTSD	2008	5,900	6,159
2003	94.1	Chlamydia-early	2011	108	108
2004	96.8	Chlamydia-late	2011	1,334	1,334
2005	100.0	HIV/AIDS	2010	26,745	27,309
2006	103.2	Pregnancy ~ abortion	2011	635	635
2007	106.2	Pregnancy ~ birth	2008	13,271	13,855
2008	108.6	Chemical dependency	2006	33,795	37,102
2009	109.7	Arrests	2006	2,000	2,196
2010	111.0	Court hearings	2006	527	579
2011	113.3	Incarceration	2011	90	90
		Probation	2006	807	886
		Child Foster Care	2010	7,508	7,666
		Tax Revenue	2011	1	1

Sources
Harm values: various, see text.
Deflator: US Department of Commerce, Bureau of Economic Analysis.
http://www.bea.gov//national/nipaweb/DownSS2.asp#XLS
Accessed 29 February, 2012.

Table A5. Criminal Justice Harms for Typical Individual Convicted of Prostitution (2011 dollars)

Harm Type	Unit Cost	Number	Total Cost
Arrest	2,196	6	13,176
Court	579	6	3,474
Probation	886	2	1,772
Jail time	90	183	16,470
		Sum	34,892

Sources: Various. See text.

References

Browne, A., & Finkelhor, D. (1986). Impact of child sexual abuse: A review of the research. *Psychological Bulletin, 99*(1), 66-77. doi: 10.1037/0033-2909.99.1.66

Centers for Disease Control and Prevention (CDC), N. C. f. H., STD and TB Prevention (NCHSTP). (2004). *Tracking the Hidden Epidemics: Trends in STDs in the United States* Atlanta, GA: U.S.D.O.H.A.H. Services.

Church, S., Henderson, M., Barnard, M., & Hart, G. (2001). Violence by clients towards female prostitutes in different work settings: questionnaire survey. *BMJ, 322*(7285), 524-525. doi: 10.1136/bmj.322.7285.524

Cohen, M., & Piquero, A. (2009). New evidence on the monetary value of saving a high risk youth. *Journal of Quantitative Criminology, 25*(1), 25-49. doi: 10.1007/s10940-008-9057-3

Cohen, M. A., Piquero, A. R., & Jennings, W. G. (2010). Studying the costs of crime across offender trajectories. *Criminology & Public Policy, 9*(2), 279-305. doi: 10.1111/j.1745-9133.2010.00627.x

Cunnigham, Y., Klauber, V., & Sylvain, L. (2006). Family and children's service - program case studies: return on investment measuring participation in PRIDE benefit to the community. Minneapolis: Hubert H. Humphrey Institute of Public Affairs.

Curtis, R., Terry, K., Dank, M., Dombrowski, K., & Khan, B. (2008). *The commercial sexual exploitation of children in New York city: The CSEC population in New York City: Size, characteristics, and needs.* (1). New York, New York: Center for Court Innovation.

Dalla, R. L. (2006). "You can't hustle all your life": An exploratory investigation of the exit process among street-level prostituted women. *Psychology of Women Quarterly, 30*(3), 276-290. doi: 0.1111/j.1471-6402.2006.00296.x

Decker, M. R., Miller, E., McCauley, H. L., Tancredi, D. J., Levenson, R. R., Waldman, J., . . . Silverman, J. G. (2012). Sex trade among young women attending family-planning clinics in northern california. *International Journal of Gynecology & Obstetrics, 117*(2), 173-177. doi: 10.1016/j.ijgo.2011.12.019

Deisher, R., Farrow, J., Hope, K., & Litchfield, C. (1989). The pregnant adolescent prostitute. *American Journal of Diseases in Children, 143*(10), 1162-1165.

Delisi, M., & Gatling, J. (2003). Who pays for a life of crime? An empirical assessment of the assorted victimization costs posed by career criminals. *Criminal Justice Studies, 16*(4), 283-293. doi: 10.1080/0888431032000183489

DeRiviere, L. (2005). An examination of the fiscal impact from youth involvement in the sex trade: The case for evaluating priorities in prevention. *Canadian Public Policy / Analyse de Politiques, 31*(2), 181-206.

DeRiviere, L. (2006). A human capital methodology for estimating the lifelong personal costs of young women leaving the sex trade. *Feminist Economics, 12*(3), 367 - 402. doi: 10.1080/13545700600670434

Edinburgh, L., Huemann, E., Richtman, K., Marboe, A. M., & Saewyc, E. (2012). The Safe Harbor Youth Intervention Project: Inter-sectoral collaboration to address sexual exploitation in Minnesota. *Nursing Reports*, 2(1). doi: 10.4081/nursrep.2012.e4

Edinburgh, L. D., & Saewyc, E. M. (2009). A novel, intensive home-visiting intervention for runaway, sexually exploited girls. *Journal for Specialists in Pediatric Nursing, 14*(1), 41-48. doi: 10.1111/j.1744-6155.2008.00174.x

Edwards, J. M., Iritani, B. J., & Hallfors, D. D. (2006). Prevalence and correlates of exchanging sex for drugs or money among adolescents in the United States. *Sexually Transmitted Infections, 82*(5), 354-358. doi: 10.1136/sti.2006.020693

Estes, R., & Weiner, N. A. (2001). The commercial sexual exploitation of children in the U. S., Canada and Mexico. Philadelphia: University of PA School of Social Work.

Farrington, D., & Welsh, B. (2007). *Saving children from a life of crime*. Boulder, CO: Westview.

Glaser, D. (2000). Child abuse and neglect and the brain—A review. *Journal of Child Psychology and Psychiatry, 41*(1), 97-116. doi: 10.1111/1469-7610.00551

Graham, N., & Wish, E. (1994). Drug use among female arrestees: Onset, patterns, and relationships to prostitution. *Journal of Drug Issues, 24*, 315-330.

Green, S. T., Goldberg, D. J., Christie, P. R., Frischer, M., Thomson, A., Carr, S. V., & Taylor, A. (1993). Female streetworker prostitutes in glasgow - A descriptive study of their life-style. *Aids Care-Psychological and Socio-Medical Aspects of Aids/Hiv, 5*(3), 321-335.

Greene, J. M., Ennett, S. T., & Ringwalt, C. L. (1999). Prevalence and correlates of survival sex among runaway and homeless youth. *Am J Public Health, 89*(9), 1406-1409. doi: 10.2105/ajph.89.9.1406

Greene, J. M., Ennett, S. T., & Ringwalt, C. L. (1999). Prevalence and correlates of survival sex among runaway and homeless youth. *American Journal of Public Health, 89*(9), 1406-1409. doi: 10.2105/AJPH.89.9.1406

Hunter, S. (1993). Prostitution is cruelty and abuse to women and children. *Michigan Journal of Gender & Law, 1*, 1-14.

Judd, T., Roman, J., & Eddy, S. A. (2007). What are the costs when teens are prostituted? (pp. 23-26). Madison: Policy Institute for Family Impact Seminars.

Kurtz, S. P., Surratt, H. L., Inciardi, J. A., & Kiley, M. C. (2004). Sex work and "date" violence. *Violence against Women, 10*(4), 357-385.

Kurtz, S. P., Surratt, H. L., Kiley, M. C., & Inciardi, J. A. (2005). Barriers to health and social services for street-based sex workers. *Journal of Health Care for the Poor and Underserved, 16*(2), 345-361.

Larson, A. (2008). Estimating homeless and highly mobile students *Minn-LInk Issue Brief* (Vol. 7B, pp. 1-2). Minneapolis, MN: Center for Advanced Studies in Child Welfare.

Larson, A., & Meehan, D. (2009). Homeless and highly mobile students: A description of the status of homeless students from three districts in Minnesota *Minn-LInk Child Welfare Speical Topic Report* (Vol. 7, pp. 1-42). Minneapolis, MN: Center for Advanced Studies in Child Welfare.

Lynfield, R. (2011). Chlamydia in Minnesota: What is the problem?: Minnesota Department of Health.

Martin, L., Hearst, M., & Widom, R. (2010). Meaningful differences: Comparison of adult women who first traded sex as a juvenile versus as an adult. *Journal of Violence Against Women, 16*(11), 1252-1269.

McClanahan, S. F., McClelland, G. M., Abram, K. M., & Teplin, L. A. (1999). Pathways into prostitution among female jail detainees and their implications for mental health services. *Psychiatric Services, 50*(12), 1606-1613.

Miller, C. L., Fielden, S. J., Tyndall, M. W., Zhang, R., Gibson, K., & Shannon, K. (2011). Individual and structural vulnerability among female youth who exchange sex for

survival. *Journal of Adolescent Health, 49*(1), 36-41. doi: http://dx.doi.org/10.1016/j.jadohealth.2010.10.003

Minnesota Department of Health. (2011). *2010 Minnesota sexually transmitted disease statistics.* Retrieved from http://www.health.state.mn.us/divs/idepc/dtopics/stds/stats/stdreport2010.pdf.

Minnesota Department of Human Services. (2010). Bulletin: Foster care maintenance and DOC rates for CY 2011.

Monea, E., & Thomas, A. (2011). Unintended pregnancy and taxpayer spending. *Perspectives on Sexual and Reproductive Health, 43*(2), 88-93. doi: 10.1363/4308811

National Center for Injury Prevention and Control. (2003). Costs of intimate partner violence against women in the United States. Atlanta, GA: Centers for Disease Control and Prevention.

Nixon, K., Tutty, L., Downe, P., Gorkoff, K., & Ursel, J. (2002). The everyday occurrence. *Violence against Women, 8*(9), 1016-1043. doi: 10.1177/107780120200800902

Open Doors. (2009). Rethinking arrest: Street prostitution and public policy in Rhode Island. Providence: Rhode Island Family Life Center.

Oselin, S. S. (2010). Weighing the consequences of a deviant career: Factors leading to an exit from prostitution. [Article]. *Sociological Perspectives, 53*(4), 527-549. doi: 10.1525/sop.2010.53.4.527

Parriott, R. (1994). Health experiences of Twin Cities women used in prostitution: Survey findings and recommendations (pp. 1-17): Freedom and Justice Center.

Minnesota Chlamydia Partnership (2011). *The Minnesota: Chlamydia Stratgey: Action Plan to Reduce and Prevent Chlamydia in Minnesota.* http://www.health.state.mn.us/divs/idepc/diseases/chlamydia/mcp/strategy/MNChlamydiaStrategy.pdf

Pearl, J. (1987). Highest paying customers: America's cities and the costs of prostitution control. *Hastings Law Journal, 38*(4), 32.

Persell, D. (2000). *Sex worker assessment project: A HIV needs assessment of sex workers in the Twin Cities.* Hennepin County Community Health Department, Red Door Clinic. Minneapolis.

Potterat, J. J., Woodhouse, D. E., Muth, J. B., & Muth, S. Q. (1990). Estimating the prevalence and career longevity of prostitute women. *The Journal of Sex Research, 27*(2), 233-243.

Raphael, J. (2002). Violence against women and girls in prostitution - Guest Editor's Introduction. *Violence against Women, 8*(9), 1011-1015.

Raphael, J., Reichert, J. A., & Powers, M. (2010). Pimp control and violence: Domestic sex trafficking of Chicago women and girls. *Women & Criminal Justice, 20*(1-2), 89-104. doi: 10.1080/08974451003641065

Raphael, J., & Shapiro, D. L. (2004). Violence in indoor and outdoor prostitution venues. *Violence against Women, 10*(2), 126-139.

Raymond, J. H., D. (2001). Sex trafficking of women in the United States: Coalition against trafficking in women.

Romero-Daza, N., Weeks, M., & Singer, M. (2003). 'Nobody gives a damn if I live or die': Violence, drugs, and street-level prostitution in inner-city Hartford, Connecticut. *Medical Anthropology, 22*(3), 233 - 259.

Saewyc, E. (2011). Ramsey county runaway intervention project, Annual Progress Report: 2010.

Saewyc, E., MacKay, L., Anderson, J., & Drozda, C. (2008). It's not what you think: Sexually exploitated youth in British Columbia (pp. 1-63). Vancouver, BC: University of British Columbia School of Nursing.

Saewyc, E. M., & Edinburgh, L. D. (2010). Restoring healthy developmental trajectories for sexually exploited young runaway girls: Fostering protective factors and reducing risk behaviors. *Journal of Adolescent Health, 46*(2), 180-188. doi: 10.1016/j.jadohealth.2009.06.010

Saewyc, E. M., Taylor, D., Homma, Y., & Ogilvie, G. (2008). Trends in sexual health and risk behaviours among adolescent students in British Columbia. [Article]. *Canadian Journal of Human Sexuality, 17*(1/2), 1-14.

Salfati, C. G., James, A. R., & Ferguson, L. (2008). Prostitute homicides - A descriptive study. [Article]. *Journal of Interpersonal Violence, 23*(4), 505-543.

Schackman, B., Gebo, K., Walensky, R., Losina, E., Muccio, T., Sax, P., . . . Freedberg, K. (2006). The lifetime cost of current human immunodeficiency virus cared in the United States. *Medical Care, 44*(11), 990-997. doi: 10.1097/01.mlr.0000228021.89490.2a

Shaver, F. M. (2005). Sex work research: methodological and ethical challenges. *J Interpers Violence, 20*(3), 296-319.

Sloan, C. E., Karen Champenois, Philippe Choisy, Elena Losina, Rochelle P. Walensky, Bruce R. Schackman, Faiza Ajana, Hugues Melliez, A.D. Paltiel, Kenneth A. Freedberg, and Yazdan Yazdanpanah. (2012). Newer drugs and earlier treatment: Impact on lifetime cost of care for HIV-infected adults. *AIDS, 26*(1), 45-56. doi: 10.1097/QAD.0b013e32834dce6e

Surratt, H. L., Inciardi, J. A., Kurtz, S. P., & Kiley, M. C. (2004). Sex work and drug use in a subculture of violence. *Crime & Delinquency, 50*(1), 43-59. doi: 10.1177/0011128703258875

Trouteaud, A., Parker, J., & Shapiro, B. (2010). The value of a coordinated response: A research briefing on Georgia's investment in its system of care for CSEC victims. Atlanta, GA: The Schapiro Group.

Tucker, J., Edelen, M., Ellickson, P., & Klein, D. (2011). Running away from home: A longitudinal study of adolescent risk factors and young adult outcomes. *Journal of Youth and Adolescence, 40*(5), 507-518. doi: 10.1007/s10964-010-9571-0

Tyler, K. (2009). Risk factors for trading sex among homeless young adults. *Archives of Sexual Behavior, 38*(2), 290-297. doi: 10.1007/s10508-007-9201-4

U S Bureau of Labor Statistics. (2011). Highlight of women's earnings in 2010: U S Department of Labor.

Vanwesenbeeck, I. (2001). Another decade of social scientific work on prostitution. *Annual Review of Sex Research, 12*, 242-289.

Ward, H., & Day, S. (2006). What happens to women who sell sex? Report of a unique occupational cohort. *Sexually Transmitted Infections, 82*(5), 413-417. doi: 10.1136/sti.2006.020982

Weber, A., Boivin, J.-F., Blais, L., Haley, N., & Roy, É. (2002). HIV risk profile and prostitution among female street youths. *Journal of Urban Health, 79*(4), 525-535. doi: 10.1093/jurban/79.4.525

Weitzer, R. (2005). New directions in research on prostitution. *Crime, Law & Social Change, 43*, 211-235.

Weitzer, R. (2009). Sociology of sex work. *Annual Review of Sociology, 35*(1), 213-234. doi: doi:10.1146/annurev-soc-070308-120025

Welsh, B. C., Loeber, R., Stevens, B. R., Stouthamer-Loeber, M., Cohen, M. A., & Farrington, D. P. (2008). Costs of juvenile crime in urban areas. *Youth Violence and Juvenile Justice, 6*(1), 3-27. doi: 10.1177/1541204007308427

Wilder. (2010). Homelessness in Minnesota 2009: Results of the Wilder statewide survey (pp. 1-85). Saint Paul, MN: Wilder Research.

Willis, B. M., & Levy, B. S. (2002). Child prostitution: global health burden, research needs, and interventions. *Lancet, 359*(9315), 1417-1422. doi: 10.1016/S0140-6736(02)08355-1

Wilson, H. W., & Widom, C. S. (2010). The role of youth problem behaviors in the path from child abuse and neglect to prostitution: A prospective examination. *Journal of Research on Adolescence, 20*(1), 210-236. doi: 10.1111/j.1532-7795.2009.00624.x

Yates, G. L., MacKenzie, R., Pennbridge, J., & Cohen, E. (1988). A risk profile comparison of runaway and non-runaway youth. *American Journal of Public Health, 78*(7), 820-821. doi: 10.2105/AJPH.78.7.820

The Swedish Law That Prohibits the Purchase of Sexual Services

Best Practices for Prevention of Prostitution and Trafficking in Human Beings

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After several years of public debate initiated by the Swedish women's movement, the Law That Prohibits the Purchase of Sexual Services came into force on January 1, 1999. The Law is the first attempt by a country to address the root cause of prostitution and trafficking in beings: the demand, the men who assume the right to purchase persons for prostitution purposes. This groundbreaking law is a cornerstone of Swedish efforts to create a contemporary, democratic society where women and girls can live lives free of all forms of male violence. In combination with public education, awareness-raising campaigns, and victim support, the Law and other legislation establish a zero tolerance policy for prostitution and trafficking in human beings. When the buyers risk punishment, the number of men who buy prostituted persons decreases, and the local prostitution markets become less lucrative. Traffickers will then choose other and more profitable destinations.

Keywords: *prostitution; Swedish law; trafficking in human beings*

Prostitution and trafficking in women and girls for sexual exploitation have shown an alarming increase during the past several decades. The prostitution industry[1] is booming and expanding in a world where many countries subscribe to the ideology of a free market economy, a market in which women and girls are just one among an infinite number of highly saleable items. Thus, trafficking and prostitution of women and girls for profit is one of the fastest growing global enterprises, after drug and arms trafficking. Meanwhile, prostitution has been normalized by neoliberals as a form of sexual entertainment, with equal players exchanging

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services for money. "Working" as a "sex worker"[2] is seen as a legitimate career path for women, and employment centers in the Netherlands, where prostitution and brothels are legalized, suggest *brothel worker* as an appropriate professional choice. What previously was viewed as a severe form of sexual exploitation is now a woman's right to do what she wants with her body and a way to sexual liberation and self-determination. This change is a contemporary and pertinent example of the revival of a stagnant repressive political agenda, which now permeates virtually all current political, academic, and popular discourses on prostitution and trafficking in human beings.

However, not every country in the world is equally enthusiastic about the idea that prostitution should be seen as a form of work, or that sexual exploitation of women by men should be commercialized and legalized. In its proposal to prohibit the purchase of sexual services, the Swedish government states,

> By prohibiting the purchase of sexual services, prostitution and its damaging effects can be counteracted more effectively than hitherto. . . . The government considers, however, that it is not reasonable to punish the person who sells a sexual service. In the majority of cases at least, this person is a weaker partner who is exploited by those who want only to satisfy their sexual drives. (Ministry of Labour, 1998, p. 55)

PRINCIPLES BEHIND SWEDISH POLICIES AND LEGISLATION AGAINST PROSTITUTION AND TRAFFICKING IN HUMAN BEINGS

For a long time, the work against prostitution and trafficking in human beings has been a political priority in Sweden, at the national level as well as international level. The work is considered an essential part of efforts to create a contemporary and democratic society where full gender equality is the norm, and to recognize the right to equal participation of women and men, girls and boys, in all areas of society.

In Sweden, it is understood that any society that claims to defend principles of legal, political, economic, and social equality for women and girls must reject the idea that women and children, mostly girls, are commodities that can be bought, sold, and

sexually exploited by men. To do otherwise is to allow that a separate class of female human beings, especially women and girls who are economically and racially marginalized, is excluded from these measures, as well as from the universal protection of human dignity enshrined in the body of international human rights instruments developed during the past 50 years (Ministry of Industry, Employment, and Communications, 2004).

In Sweden, prostitution is officially acknowledged as a form of male sexual violence against women and children. One of the cornerstones of Swedish policies against prostitution and trafficking in human beings is the focus on the root cause, the recognition that without men's demand for and use of women and girls for sexual exploitation, the global prostitution industry would not be able flourish and expand.

Prostitution is a serious problem that is harmful, in particular, not only to the prostituted woman or child but also to society at large. Therefore, prostituted women and children are seen as victims of male violence who do not risk legal penalties. Instead, they have a right to assistance to escape prostitution.[3] Pimps, traffickers, and prostitution buyers knowingly exploit the vulnerability of the victims caused by high rates of poverty, unemployment, discriminatory labor practices, gender inequalities, and male violence against women and children. On a structural level, Sweden recognizes that to succeed in the campaign against sexual exploitation, the political, social, and economic conditions under which women and girls live must be ameliorated by introducing development measures of, for example, poverty reduction, sustainable development, and social programs focusing specifically on women.

In Sweden, prostitution and trafficking in human beings for sexual purposes are seen as issues that cannot, and should not, be separated; both are harmful practices and intrinsically linked. It is understood that the purpose of the recruitment, transport, sale, or purchase of women and girls by traffickers, pimps, and members of organized crime groups within countries or across national borders is, in the overwhelming majority of cases, to sell these female human beings into the prostitution industry. Accordingly, it is argued that trafficking in human beings for sexual purposes will never be eliminated unless the international community also takes a vigorous stand and puts in place concrete measures

against prostitution and sexual exploitation. In fact, as early as the first decades of the 20th century, pioneering Swedish feminists, in their efforts to combat prostitution and the traffic in women and girls, illuminated the link between the international trafficking in women and the position of women and girls in society.[4]

In Sweden, all forms of legal or policy measures that legalize different prostitution activities, such as brothels, or that decriminalize the perpetrators of the prostitution industry, including pimps, traffickers, brothel owners, and buyers, are seen as some of the most serious present-day threats to gender equality and the rights of women and girls to live lives free of male violence. It is understood that the legalization of prostitution will inevitably normalize an extreme form of sexual discrimination and violence and strengthen male domination of all female human beings. Legalization of prostitution means that the state imposes regulations with which they can control one class of women as prostituted.

The work against prostitution and trafficking in human beings requires a broad perspective and a will to act in a wide range of policy areas. It also requires the involvement and collaboration of a broad variety of public and private actors. In Sweden, this work is undertaken not only by the Swedish government and public authorities but also by the women's movement, the shelter movement, and other nongovernmental organizations (NGOs) (Ekberg, 2003).

To further its commitment to work toward gender equality and to prevent and suppress prostitution and trafficking in human beings, the Swedish government, under the coordination of the Division for Gender Equality, is presently preparing a National Action Plan to Combat Prostitution and Trafficking in Human Beings, especially Women and Children (the Plan; Government Communication to the Parliament, 2002/03; Wahldén, 2003). The Plan, which will be presented to the *Riksdag* (the Parliament) during 2005, will include additional measures that prevent prostitution and trafficking in human beings, including special measures to counteract the demand that furthers all forms of sexual exploitation of human beings, especially women and children. In addition, an overhaul of measures to combat prostitution and trafficking in human beings within the justice system and, more important, measures that concern protection of and assistance to

victims of prostitution and trafficking will also be developed and implemented.

THE LAW THAT PROHIBITS THE PURCHASE OF SEXUAL SERVICES

On January 1, 1999, the Swedish Law that Prohibits the Purchase of Sexual Services (the Law) entered into force (Law That Prohibits, 1998:408). This Law recognizes that it is the man who buys women (or men) for sexual purposes who should be criminalized, and not the woman. The Law is gender neutral and is, as mentioned previously, a fundamental part of the comprehensive Swedish strategy to combat prostitution and trafficking in human beings.

The initiative to criminalize the prostitution buyers originally came from the Swedish women's movement. Feminists analyzed women's position in society, including how men used some women and girls for prostitution purposes. In agreement with other feminists worldwide, they concluded that prostitution was another patriarchal tool of oppression that has deleterious effects on the women and girls who are induced and kept in prostitution, as well as an extreme form of male violence used to control female human beings as a class.[5] Since the beginning of the 1980s, Swedish feminists have consistently argued that men who buy prostituted women should be criminalized (Sachs, 1912; Welborn, 1990), and that the women and girls in prostitution should be seen as victims of male violence who have a right of assistance to escape prostitution.

In 1987, the National Organization for Women's Shelters and Young Women's Shelters in Sweden (ROKS) made this demand part of its yearly Plan of Action, a plan that includes a list of demands that the organization presents to the female parliamentarians every year. Thanks to the intense lobbying and policy-setting work of these dedicated feminists, and with the assistance of female politicians from across party lines,[6] the Law was brought to the Parliament, approved with little opposition, and finally entered into force on January 1, 1999.

The Law was part of an Act on Violence Against Women (*Kvinnofrid*), which was enacted on July 1, 1998 (Swedish Govern-

ment Offices, 2001). The Act, which was the outcome of two Commissions of Inquiry, the Commission on Prostitution (1995) and the Commission on Violence against Women (1995), included several amendments to laws relating to male violence against women, including a strengthened sexual harassment law. In addition, a new offense was named—gross violation of a woman's integrity and gross violation of integrity—punishing repeated instances of male violence against a woman in an intimate relationship (Ministry of Labour, 1998).

It is important to note that this legislation only targets buyers of persons in prostitution. The persons who are in prostitution, the victims of male violence, are not subject to any kind of criminal or other legal repercussions. The government pledged money and assistance to women who are victims of male violence, including prostituted women. Thus, the state, to a certain extent, is responsible for assisting women to leave violent situations, including prostitution, and for providing women with access to shelters, counseling, education, and job training. The direct responsibility for the provision of services to victims of prostitution and trafficking in human beings, according to law, remains with the Swedish municipalities (Ministry of Social Affairs, 2001).

The Law is currently worded as follows:

> A person who obtains casual sexual relations in exchange for payment shall be sentenced—unless the act is punishable under the Swedish *Penal Code*—for *the purchase of sexual services* to a fine or imprisonment for at most six months. Attempt to purchase sexual services is punishable under Chapter 23 of the Swedish Penal Code.[7]

The offense comprises all forms of sexual services, whether they are purchased on the street, in brothels, in so-called massage parlors, from escort services, or in other similar circumstances. To put the length of imprisonment in context, the longest sentence that can be imposed on anyone for any individual criminal offense in Sweden is 10 years. The Supreme Court has set the fine to at least 50-day fines; however, in cases where prostitution buyers have purchased sexual services more than once, the courts have imposed fines up to 150 days.[8]

MONEY FOR POLICE ENFORCEMENT

When the Law came into force, SEK$7 million (approximately US$1 million) were set aside by the government for police enforcement. The money was allotted to four police districts, including the three largest cities. In 2003, the Swedish government granted another SEK$30 million (approximately US$4.1 million) for 3 years to the National Board of Police, specifically earmarked for measures to combat prostitution and trafficking in human beings. During the first year of the Law's operation, the police enforcement efforts were directed mainly at men buying women in street prostitution; however, since then, prostitution buyers of women in apartment brothels, porn clubs, massage parlors, and escort agencies are also being targeted.

NUMBER OF WOMEN IN PROSTITUTION IN SWEDEN

In 1999, it was estimated that 125,000 Swedish men bought about 2,500 prostituted women one or more times per year. Of these women, approximately 650 were street prostituted. From 1999 until today, the number of women involved in street prostitution has decreased by at least 30% to 50%, and the recruitment of new women has come almost to a halt. It is estimated that the number of women in prostitution has decreased from 2,500 in 1999, before the Law came into force, to no more than 1,500 women in Sweden in 2002 (T. Ekman, Director for the Anti-Trafficking Group at the Police Authority in Gothenburg in charge of investigating crimes related to prostitution and trafficking, personal conversation, January 16, 2004; Gripenlöf, 1991-2002; S-A. Månsson, School of Social Work at Gothenburg University, personal conversation, January 12, 2004; M. Sjöstrand Persson, Director for the Prostitution Group at Social Services in Malmö, personal conversation, January 16, 2004).[9]

Significantly, the number of women in street prostitution in Sweden today is no more than 500 (Sweden has 9 million inhabitants). This number should be compared with the number of women involved in street prostitution in Denmark (with 4.5 million inhabitants). In the beginning of the 1990s, approximately

2,000 women were in Danish street prostitution, compared with 5,500 to 7,800 in 2004 ("Love Bestemmer Antal Prostituerede," 2004). Denmark does not have legislation that prohibits the purchase of sexual services.

There is no evidence that the sale of women has moved from the streets to the Internet (Gripenlöf, 1991-2002). The global prostitution and pornography industry has always been quick to take advantage of every new technological advance that can benefit their activities and promote the sale of their products. The Net Sex Project at the University of Gothenburg, a research project that studies the use of the Internet for sexual purposes, concludes in its report that the number of Swedish women who are prostituted via the Internet remains stable at around 80 to 100 women, with the same women advertised on many different Web sites. The report also concludes that the use of the Internet for prostitution purposes is a consequence of the rapid development of Internet technology and not a consequence of the Swedish legislation (S-A. Månsson, School of Social Work at Gothenburg University, personal conversation, January 12, 2004; Månsson & Söderlind, 2004).[10] The presence of foreign women in street prostitution has come almost to an end (IOKSP, 1999-2001; Kärrman, 2000), and the number of buyers has decreased by 75% to 80% (Gripenlöf, 1991-2002).

WHO ARE THE SWEDISH MEN WHO BUY PROSTITUTED WOMEN?

Every eighth man older than 18 years in Sweden, or approximately 13% of men ages 18 years and older, have, at least once, bought a person for prostitution purposes within Sweden or in other countries (Månsson, 2001; National Institute of Public Health, 2000). These men represent all ages and all income classes. The majority are, or have been, married or cohabiting, and they often have children. Men who have or have had many sexual partners are the most common buyers of prostituted persons, effectively dispelling the myth that the buyer is a lonely, sexually unattractive man with no other option for his sexual outlet than to buy prostituted women. In addition, in a study undertaken in Stockholm in 2000, the researchers found that of boys and young

men between the ages of 16 and 25, 10% had paid for a sexual service (National Institute of Public Health, 2000).

ENFORCEMENT OF THE LAW

The primary purpose of the Law is to prevent the purchase of sexual services. Accordingly, under the legislation, the Swedish police are to intervene before a crime is committed. However, the arrest and prosecution of the perpetrators is, of course, of equal importance. Most police reports give evidence of attempts by men to buy sexual services. It is considered an attempt when a buyer offers something, such as money, drugs, or a place to stay to a prostituted person as payment for a sexual service.

According to the latest statistics from the National Council for Crime Prevention provided by Leif Petersson (Brottsförebyggande rået, 2003), 734 male individuals have been reported under the Law from January 1999 to April 2004. Of the 300 men who were arrested for purchasing sexual services during 2003, more than 200 of the arrests took place in the county of the capital of Sweden, Stockholm. Around 140 male individuals have been convicted of purchasing sexual services or have pleaded guilty during the first 4 years (1999 to 2002) of the Law's operation. Conviction rates for 2003 are not yet available. However, it is expected that the 2003 conviction rates will show a considerable increase. Most men arrested under the Law pled guilty to avoid not only a court trial but also the possibility that their partners or wives will find out about their having bought and used prostituted women. The oldest man arrested under the Law was age 70 years and the youngest age 16 years. The average age of the buyers was age 44 years (Brottsförebyggande rådet, 2003).

The police and the prosecutors successfully enforce the Law against buyers who are apprehended in brothel investigations and in cases concerning trafficking in human beings. In one trafficking-related case, which was investigated during the latter half of 2002 and prosecuted during the spring of 2003, the pimp who operated his business solely on the Internet, received approximately 25,000 e-mail inquiries about women advertised on his Web sites from men around Sweden and elsewhere. The pimp kept a customer registry with the names of more than 1,500

buyers. In 571 cases, the men were suspected of having bought sexual services under the Law. Of these, 40 men have been prosecuted for purchasing sexual services. Fines totaling SEK$379,000, or approximately US$53,000, have been imposed. At least another 16 are waiting to be prosecuted (Solna Tingsrätt, 2001).[11]

The effective enforcement of the Law is ultimately determined by the attitude of the leadership within the local police forces, as well as that of the individual police officer. In Sweden as in other countries, the police force is a male, homosocial, and conservative working environment—a police force that is being asked to enforce a law that seriously threatens traditional male values. Therefore, initially, representatives of the police were critical of the law, suggesting that it would be difficult to enforce ("Polisen Kritiserar nya Sexköpslagen," 2000). For example, in some cases in which men have been apprehended for purchasing sexual services, the police officers involved have agreed to send the letter of notification of a crime committed to an address of the offender's choice, rather than to his home address, presumably to protect the offender from scrutiny by his spouse or other family members.

To increase the police officers' competence and knowledge about prostitution and trafficking in human beings, the National Criminal Police in collaboration with the Division for Gender Equality, as well as several local and regional police forces, have established education programs for its personnel on this subject. This has had noticeable and immediate effects. The initial criticism of the law as being difficult to enforce has ceased. One year after the program began in 2003, there was a 300% increase in arrests, believed to be the result of the investigating officers' better understanding of the reasons behind the legislation, their deeper comprehension of the conditions that make women vulnerable to becoming victims of prostitution and trafficking, and the development of better investigation methods.

EXTRATERRITORIAL JURISDICTION

All Swedish laws are extraterritorial. This means that Swedish citizens can be charged, prosecuted, and convicted under Swedish laws when having committed a crime in another country, if that country has legislation similar to Swedish legislation.[12] It is a well-known and increasing problem that men from many

Western countries travel to developing countries where women and children are vulnerable because of difficult living conditions, and where the social, political, and economic situation of women and girls is seriously impaired. In countries where prostitution is legalized or tolerated, the idea that women are objects for male sexual pleasure and, therefore, can be sold and bought, is normalized. It is then perfectly acceptable that men go to brothels to buy and sexually exploit women. Obviously, this has an effect on how all women and girls are regarded by men in these countries. The highest numbers of sex tourists (per capita), consequently, come from Australia and the Netherlands. By contrast, since the Law came into force, there is no notable increase in the number of Swedish men who travel to other countries as sex tourists.

APPLICATION TO PEACEKEEPING FORCES

The United Nations Security Council is responsible for maintaining international peace and security according to Article 24 of the United Nations Charter. Included in these duties is the ability to initiate peacekeeping operations. Between 1985 and 1992, the United Nations undertook more than 13 peacekeeping missions to different parts of the world (Peck, 1995). Several more have been initiated since then, such as the Somalia peacekeeping operation and, in recent years, the UN missions to East Timor and Kosovo. Despite the objective of all peacekeeping missions to ease the strain of the conflict and facilitate a peaceful solution, many women and girls in the countries where these troops have been stationed have been excluded from this protection (Peck, 1995). In fact, UN peacekeeping forces have been directly implicated in prostitution and trafficking in women in several places around the world.

Sexual access to women and girls on demand is taken for granted by men who serve in the military, or who are fighting in a war or armed conflict. Anywhere there is a military base, pimps, striptease, nightclub, and brothel owners see a potential market. As an example, the presence of 16,000 United Nations Transitional Authority in Cambodia (UNTAC) soldiers in Cambodia from February 1992 to September 1993 led to an increase from 6,000 to 20,000 women and girls in prostitution in Phnom Penh. The chief commander, Yasushi Akashi, of UNTAC, explained,

when he was confronted with complaints about the male peacekeepers' conduct, that "Boys will be boys!" He also suggested that "18-year-old hot-blooded soldiers" have a right "to chase young beautiful beings of the opposite sex." Consequently, he did not do anything to stop their behavior (Orford, 1996, p. 373).

Members of peacekeeping forces in places such as Bosnia-Herzegovina, East Timor, Slovenia, Cambodia, Mozambique, and Kosovo have prostituted and trafficked women and girls who are members of the local population they have been sent to protect. Despite international attention to the problem, very little or no action has been taken by the political and military leadership of these missions. In fact, the current Danish Minister for Gender Equality, Henriette Kjaer, argued in 2003 against the implementation of ethical rules prohibiting the purchase of sexual services by Danish peacekeeping troops. She based her opinion on the belief that Danish soldiers will be well-behaved while stationed abroad (Danish Women's Council, 2003).

In contrast to peacekeepers from other countries, Swedish peacekeeping forces stationed abroad are subject to the Law.[13] In 2002, three military officers stationed at the Swedish Kosovo Force (KFOR) battalion in Kosovo were charged and convicted for purchasing sexual services in Macedonia during a furlough (FN-befäl, 2002; Södertälje Tingsrätt, 2001). The soldiers visited brothels where they sexually used women and then stamped the inside of the women's thighs with their official stamps. The officers then took pictures of the women and on their return compared trophies. As a result of the conviction, they are no longer allowed to serve in peacekeeping operations and have been discharged from the military. As a result of the conviction, one of the former officers has also been dismissed from his civilian job.[14] According to Brig. Gen. Fhleming Christensen, who was the commanding officer for the first contingent of Swedish peacekeeping troops in Kosovo, the best way to curb the use of women for prostitution purposes by peacekeeping troops is that all countries involved in peacekeeping missions develop ethical rules against the purchase of sexual services or pass legislation similar to the Law. He suggests that the Law is a superior tool to prevent soldiers from purchasing sexual services and that it, in fact, functions as a deterrent. During his command in Kosovo, the rules

regarding the purchase of sexual services were strictly enforced. Any soldier who used women in prostitution was immediately discharged and sent back to Sweden to face prosecution under the Law (Brig. Gen. Fhleming Christensen, personal conversation, November 28, 2002).[15]

EFFECTS OF THE LAW ON TRAFFICKING IN WOMEN

The National Rapporteur for Trafficking in Women at the National Criminal Investigation Department (NCID), Kajsa Wahlberg, is responsible for the collection of data related to investigations and convictions for trafficking crimes in Sweden and for reporting annually to the Swedish government about the trafficking in women in Sweden.[16] In her reports published in 2003 and 2004, she noted that there are clear indications that the Law has had direct and positive effects in limiting the trafficking in women for prostitution to Sweden.

The NCID estimates that between 400 and 600 women are trafficked into Sweden every year, mainly from the Eastern European countries such as Estonia and Lithuania, as well as from Russia. This number has remained fairly constant during the past several years (National Criminal Investigation Department [NCID], 2004). This figure should be compared to the numbers of women who are victims of trafficking for sexual purposes in neighboring Scandinavian countries, such as Finland, Denmark, and Norway, where the purchase of sexual services is not prohibited. In Denmark, 5,500 to 7,800 women are prostituted every year. It is estimated that 50% or more of these women are victims of trafficking in human beings (Ledberg, 2003; D. Otzen, director for Reden,[17] Copenhagen, Denmark, personal conversation, December 15, 2003). According to a 2003 report from the Finnish Criminal Intelligence Division of the National Bureau of Investigation, approximately 10,000 to 15,000 women from Estonia, Russia, Latvia and Lithuania are prostituted in Finland every year (Leskinen, 2003). In its report from 2003, the Swedish NCID stated that, despite the increase in information and knowledge of trafficking cases in other countries in the area, there is no equivalent increase in the number of women who are victims of trafficking to Sweden.

There is also no conclusive evidence that the number of women trafficked to Sweden has decreased (NCID, 2001, 2003).

Before July 1, 2002, when a new law against trafficking went into effect, cases of trafficking in human beings for sexual purposes in Sweden were prosecuted under the procuring provisions or, depending on the individual case, under the provisions on kidnapping, unlawful deprivation of liberty, placing a person in a distressful situation, coercion, or sexual exploitation. Between 1999 and 2002, 25 persons have been convicted and sentenced to prison for trafficking-related crimes. Since the implementation of the new legislation criminalizing the trafficking in human beings for sexual purposes, two individuals have been convicted and sentenced.[18] During 2003, 21 preliminary investigations under the same legislation were initiated. Similarly, during 2003, approximately 20 cases of procuring were investigated. The women victims of trafficking for sexual purposes came mainly from Eastern Europe, the Baltic countries, and Russia, and most of them were prostituted in apartment brothels in Sweden (Riksrevisionsverket, 2001[19]; Kajsa Wahlberg, National Rapporteur on Trafficking in Women, at the NCID, personal conversation, January 16, 2004). In the trafficking cases, most of the implicated pimps were of foreign heritage but lived in or were citizens of Sweden and had connections with organized crime networks in their countries of origin that supplied the victims. However, this does not give a full picture of trafficking of women to Sweden. There are some indications that Swedish and Danish motorcycle gangs are involved in prostitution and trafficking in Sweden, mainly in the south.

The NCID has received signals from Europol and national police forces in other European countries that Sweden no longer is an attractive market for traffickers. Traffickers and pimps are businessmen who calculate profits, marketing factors, and risks of getting caught when they decide in which countries they will sell women into prostitution. In conversations recorded during crime investigations, pimps/procurers and traffickers have expressed frustration about setting up shop in Sweden and attracting customers who are willing to buy their women in prostitution. According to these intercepted telephone conversations, and from additional testimonies given by women who are victims of trafficking, the pimps and traffickers experience the following difficulties:

- Prostituted women must be escorted to the buyers, therefore giving less time to fewer buyers, and gaining less revenue for pimps than if women had been in street prostitution.
- Swedish men who want to buy women for prostitution purposes express serious fear of being arrested and prosecuted under the Law and hence demand absolute discretion from the pimps/traffickers.
- To minimize the possibility of exposure/detection, the pimps/traffickers are forced to operate apartment brothels in more than one location and to change locations regularly. Thus the mode of operation is expensive and requires that the pimp have local contacts. The necessity of several premises is confirmed in almost all preliminary investigations that have been carried out in 2002.

According to victim testimonies, pimps and traffickers prefer to market their women in countries such as Denmark, Germany, the Netherlands, and Spain, where the operating conditions are more attractive, where the buyers are not criminalized and where certain prostitution activities are either tolerated or legalized. In addition, Detective Inspector Kajsa Wahlberg mentioned that the Latvian police have concluded that Latvian traffickers do not sell women in Sweden because of the negative effects of the Law on their potential business. In its 2004 report, the NCID concluded that the law that prohibits the purchase of sexual services "continues to function as a barrier against the establishment of traffickers in Sweden" (NCID, 2004, p. 35). Clearly, the Law functions as a deterrent. Traffickers are choosing other destination countries where their business is more profitable and not hampered by similar laws (Detective Inspector K. Wahlberg, personal conversations, April 18, 2002).[20]

THE LAW AND COMPLIANCE WITH INTERNATIONAL AGREEMENTS

Article 9 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (United Nations, 2000; the Protocol) requires states to implement comprehensive measures to prevent trafficking such as social and economic initiatives, as well as information and mass media campaigns. When implementing these measures they must, when appropriate, collaborate with NGOs and other organizations that have competence in this area. Countries must also

strengthen measures to alleviate the factors that make women and children vulnerable to trafficking, such as poverty, underdevelopment, and lack of equal opportunity.

Importantly, the Protocol is the first international instrument that mentions the demand that promotes all forms of exploitation that lead to trafficking. Accordingly, Article 9.5 states, "States Parties shall adopt or strengthen legislative or other measures . . . to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking." In its passage of the Law, Sweden complies with the requirements in Article 9.5, in targeting the men who create the demand for prostituted women.

Another measure highlighted in Article 9 of the Protocol recommends national awareness campaigns against trafficking in human beings, especially women and children. In 2002 to 2003, a national Campaign against Prostitution and Trafficking in Women (the Swedish Campaign) was carried out. The Swedish Campaign had as its overall objective to increase awareness and knowledge about prostitution and the global trafficking in women through information to, and education and training of, government and other public authorities, NGOs, the media, and the public. Most important, the Swedish Campaign implemented innovative measures directed toward buyers and potential buyers of prostituted women and children in Sweden, as well as toward those men who travel to neighboring countries and to other countries in Europe, Asia, Latin America, and Africa for the specific purpose of buying and exploiting prostituted women and children. In addition, the Swedish Campaign drew public attention to the conditions of women and children who are victims of prostitution and trafficking.

Activities targeting the male demand for prostitution and the sexual exploitation of women and children were undertaken during this period, including a nationwide poster campaign in May 2002. The Law was a central theme in the poster campaign, aimed at increasing public awareness about prostitution and trafficking in women by pinpointing the buyers.

Three posters were displayed in 2,215 public locations around the country, including bus shelters, subway stations, and streetcars. The posters illustrated several themes and were designed with messages and graphics. Poster #1 depicts a well-dressed

man in a business suit and displays a prominent wedding band on his hand. It asserts: "Time to flush the johns out of the Baltic." The specific reference is to Swedish men traveling as sex tourists to their favorite prostitution havens in Baltic countries. Poster #2 is a close-up of 11 different men looking directly into the camera, accompanied by the message, "One man in eight has bought sex." Poster #3 states, "More and more Swedish men do their shopping over the Internet." On this poster, a young man is surfing the Net on his computer, supposedly to find pornography and Web sites that direct men to where they can buy prostituted women (posters available at http://naring.regeringen.se/fragor/jamstalldhet/pdf/affisch.pdf).

According to a study of the poster campaign conducted by a media analysis company, more than 1 million people noticed the posters during the campaign week (Clear Channel, 2002). The majority of viewers responded positively to the messages of the posters, although more positive reaction came from women than men. Nonetheless, a considerable number of men also appreciated the content of the campaign (Clear Channel, 2002). The poster campaign attracted a great deal of media and public attention inside and outside Sweden mainly because of the subject matter and the unusual fact that buyers of sexual services were depicted on posters intended to combat prostitution and trafficking in human beings.[21]

FUTURE AMENDMENTS TO THE LAW

In 2001, the Parliamentary Sexual Crimes Committee released its extensive report on amendments to the sexual crimes legislation in chapter 6 of the Swedish Penal Code (Ministry of Justice, 2001). The Committee proposed a series of changes to existing crimes, not only to the procuring offense but also to the crimes of rape and sexual assault. In this report, the Committee recommended that the law prohibiting the purchase of sexual services be amended and strengthened. Currently, the Law excludes from criminal liability those men who regularly purchase the same prostituted woman. In addition, the Law does not cover situations in which a person or a group of persons purchase a sexual service for someone else. This situation often occurs when a group of men come together for a stag party to celebrate the

marriage of one of them, and friends buy a woman for the bridegroom as a sending-off gift. By criminalizing these group situations, the Law would also apply to corporations who provide escort services for male customers and business associates.[22] The Swedish government will propose an amendment to the present legislation during 2004.

SUPPORTERS AND DETRACTORS OF THE LAW

Does the Law fulfill its expectations? The Swedish women's movement and groups that work with prostituted women respond to this question with a firm "yes." They maintain that prostituted women and girls, and a few men in prostitution, contact them in greater numbers to get assistance to leave prostitution. They also report that the existence and the enforcement of the Law deter young women who are not yet in prostitution but who are runaways or soft drug abusers.

Representatives of the Pros-Centre in Stockholm, a group assisting women leaving prostitution, describe the positive effects the Law has had on their clients. Of the 130 persons with whom they had contact during the past 3 years, 60% have left prostitution permanently, and many of these women point to the Law as an incentive in their having sought assistance (Prostitution Centre representatives, Stockholm, personal conversation, August 20, 2001). Most important, groups organized by women who have been in prostitution, as well as women who are attempting to leave prostitution, support the Law for the same reason. They claim that the Law has provided an incentive for women wanting to escape prostitution to seek the assistance that they need. In addition, in some cases, women themselves have brought their buyers to justice, denouncing them to the police who have been able to arrest and bring successful prosecutions against the men not only for the purchase of sexual services but also for other sexual crimes such rape, battering, and child sexual exploitation (Bellas Vänner representatives, a NGO working with young women escaping prostitution and sexual exploitation, personal conversation, June 16, 2002).

The prohibition against the purchase of sexual services has strong support in Sweden. Several polls conducted in 1999, 2001, and 2002 show that approximately 80% of the Swedish

population supports the law and the principles behind its development. Of the small number of individuals who want to repeal the Law, the majority are men, with only 7% of women interviewed in support of repeal. The latest poll, conducted in November 2002, shows that 8 of 10 persons interviewed in Sweden continue to support the Law (Engström & Olsson, 2001). Consequently, the issue today is more about how the Law is enforced, than questioning the existence of the Law itself. In fact, Minister of Gender Equality, Mona Sahlin, pointed out in a recent newspaper article in which she presented her Plan for Gender Equality for the next 3 years, that the Law is here to stay, and that the coming National Action Plan will look at how the Law can be strengthened (Jämställdhetsminister Mona Sahlin, 2004).

NORMATIVE EFFECTS OF THE LAW

As with all laws, the Law has a normative function. It is a concrete and tangible expression of the belief that in Sweden women and children are not for sale. It effectively dispels men's self-assumed right to buy women and children for prostitution purposes and questions the idea that men should be able to express their sexuality in any form and at any time.

THE EFFECTS OF THE LAW ON THE PUBLIC DEBATE IN OTHER COUNTRIES

For many countries, the options available for solutions to the problem of prostitution and trafficking in human beings for sexual purposes have been very limited. Some countries, such as Canada and the United States, have opted to criminalize the victims of prostitution—the women and children—as well as the buyers, through solicitation laws. These laws have generally been put in place for reasons of public order and are not based on gender equality or with concern for the well-being of the victims. The effects of such legislation have been that these laws are applied mainly to the victims. Victims have been arrested, fined or imprisoned, and have rarely been given access to services that could assist them to leave prostitution. The buyers usually escape punishment.[23]

Many countries are looking for better and more effective solutions to the problem of prostitution than punishing the victims or, at the other extreme, legalizing prostitution activities, which, in reality, is capitulation to the prostitution industry. The Law in Sweden is an effective alternative to state-legitimated systems of prostitution. The success of the Law in Sweden, combined with a deeper understanding of the reasons and principles behind it, is having a positive impact on regional and national policy makers in Europe. In Finland and Russia, for example, discussions are under way to enact legislation similar to the Law (Naisjärjestöt Yhteistyössä, 2002). On July 3, 2003, the Working Group on Trafficking in Human Beings appointed by the Finnish Minister of Justice, Johannes Koskinen, proposed legal measures to combat prostitution and trafficking in human beings, including that the purchase of sexual services would be criminalized in Finland (Ministry of Justice, 2003). In addressing these proposed measures to combat prostitution, trafficking, and the serious problem of organized crime in Finland, Minister Koskinen pointed to the successful experience of the Law and indicated that he wants to criminalize the purchase of sexual services as one part of this package of measures (Ministry of Justice, 2003; Skogberg, 2003).

In 2003, Russian State Duma Member, Jelena Mizulina, introduced legislation that criminalizes trafficking in human beings into, through, and from Russia. The legislation also includes protection and support measures for victims, measures that criminalize different forms of procuring, as well as a total prohibition on the purchase of sexual services (Deputy Mizulina, personal conversations, May 5 and 15, 2003).

In Denmark, a country where certain prostitution activities are tolerated and where close to 8,000 women are believed to be in prostitution, Mette Fredriksen, a member of the Social Democratic Party, suggested that Denmark should follow in the footsteps of Sweden by enacting similar legislation (Agence Press France, 2002; Fredriksen, 2002). Her proposal was met with scorn and contempt from some prominent writers; however, many others wholeheartedly supported her initiative, including the Women's Council, the largest coalition of women's organizations in Denmark, who have voted to support criminalization of the buyers (Danish Women's Council, 2002). In a welcomed move in June 2003, Denmark's Confederation of Trade Unions (LO)

prohibited its employees and elected leaders from using women/persons for prostitution purposes when traveling abroad on business ("Danish Union Bans Prostitutes," 2003). In addition, in 2003, the Danish Social Democratic Youth Association (DSU) initiated a campaign to criminalize the buyers of prostituted persons and to assist persons in prostitution to leave prostitution (Danish Social Democratic Youth Association, 2003).

In France (Caresche, 2002), Belgium (Dorzée, 2001), and Iceland (Halldorsdottir, 2003),[24] parliamentarians have raised the need for legislation that prohibits the purchase of sexual services.

In Latvia, President Vaira Vike-Freiberga, promised that if reelected in the presidential elections of June 2003, she would introduce legislation that criminalizes the buyers of women and children for prostitution and sexual exploitation. President Freiberga also pointed out that the trafficking of human beings from the Baltic countries to Western Europe would not exist if there were no demand for these women and children by men in the richer Western countries (Lauén, 2003; Nickström, 2003, personal interview with President Uaira Vike-Freiberge, March 2004). Ms. Freiberga was reelected as Latvian president. However, according to the president's legal advisor, no further steps have yet been taken to effect the promise; however, the discussions continue.

In Estonia, Lithuania, Venezuela, South Africa, and several other countries, parliamentarians and organizations are using the Law as an example of best practices and as a tool to oppose moves to legalize different forms of prostitution activities or decriminalize the prostitution industry.

At the Annual General Meeting of the European Women's Lobby (EWL) in September 2001, a resolution was passed requiring its more than 3,500 member organizations to lobby their governments to adopt a similar law while ensuring that it does not criminalize the women and girls in prostitution (European Women's Lobby, 2001).[25]

In 2002, at the 54th session of the Nordic Council,[26] the majority of the Nordic parliamentarians issued a statement saying that future work against prostitution and trafficking in women in the Nordic countries must focus on the root cause, the demand for women and children for prostitution (Uttalande, 2002). At an informal ministerial meeting in Stockholm in April 2003

concluding the Nordic Baltic Campaign against Trafficking in Women, the Nordic and Baltic Ministers for Gender Equality, Justice, and Interior, agreed on a number of concrete measures for the continuing long-term cooperation between the Nordic and Baltic countries to combat trafficking in women and children, including collaboration in developing and implementing measures that discourage the demand (Statement and Recommendations, 2003).

In the Baltic countries, the parliamentarians of Estonia, Latvia, and Lithuania decided to follow suit. At a meeting of the Baltic Assembly (BA) in November 2003, an international organization for cooperation between the parliaments of the Republic of Estonia, the Republic of Latvia, and the Republic of Lithuania, parliamentarians issued a resolution against the trafficking in women and children, calling on members "to draw up harmonized legal acts in all Baltic States, related to combating prostitution, including criminalized purchase of sexual services" (Baltic Assembly Resolution, 2003).

COMMENTARY

The Law Prohibiting the Purchase of Sexual Services was enacted through a joint effort of feminists and dedicated female politicians. These women understood the importance of and fought for the right of all women to have full control of their bodies. They fought against the claim that women exist only to provide sexual pleasure for men, and they recognized that men who buy women and girls in prostitution are committing a crime of violence and therefore should be punished.

Sweden has its share of proprostitution academics and journalists;[27] however, in general, prostitution is seen as male violence against women and girls. The Law is supported by the majority of the population and is an expression of the current political will in Sweden. Buying women and girls for sexual exploitation and prostitution purposes is seen to be firmly against the basic tenets of Swedish gender equality politics. As Margareta Winberg (2001), former Swedish deputy prime minister with responsibility for issues of gender equality, stated, "In Sweden, women and girls cannot and must not be bought."

It often takes many years after a law is enacted until the norm expressed in that particular law is firmly inscribed in a society. The Law in Sweden has been in effect for 5 years. During that time, street prostitution has declined in all parts of the country, and the majority of the prostitution buyers have disappeared. Service providers and the police maintain that the law also functions as a deterrent for men who use women in brothels, at porn clubs, and through escort agencies.

The number of women trafficked to Sweden for prostitution purposes has remained relatively stable. The traffickers, who are pragmatic businesspeople, do not want to go through the trouble of setting up activities in Sweden. Instead, they bring women to other countries, such as Holland, Germany, Denmark, and Spain, where the climate is friendlier and where prostitution is tolerated or legalized, or soon may be. The Law's detractors are inevitably groups and individuals who support prostitution and the prostitution industry in one form or another, as well as men who defend their own and other men's unconstrained right to buy women/persons in prostitution.

Some have criticized the alleged low number of arrests and convictions obtained under this Law. It is important to remember that the main purpose of the Law is normative. If we were to base the effectiveness of laws on the number of convictions in relation to the number of crimes committed, then rape laws, laws against other forms of male violence against women, and laws addressing financial crimes would have to be discarded as mostly ineffectual in stopping the flow of criminals and such crimes. Moreover, the specific task of the police in enforcing the Law is to work preventatively and, therefore, to intervene before a potential buyer commits a crime rather than when the crime is a fait accompli.

In March of 1998, Samverkansforum for kvinnor i Sverige (SAMS), now called the Women's Lobby, an umbrella organization representing 50 Swedish women's organizations, had its annual meeting. The representatives discussed which proposals were to be brought to the General Assembly of the European Women's Lobby later that spring. Ebon Kram, former chairperson of ROKS (the National Organization for Women's Shelters in Sweden), recommended that prostitution be put on the agenda. Her proposal was ignored in favor of other matters perceived to be

more important. This angered Marianne Kekonius, member of the battered women's shelter in Enköping, Sweden, who rose to deliver these words, reminding women of the importance of supporting prostituted women: "Remember, all women can become prostituted. What if our country is invaded, do you really think that the women in Yugoslavia were imagining a future in prostitution before the war started?" After this speech, the proposal passed unanimously.

The ultimate goal of the Law is to protect the women in prostitution by, among other measures, addressing the root cause of prostitution and trafficking: the men who assume the right to purchase female human beings and sexually exploit them. From the Swedish experience, we know that when the buyers risk punishment, the number of men who buy prostituted women decreases, and the local prostitution markets become less lucrative. Traffickers will then choose other and more profitable destinations. The Law That Prohibits the Purchase of Sexual Services is a law that recognizes the harmful effects of prostitution on the women and girls who are the victims. This law is a fundamental step in abolishing prostitution and trafficking in women and girls. If more countries would address the demand for prostituted women, by criminalizing not only the pimps and the traffickers but also the buyers, then the expansion of the global prostitution industry would be seriously threatened.

NOTES

1. In the concept of the prostitution industry, I include brothels; sex-, night-, and striptease clubs; street prostitution; escort services; Internet marketers of prostituted women and children; mail-order-bride agencies; phone sex operations; sex tourism agencies, as well as the creators and distributors of pornography. I also include third-party beneficiaries, such as travel agencies, hotels, and air companies that benefit from the prostitution of women and children in the tourism industry.

2. As I do not subscribe to the idea that prostitution is *work*, that prostituted women and girls are *sex workers*, or that prostitution is a *sex industry*, I use the words *prostituted woman* (or girl) to make clear that prostitution is done by someone (most often a man) to someone else (most often a woman). I also use the word *prostitution industry* to show that what is done is prostitution of a woman, not sex. Although not all persons exploited in the prostitution industry are women or girls, I use the female gender throughout the article. Prostitution is sex specific, and although some men and boys are prostituted (about 10% according to several sources; see, e.g., Rosca, 1998), they are not abused because they are men and boys, they are abused because they are less powerful, that is, oppressed because of class and/or race, unlike women and girls who are raped because we are female.

3. To better understand why prostitution is harmful to those who are prostituted, the following three questions and answers can be of help:

- *Who are the women and girls who are prostituted?* We know that a number of oppressive conditions increase the likelihood of women and girls being drawn into prostitution by pimps and traffickers, such as poverty, homelessness, drug dependency, gender inequality, sex and race discrimination, as well as sexual, physical and psychological violence perpetrated by male relatives, boyfriends, husbands, pimps, and others. In addition, in different studies from around the world, the majority of women and girls involved in prostitution report that they have been victims of male sexual violence in their youth.
- *What do women in prostitution experience?* Pimps, traffickers, and buyers subject women and girls in prostitution to brutal rapes and physical abuse to break down their resistance and to season them into prostitution. A prostituted woman or child is in a position of extreme dependency on the man who buys her and who then sexually uses and abuses her. She must do anything he expects her to do. She has to endure all kinds of bodily violations and invasions, and must service many buyers—anonymous men—every day while pretending that she enjoys these violations.
- *What are the short- and long-term consequences of having been in prostitution?* Women and girls who have escaped prostitution after years of abuse consistently describe lives filled with terror and unimaginable cruelty at the hands of the buyers and the pimps. They have been subjected to sexual torture in the guise of particular sexual practices such as sadomasochism, systematically humiliated, sexually harassed, threatened, raped, beaten, and sometimes kidnapped. In addition, many women and girls have acquired sexually transmitted diseases (STDs), including HIV/AIDS, from the buyers and the pimps. The pimps and buyers often film and photograph the violation, sell the films as pornography, and post the photos on Internet Web sites. The effects on prostituted women's physical, mental, and emotional health are, of course, grave and cause long-term physical and emotional harm. International studies show that prostituted women suffer psychological injuries similar to war veterans and survivors of torture, such as flashbacks, anxiety, depression, sleep disturbances, and stress. Suicide and suicide attempts are also common.

4. See, for example, the work of the Swedish radical feminist and physician, Alma Sundqvist, who, in 1930, was one of three people appointed to the League of Nations' Commission of Enquiry into Traffic in Women and Children in the East. In its report and recommendations, most of which were written by Dr. Sundqvist, the Commission observed that

> the principal factor in promoting the international traffic in women in the East is the brothel and the chain of brothels which are at the disposal of the trafficker, particularly the brothel in the place of destination of the victim. The most effective remedy against the evil is, therefore, in the Commission's opinion, the abolition of licensed or recognized brothels in countries concerned (Commission of Enquiry into Traffic in Women and Children in the East, 1932, C.849.M393.IV).

See also the interview with Dr. Sundqvist, "Österns kvinnor revoltera mot kvinnohandel - Intervju med Alma Sundqvist" 1932, p. 1.

5. See Densmore (1973):

> When men say to us, "But aren't you already liberated?" what they mean is, "We said it was okay to let us fuck you. . . . What more could you want?" The unarticulated assumption behind this misunderstanding is that women are purely sexual beings, bodies and sensuality, fucking machines. Therefore freedom for women can only mean sexual freedom. (p. 111)

6. At the time, approximately 43% of the parliamentarians were women. As a result of the election in 2002, 45% of the parliamentarians are now women.

7. *Lag om förbud mot köp av sexuella tjänster* (1998, p. 405): Den som mot ersättning skaffar sig en tillfällig sexuell förbindelse, döms - om inte gärningen är belagd med straff enligt Brottsbalken - för köp av sexuella tjänster till böter eller fängelse i högst sex månader. För försök döms till ansvar enligt 23 kap. Brottsbalken.

8. According to Penal Code, chapter 25, section 1: Fines shall be imposed according to the provisions laid down for the crime in question as day fines, summary fines or standardized fines. If a particular form of fine is not prescribed for the crime, fines shall be imposed as day fines or, if the crime is punishable with less than thirty day fines, as summary fines (Law 1993:201). Day fines are based on the seriousness of the crime and the financial situation of the offender, resulting in that two persons who have committed the same crime can be convicted to pay very different amounts. For example, in a March 2003 trafficking case, one man who was convicted under the Law was sentenced to 50 day fines; in his case SEK $50,000, the equivalent of US$7,000.

9. See also Otiz (2001), Parkrun (2004), and "Sexkopslagen biter, Prostitutionen minskar i Sverige," (2004).

10. See also interview with Månsson (Edvall, 2003). For more information about how the pornography and prostitution industry successfully uses the Internet for profit, see also Lane (2001).

11. The case was cross-appealed to Svea Hovrätt (Court of Appeal), *Lilius*, case number: B 3065-03, where the pimp was convicted and sentenced to 4 years in prison for procuring and subsequent deportation.

12. According to the Penal Code, chapter 2, section 2,

> Crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court where the crime has been committed: 1. by a Swedish citizen or an alien domiciled in Sweden; 2. by an alien not domiciled in Sweden who, after having committed the crime, has become a Swedish citizen or has acquired domicile in the Realm or who is a Danish, Finnish, Icelandic, or Norwegian citizen and is present in the Realm; or 3. by any other alien, who is present in the Realm, and the crime under Swedish Law can result in imprisonment for more than six months. The first paragraph shall not apply if the act is not subject to criminal responsibility under the law of the place where it was committed or if it was committed within an area not belonging to any state and, under Swedish law, the punishment for the act cannot be more severe than a fine. In cases mentioned in this Section, a sanction may not be imposed which is more severe than the severest punishment provided for the crime under the law in the place where it was committed. (Law 1972:812).

13. According to the Penal Code, chapter 2, section 3(2),

> Even in cases other than those listed in section 2, crimes committed outside the Realm shall be adjudged according to Swedish law and by a Swedish court: for example, 3. if the crime was committed in the course of duty outside the Realm by a person employed in a foreign contingent of the Swedish armed forces or a foreign contingent of the Swedish police force.

14. He has filed a complaint with the European Court of Justice asking the court to rule on whether employers are allowed to dismiss employees on these grounds. See Aschberg (2002).

15. See also Kvinna till Kvinna (2002), p. 6.

16. The Swedish National Rapporteur was appointed by the Swedish government in 1998 following a joint declaration of the European Union (The Hague, 1997). This declaration recommends all member states to appoint "National Rapporteurs who are to report to

governments on the scale, the prevention, and combating of trafficking in women" (Article III.1.4).

17. Reden is an organization assisting women in prostitution and victims of trafficking in human beings.

18. On July 1, 2002, legislation that imposed criminal liability for the trafficking in human beings for sexual purposes entered into force. It includes criminal responsibility for the crime of trafficking in human beings for sexual purposes for anyone who (a) by the use of unlawful coercion, deception, or of any other similar improper means, induces another to go to or to be transported abroad for the purpose of sexual offenses, prostitution, or other forms of exploitation for sexual purposes; (b) for such a purpose and by the use of such improper means as mentioned transports, harbors, or receives someone who has arrived to a country under such conditions; (c) commits any such act against a victim who has not attained age 18 years, even if no improper means have been used. Attempt, preparation, and conspiracy to traffic in human beings for sexual purposes, or failure to report such a crime, are also punishable. The area of application covers all cross-border trafficking for sexual exploitation in which the perpetrator exploits the vulnerability of another person. Under this legislation, a trafficker can be sentenced to a minimum of 2 years and, at the most, 10 years in prison, or in less serious cases, to a maximum of 4 years in prison. The Swedish government submitted a government bill proposing an amendment to the legislation concerning trafficking in human beings for sexual purposes to the Riksdag (the Parliament) in March 2004.The amendment extends criminalization to all forms of trafficking in persons, including trafficking within national borders and trafficking for other forms of exploitation, such as forced labor and slavery. The new legislation entered into force on July 1, 2004.

19. See pp. 86-87 for the numbers from 1998 to 2001.

20. See also many newspaper articles, for example, Olsson (2001), p. 2.

21. The Swedish Campaign was part of the Nordic Baltic Campaign against Trafficking in Women, coordinated by me. In 2002, no less than eight campaigns against trafficking in women were conducted in the Nordic and Baltic countries. These campaigns were the outcome of an initiative taken by the Swedish Minister for Gender Equality during the conference, Women and Democracy, in Vilnius, Lithuania, in June 2001.The Ministers for Gender Equality in these eight countries resolved to launch a joint campaign in 2002 as a contribution to international efforts to stop trafficking in human beings. Later in the same year, the Justice Ministers of these eight countries joined the campaign. The campaign was financed and carried out under the auspices of the Nordic Council of Ministers. For more information about the Swedish Campaign, see Ekberg (2003).

22. The government prepared a bill, presented to the Parliament in the spring of 2004, in which the amendments to chapter 6 of the Penal Code, including to the Law, are incorporated.

23. Some cities, such as San Francisco in the United States and Vancouver in Canada, have organized so-called johns' schools, with the intention of rehabilitating buyers. Whether these johns' schools are effectively deterring male offenders from sexually exploiting women and girls is debated.

24. Member of Parliament Kolbrún Halldórsdóttir has, no less than four times, submitted a draft bill to the Althing (Icelandic Parliament) to make it a punishable offense to purchase sexual services. In addition, a coalition of 11 women's organizations has put forward a proposal to prohibit the purchase of sexual services in Iceland. Information available online at www.feministinn.is/english.htm

25. "The Membership of the EWL shall lobby their respective governments to adopt a similar law, one that will make it a crime for men to buy and use women in the context of prostitution. The law shall not in any way criminalize the woman, the victim. On the contrary, the law must be combined with efforts to help the women out from prostitution by

providing them with financial assistance, education/job-training, housing and health care. Members should also work for strong policies against pimping. EWL shall lobby the commissioners of the European Parliament to put pressure on their respective governments to make it a crime to buy women in prostitution and to develop strong policies against pimping. EWL shall provide their members with the information they need" (European Women's Lobby, 2001, n.p.).

26. A regional body of Parliamentarians from the five Nordic countries (Iceland, Norway, Denmark, Sweden, and Finland).

27. Proprostitution academics include Östergren, (2003). In her work, Östergren analyzes Swedish prostitution policies using the theories of U.S. sexual liberals such as Gayle Rubin and Carol Vance. Kulick is another academic who wrote *Sex in the New Europe: The Criminalization of Clients and Swedish Fear of Penetration* (2003), in which he rather remarkably argues that

> the law is a response to Sweden's entry into the EU. For a variety of reasons, anxiety about Sweden's position in the EU is articulated through anxiety about prostitution. The Swedish case is where we can see that sexuality is one site where boundaries and roles in the new Europe are being imagined and negotiated. (p. 199)

REFERENCES

Agence Press France. (2002, September 17). *Danish social democrats want to criminalise sex purchases.*

Aschberg, R. (2002, August 21). Befäl köpte sex: fick sparken [Military officer bought sex was fired]. *Aftonbladet*, n.p.

Baltic Assembly. (2003, November 29). *Baltic assembly resolution against trafficking in women and children* (Adopted in Vilnius, Lithuania). Available at www.baltasam.org

Brottsförebyggande rådet. (2003). *Förbud mot köp av sexuella tjänster: Tillämpningen av lagen under första året* [Prohibition of the purchase of sexual services: Implementation of the law during the first year]. Stockholm: Author.

Caresche, M. C. (2002, July). *Assemblée Nationale: Proposition de loi relative à la lutte contre le système de la prostitution et aux droits des victimes* [National assembly: Legislative proposal regarding the fight against the prostitution system and of the rights of victims].

Clear Channel. (2002). *Kampanjredovisning: Kommunikativ förmåga och reklameffekter-Näringsdepartmentet* [Campaign report: Communicative ability and effects of advertising-Ministry of Industry, Employment, and Communications]. Stockholm: Author.

Commission of Enquiry into Traffic in Women and Children in the East. (1932, December 10). *Report to the Council* [C.849.M.393. 1932.IV (C.T.F.E./Orient 39[1])]. Geneva, Switzerland: Author.

Commission on Prostitution. (1995). *Könshandeln: Betänkande av 1993 års Prostitutionsutredning* [The sex trade: Final report from the Prostitution Commission of 1993]. Stockholm: Sveriges Offentliga Utredningar.

Commission on Violence against Women. (1995). *Kvinnofrid: Slutbetänkande från Kvinnovåldskommissionen* [Kvinnofrid: Final report of the Commission on Violence Against Women]. Stockholm: Sveriges Offentliga Utredningar.

Danish Social Democratic Youth Association. (2003, June 16). *Pressmeddelelse: Forbyd køb af sex!* [Press release: Prohibit the purchase of sexual services!]. Retrieved January 6, 2004, from http://politik-online.dk/visnyhed.php?action=info&id=3488

Danish union bans prostitutes. (2003, June 30). Retrieved January 6, 2004, from www.news24.com/News24/World/News/0,,2-10-1462_1380617,00.html

Danish Women's Council. (2002, November). *Kvinderådets uttalande* [Statement by the Danish Women's Council]. Copenhagen, Denmark: Author.

Danish Women's Council. (2003, January 13). *Hvem har snor I Ligestillingsministeren?* [Who pulls the strings of the Minister of Gender Equality?] (Press release). Copenhagen, Denmark: Author

Densmore, D. (1973). Independence from the sexual revolution. In A. Koedt, E. Levine, & A. Rapone (Eds.), *Radical feminism* (pp. 107-118). New York: Quadrangle, The New York Times Book Co.

Dorzée, H. (2001, August 20). Deux propositions de loi antagonistes vont relancer le débat à la rentrée [Two opposing legislative proposals start off the debate of the legislative session]. *Le Soir*. Retrieved January 6, 2004, from Author.

Edvall, L. (2003, September 11). Sextjänster ökar stort på Internet [Large increase in sexual services on the Internet]. *HIV-Aktuellt*. Retrieved January 6, 2004, from http://hivaktuellt.fhi.se/

Ekberg, G. (Ed.). (2003). *Final report Nordic Baltic campaign against trafficking in women 2002*. Stockholm: Ministry of Industry, Employment, and Communications.

Engström, A., & Olsson, L. (2001, February 7). Starkt stöd för skärpt sexlag [Strong support for a strengthened sex law]. *Svenska Dagbladet*, p. 4.

European Women's Lobby. (2001, September 18). *Make it a crime to buy women in prostitution and develop strong policies against pimping* (Resolution). Retrieved October 6, 2001, from www.womenlobby.org/Document.asp?DocID=360&tod=62726

FN-befäl dömda för sexbrott [UN officers convicted for sexual crime]. (2002, February 14). *Dagens Nyheter*, n.p.

Frederiksen, M. (2002, October 1). Prostitution er ikke kommet for at blive [Prostitution is not here to stay]. *Politiken*. Retrieved January 6, 2004, from www.mettefrederiksen.dk/prost.htm

Gripenlöf, A. et al. (1991-2002). *Yearly reports from the Stockholm Police Prostitution Group*. Stockholm: The County Police of Stockholm.

The Hague. (1997). *Hague ministerial declaration on European guidelines for effective measures to prevent and combat trafficking in women for the purpose of sexual exploitation*. Geneva, Switzerland: Author.

IOKSP Prostitutionsgruppens Utvärdering [IOKSP: The Evaluation of the Work of the Prostitution Group]. (1999-2001). Stockholm: The County Police of Stockholm.

Jämställdhetsminister Mona Sahlin aviserar skärpta åtgärder mot kvinnovåld och prostitution: Sexistisk reklam kan förbjudas i lag [Minister of Gender Equality Mona Sahlin announced strengthened measures against male violence against women and prostitution: Sexist advertising may be prohibited]. (2004, February 7). *Dagens Nyheter*. Retrieved February 7, 2004, from www.dn.se/DNet/jsp/polopoly.jsp?d=572&a=231071

Jämt och ständigt: Regeringens jämställdhetspolitik med handlingsplan för mandatperioden [Government Communication to the Parliament]. (2002/03). (Regeringens skrivelse 2002/03) [Government communication 2002/03]. Stockholm: Ministry of Industry, Employment, and Communications, Division for Gender Equality.

Kärrman, J. (2000, September 18). Sexköp minskar: men våldet ökar [The number of sex purchases decrease, but the violence increases]. *Aftonbladet*, n.p.

Kulick, D. (2003). Sex in the new Europe: The criminalization of clients and Swedish fear of penetration. *Anthropological Theory*, 3, 199-218.

Kvinna till Kvinna. (2002). *Uppror och Upprop mot handeln med kvinnor och flickor* [Uprising and call to action against the trafficking in women and girls]. Stockholm: Author.

Lane, F. S., III. (2001). *Obscene profits: The entrepreneurs of pornography in the cyber age*. New York: Routledge.

Lauén, A.-L. (2003, June 3). Pröva Föbud av sexköp [Try to prohibit the purchase of sexual services]. *Hufvudstadsbladet*.

Law That Prohibits the Purchase of Sexual Services [Lag om förbud mot köp av sexuella tjänster]. (1998:408).

Ledberg, B. (2003, September 30). Sveriges sexköpslag effektivt vapen mot kvinnohandel [Swedish law that prohibits the purchase of sexual services effective weapon against trafficking in women]. *Göteborgsposten*, n.p.

Leskinen, J. (2003, March). *Organised pandering and prostitution in Finland*. Helsinki, Finland: National Bureau of Investigation, Criminal Intelligence Division, Organised Crime Unit, Research and Information Service Division.

Love bestemmer antal prostituerede [Law decides how many persons in prostitution]. (2004, May 6). *TV-2 Nydederne*. Retrieved May 6, 2004, from http://nydederne.tv2.dk/article.php?id=705351

Månsson, S.-A. (2001). Men's practices in prostitution: The case of Sweden. In B. Pease & K. Pringle (Eds.), *A man's world? Changing men's practices in a globalized world*. London: Zed Books.

Månsson, S.-A., & Söderlind, P. (2004). *Sexindustrin på nätet: aktörer, innehåll, relationer och ekonomiska flden* [The sex industry on the Net: Actors, content, relations, and economics]. Stockholm: Egalité.

Ministry of Industry, Employment, and Communications. Sweden. (2004, January). *Fact sheet on prostitution and trafficking in women*. Available at http://naring.regeringen.se/fragor/jamstalldhet/pdf/prostitutioneng_n4004.pdf

Ministry of Justice. (2001). Sexualbrottskommitténs betänkande [Final report of the Sexual Crime Commission]. Stockholm: Author.

Ministry of Justice. (2003, July 3). *Pressmeddelande: Arbetsgrupp föreslår att sexköp skall bli straffbart*. [Press release: Working group proposes that the purchase of sexual services should be punishable] (Entire report in Finnish). Retrieved July 3, 2003, from http://www.om.fi/20353.htm

Ministry of Labour, Sweden. (1998). *Kvinnofrid*. Stockholm: Author.

National Criminal Investigation Department. (2001). *Trafficking in women: Situation report No. 3, January 1 - December 31, 2000*. Stockholm: Author.

National Criminal Investigation Department. (2003). *Trafficking in women: Situation report No. 5, January 1- December 31, 2002*. Stockholm: Author.

National Criminal Investigation Department. (2004). *Trafficking in human beings for sexual purposes: Situation report No. 6, January 1 - December 31, 2003*. Stockholm: Author.

National Institute of Public Health. (2000). *Sex in Sweden: On Swedish sexual life*. Stockholm: Author.

Naisjärjestöt Yhteistyössä. (2002, November 11). *Nytkis Vaatii Lakia Seksipalvelujen Oston Kieltämisestä* [NYTKIS supports a law against the purchase of sex]. Helsinki, Finland: Author

Nickström, E. (2003, June 3). Lettlands Vaira Vike-Freiberga om sexköp: Svenska modellen värd att pröva [Latvian President Vaira Vike-Freiberga: The Swedish model worth a try]. *Hufvudstadsbladet*.

Olsson, K. V. (2001, January 27). Sexköpslagen minskar handeln med kvinnor [The law that prohibits the purchase of sexual services decreases the trafficking in women]. *Metro*, p. 2.

Orford, A. (1996). The politics of collective security. *Michigan Journal of International Law, 17*, 373-411.

Otiz, C. (2001, June 29). Gatans sexhandel minskar [The sex trade in the streets is decreasing]. *Dagens Nyheter*, n.p.

Östergren, P. (2003). *Synden ideologiserad. Modern prostitutionspolicy som identitets-och trygghetsskapare* [Modern prostitution policy as creator of identity and security] (Author's translation). Stockholm: University of Stockholm, Department of Social Anthropology.

Österns kvinnor revoltera mot kvinnohandel - Intervju med Alma Sundqvist" [Women of the East rise in revolt against trafficking in women. - author's translation]. (1932). *Tidevarvet, 14*, p. 1.

Parkrun, E. (2004, January 7). Prostitutionen minskar [Prostitution is decreasing]. *Göteborgsposten*, n.p.

Peck, J. (1995). The U.N. and the laws of war: How can the world's peacekeepers be held accountable? *Syracuse Journal of International Law and Commerce, 21*, 283-295.

Polisen kritiserar nya sexköpslagen [Police criticize law against sexual services]. (2000, November 2). *Dagens Nyhter*, n.p.

Riksrevisionsverket. (2001). *Samverkan i gränskontrollen* [Cooperation in the border control]. Stockholm: Swedish National Audit Office.

Rosca, N. (1998, December). Marginal millions. *Women's Review of Books*, n.p.

Sachs, H. (1912). *Den svarta domen: männens skuld och kvinnornas straff* [The black judgment: Men's guilt and the punishment of women]. Stockholm: Wahlström & Widstrand.

Sexkopslagen biter, prostitutionen minskar i Sverige [With law against sexual services, prostitution decreases]. (2004, January 8). *Hufvudstadsbladet*, n.p.

Skogberg, L. (2003, November 13). Koskinen beredd skjuta upp lagen om sexköp: Vi behöver tuffare tag - inte döda bokstäver [Koskinen prepared to postpone the Law That Prohibits the Purchase of Sexual Services: We need tough measures - not dead letters]. *Hufvudstadsbladet* n.p.

Ministry of Social Affairs. (2001). *Socialtjänstlagen* [Social welfare legislation]. Stockholm: Author.

Södertälje Tingsrätt. (2001). Case Number: B 1409-01.

Solna Tingsrätt. (2001). *Teresa Lilius* (Case Number: B 2636-02).

Statement and recommendations concerning trafficking in women in the Nordic and Baltic countries. (2003, April 9). Adopted at the Informal Nordic Baltic Ministers' Meeting, Stockholm, Sweden.

Swedish Government Offices Fact Sheet. (2001, January). *Follow-up of the Violence Against Women Reform*. Retrieved January 6, 2004 from http://naring.regeringen.se/pressinfo/faktablad/PDF/n2001_002e.pdf

United Nations. (2000). *Protocol to prevent, suppress, and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against transnational organized crime* (Doc.A/55/383).

Uttalande från medlemmarna i Nordiska rådet den 31 oktober 2002 rörande prostitution och kvinnohandel/Pohjoismaiden neuvoston jäsenten lausonto prostituutiosta ja naiskaupasta 31 lokakuuta 2002 Helsingissä [Statement by the members of the Nordic Council on October 31, 2002] (2002). Helsinki, Finland: Nordic Council. Available at www.norden.org/start/start.asp?lang=6

Wahldén, C. (2003, June 12). Nationell plan ska stoppa sexhandeln [National action plan will stop sex trafficking]. *Svenska Dagbladet*. Retrieved June 12, 2003, from http://inrikes.svenskadagbladet.se/nationell-plan-ska-stoppa-sexhandeln

Welborn, J. (1990). Kriminalisera torskarna[Criminalize the johns!] *Kvinnobulletinen, 3*, 27.

Winberg, M. (2001, February 2-4). *Speech by the Swedish Minister of Gender Equality*. International Conference Against Male Violence Against Women with a Focus on Prostitution and Trafficking, organized by the National Organization for Women's Shelters and Young Women's Shelters in Sweden (ROKS).

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Shattered Hearts

The Commercial
Sexual Exploitation
Of American Indian
Women And Girls

Summary Report
November 2009

The Minnesota Indian Women's Resource Center

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Dedication

The full report and this executive summary are dedicated to Bill 'Big Wolf' Blake, who devoted his life to ensuring that Native children would have an environment where they could thrive in safety. Bill, a member of the Red Lake Nation and a Sergeant with the Minneapolis Police Department, was a passionate supporter of this project and an active participant in a meeting with American Indian elders, community leaders, and service providers to discuss this report and next steps just days before his unexpected death. Though we grieve his passing, we are immensely grateful for the time that we had him, and for his tireless work to prevent violence against our children. Thank you, Bill, and we wish you a good journey.

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Background

The topic of this report is the commercial sexual exploitation of American Indian women and girls in Minnesota, including but not limited to sex trafficking. In 2006, the Legislature passed Minnesota Statute Section 299A.79 requiring the Commissioner of Public Safety to develop a plan to address current human trafficking and prevent future human trafficking in Minnesota. In 2008, Minneapolis was identified as one of thirteen U.S. cities having a high concentration of criminal activity involving the commercial sexual exploitation of juveniles.[1] The same year, The Advocates for Human Rights released its sex trafficking needs assessment, commissioned by the Minnesota Human Trafficking Task Force pursuant to a mandate from the Commissioner of Public Safety. Citing advocates' and law enforcement personnel's estimate that at least 345 American Indian women and girls had been sexually trafficked in Minnesota since 2005, the report noted the significant lack of information about American Indian victims and the relative absence of services to not only help them find safety, but to also heal from the trauma of life in prostitution.[2]

Police reports from Duluth showed that Native girls were being lured off reservations, taken onto ships in port, beaten, and gang-raped. Tribal advocates in South Dakota and Minnesota had also begun raising red flags, reporting that Native girls were being trafficked into prostitution, pornography, and strip shows over state lines and internationally to Mexico. In Canada, where the history and current circumstances of Native (Aboriginal) people closely parallel those of American Indians in the U.S., research studies were consistently finding Aboriginal women and girls to be hugely over-represented in the sex trade. An international report on the commercial sexual exploitation of children described Canadian Aboriginal and American Indian youth as being at greater risk than any other youth in Canada and the U.S. for sexual exploitation and trafficking.[3]

Closer to home, increasing numbers of Native women and girls entering MIWRC programs were disclosing that they had been trafficked into prostitution. MIWRC contacted other Native-specific agencies in the Twin Cities to ask what their caseworkers were seeing in terms of sexual exploitation of Native women and girls. Several reported a surprising number of younger Native women coming in for domestic violence and sexual assault services, later acknowledging that their assailant had trafficked them for prostitution.

Despite Minnesota's significant efforts to identify and meet the needs of sex trafficking victims, to our knowledge there has never been any report describing the commercial sexual exploitation of indigenous girls and women in Minnesota or even nationally. To address that gap in knowledge, MIWRC approached the W.K. Kellogg Foundation about support to develop a report which would aggregate what was known to date about the commercial sexual exploitation of American Indian women and girls in Minnesota, and to develop a set of recommendations for addressing the needs of Native victims. The W.K. Kellogg Foundation agreed to support the project, which began in November 2008 and resulted in the comprehensive report that is the basis for this summary. The full report can be accessed and downloaded from MIWRC's website at http://www.miwrc.org

In 2007, a long time resident of the Supportive Housing Program at the Minnesota Indian Women's Resource Center (MIWRC) came into a staff member's office, saying she was looking for a job but no one would give her a break. The resident was having trouble completing her GED due to dyslexia, and had very little useful work experience. She told the staff member that the only way she knew how to make money was to prostitute herself, and she did not want to go back to that.

Her story, which she was disclosing for the first time, was alarming. She had been pimped out by her mother at the age of 12 to support the mother's crack habit. By the time she was 14 she had begun to pimp out other young girls to feed her own drug addiction. At the point in time when she walked into the staff member's office, she had done hard time in prison, given birth to six children, and lost custody of them all. The MIWRC staff member realized that under current Minnesota law, this resident was a victim of a federal crime, the prostitution of a juvenile under the Trafficking Victims Protection Act (TVPA).

Rather than being recognized or protected as a trafficking victim, she was criminalized. Today, even though she has been repeatedly beaten and sexually assaulted by pimps and johns, she is ineligible for most federally-funded services and supports for victims of physical and sexual violence because of her prostitution arrests. And all she wants to know is, who will ever give her a chance?

Definitions and Terms

Sources of information used this report include:

Two regional round table discussions (Minneapolis and Duluth) with a total of 30 advocates from programs that provide outreach and crisis services to American Indian women and girls (housing and other basic needs, domestic violence and sexual assault, chemical dependency)

- Data collected during intake interviews with 95 clients entering MIWRC programs, over a 6-month period
- 2007 Minnesota Student Survey data tables provided by the Minnesota Department of Health and the Minnesota Department of Education
- Secondary analysis of non-reservation American Indian data from the 2006 Wilder Research study of homelessness in Minnesota
- Publications and reports developed by or for governmental agencies, advocacy groups, and foundations in the U.S. and Canada
- Articles from human services, social services, law enforcement, and social science journals in the U.S. and Canada
- Interviews and meetings with law enforcement and corrections personnel

Limitations of the report

The time frame for this project was quite short, which limited the sources of information that could be accessed. We did not use a systematic approach in identifying all sources of relevant data or apply a rigorous framework to evaluating the cited sources. The data collected by MIWRC involved a small sample in limited geographic areas. Therefore, what we report here should be considered an exploratory, preliminary study.

We recognize that men and boys are also victims of sexual exploitation, and our focus on women and girls is not intended to deny the experiences of male victims. Our intent is to examine the impacts that are gender-specific to females, so these definitions all refer to women and girls.

American Indian, Aboriginal, Native

We use the terms American Indian or Native when referring to indigenous people in the U.S., and Aboriginal or Native when referring to indigenous people in Canada.

Adolescents, girls, young adults, and youth

The terms "girls" and "adolescents" are used to describe females ages 12 to 18. The term "youth" includes young women and young men ages 12 to 24.

Commercial sexual exploitation

Commercial sexual exploitation is defined as the exploitation of a woman's or girl's sexuality for financial or other non-monetary gains, in manner that involves significant benefits to the exploiter and violates the exploited person's human right to dignity, equality, autonomy, and physical and mental well-being.[4]

Sex trade

The sex trade is the "business" of commercial sexual exploitation—transactions in which sexually-oriented activity is exchanged for food, shelter, drugs, transportation, approval, money, or safety. Similar to the slave trade, the vast majority of women and girls in the sex trade are exploited in exchange for survival needs and/or the benefit of a more powerful person.[5] The sex trade includes:

- Street prostitution
- Escort agencies
- Massage parlors
- Brothels, "trick pads" and "sex party houses"
- Bars and clubs that sell "lap dances" and "private dances"
- Businesses that organize and sell "private parties" with strippers and nude dancers
- Strip clubs
- Pornography and live "sex shows"
- Phone and Internet sex

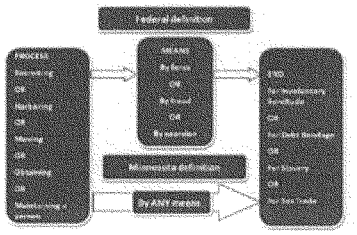
Prostitution

Prostitution is defined as the act of engaging in sexual intercourse or performing other sexual acts in exchange for money or other considerations, including food, shelter, transportation and other basic needs. We use the terms "in prostitution" or "involved in prostitution," and "prostituted" rather than "prostitute" because we find it unreasonable to assign a label to an exploited person that does not acknowledge the fact that she is being exploited. We choose not to use the term "sex worker" because it implies that prostitution is a career choice rather than a form of sexual violence.

We do not refer to battered women as 'battering workers'. And just as we would not turn a woman into the harm done to her (we don't refer to a woman who has been battered as a 'batteree) we should not call a woman who has been prostituted a "prostitute." – Melissa Farley [5]

Sex trafficking

International, federal, and Minnesota laws all reflect the idea that trafficking involves the recruiting, harboring, receipt or transportation of persons in order to exploit them. The federal trafficking law requires that three elements be present for a crime to be considered trafficking (process, means, and end). In Minnesota, the victim is not required to establish "means" to prove that she did not consent. Rather, courts determine responsibility based on the conduct of the trafficker.[7]



[*] Adapted from the Freedom Network Institute on Human Trafficking.

The Trafficking Victims Protection Act of 2000 (federal law) defines sex trafficking as:

The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is under 18 years of age. [8]

Minnesota law characterizes sex trafficking as a type of promotion of prostitution. In their 2008 sex trafficking needs assessment report to the State of Minnesota, The Advocates for Human Rights described the differences in sex trafficking definitions in Minnesota state law and federal law:

"... federal law requires that traffickers use the means of 'force, fraud or coercion' to recruit or maintain an adult in sex trafficking while Minnesota does not. Minnesota law recognizes that a person can never consent to being sexually exploited and considers individuals who have been prostituted by others as trafficking victims. Federal law requires an assessment of the level of 'consent' of the prostituted person in determining whether the crime of trafficking has occurred." [9]

In the research literature described later in this summary, the average age of sex trade entry for women and girls in prostitution is age 12-14, which suggests that the majority of adult prostituted women were initially victims of juvenile sex trafficking under both federal and Minnesota law. We consider sex trafficking and pimping to be overlapping issues, since women's experiences in prostitution and sex trafficking are quite similar in regard to violence, control, exploitation, and the level of victimization.[10] Therefore, in this summary and the report that is its basis, we use the State of Minnesota's definition for sex trafficking, with the understanding that women and girls involved in "survival sex" experience deliberate exploitation of their vulnerability, with a clear sexual benefit to the exploiter:

...receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of an individual. [11]

Some states do not allow juveniles to be considered the victims of statutory sex crimes after the age of 15.[12] In Minnesota, the age of consent is 16, though criminal charges may not result in a conviction if the perpetrator is only a few years older than the victim. For instance, if the victim is 13, 14, or 15, coercion must be proven to convict the perpetrator of first-degree criminal sexual conduct if he is less than 48 months older than the victim.[13] The Office of Juvenile Justice and Delinquency Prevention described the dilemma confronting police officers at the point of contact with juveniles involved in prostitution:

On the one hand, they are offenders involved in illegal and delinquent behavior. On the other, they are children who are being victimized by unscrupulous adults.[14]

The Advocates for Human Rights report that on May 21, 2009, the Minnesota Legislature unanimously passed and the governor signed a bill amending Minnesota's sex trafficking law, which will enable law enforcement and prosecutors to better hold the perpetrators accountable. Specifically, the amendments:

Provide law enforcement and prosecutors with the ability to arrest and charge sex traffickers with higher penalties where an offender repeatedly traffics individuals into prostitution, where bodily harm is inflicted, where an individual is held more than 180 days, or where more than one victim is involved;

- Increase the fines for those who sell human beings for sex;
- Criminalize the actions of those individuals who receive profit from sex trafficking;
- Categorize sex trafficking with other "crimes of violence" to ensure that those who sell others for sex are prohibited from possessing firearms; and
- Add sex trafficking victims to those victims of "violent crime" who are protected from employer retaliation if they participate in criminal proceedings against their traffickers.[15]

Victim of commercial sexual exploitation

The definition for "victim" is perhaps the most contested and least resolved issue related to sex trafficking and other forms of commercial sexual exploitation. If the federal definition for sex trafficking is used, a victim must prove she did not consent. This requirement has led to controversy over whether a woman or child can ever give informed consent to be purchased and used for another person's benefit or gratification without regard for her own safety or well-being. Minnesota law defines a sex trafficking victim as anyone subjected to the practices defined as sex trafficking.[16] Though the conduct of the trafficker is supposed to be the basis used by Minnesota courts to determine whether a person has been trafficked for sexual purposes, to date no one has ever been prosecuted for sex trafficking under the Minnesota law, so there is no "test case" for establishing victimization.

With the understanding that women and girls involved in "survival sex" experience deliberate sexual exploitation of their vulnerability with a clear benefit to the exploiter, the definition we use in this report for a victim of commercial sexual exploitation (which includes trafficking victims) is:

Any woman or girl who has been sexually exploited for the benefit of her exploiter, whether the exploiter receives some financial benefit or gains other things of value, including goods, power, or status. If the victim is under 18, she is automatically considered a sex trafficking victim.

Survival sex

We use the term "survival sex" to describe the exchange of sex for money and other considerations such as food, shelter, transportation, or safety by women and girls who often do not think of themselves as involved in prostitution and view this exchange as "what I have to do to survive."

Runaway and thrown-away

A runaway is defined as a girl who leaves home or a place of legal residence without the permission of parent(s) or legal guardian(s) for at least 24 hours. If a girl has been told to leave or was locked out of her home and told not to return, if she is a runaway who was not actively sought by her parent after leaving, or if her parent(s) or guardian(s) failed to provide food or basic needs and she left home to meet those needs, we consider her to be thrown-away.

Pimp or trafficker

We use both terms to describe a person who 1) promotes and/or profits from the sale and/or abuse of another person's body or sexuality for sexual purposes, or 2) who promotes and/or profits from the production and/or sale of sexual images made of that person.

John

Because it is the most recognized term for a purchaser for sexual services, we use the term john to describe an adult male who provides some type of compensation to engage in a sexual encounter with a woman or girl. It is important to remember that if the girl is under the age of 18, this person is a sex offender.

The Context

Understanding the context of Native women's experience in the history of this nation is critical for understanding Native women's and girls' unique vulnerability to commercial sexual exploitation. Four fundamental beliefs have been found to be essential for a coherent and resilient sense of self, which protects a person against sexual exploitation and/or helps a victim of such exploitation to heal:

- The world is a good and rewarding place
- The world is predictable, meaningful, and fair
- I am a worthy person
- People are trustworthy.[21]

The traumatic experiences of American Indian people during the colonial era and their constant exposure to new losses and new trauma each generation have had a devastating effect on Native people, families, and communities, and on their ability to sustain those four beliefs.

In the process of developing trade and military relationships with American Indian villages, early British colonists viewed the sexual and marital norms of Native communities through their own ethnocentric lens. As a result, they interpreted Native women's sexual and reproductive freedom to be proof of their promiscuity and depravity, and Native men's respectful acceptance of those freedoms as proof that they were too weak to assert their rightful authority over their women or their land. These attitudes justified colonists' assaults on Native women and Native land.

Following the establishment of the United States, the U.S. Supreme Court and Congress redefined the status of American Indian people, declaring that they were wards of the U.S. government and citizens of "dependent nations," stripping them of their rights to their land, to self-governance, and to negotiating as independent nations. As the new nation expanded westward, the U.S. government adopted formal extermination policies to clear Native-occupied land for settlement.[22] Native women were primary targets of these policies due to their reproductive ability to assure the continuance of their people.[23]

A series of additional U.S. government policies further eliminated American Indians' ability to be self-sufficient, to transmit their language and culture to new generations, and to retain sovereignty over economic and political decisions that affected them. These included:

- The relocation of Indian people to remote rural reservations by the U.S. Army, where they were forced to depend on the U.S. government for all of their basic needs.
- The 1887 Dawes Allotment Act that split reservations into 160-acre parcels, each allotted to an individual head of a family. This legislation allowed the U.S. government to sell all unallotted land. In 1891 alone, the government sold over 17 million acres of Indian land.[27]

[Indian women are] of that tender Composition, as if they were design'd rather for the Bed than Bondage...[the] multiplicity of Gallants [was] never a Stain to a Female's Reputation ...[the] more Whorish, the more Honorable. [John Lawson, Surveyor for the Carolina Colony][17]

[The men] are courteous and polite to the women, gentle, tender, and fondling even to an appearance of effeminacy. [King's Botanist John Bartram, describing Indians in the colonial Southeast][18]

I heard one man say that he had cut out a [Native] woman's private parts and had them for exhibition on a stick...I also heard of numerous instances in which men had cut out the private parts of females and stretched them over the saddle-bows and wore them over their hats while riding in the ranks. [U.S. Army Lieutenant James Connor describing Colonel Chivington's attack on Black Kettle's Cheyenne camp at Sand Creek, November 28, 1864][19]

The camp had been fired and the dead bodies of some twenty-two women and children were lying scattered over the ground; those who had been wounded in the first instance, had their brains beaten out with stones. Two of the best-looking of the squaws were lying in such a position, and from the appearance of the genital organs and of their wounds, there can be no doubt that they were first ravished and then shot dead. Nearly all the dead were mutilated. [U.S. Calvary Lieutenant Royal E. Whitman, commanding officer at Camp Grant, describing Tucson citizens' massacre of peaceful Indians at the camp, September 1871][20]

[In the mission schools] these children were being indoctrinated into the rituals and beliefs of the Catholic Church. It was not out of the question for the abusers to warn the children that if they spoke about what happened to them that they would be committing a mortal sin and they would burn in hell...the children were required to go to confession at least once per week. Can you imagine their fear when they looked through the confessional screen and saw the face of the priest that had been abusing them? What were they to think? Don't you know that they were already suffering from the guilt pushed upon them by their abusers? When they saw the priest behind the confessional screen they knew that they had no one and nowhere they could turn for help. They buried what happened to them deep inside. [Tim Giago][27]

The haunting memories of forced relocation and broken promises on the part of the federal government have affected the overall well being of the American Indian community. This has resulted in high rates of severe mental and physical health disparities. [National Council of Urban Indian Health][28]

The sterilization of Indian women affected their families and friends; many marriages ended in divorce, and numerous friendships became estranged or dissolved completely. The women had to deal with higher rates of marital problems, alcoholism, drug abuse, psychological difficulties, shame, and guilt. Sterilization abuse affected the entire Indian community. [Lawrence, 2000][29]

- The removal of Native children from their homes, often forcibly, to attend government-funded residential boarding schools where they were severely punished for speaking their Native language, pressured to adopt the "superior" values and behaviors of the dominant Christian society, and subjected to physical and sexual abuse by school teachers and administrators.[28]
- The Indian Relocation Program initiated in 1952, which promised financial support and good jobs to reservation Indians if they moved to major cities. By 1980, 75,000 had relocated, and when the promised assistance did not materialize, the result was high rates of severe mental and physical health disparities, unemployment, poverty, and alcohol abuse.[29]
- Public Law 280, which authorized some states to unilaterally assume jurisdiction over criminal and civil matters on reservations. In Minnesota, only two tribes retained federal jurisdiction for criminal matters.[30]
- A 1953 Congressional resolution to end federal relations with tribes as quickly as possible, resulting in the termination of 109 tribes by the early 1960s.[31]
- Partnerships with mainstream organizations to systematically remove Native children from their homes for adoption into white families, including the Indian Adoption Project and the Adoption Resource Exchange of North America (ARENA). By 1969, 25-35% of all Native children had been separated from their families, and between 1941 and 1978, 68% of all Native children had been removed from their homes and placed in orphanages or white foster homes, or adopted into white families.[32]
- The sterilization of American Indian women and girls as young as 15 in an effort to control Native populations. By 1975, an estimated 25,000 American Indian women and girls had been given hysterectomies by Indian Health Services physicians without their consent, and sometimes without their knowledge during appendectomies and other surgeries.[33]

The traumatic experiences of American Indian people during the colonial era and their constant exposure to new losses and government-sponsored new trauma each generation significantly reduced the ability of Native people, families, and communities to develop and sustain the four beliefs found to be essential for a coherent and resilient sense of self. The absence of time and safety to grieve losses and heal from trauma resulted in generational trauma, the passing of trauma responses to the next generation.[34] Research has found that when a dominant society refuses to recognize a people's grief and losses as legitimate, the result of this disenfranchised grief is sadness, anger, and shame, feeling helpless and powerless, struggles with feelings of inferiority, and difficulty with self-identity.[35] Together, generational trauma and disenfranchised grief have had a profound impact on Native communities' ability to protect their women and girls or respond in positive ways to those that are victims of sexual exploitation.

Today, Native women continue to have the highest rates of physical and sexual victimization in the nation. Over one-third of Native women will be raped during their lifetimes, compared to less than one in five women in the general population.[36] Native women in the U.S. are more than 2.5 times more likely to be raped or sexually assaulted than women in the general population.[37] Native women are also more frequently injured during a sexual assault. Half of the Native women who reported

having been raped in the National Crime Victim Survey also reported sustaining physical injuries during the rape, compared to 30 percent of U.S. women in the general population.[38]

Lifetime rates of women's physical and sexual victimization, by race

Year	Authors	n	Sample	Type of victimization	AI/AN	White	Black	Hisp
1999	Walters & Simoni[39]	65	New York City	Nonpartner sexual violence	27%			
1999	Walters & Simoni[40]	66	New York City	Interpersonal violence	25%			
2000	Tjaden & Thoennes[41]	83	National	Intimate partner rape	16%	8%	7%	8%
1998	Tjaden & Thoennes[42]	68	National	Rape	34%	18%	19%	15%
2004	Malcoe, Duran & Montgomery[43]	312	Oklahoma	Severe physical intimate partner violence	39%			
2004	Malcoe & Duran[44]	422	Oklahoma	Intimate partner sexual violence	49%			
2003	Bohn, 2003[45]	30	Minnesota	Intimate partner physical or sexual violence	87%			

*Note: Comparisons with other racial/ethnic groups are given when multiple groups were included in the study. Otherwise, the entire sample for the study was American Indian.

Though not specific to American Indian women or girls, research with prostituted women and girls in the U.S. has found even higher rates of physical and sexual violence:

- At least 84% had been victims of aggravated assault
- 49% had been kidnapped
- 53% had been victims of sexual torture, including being burned, gagged, hung, and being bound while body parts were mutilated by pinching, clamping, and stapling.[46]

Canadian studies of prostituted girls and women, many of whom were Native, reported that most had experienced extreme violent victimization:

- 75% had sustained severe physical injuries from pimps and johns that included stabbings, beatings, broken bones (jaws, ribs, collar bones, fingers), and spinal injuries.[47]
- Half had suffered concussions and fractured skulls when pimps and/or johns assaulted them with baseball bats and crowbars, or slammed their heads against walls or car dashboards.[48]
- 68% were recently raped and 72% had been kidnapped.[49]
- 90% had been physically assaulted in prostitution, 82% of whom described johns as their assailants.[50]
- 83-88% describe verbal assaults as an intrinsic and extremely damaging part of prostitution. Johns called them names during sex intended to humiliate, eroticize, or justify the john's treatment of the women, often using racial slurs.
- In addition to violence at the hands of johns, the vast majority reported extreme physical and sexual violence by pimps, boyfriends, and husbands.[53,54,55,56,57]
- The 1985 death rate for prostituted women was 40 times higher than that of the general population. Over 500 Native women have been reported missing over the past 30 years.[58,59]

For Native women, "colonial trauma response" resulting from violent victimization adds another layer of psychological impact to generational trauma and disenfranchised grief. Research has found that whenever a Native woman experiences racism, abuse, and/or injustice, it connects her to a collective, historical sense of injustice and trauma. Just as people with post-traumatic stress disorder are "triggered" to relive traumatic events they have experienced, Native women are "triggered" to connect their own traumatic experiences to those experienced by their female ancestors, in a very immediate and emotional way.[60] In particular, sexual assault, prostitution, and sex trafficking are experienced as a continuation of the colonization process, in which

All you have to do is drive down First Street and ask somebody. It is so frickin' visible. I can't even believe it...Where we're located right on the corner of First Ave East and First Street down here. [Second speaker] In Duluth. [First speaker] It's prime area for street prostitution and there's [three strip bars] there. So now, right around the corner from North Shore is another strip place, and so there's a lot that happens right there. The liquor store is right there too. So, especially in the summer...it's not invisible by any means, way, shape or form. If you even sit on a corner for a day you'll know who they are. Because people are coming, they're just getting into cars...I've overheard people negotiating prices, so it's really visible. [Advocates]

I work in the housing program portion of a women's shelter. I see the [Native] women and we accept the women escaping from prostitution. I did my data collection for a report and I couldn't believe how many people that we had...it was pretty close to 30 women, escaped from prostitution in a few short months. [Advocate]

The [Native] women are inside the bars and prostitution is happening in the bars, which makes it harder for the police to catch because it's not an outside thing. I see more of that coming down here...it's not just the pimps, it's the establishments that are making money off that girl being in the bar, bringing those patrons in because they know she's there on Wednesdays. And the young girls that want to drink, they get a fake ID. That's the prime way to get them in and recruit them. [Advocate]

Native women's sacred selves are exploited for the gratification of a person who claims the right to do so while ignoring or invalidating the impact on the woman herself.

Prevalence

Involvement in Prostitution

Advocates attending the two regional round tables reported that Native women's and girls' involvement in the sex trade is widespread. Advocates in the Duluth area reported that Native women and girls are highly visible in street prostitution and strip bars, especially when ships are in port and during times of the year when tourism is highest, such as hunting season and summer months. In Minneapolis, advocates reported that the most visible involvement of Native women in prostitution occurs in bars, especially strip bars. Their comments also suggest a large number of prostituted Native women seeking to enter women's shelters to escape prostitution.

The data collected from 95 Native women and girls entering MIWRC programs also suggest that the trafficking of Native girls and women into prostitution is a significant problem in Minnesota. Overall, 40 percent of new clients (37 Native women and girls over a 6-month period) reported involvement in some type of commercial sexual exploitation and 27 percent reported experiences consistent with the definition of a sex trafficking victim under current Minnesota law.

Very few research reports or publications have addressed the number of Native women and girls involved in prostitution in Minnesota. Prostitution arrests are often used to estimate the amount of prostitution-related activity in a given area. In a study based on analysis of Hennepin County Corrections data, researchers reported 70 women on probation for prostitution-related offenses in Hennepin County, 24 percent of which were American Indian.[61]

Over the six months that MIWRC screened incoming clients for sex trafficking, whenever one reported trading sex for shelter, food, drugs, money, or something else of value, MIWRC staff asked whether she had ever been arrested for a prostitution-related offense. Overall, 46 percent of those reporting survival sex or prostitution also reported at least one prostitution arrest, and 16 percent had three or more arrests. Of the 25 Native women and girls who met the state definition of a trafficking victim at the time they entered prostitution, 72 percent had been arrested for prostitution one or more times.

Data provided to MIWRC by Hennepin County Corrections show a total of 313 arrests for prostitution-related offenses in 2008. Twelve (4%) were American Indian women arrested for prostitution or loitering with intent to commit prostitution, almost twice their representation (2.2%) in the county's adult female population. Minneapolis Police Department data show a significant decline in the number of Native women arrested for prostitution-related offenses from 2004 to 2008, but a Minneapolis police officer reported that this reflects the low priority given to addressing prostitution when there has been no public outcry, rather than an actual decline in Native women's involvement in prostitution.[62]

We were unable to access any recent data showing the number of Native girls apprehended for prostitution-related offenses. A Minneapolis police officer and a Hennepin County Corrections staff member reported that by County policy, juveniles are no longer arrested for prostitution, but may instead be arrested for a status offense such as truancy or runaway.[63,64,65] However, we were also unable to access any city, county, or state law enforcement data showing the number of truant or runaway American Indian juvenile females.

In 2007, the Minnesota Office of Justice Programs conducted an online human trafficking survey with service providers, nurses, and law enforcement statewide. Twelve respondents reported working with a total of 345 American Indian female victims of sex trafficking over the previous three years.[66] In response to OJP's 2008 human trafficking survey, twelve service providers reported working with a total of 79 American Indian sex trafficking victims in the three-year period prior to the interview.[67] The significant difference in the 2007 and 2008 numbers, which overlap by two years, suggests that one or more of the 2007 providers did not participate in the 2008 survey. These numbers were also estimates, since most respondents did not use a systematic method to track the number of Native victims.[68,69]

In the absence of data to establish prevalence, estimates by advocacy groups working with women and girls in prostitution are often considered the most reliable. At Breaking Free, a non-profit organization serving women and girls in prostitution, Executive Director Vednita Carter has estimated that between 8,000 to 12,000 Minnesota women and children of all races are involved in prostitution on any given night, statewide.[70,71] PRIDE (from Prostitution to Independence, Dignity and Equality), a program of the Family and Children Service of Minneapolis, estimates that there are at least 1,000 juveniles currently in prostitution in Minnesota.[72] Neither of these advocacy organizations provided estimates for different racial groups.

In contrast to the absence of published reports on Native women's and girls' involvement in the sex trade in the U.S., there have been a fair number of Canadian studies on Aboriginal women's and girls' involvement in prostitution and other forms of commercial sexual exploitation. In all of the studies identified for inclusion in this report, the number of prostituted Native women and girls identified through the research was hugely disproportionate to their representation in the population. A national study involving 22 communities across Canada found that Aboriginal children represented up to 90 percent of children in the sex trade in some communities.[77] More recently, Canadian youth crime expert Michael Chettleburgh estimated that 90 percent of all urban Canadian teenagers in prostitution are Aboriginal.[78] In five surveys of street-involved youth across British Columbia between 2000 and 2006, the McCreary

Minneapolis arrests for prostitution-related offenses, American Indian females 2004 - 2008*

	2004	2005	2006	2007	2008
Prostitution	83	57	70	53	9
Loitering with intent	28	11	24	28	3
Promoting prostitution	1	3	2	3	-
Total prostitution-related arrests	112	71	96	84	12

*Data faxed to MIWRC by the Minneapolis Police Department on December 19, 2008.

Percent of incoming MIWRC clients reporting involvement in prostitution and pornography at intake* (n=95)

Exchanged sex for:	Number	Percent
Shelter	24	25%
Food	14	15%
Money	32	34%
Drugs or alcohol	30	32%
Transportation	10	11%
Some other type of assistance	5	5%
Other involvement:		
Asked to recruit or pimp other girls	21	22%
Pressured/forced to pose for nude photos or videos	11	12%

*Some reported multiple types of sexual exploitation, so percentages may total more than 100%.

Percent of incoming MIWRC clients trafficked into prostitution by another person* (n=95)

Trafficked for:	Number	Percent
Shelter	10	11%
Food	7	7%
Money	17	18%
Drugs or alcohol	17	18%
Transportation	4	4%
Some other benefit	5	5%

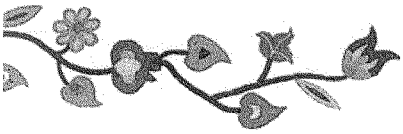
*Some reported being trafficked for multiple benefits, so percentages may total more than 100%.

Native representation in Canadian studies of women and girls in prostitution

Year	Region	% found to be Native	Native % of population
2002	Vancouver BC [73]	52%	1.7-7.0%
2001	Victoria BC [74]	15%	2.0%
2001	Canada [75]	14-60%	2 to 3%
2001	Vancouver BC*	63%	1.7-7.0%

A lot of the [youth] drop-in centers now have computers...In St. Paul, they actually cleaned out their computers not too long ago, and they found quite a few of their youth that were uploading pictures off their phones onto the computers to post them onto Craigslist. [Advocate]

My Space too. That's what I see with a lot of young girls, and starting to get victimized by men getting them to show their body or their body parts. [Second speaker] Sexting. That sex texting stuff too, sending nude photos to people through their phones. [Advocate]



Centre Society, a non-profit community-based youth health research and youth engagement organization, found:

- The proportion of female Aboriginal street youth increased from 38% in the 2000 survey to 56% in the 2006 survey.
- Across all five surveys, 34-57% of the street youth reporting involvement in prostitution were Aboriginal.
- Of the street youth that were Native females, the various surveys found that 24-56% had been prostituted.[79]

Involvement in the Internet Sex Trade

Several of the advocates attending the regional round tables described younger Native girls' use of technology and experiences with being caught up in the internet-based sex trade. The advocates identified Craigslist as a site commonly used to prostitute Native girls and women, and noted pimps' use of the internet to recruit Native teen girls from the Twin Cities for the stripping and prostitution circuit in the northern part of the state during hunting and tourist seasons. A Minneapolis police officer with extensive experience working with prostitution crime confirmed that in the Twin Cities, Craigslist is a primary venue for the commercial sexual exploitation of Native women and underage girls.[80] Canadian research has also found Native women and girls involved in online pornography. In Vancouver, British Columbia, almost two-thirds (64%) of the prostituted women interviewed for a study (over half of whom were Aboriginal) reported having had pornography made of them.[81]

In 1999, the Hofstede Committee Report on juvenile prostitution in Minnesota called attention to the ease with which johns could use the Internet to download naked images of underage girls, converse with their pimps, make appointments, and still retain anonymity. The Committee noted that law enforcement was challenged in two ways: determining the girls' ages, and distinguishing between legal escorts and prostituting women.[82] A recent study of prostituted women and girls in Chicago found that almost ten percent were in contact with johns through the Internet, specifically Craigslist. In addition to the online sex trade options described 10 years earlier by the Hofstede Committee, johns were also able to access live, interactive strip shows and sex shows via web-cam, still relatively invisible to law enforcement.[83]

Patterns in Entering the Sex Trade

Age of Entry

Ten years ago, the Hofstede Report on juvenile sex trafficking reported that 14 was the average age at which girls entered prostitution in Minnesota.[84] In the past few years, Vednita Carter, Executive Director of Breaking Free, has described the average age of

entry into prostitution as 13, but she recently announced that her organization is seeing a larger number of younger girls.[85] At the round tables hosted by MIWRC in Duluth and Minneapolis, advocates reported that the Native women and girls they work with have entered prostitution and other types of commercial sexual exploitation at various ages related to specific life circumstances. Most agreed that Native girls in prostitution enter the sex trade around the age of 13, but some noted that women in their late 20s and early 30s enter the sex trade to support their children when their 5-year eligibility for public assistance has ended and they are unable to find jobs.

Of the 37 Native women and girls reporting commercial sexual exploitation during intake at the Minnesota Indian Women's Resource Center, almost half (42%) were 15 or younger when they first entered the sex trade, and over 20 percent were 12 or younger. One 14-year-old had been trafficked into pornography at the age of 11, reporting that she had been photographed or filmed for pornography 10 times in the previous six months. Almost one-fourth (24%) of the incoming clients reporting involvement in prostitution had entered at age 27 or older, which supports the advocates' emphasis on Native mothers' vulnerability when their public assistance eligibility has ended.

In Seattle, an area similar to Minneapolis in its population of low-income American Indians, findings from studies of women and girls in prostitution found similar early ages of entry.

- In one study with women and girls in street prostitution, escort services, strip clubs, phone sex, and massage parlors, 100% had entered the sex trade between the ages of 12 and 14.[86]
- A study published in June 2008 found that girls entered prostitution around the age of 12 or 13.[87]

No research was identified that estimated the age of entry for prostituted American Indian girls or women in the U.S. However, several Canadian studies reported the average age of Aboriginal girls entering the sex trade as 14, noting that some start as early as the age of nine.[88,89,90,91,92] The most recent Canadian research we identified suggests that Aboriginal girls are entering prostitution at younger ages than in years past. Citizen groups conducting safety patrols in Winnipeg have reported children as young as eight years old being approached on the street or in back lanes by men in vehicles, presumably for the purpose of sexual exploitation.[93] A 2002 study by the Urban Native Youth Association in Vancouver also found commercial sexual exploitation of children as young as nine, with 11-13 being the average age of entering prostitution.[94]

Age when MIWRC clients entered prostitution/ pornography (n=33)*

Age at entry	Number	Percent
8-12	7	21%
13-15	7	21%
16-17	7	21%
18-23	5	15%
27-38	6	18%
39-55	1	6%

*Age was not documented for four clients that reported involvement in prostitution

Everybody I've come across has been young [at the time they entered prostitution]. Like, 12, 13, 14 sometimes 15. I met one woman who was maybe 19, she was really the exception. There's definitely that 12-15 range. They seem like babies! [Second speaker] I think the other age group are those [ages] 20 to 30 with young kids and their 5-year MFIP has run out. [Advocates]

Several of [our prostituted clients] have talked about when they started, and the youngest so far was 12. [Advocate]

They're letting underage girls into stripping. They [pimps] helping them get their fake IDs and stuff. There are 16, 15-year-olds stripping in town here. [Advocate]

Modes of Entry

Stripping, Exotic Dancing, and Escort

The advocates attending the two regional round tables described bars and strip clubs as prime recruiting grounds for pimps, asserting that bar and club owners are often complicit. In both Duluth and Minneapolis, advocates mentioned a "circuit" moving Native girls recruited as "dancers" to various strip clubs throughout

Some pimp, male or female, has put this all together and provided everything, and just told her 'All you have to do is dance.' When you talk about entering prostitution, dancing doesn't seem as harsh to the individual as actually street-walking. You don't look at it as if you're doing anything wrong, because you go to clubs and nowadays the dancers in clubs are more seductive than some of the stuff the girls do on the stage. [Advocate]

You can walk into any strip club and you know, the people who work there are recruiters, so it seems so much less dangerous. I don't think other people think of it as sexual exploitation... [Second speaker] There's a couple of pimps up at [a local club] right now who've got a couple of girls...I know a few people who started off cocktail waitressing at a strip club and then it becomes normalized and then they're stripping. I had a friend who was cocktail waitressing and then she got a $4,000 tip from a football player, and then after that she was stripping. [Advocates]

[One of the girls in my family], she asked her father 'What do you think about stripping?' because her friends are doing it and it's just becoming more and more common. [Advocate]

One woman [dancing in a rural Midwest strip club] had her pimp along...and she had to meet the quota. So she had to do whatever it takes to get that money. The men shoved bullets up her, beer bottles, shoved dollar bills up her. [Heidi Somerset, a survivor of prostitution and stripping, when giving a talk in Moorhead, Minnesota][95]

the state and sometimes to other states. A study involving interviews with dancers in rural Midwest strip clubs found that in addition to working as strippers, many reported being required to accept degrading treatment by customers, provide the club manager with sex during the "job interview," and allow the manager to prostitute them to customers.[96]

At the round tables, advocates in Minneapolis and Duluth reported that once Native girls begin dancing in strip clubs, they are quickly taken over by a pimp who moves them from place to place, prostituting them out of the bars and clubs in the circuit. Findings from the 2007 and 2008 surveys of advocates and law enforcement personnel conducted by the Minnesota Office of Justice Programs support the round table advocates' reports. In both OJP surveys, respondents reported that traffickers were moving Native female victims from reservations to the Twin City metro and other cities, from one city to another, and from Minnesota to another state.[97,98]

Regardless of what part of the sex trade girls enter, research has found that they are frequently involved in more than one type of commercial sexual exploitation, and pimps are usually involved in recruiting or "managing" them. A study in Chicago found that 28 percent of prostituted girls started as escorts when first recruited, and at the time of the interview 41 percent were working for an escort service. Almost 93 percent of those that entered the sex trade via an escort service had a pimp at recruitment. In addition to involvement in prostitution via escort businesses, 43 percent were also trading sex at private parties and 68 percent were also trading sex at a hotel.[99]

Canadian research has found similar patterns. Aboriginal girls are often recruited as dancers in their early teens and then moved across Canadian provinces for "dance shows," where they quickly enter prostitution. Eventually losing ties with their communities, they become even more vulnerable as they age, and are often moved by pimps into more dangerous areas of the sex trade.[100] Similar to the U.S. studies, most are involved in multiple areas of the sex trade. A study in Victoria, BC found Aboriginal and other women in prostitution involved in one or more other types of commercial sexual exploitation, including street prostitution, strip bars, and escort agencies. Though they represented only two percent of the region's population, 15 percent of the women and girls in escort services were Aboriginal.[101]

Recruitment by Pimps and Gangs

At the round tables, advocates reported that a significant number of the prostituted Native girls and women they see were recruited into the sex trade by pimps (male and female), gang members (male and female), or Native girls or women managed by pimps. Advocates in both Duluth and Minneapolis described the ways that pimps and their recruiters target the most vulnerable American Indian girls and women:

- Recruiting young Native girls at parties in houses that are deliberately set up for recruitment purposes—on reservations, in Duluth, and in the Twin Cities
- Inviting young Native girls on reservations or in Duluth to go on a road trip or to a party, taking them further and further from home until they have lost all contact with people that might help them escape
- Posing as "boyfriends" interested in a long-term commitment, then convincing the girls to begin stripping or prostituting to "help out"

- Promising girls "quick money" and a glamorous career as a dancer, then using force or persuasion to convince them to begin prostituting
- Approaching girls ages 12-14 on the street in poor neighborhoods to offer money for nude photos, work as "exotic dancers," or other sex-related activities
- Coercing Native women and girls under their control to enter shelters and drop-in centers for homeless youth, to recruit Native women and girls in desperate need of shelter and safety

Similar to what advocates reported at the round tables, a study with adolescent girls in corrections placement for prostitution in the Midwest found that they had been approached by pimps and recruiters in many locations: while walking, hanging out with friends on the street or at corner stores, at friends' homes, and even outside the juvenile justice center while waiting to meet with a probation officer.[103]

A 2005 study of prostituted adolescent girls in Atlanta identified a two-stage strategy used by pimps to prepare a girl for prostitution, much like the process described by the advocates attending the round tables. Initially, the pimp makes the girl feel attractive and valued, develops a sexual relationship with her, spends money on her, introduces her to drugs, and constantly assures her that she is "special." By the end of this first phase, the girl has formed a deep attachment to her "protector." In the second phase, the pimp moves her around to eliminate her relationships with family and others, then breaks her will and self-esteem through physical and verbal abuse. At this point, the girl has no option to refuse when the pimp pressures her to begin prostituting. The study found that women played multiple roles in this process: pimps, recruiters, groomers, watchers (who make sure girls get to and from their assigned locations), and wife-in-laws (other women trafficked by the same pimp living together and managed by either the pimp or the woman closest to him).[104]

Similar to the advocates' descriptions at the round tables and studies in the U.S., Canadian research has found that pimps coerce Native women and girls under their control to approach friends and peers with tales of a better, more glamorous lifestyle in the sex trade. Also similar to the accounts of the Minnesota advocates, Canadian studies have found that pimps recruit Aboriginal girls by inviting them to parties at "trick pads," providing them with drugs, and then trafficking them for prostitution.[112,113] A 2004 Canadian report indicated that drug dealers and gang members have taken over most pimp-controlled prostitution, some using the same grooming process that is seen in finesse pimping, and in 2005, Canadian school administrators reported that pimps and their recruiters have begun targeting adolescent Native girls on school grounds.[114,115]

Advocates attending the round tables in Duluth and Minneapolis reported that in most cases, a Native girl or woman controlled by a pimp described that person

Finesse pimping:
Grooming a vulnerable girl for prostitution to the point that her emotional dependency on the pimp and her drug habit make it impossible for her to refuse a pimp's request that she enter the sex trade. Typical steps in the "grooming" process are:

- Encouraging the girl to move in with the pimp/trafficker (male or female)
- Taking care of her basic needs
- Purchasing small gifts
- Providing free drugs
- Generally treating her with great kindness
- Once she feels obligated to repay the pimp, presenting her with "opportunities" for a lucrative "modeling" career working for an escort service
- When she agrees, moving her quickly into prostitution as a source of income for the pimp.[102]

They're just these really beautiful girls and those men will sit there and stroke that. Like, 'You're so beautiful,' and then just start to turn them into objects. Talking about their body like 'Oh, this is so nice about your body, or your body is so much better,' and the pimp starts to separate them from the other girls ...It is so intentional. [Advocate]

The older guys will look for the younger girls at parties...And then what happens is they'll start, like, dating or seeing the pimp...so they engage that way and then [the pimp will] take 'em, like, 'Let's go down to the cities for a trip,' and then they'll be brought down to the cities. And then it'll be 'Let's go down to Morton,' and they'll get further and further away, until they end up in Illinois or Iowa and then they're stuck. [Advocate]

They [pimps] are working them right out of the shelter...there are women that will pose [as battered women] to get in the shelter and bring women out...And that homeless youth drop-in center, that is a target place and it has been a target place ever since it's been open, and it continues. And advocates are always trying to figure out, you know, you want kids coming in for services, how you keep them safe. [Advocate]

With runaways, it's a place to sleep. [Second speaker] Yeah, so they're already doing survival sex kind of stuff. But it's like, 'Don't worry, you won't need to go out on the street anymore. You won't need to do this. You can just stay here.' And then pretty soon it's like, 'You know, you have to start contributing. I'm not going to financially cover you. So, here, I can get you set up doing this. You're so hot, you're so good looking, you should go strip.' [Advocate]

Guerilla pimping:

- Using threat, physical violence, and intimidation against a girl or woman to coerce her into prostitution and to prevent her from trying to escape
- Using threat of harm to someone a girl cares about (usually her mother or siblings) to coerce her into prostitution and to prevent any efforts to escape[105]

A couple of girls had talked her into it. Kind of bribed her...like the description of 'Look at this, look at what I have, you should come up here it could be yours too.' And then...when she got up here, she realized she didn't want to do this and she thought she could walk away, but she couldn't. Those girls actually beat the crap out of her, so she ended up in the hospital. Somebody, not her, called the cops, but she was a mess and they beat the hell out of her. And the guy [pimp] had never had anything to do with it. [Second speaker] He didn't have to...They're handling it. [Advocates]

as her boyfriend. The advocates described the types of pimps and recruiters they have most frequently encountered in their work with prostituted Native girls and women:

- African-American men from Chicago (usually affiliated with Gangster Disciples) who appear in Duluth at various times of the year to take over and organize prostitution in the area
- Latino and American Indian members of Latino gangs in Minneapolis, often girls' boyfriends
- Native Mob members who move back and forth between Duluth and Minneapolis
- Native girls and women in a "ring" managed by a gang-affiliated pimp
- Native girls and women who are gang members themselves and are trying to raise their status in the gang by forcing other girls and women into prostitution as a source of revenue for the gang
- Landlords targeting Native women with children, forcing them or their children into prostitution by threatening the family with rent increases and/or eviction

The data collected from incoming MIWRC clients over a 6-month period also reflect guerilla recruitment (recruitment by force) by prostitution rings and gang members. Whenever incoming MIWRC clients met the state definition of a trafficking victim, MIWRC staff asked them to describe any factors that might put them at risk of re-involvement in commercial sexual exploitation. Eighty percent of the younger women and adolescent girls reported that they were at risk of further commercial sexual exploitation due to fear of violence against themselves or others; one specifically said she had been trafficked into prostitution by a gang.

Findings from the 2007 Minnesota Student Survey strongly suggest that American Indian girls in Minnesota are more affected by gangs than girls in the general population. Girls identifying as "Indian only" in the Minnesota Student Survey also reported concern about gang activity at their schools: 32 percent of 6th grade and 26 percent of 9th grade Native girls reported that illegal gang activity was a problem at their school, compared to 16 percent of girls in the general population. Minnesota Student Survey participant responses also showed that 28 to 33 percent of Native girls in the 6th grade had been threatened at school in the previous 12 months, compared to 20 percent of girls in the general population. It cannot be determined how frequently these threats are part of guerilla recruitment, but they clearly indicate Native girls' lack of safety at school.

Gang research in the U.S. and Canada supports the advocates' stories of Native girls trafficked into prostitution by gangs. In 2001, an international study of the commercial sexual exploitation of minors in the U.S., Canada, and Mexico found significant gang involvement. The research team reported that girls affiliated with Native gangs were expected to provide male gang members with sex on demand.[108] A Minnesota study of gang members conducted from 1995 to 1998 involved interviews with 100 current and former gang members, 14 of whom were Native members of Latin Kings, Vice Lords, Gangster Disciples, and Native Mob. Most of the Native girls participating in the study reported that they provided male gang members with sex on demand and/or were trafficked for drugs and money. Several Native male gang members interviewed for the study reported their gangs' use of guerilla pimping methods.[109]

Recent U.S. studies suggest that Native gangs are growing rapidly, and expanding into drug trafficking activities. In 2006, *Minnesota Public Radio* reported that authorities estimated there were hundreds of young Native men on White Earth, Red Lake, and Leech Lake reservations that consider themselves part of a gang.[110] In January 2009, the National Gang Intelligence Center announced that several American Indian gangs, particularly Native Mob, have expanded beyond Indian Country, on and off reservations. Native Mob was described as one of the largest and most violent Native American gangs operating in the United States, with most of its activity centered in Minnesota, Michigan, Wisconsin, North Dakota, and South Dakota. The report noted that Native Mob and other urban and suburban gangs in Minnesota are expanding their drug distribution activities, sometimes working in conjunction with Mexican drug trafficking and criminal organizations.[111]

In 2007, the Native Women's Association of Canada (NWAC) reported that Native girls were currently being "banged-in" by four different Native gangs, required to have sex with multiple members of the gang in order to become a member.[116]A study in Winnipeg also found significant involvement of Native women and girls with gangs. Most "gang girls" were between the ages of 14 and 24, though the fastest-growing segment was under the age of 16. Female Native gang members frequently used guerilla pimping methods to recruit girls for prostitution to increase their own status in the gang, much like the stories told by the advocates at round tables.[117]

As this report was being completed, a flurry of news articles described rapid expansion of Native gangs in Canada. Speakers at a May 2009 conference hosted by the National Aboriginal Gang Commission described Native gangsters' growing involvement in drug trafficking and prostitution, branching out to own strip clubs and produce pornography. De Lano Gilkey, a gang expert from the U.S., warned conference attendees that addressing younger Native youth's admiration of the gangster lifestyle is of critical importance, saying "These wanna-bes are the gonna-bes."[118]

Recruitment by family and friends

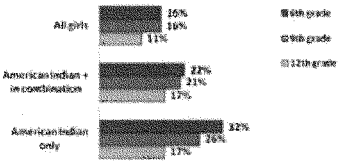
The advocates at the round tables described a recent trend, Native girls in their early teens recruiting their friends for stripping and/or prostitution by promoting the idea that the sex trade is a glamorous way to make "quick money." The intake data collected by MIWRC over a 6-month period also showed that in over half the cases of Native women and girls reporting that they had been involved in prostitution, a friend was the primary recruiter, sometimes managed by a pimp.

One of the most disturbing findings of the round table discussions was the frequency of reports that Native adults were involved in trafficking their young female relatives. One of the Duluth advo-

The latest one that I had contact with, she's twelve years old. She's a gang member now...She fought it, trying to stay away from [the gang]. She kept coming to me for about a month...Because of her friends, her family, the sort of lifestyle, where she lived, it was all around her. And her friends kept saying, 'Oh, come on, come on. Join. You've got to be part of us'...And then she came one Sunday, and she pulled out her rag [gang bandana], and said, 'I'm a member. I was initiated over the weekend.' She was 'jumped in,' beat up, and she had to do something. I'm afraid she's going to have to do a lot more. [Canadian advocate working with Aboriginal girls, cited in Nimmo, 2001][106]

When you get a girlfriend, she gotta be gang raped. She's gotta go around and get boned by all of us guys. All of us Kings...We meet girls and stuff at pow-wows and they hang around with us and then they get the idea that we wanna go out with them, but we really don't. And then they just bring it up: 'Is it all right if we roll with you? Make us a Queen or something?' Then we're like, 'Yeah, we'll make you a Queen.' Then we'll take them back to our house...Everybody on the rez has got their cellular phones or their pagers. Then we'll each get a page and we'll go call somebody and say, 'Hey, there's gonna be an initiation'...You take them in your bedroom or on the couch. In the back or down in the basement. Wherever. Then whenever they're done, they'll come out. Then whoever is next, they'll take. She stays in the bedroom. She can't come out and then whoever got done with her will come back out and say 'Hey, whoever's next, go ahead.' [Native male Latin King gang member, Minnesota study, quoted in Harrington and Cavett, 2000][107]

Girls reporting "illegal gang activity is a problem at my school"*



*2007 Minnesota Student Survey

cates reported that of the three Native pimps she had encountered in her work with prostituted Native women and girls, two were mothers trafficking their children. In both Duluth and Minneapolis, advocates indicated that being trafficked by a family member generally led to a girl seeking out a pimp so she could have access to her own money.

The information collected from incoming MIWRC clients supports the advocates' accounts. MIWRC staff report that new clients are frequently reluctant to admit family involvement in prostitution at intake, but many disclose this information after getting to know and trust program staff. Despite this reluctance, five (18%) of the 28 new clients that disclosed involvement in prostitution and also identified their recruiter said that adult family members had prostituted them when they were children or young adolescents.

Though we were unable to identify any research that focused specifically on Native girls, some U.S. studies have found family involvement in prostituting their children while others have not. In a large study of commercially sexually exploited youth in the U.S., Canada, and Mexico, researchers found that molestation by family members was a common type of child sexual exploitation, but there was no mention of trafficking by family members.[119] In contrast, research in Atlanta and Chicago identified significant involvement of families and friends in the sex trafficking of underage girls. One Atlanta study found that while pimps' use of female recruiters was becoming increasingly common, these recruiters were frequently a girl's peers or family members, male and female. In some cases, they were siblings only slightly older than the girls being recruited.[120] A Chicago study found that 19 percent of the prostituted women and girls in the sample had been recruited by a friend, and 10 percent had been recruited by a family member, most often a sister or a cousin.[121] Recent research in Ohio also found that underage girls were usually recruited for prostitution by a friend or a friend of a friend who worked for a pimp, often someone they knew from their neighborhoods.[122] Some researchers have reported that youth in conflict with their families frequently have friends and siblings already in prostitution, and that many of these youth become involved in prostitution as a way to assert their autonomy and make money at the same time.[123,124]

Canadian research with prostituted Native women and youth has reported findings very similar to the advocates' stories at round tables and the data collected from incoming MIWRC clients. One Canadian study of 150 commercially sexually exploited Aboriginal youth found that they often had friends who had told them about the "easy money" and the potential to have some control over their lives by entering the sex trade. Other Canadian studies have found family-based sex trafficking to be quite common in some Aboriginal communities.[125] In one study with 45 Native women in prostitution, almost one-fourth were from families involved in prostitution: five had sisters in prostitution, four had mothers in prostitution (one of whom also had a prostituting grandmother), two had fathers that were pimps, and one had a father that pimped both his wife and his daughter.[126]

Factors that Facilitate Entry

Generational Trauma

At both round tables, advocates kept returning to the impact of historical trauma and the cultural loss resulting from it as they talked about the unique vulnerability of American Indian girls to commercial sexual exploitation and the absence of safety in Native girls' lives. Though a significant body of research in the U.S. links generational trauma to substance abuse, child abuse, and violence in American Indian communities, we were not able to identify any that describes the role of historical trauma in the commercial sexual exploitation of American Indian women and girls.

Several Canadian studies with prostituted Aboriginal women and girls in Canada have also found historical trauma and generational trauma to play important roles in Native girls' entry into the sex trade. In her findings from research with sexually trafficked Aboriginal girls, Anupriya Sethi described the legacy of colonization and residential schools as a root cause of their vulnerability to recruitment for prostitution.[127] In a study of prostituted Aboriginal youth in 22 Canadian communities, the Native researchers that conducted the research reported that every youth participant in their focus groups spoke of the physical, sexual, and/or emotional abuse they had experienced in their home lives. The researchers found that the parents, relatives, other caregivers, and neighbors in these youth's lives all suffered from the legacy of cultural fragmentation, unable to break the cycle of pain and despair and turning to alcohol, drugs, and violence to deal with feelings of hopelessness.[128]

The advocates attending the MIWRC round tables emphasized that though each of the facilitating factors described below is an influence that increases the likelihood of a Native girl entering the sex trade, every one of them is a result of historical/generational trauma and cultural loss.

Runaway, Thrown Away, and/or Homeless

The vast majority of advocates attending the round tables described homelessness as the major factor in Native girls and women's entry into the sex trade, whether it be a result of running away from home to seek glamour in the big city, leaving home to escape violence and abuse, or losing housing because of poverty. Native girls' responses to the 2007 statewide Minnesota Student Survey support the advocates' accounts of Native girls' risk related to running away and homelessness: 25 percent of 9th-grade Native girls reported having run away at least once in the previous 12 months, compared to 11 percent of girls in the general population.

Some advocates talked about their own and other Native women's experiences in prostitution, reflecting that trading sex can seem like a reasonable choice when there was no other way to support and sustain yourself or your children. At both round tables, the advocates also identified the need for safe shelter as the strongest force keeping Native girls and women in prostitution when they want to leave it.

Who recruited MIWRC clients into prostitution (those that named their recruiter) (n=28)*

Recruited by	Number	Percent
Friend/friends	14	50%
Family member (mother, aunt, step-uncle, uncle)	5	18%
Boyfriend	5	18%
Pimp/gang/landlord	3	11%
Neighborhood/self	3	11%

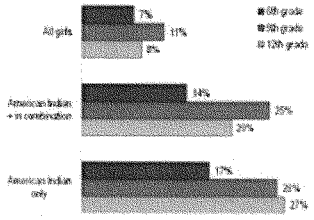
* Nine clients that reported involvement in prostitution did not identify the person that recruited them, and several clients were recruited by two people acting together, so percentages add to more than 100%.

A lot of the women who are being prostituted, it's just the bottom line that was there. The majority of the time it means that we need to recognize where this came from in our communities. I mean, American Indian people say over and over again 'This is not how we treat our children. This is not where we are as far as respecting youth.' And I think traditionally that was true, but something dramatic like genocide happened. It was like a nuclear bomb, so the war site is exactly the best example of what happened to our communities. [Advocate]

Kids running away. Running away from home...I work with the girls on reservations, there is nothing going on, they don't know what to do...[They say] 'I'm outta here. I have family in Duluth, I have a sister in Duluth or someone in Duluth.' It seems like Duluth is the place to be. Easier to get to, it's friendly... That's a lot of the wording: 'I gotta get out of here, there's absolutely nothing, I got nothing, I got to live wherever I can live.' [Advocate]

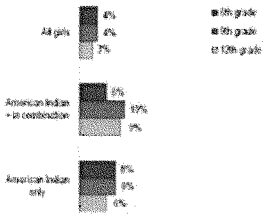
There's the survival aspect. And that's what they're doing, the ones that I see out on the reservation. They would never identify themselves as prostituting or using sex to get what they want. But that's what they're doing. [Advocate]

Girls that ran away in the past 12 months, statewide*



*2007 Minnesota Student Survey

Girls' reports of sexual abuse at home, statewide*



*2007 Minnesota Student Survey

Studies with prostituted women and girls in the U.S. have consistently found that 50 to 75 percent ran away from home as adolescents.[129,130] In the Hennepin County study with women on probation for prostitution described earlier, 61 percent of the participants reported that they had run away when they were minors, most frequently because of "family problems."[131] Children of the Night, a national organization that works to rescue children from prostitution, says that of the one and one-half million children that run away each year in the U.S., it is safe to estimate that about one-third will have some type of involvement with prostitution and/or pornography.[132]

Research has consistently found that when youth run away from home with no place to go, it is usually because of parental neglect, physical or sexual abuse, family substance abuse, and/or family violence.[133,134,135,136] In one study, 43 percent of runaway adolescents said they had left home because of physical abuse, and 24 percent reported leaving because of sexual abuse.[137] A 1999 study with runaways in medium-sized Midwest cities found that:

- 81% had been pushed or grabbed in anger by an adult in their home
- 64% had been threatened with a gun or knife
- 59% felt neglected
- 28% were abandoned by their parents for at least 24 hours
- 21 % had been forced by a caregiver to engage in a sexual activity.[138]

The National Center for Missing and Exploited Children reported that up to 77 percent of prostituted teens ran away from home at least once before turning to prostitution to meet survival needs.[139]

Runaway and thrown-away youth have very few legitimate ways to pay for their basic needs. Getting a job is very difficult without an address, phone number, high school diploma, work experience, or references, and even if they succeed, they usually do not have the identification needed to open a checking account or cash a check. Some fear being sent back home if they use their real name or home address.[140,141]

Research with Aboriginal youth in Canada has also identified running away from home and homelessness as major risk factors for entering prostitution. One study that analyzed 400 youths' social services case files in two large Canadian cities found that while 44 percent of the Aboriginal youth that ran away at least once had begun prostituting, only 13 percent of Aboriginal youth that never ran away entered the sex trade.[145]

Homelessness, whether it occurs as a result of running away, being thrown away, or because of family poverty, has also been identified as a primary risk factor for the commercial sexual exploitation of youth in the U.S.[147] One study found that being homeless for more than 30 days is the single most determining factor in young children and teens entering prostitution, and youth advocacy groups report that homeless youth can expect to be approached by a pimp, john, or drug dealer within 36 hours when they are first on the street.[148,149,150]

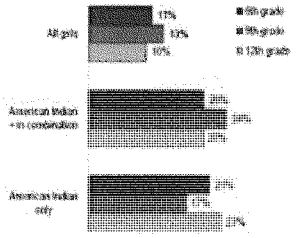
In the 2006 Wilder Research statewide study of homelessness, non-reservation American Indians represented 28 percent of the unaccompanied youth ages 17 or younger in outstate Minnesota and 12 percent in the Twin Cities area, though they represent only two percent of Minnesota's total youth population.[142] Over the years that the Wilder Research has conducted this study (every three years since 1994), there has been a 100 percent increase in the proportion of American Indians in the category "unaccompanied homeless youth," from 10 percent in 1994 to 20 percent in 2006.[144] Sixty percent of the participating Native girls ages 17 and younger reported having left home to be on their own by the age of 13.[143]

In research with commercially sexually exploited youth in Canada, interviewers found very high rates of homelessness prior to entering prostitution, and also while in prostitution. In Winnipeg, where a significant proportion of prostituted youth are Aboriginal, researchers found that 86 percent of prostituted youth had been homeless for 40 days or more.[151] The McCreary Centre Society reported similar findings from five surveys of British Columbia street-involved youth that it conducted between 2000 and 2006. An average of 61 percent of youth across all five surveys reported a great need for safe housing.[152] Other McCreary Centre Society findings that were consistent across several surveys include:

- 34-57% of prostituted youth on the street were Aboriginal
- 34-44% of younger prostituted youth were living or had recently lived in precarious housing situations (on the street, couch-surfing, and staying in shelters, transition houses, hotels, squats, abandoned buildings, tents, and cars).
- 50% of older prostituted youth had lived in precarious housing during the past year
- 95% of older prostituted youth had lived in precarious housing at some point in time.[153]

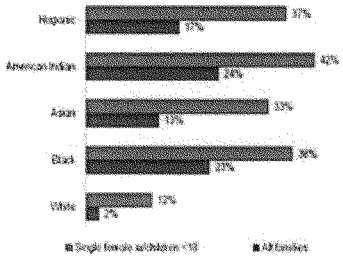
Studies in the U.S. and Canada have found that 84 to 90 percent of adult women in prostitution are currently homeless or have been homeless in the past.[154,155] In Vancouver, one study in which over half of the participants were Aboriginal women

Girls' reports of physical abuse at home, statewide*



*2007 Minnesota Student Survey

Percent of Hennepin County families in poverty by race and Hispanic ethnicity[148]



Poverty-related reasons homeless Native girls and women left stable housing*

	Age group		
	[illegible]	[illegible]	[illegible]
Could not afford rent/house payments	29%	39%	42%
Eviction, foreclosure, or lease was not renewed	29%	33%	39%
Family lost its housing (asked of youth & young adults only)	33 %	27%	N/A

*Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

The landlord piece is not uncommon, not uncommon at all. Landlords put the women in a situation where they actually end up owing rent or they know they're getting rates half off of rent, or some landlords even up the rent. It was in the woman's range at first and now she fell on hard times, she lost a job, she still owes rent and the landlord will go ahead and proposition them in that manner, swap or trade. And if not for the mother, then for the daughters. And the fact that the mom says we need a place to live. 'You know, you just gotta go in there, he's not going to do anything to you, just go, you don't wanna be out on the streets.' And the kid feels, you know, 'I owe this to our family,' the loyalty piece, so you do it. And once it's done, once that's all it takes. [Advocate]

I was talking to some of the young girls there [at a school] about incest, and they really don't think that incest is as bad as a pedophile having sex with a two-year-old. So they thought, 'Well, it's a family member, it's at home and it's safe.' They really didn't correlate that it's the same thing. It is as bad, as damaging, and they don't get it. [Advocate]

I know women I've worked with that have been sexually assaulted by family members and it was ongoing, and that's why they left. And then they found out they could get paid for it, so think 'What's the difference?' [Advocate]

Some of the parents aren't even caring if the kids are in school or anything else. So basically, she's running her own life at 12 and 14. [Advocate]

found that 86 percent of prostituted women had been or were currently homeless, and all of the women that were interviewed cited safe housing as a current, urgent need.[156]

At the round tables hosted by MIWRC, advocates reported that American Indian women with children living in poverty are at especially high risk of being trafficked into prostitution, especially by landlords who threaten them with rent increases or refuse to provide the documentation they need to receive government subsidies. The information collected from incoming MIWRC clients supports the advocates' reports, with one-fourth disclosing that they had traded sex for shelter.

Nationally, communities of color are significantly over-represented in poverty statistics. From 2001-2004, the poverty rate for American Indians, calculated as a 3-year average, was 25.3 percent, higher than any other group in the nation.[157] By the end of 2008, the non-Hispanic White poverty rate had dropped to 8.6 percent, while the American Indian rate had risen to 27.1 percent, the Hispanic and Asian rates had risen to a lesser degree (1.5% and 0.7%, respectively), and the Black rate had dropped slightly (down 0.2%).[158]

County-level 2008 Census figures are not available, but even prior to the current economic downturn, the 2000 U.S. Census found that 47 percent of Native families in Hennepin County were headed by a single mother, and over 40 percent of those households, home to one-third of all Native children in the county, lived in poverty.[159] In the 2007 Wilder Research homelessness survey, two-thirds of the non-reservation homeless Native women and 20 percent of the homeless Native girls under the age of 17 were mothers; close to one-third reported leaving their most recent regular housing for reasons related to poverty.[160]

Repeated Exposure to Abuse, Exploitation, and Violence

At the round tables hosted by MIWRC, the advocates in both Duluth and Minneapolis reported that Native girls and women with extensive histories of abuse, exploitation, and violence are extremely vulnerable to being recruited into the sex trade. Advocates described four types of experiences that they saw most frequently in Native girls trafficked into prostitution:

- Physical and sexual abuse in childhood
- Severe parental neglect as a child or teen
- Physical and sexual violence in early dating relationships
- Constant exposure to sexual exploitation and violence in their neighborhoods

Advocates at both round tables reported that most if not all of the prostituted Native women and girls they encountered had been sexually abused as children, and often, these victims had run away from home and entered the sex trade because of that abuse. The advocates also emphasized the negative impact of childhood sexual abuse on Native girls' ability to recognize or prevent their own exploitation by others.

Other studies in the U.S. support the advocates' accounts, finding that 60 to 73 percent of youth in prostitution and 55 to 90 percent of prostituted adult women were sexually abused in their homes as children.[161,162,163,164,165] Physical abuse at home has also been identified as a major risk factor for youth entry into the sex trade in Canada, the U.S., and Mexico.[166] Studies with runaway adolescents have found that the more abuse the adolescent has experienced at home, the more time she will spend on her own, the more likely she will have friends who sell sex, and the more likely she will be to abuse drugs and alcohol.[167,168,169] Canadian research has found similarly high rates of physical and sexual abuse among prostituted Aboriginal youth and women:

- 80% of prostituted youth were physically, sexually, emotionally, and verbally abused by parents, family friends, neighbors, and peers in their home communities, which caused them to run away with no safe place to go.[170]
- Almost three-fourths of women in street prostitution, 52% of whom were Aboriginal, reported physical abuse in childhood; 82% reported sexual abuse as a child.[171]
- 41% of youth on probation for prostitution in two large Canadian cities reported parental neglect, compared to five percent of non-Aboriginal youth.[172]

Findings from the 2007 Minnesota Student Survey suggest that Native girls in Minnesota experience much higher levels of childhood abuse than their peers in the general population. Overall, American Indian 9th-grade girls' rates of reported physical abuse at home were close to double the rate of their peers in the general population. In all age groups (6th, 9th, and 12th grades), Native girls' rates for reporting sexual abuse at home were double those of girls in the general population.

American Indians have the highest rates of reported child maltreatment in the nation and the state, and the highest rates of foster placement in both as well. These are some findings from government reports:

- Nationally, American Indian children have the highest rates of victimization in the nation—21.7 children per 1,000, compared to the white rate of 10.7 children per 1,000.[173]
- Of the children for whom maltreatment reports were made, American Indians and Alaska Natives were 20 times more likely than white children to be determined to be maltreated.[174]
- In both 2007 and 2008, statewide rates of American Indian child maltreatment reports were more than six times Native children's representation in the population.[175,176]
- American Indians also had the highest 2007 and 2008 statewide rates of recurring maltreatment at twelve-month follow-up.[177,178]
- Though 62% of the 2008 American Indian child maltreatment reports in Minnesota were for neglect, Native rates of reported physical abuse, sexual abuse, and medical neglect were also higher than those of any other group.[179]
- As of April 2009, American Indian children accounted for 10% of child maltreatment victims statewide, more than six times their representation in the child population.[180]
- In 2007, American Indians represented 12 percent of all children in foster care but only one percent of the state's child population.[181]

In Hennepin County, which has the largest concentration of American Indian children in the state, Native children represented 8% of the confirmed child maltreatment cases, more than 6 times their representation in the county's child population.[182] An even higher proportion (9%) of the children in Hennepin County foster care were American Indian, more than four times their representation in the county's child population.[183]

Child maltreatment by race, statewide 2008[184]

	American Indian	Black	Asian	White	Two or more races	Hispanic*
Total maltreatment reports per 1,000 in the MN child population	78.5	51.0	8.5	11.9	42.0	29.7
Neglect (non-medical)	62.4	37.2	5.5	7.6	32.4	19.4
Physical abuse	17.4	13.9	2.8	3.7	10.5	7.6
Sexual abuse	6.7	3.9	0.7	1.3	3.5	2.5
Medical neglect	1.4	0.9	0.2	0.1	0.6	0.3
Percent recurring within 6 months	5.8%	8.1%	3.9%	3.7%	6.6%	3.6%
Percent recurring within 12 months	14.5%	13.1%	3.9%	5.8%	11.7%	5.7%

*Children in the Hispanic category can be any race(s).

American Indian youth also have the highest rates of out-of-home placement in Minnesota. In 2008, Native chi dren represented 12 percent of all children in foster care but only one percent of the state's child population. I Hennepin County, the most racially and ethnically diverse county in Minnesota, nine percent of children in fost care in 2007 were American Indian, more than four times their representation in the total child population.[185,186]

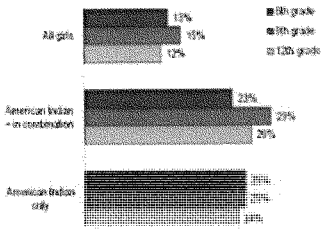
Though the number of Native children separated from their families is itself alarming, foster placement is also risk factor for entering the sex trade. In their book *Being Heard: The Experiences of Young Women in Prostitu tion,* Gorkoff and Runner reported that 63 percent of prostituted girls and young women in their study had bee involved with the child protection system as children. Over three-fourths had been in foster and group home often for many years.[187]

Homeless Native females' experiences with abuse, neglect, and violence

	Age group			
Percent of homeless non-reservation Native females that reported...	11-17	18-20	21	22+
Physical mistreatment as a child	45%	41%	40%	54%
Sexual mistreatment as a child	30%	41%	20%	51%
Parental neglect (no food, shelter, or medical care; extended absence)	32%	33%	60%	41%
Homelessness is due to feeling unsafe from violence in the house	28%	31%	Not asked	
Homelessness is due to physical or sexual abuse in the home	17%	31%	Not asked	
Percent of homeless non-reservation females that reported...	**11-17**	**18-21**	**22 and older**	
Being in a physically abusive relationship during the past 12 months	20%	48%	25%	
Staying in an abusive situation because she had no other housing options	5%	48%	50%	
Physically/sexually attacked or beaten while without a regular place to stay	10%	16%	31%	

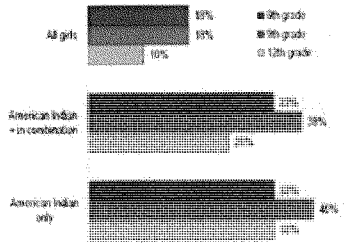
* Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

Girls reporting that a family member physically assaulted another family member*



*2007 Minnesota Student Survey

Girls reporting that they hit or beat up another person in the past 12 months*



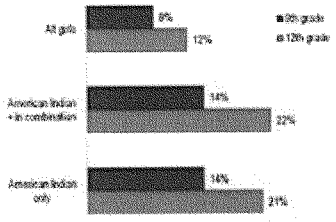
*2007 Minnesota Student Survey

The 2006 Wilder Research study of homelessness also found high rates of childhood abuse and out-of-home placement among non-reservation homeless American Indian girls and women. Over one-fourth of the Native girls ages 12-17 (28%) and 24 percent of Native females 18-20 reported having left foster care or a group home without a permanent place to go. Overall, almost 30 percent had lived in a group home at some point in time.[188]

Several of the advocates at the MIWRC round tables reported that Native girls' constant exposure to violence and sexual exploitation in their peer groups and neighborhoods causes them to view these threats to their safety as "no big deal." Advocates in both Duluth and in Minneapolis reported a growing number of Native girls and young adult women who consider "free-lancing," prostitution without a pimp, to be a glamorous and exciting way to empower themselves and make quick money at the same time.

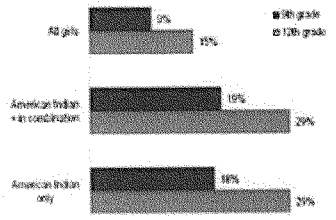
Native girls' responses to the 2007 Minnesota Student Survey reflect significant violence in their lives. In 6th, 9th, and 12th grades, Native girls' rates of physical and sexual abuse were double those

Girls reporting sexual assault by a date, statewide*



*2007 Minnesota Student Survey. Sixth grade girls were not asked these questions, so no findings are reported for that grade level.

Girls reporting physical assault by a date, statewide*



*2007 Minnesota Student Survey. Sixth grade girls were not asked these questions, so no findings are reported for that grade level.

We have young ladies that come in that have difficulties defining what they've been through...We had a young lady who was being held in Mexico for three years, and she didn't think that she was traumatized. [Advocate]

Sexual exploitation for the young women and the girls we work with is such a secondary issue. It's like, 'Help me find shelter, help me find food, help me find clinics.' And then if you work with them long enough, it's 'Oh yeah, I was sexually exploited.' [Advocate]

A majority of them have been exposed to sexual abuse. And so, it's kind of like, they're making the decision now, they're in control of their bodies and they're going to do what they need to do to get what it is that they want. [Advocate]

The idea of liberation, 'My body, my choice, I can do it myself.' All woman-run. You're seeing more women that know how to do these things and are very skilled at how to prevent more harm from coming to themselves. And so they're banding together, creating all female call services. [Advocate]

MIWRC clients that know someone in the sex trade (n=95)

Know someone in prostitution	Number	Percent	Know someone who traffics others	Number	Percent
Know at least one person	45	47%	Know at least one perp	27	28%
Personal friend	44	46%	Boyfriend/ partner	13	14%
Family member(s)	25	26%	Landlord	4	4%
Cousin(s)	10	11%	Friend(s)	3	3%
Aunt	8	8%	Drug dealer(s)	3	3%
Sister	4	4%	Unspecified family	2	2%
Mother	2	2%	Pimp(s)	2	2%
Two or more family	7	7 %	Uncle and brother	1	1%
Mother's friend	1	1%	Mother/aunt's friend	1	1%
			Boyfriend's friend	1	1%
			Unspecified person(s)	9	10%
			Friend(s)	3	3%

of their peers in the general population, they were more likely than girls in the general population to report a family member physically assaulting another family member at home, and also more likely to report that they themselves had used physical violence against another person in the previous 12 months.

Canadian research has found similar patterns. In a study in five areas of British Columbia, prostituted Aboriginal youth told interviewers that a cycle of violence has been normalized in their communities, and that it is impossible for many caught in that cycle to break the pattern.[189] In other Canadian studies, Aboriginal street youth described violence as part of their daily life.[190] In the U.S., national research with over 1,200 runaway and thrown-away youth in shelters and living on the street found that about one-half of those staying in shelters and two-thirds of those living on the street carried a weapon, and one-fourth of the street youth said they had committed a violent act using a weapon.[191]

Similar to the trend reported by the advocates, Canadian research has found that Native youth sexually exploited by family members at an early age often view the sex trade as a way to have some control over their lives.[192,193] One study found that sexually exploited youth often saw no harm in being paid for sex, since it was taken for free when they were still at home.[194]A second study reported that for many Aboriginal youth, the sex trade presents an illusion of escape and independence.[195]

An international study in the U.S., Canada, and Mexico found that exposure to an existing prostitution zone and social groups that condone or tolerate child-adult sexual relationships are both key contributing factors in youth entering prostitution.[196] Canadian studies with prostituted Native women and youth reported similar findings. Many grew up in environments where prostitution was common, and some reported that their own sex trade involvement was a result of learned behavior and day-to-day survival in their families for generations.[197] One Canadian researcher commented that an invitation from a man cruising by in his car to watch an indecent act in exchange for cash can seem quite reasonable to an Aboriginal adolescent living in a poor neighborhood where street prostitution is concentrated and there are no legitimate jobs.[198]

Information collected from Native women and girls entering MIWRC programs supports the advocates' reports that young Native girls are often exposed to the idea that prostitution is a "career option." Almost half (46%) of the 95 women and girls screened for commercial sexual exploitation said they have a personal friend in prostitution, and over one-fourth (26%) said they have a family member in prostitution. Over one-fourth (28%) of the 95 women and girls entering MIWRC programs said they know someone who makes others sell or trade sex, almost half of these clients described the trafficker as their boyfriend.

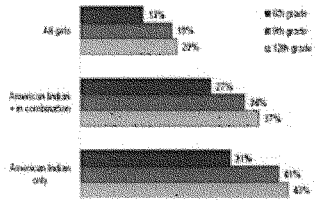
Addiction

Advocates attending the two MIWRC round tables described parental addiction as an important contributor to Native girls entering prostitution, but noted that pimps and gang members often provide Native girls and women with free drugs to get them addicted and then prostitute them. Advocates at both round tables agreed that personal addictions often keep Native women and girls in the sex trade long past the point when they want to leave it.

In the Wilder Research study of homelessness in Minnesota, over half (56%) of the non-reservation Native girls age 21 and younger described their parents' drug and alcohol use as the partial or main reason they were currently homeless.[199] A national study of runaway and thrown-away youth found that 31 percent of youth staying in shelters and 45 percent of those living on the street reported problematic substance use by a family member (most often a step-parent) during the 30 days prior to their leaving home. These youth reported that adult family members' substance abuse made them more likely to get into arguments with the youth, to neglect or ignore them, or to hit them.[200] The Michigan Network of Runaway, Homeless, and Youth Services described similar findings, reporting that 41 percent of the youth they had served reported leaving home because of an adult's substance abuse.[201]

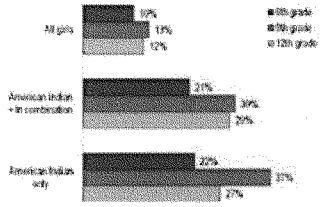
Research has found that substance abuse is both a predictor for and a consequence of entering prostitution. In the U.S., national research with 200 prostituted juveniles and adults found that 55 percent were addicted to drugs prior to entering the sex trade, 30 percent had become addicted following entry, and 15 percent became addicted at the same time they entered.[202] Studies with prostituted Aboriginal women in Vancouver have also found that while drug use often facilitated entry into prostitution, participants' use had escalated as a result of being in prostitution, and 60 percent were currently in prostitution to maintain a drug addiction.[203,204] A Montreal study with 165 fe-

Girls reporting that a family member's alcohol use repeatedly caused family, health, job, or legal problems, statewide*



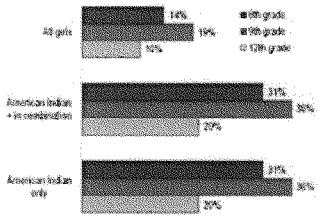
*2007 Minnesota Student Survey

Girls reporting that a family member's drug use repeated caused family, health, job, legal problems, statewide*



*2007 Minnesota Student Survey

Girls reporting first use of alcohol at age 12 or younger, statewide*



*2007 Minnesota Student Survey

One of the clients I work with, she comes and goes, she knows she's been diagnosed with FAE and her children have been diagnosed as well. So her mother drank and she drank while she was pregnant with her kids. So, she's working to keep herself in a home and she's exchanging sex for her home and so she has no problem with her kids doing the same thing, her daughters. [Second speaker] I think the other thing with FASD what we know about that brain damage, is you have a 15 year old girl's body but you have an 8 year old girl's mental capacity, because your brain is not formed correctly because you're brain damaged. [Advocates]

I have trouble making decisions, if they're bad or they're right, and that's what has been hardest throughout my life. I realize that it's right or wrong after I've done it, and then that's what makes it really bad...because you can get in a lot of trouble and I've gotten into lots of trouble...it's hard to say no to things...I used to do anything and everything, just, you know, for the hell of it, or just to have fun...but there's be so much trouble...you think of having fun, you think you're going to have fun, and what's wrong with that and then you realize fun turns into trouble and trouble turns into danger. [FASD-affected woman interviewed in a British Columbia study.][208]

male street youth, none of whom were in prostitution at baseline, found at follow-up that substance abuse was a significant predictor for girls entering prostitution.[205]

In the Hennepin County study of women on probation for prostitution described earlier, 64 percent of American Indian women that provided drug use information at the time of arrest admitted currently using drugs and/or alcohol. One in five used both drugs and alcohol at the time of arrest, and half had received prior treatment for chemical dependency.[206]

Even without pimp involvement, American Indian women are at particularly high risk for substance abuse. A study in seven tribal communities found that parental alcoholism, sexual abuse, combined physical and sexual abuse, emotional abuse, and emotional neglect as a child each contributed to double the risk of alcohol dependence. Native women who had experienced four or more categories of these adverse experiences in childhood had seven times the risk of alcohol dependence.[207]

Alcohol poses a different type of prostitution recruitment risk for Native girls whose mothers used it while pregnant. The Centers for Disease Control (CDC) currently use the term Fetal Alcohol Spectrum Disorders to describe three alcohol-related disorders: fetal alcohol syndrome (FAS), fetal alcohol effects (FAE), and alcohol-related neurodevelopmental disorder (ARND). FAE encompasses behavioral and cognitive problems in children who were prenatally exposed to alcohol, but who do not have all of the typical diagnostic features of FAS. Children with ARND might have functional or mental problems linked to prenatal alcohol exposure, including behavioral or cognitive abnormalities or a combination of the two.[209] Advocates at both MIWRC round tables reported working with FASD-affected Native girls and women in prostitution. The advocates described FASD as a critical risk factor because it results in impaired judgment and impulsiveness, which puts them at very high risk of commercial sexual exploitation. Advocates also identified FASD as a factor affecting some Native parents that prostitute their children, and noted the prevalence of FASD among Native youth living in foster care.

The CDC has reported that the fetal alcohol syndrome rate for American Indians is 30 times the rate for whites.[210] The incidence of FASD in Canadian Native communities is similarly high.[211,212] Some studies have found that youth affected by FAS or FAE are particularly vulnerable to sexual exploitation by pimps offering them free drugs at house parties. Once they are addicted and have significant drug debt, they are threatened and told they must work off their debt through prostitution. They are also extremely vulnerable to guerrilla recruitment strategies.[213,214]

Girls reporting problematic substance abuse, statewide*

	15 grade			12 grade		
Percent of girls reporting: they...	Indian girls	Indian + bi girls	All girls	Indian girls	Indian + bi girls	All girls
Could not remember what said or did after using alcohol/drugs 2 or more times	19%	15%	5%	22%	21%	9%
Used more alcohol/drugs than intended 2 or more times	16%	14%	6%	21%	21%	16%
Continued to use alcohol even though it was hurting relationships with friends or family	20%	16%	6%	20%	15%	9%
Have needed to use more alcohol/drugs to get the same effect in the past 12 months	12%	16%	8%	21%	17%	12%
Had 5 or more drinks in a row at least once in the past 2 weeks	29%	23%	13%	35%	32%	25%

*2007 Minnesota Student Survey

Research with FASD-affected youth and adults has identified a number of impacts that significantly increase their vulnerability to commercial sexual exploitation:

- Teenagers and adults with FAS or FAE seem to 'plateau' academically and in daily functioning but their problems grow more serious as attention deficits, poor judgment, and impulsivity create obstacles to employment and stable living.[215]
- Adolescents and adults with FAS/FAE have been described as 'innocent,' 'immature,' and have been found to be easily victimized.[216]
- FASD-affected adults often suffer from substantial mental illness as well, including major depression, psychotic disorders, and anxiety disorders.[217]
- 62 percent of people with FASD have had a disrupted school experience between the ages of 12 and 20.[218]
- 90 percent have had mental health problems diagnosed.[219]
- 40 percent of FASD-affected youth ages 6-11, 48 percent of those ages 12-20, and 52 percent of those over age 21 have exhibited inappropriate sexual behavior, and the same proportion of the three age groups have been sexually victimized.[220]
- 79% of FASD-affected girls ages 12 and up have exhibited sexually inappropriate behavior.[221]

Failure to Finish High School

Research has found that a minors that have been expelled from school or are no longer interested in finishing school are at a high risk of becoming involved in prostitution.[224] The Hennepin County study of 70 women on probation for prostitution reported similar findings. Only one of the 17 American Indian women in the study sample had completed high school.[225]

Not completing high school is a major barrier to Native girls finding legal employment. Less than half of Minnesota's American Indian students (41.4%) graduated on time in the 2006-2007 school year, with 19 percent dropping out that year.[226] In the 2007 Minnesota Student Survey, American Indian girls were less likely than girls in the general population to report that they like school (74.9% gave positive responses), and the most likely to report truancy in the past 30 days (44.5% reported being truant).[226] Native youth detachment from school is also a problem in Canada. In Canada's 2001 Census, 62 percent of Aboriginal people living on reserves and 48 percent of those living off-reserve had less than a high school education.[227] Canadian studies have also found that Native girls affiliated with gangs were typically two to three years behind their age cohort if they were still in school, but few finished 10th grade.[228] One Canadian study found that while street-involved girls were more frequently in

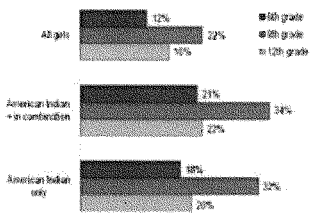
High school graduation rates, Minnesota public schools 2006 and 2007 (National Governor's Association rates)[222]

Racial group	Graduated on time	Dropped out	Continuing
American Indian	41.4%	18.6%	27.3%
Asian/Pacific Islander	65.7%	6.0%	19.2%
Black	41.3%	13.3%	32.6%
White	60.4%	4.2%	10.7%
Hispanic (any race)	41.3%	19.5%	23.6%

Percent of Native street-involved youth currently attending school[223]

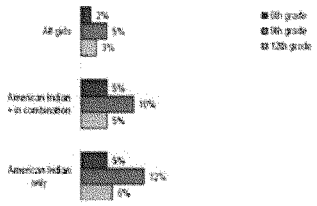
Percent in school	Prostituted youth	Unprostituted youth
2000 Street-involved Youth	58%	63%
2006 Street-involved Youth	57%	66%
2006 survey, girls only	60%	76%

Girls that thought about killing themselves during the past year, Statewide*



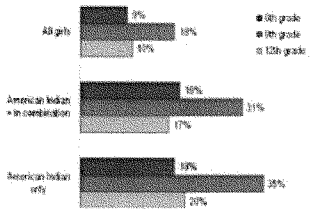
*2007 Minnesota Student Survey

Girls that tried to kill themselves during past year, Statewide*



*2007 Minnesota Student Survey

Girls that hurt themselves on purpose during the past year, Statewide*



*2007 Minnesota Student Survey

school than street-involved boys, those that were in prostitution were much less likely to be attending school than girls not in the sex trade.[229]

Mental and Emotional Vulnerability

Advocates at both MIWRC round tables described mental health issues as a significant factor in Native girls' and women's vulnerability to recruitment into the sex trade. Several advocates emphasized the mental health impacts of generational trauma on Native families, and by extension, the effect on Native girls' emotional vulnerability.

Among Native women, research has found that depression and post-traumatic stress disorder are frequently linked to a history of child abuse, adult re-victimization (especially forced sex), and lifetime abuse.[230,231,232] Exposure to racial discrimination has also been found to play a role Native girls' mental health, often resulting in withdrawn behavior, anxiety, depression, and physical complaints related to stress.[233]

> *We're talking mental health, we're talking about borderline personality disorders, post-traumatic stress, anxiety. Bipolar. And I think in the beginning, it's dissociation. [Second speaker] Right, because that's the only way to deal with it, is you dissociate, it's like an out of body experience. They go somewhere else or they become someone else to be able to detach what they just had to go through. [Advocates]*

> *That void. Culture and identity, all those things that lead to that searching and that hopeless feeling of there's no place for me, all that conflict between two worlds and just being vulnerable to being taken somewhere down a path that might lead somewhere. [Advocate]*

In the 2007 Minnesota Student Survey, Native girls were more likely than girls in the general population to report that they had thought about suicide and that they had attempted suicide in the past 12 months. SAVE (Suicide Awareness Voices of Education) reports that the suicide rate for American Indian youth ages 10 to 15 in Minnesota is two to three times the rate of other groups in the state.[234] In Canada, the 2003 completed suicide rate for Aboriginal female youth ages 15 to 24 was almost 9 times that of female youth in the general population.[235] A recent study reported that 29 percent of American Indian teens in their sample believed they had only a 50-50 chance of living to age 35, compared to 10 percent of white teens. Those that predicted a high likelihood of early death were also much more likely to engage in subsequent risky behavior.[236]

Self-injury (cutting/scraping, slashing, or burning) also appears to be a common behavior among American Indian girls in Minnesota. In the 2007 Minnesota Student Survey, 6th and 9th grade American Indian girls reported having deliberately hurt themselves during the past year at twice the rates of girls in the general population. Studies with homeless youth in the U.S. have reported similar findings. In a study of 428 street youth in Washington State, 14 percent of whom were American Indian, self-injurious acts were found to be extremely common. Over two-thirds (69%) of the youth reported that they had engaged in self-injury, which was related to a history of sexual abuse, physical abuse and/or neglect, and in the researchers' words, "deviant survival strategies."[237]

In Canada, research with prostituted Aboriginal adolescents found that almost one-third had engaged in self-harm (self-cutting or slashing).[238] A Canadian study of incarcerated Canadian women who regularly engaged in self-harm found that 64 percent were Aboriginal.[239] These are some of the reasons the research participants gave when asked what motivated them to cut or slash themselves:

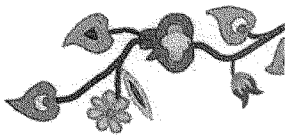
- A cry for attention or nurturing
- Self-punishment or self-blame
- Coping with isolation or loneliness
- Distracting themselves from or cleansing themselves of emotional pain
- A way to feel again, or to re-connect with reality
- Expression of painful life experiences
- Feeling in control, having power over self

Barriers to Exiting the Sex Trade

Limited Access to Emergency and Supportive Housing

Studies of women and girls in prostitution cite a lack of safe shelter as a primary barrier to assisting those who want to leave the sex trade.[240,241] In both Minneapolis and Duluth, advocates reported that government funding agencies and other grantmakers impose inflexible eligibility requirements and policies that effectively lock prostituted Native women and girls out of emergency shelter and transitional housing facilities. These policies and rules frequently sabotage advocates' efforts to help Native girls and women exit the sex trade. For instance, several advocates described federal regulations that exclude anyone with a felony conviction from eligibility for public housing programs.

Several advocates reported that local transitional housing programs and some domestic violence shelters refuse access to Native women and girls who disclose involvement in prostitution, even if they are attempting to escape a pimp's violence. Minnesota state law also allows landlords and managers of subsidized housing to refuse to rent to a person with a history of prostitution.[242]



Advocate story:

I worked with someone for three years who was stripping. She was sexually abused as a child, got married at eighteen to someone who was abusive to her and when they got divorced, she did all the things she was supposed to. Got her child got out.

There's a strip club down the road that she made a little money at and she was good looking and was able to do that, and pretty soon that's the only work experience she has, that's her whole entire life...She's traveling the circuit, she can't make any money, she's getting stuck places, sleeping in her car, staying at guys houses who are holding guns to her head. She doesn't use, completely sober. And I spent three years with appointments over the phone...she just could never be safe. There was no place to go.

I said if she could get up here we would get her into a shelter up here. And they kicked her out almost immediately and told her to go to the homeless shelter. She was used to being up all night, and that was an issue at the shelter. That was her job hours...she was up until six in the morning and then slept all day, and that was what she got in trouble for and got kicked out for.

So what ended up happening was we found a place for her where she could go for a period of time in a whole different city and we got four tires donated for her car and filled it full of gas and off she went. And that was the best we could do. And she was here and she knew us, we could provide counseling and we could provide stuff. It was just so, I don't know, a very sad situation.

Investigative resources are spread so thin that federal agents are forced to focus only on the highest-priority felonies while letting the investigation of some serious crime languish for years. Long delays in investigations without arrest leave child sexual assault victims vulnerable or suspects free to commit other crimes, including, in two cases the Post found, homicide. With overwhelmed federal agents unable to complete thousands of investigations or supplement those done by poorly trained tribal police, many low-priority felonies never make it to federal prosecutors in the first place...Federal investigators usually take the lead when the victim is 9 or younger, authorities say; tribal investigators take the lead with older victims. But federal prosecutors often decline those cases precisely because the victim has been interviewed too many times or by investigators who aren't specially trained to handle child sexual assault [Source: Lawless lands: Promises, justice broken. Series in the Denver Post, November 11, 2007]

We dealt with a case where the girl was screaming for help and even did a self-report and they wouldn't open the case until the mother abandoned the kids. One of the things is, it's very dependent upon the youth's age. If they are 16, 17, they all just become disposable, forgotten. And if you don't get all of the information from the youth, if you don't have enough substantiated evidence about who, what, when, where, why, they can't open cases, they have nothing to work with. And the girls are not gonna talk. [Second speaker] Exactly. Even though we're mandated reporters and we're supposed to tell those things, if we don't have enough information, they can't open the case. You have to have enough information to warrant the opening of the case, or to even get them to investigate. [Advocate]

We ask our women, 'What do you need?' but our services aren't set up to help them, and I feel like it's an injustice to them, to pry into their life and say, 'What the hell is going on, and how can I help you?' We don't even know, and our services aren't set up for that, so what can we do as organizations to make sure that we're all on the same page, that we treat the survivor the same no matter way? [Advocate]

Absence of Other Options for Self-sufficiency

As noted earlier in this report, most American Indian women and girls in the sex trade have not completed high school, so they rarely have marketable job skills or a formal employment history. Though 90 to 95 percent want to escape prostitution, most do not feel they have any other realistic options for consistently earning enough money to survive.[243,244]

Distrust of Law Enforcement

Advocates at both round tables described Native women's and girls' distrust of police, fear that they will be arrested if they ask police for help, and fear that their trafficker would suffer no real consequences even if they did file a complaint, provide evidence, and agree to testify. Some Minneapolis advocates reported interactions with city police in which they or their clients felt they were not treated well. Advocates working with prostituted Native girls in Duluth expressed frustration that the FBI chose not to prosecute a recent case involving four trafficked underage girls even though the girls were willing to testify and Duluth police had gathered extensive evidence. Echoing the Duluth advocates' accounts, Kathy Black Bear at Rosebud Tribal Services in South Dakota reported that last year, an underage Rosebud girl living in Sioux Falls was trafficked to Mexico and kept there from January to March 2008. Ms. Black Bear reported that the FBI declined to investigate the case, so the tribe hired a private investigator to travel to Mexico, who successfully found the girl and brought her home.[245]

Conversations with Minneapolis police officers suggest that limited staff time and budget constraints are often the reason that more pimps are not investigated.[246,247] One reported that cost tends to limit law enforcement efforts to the investigation of large prostitution rings that traffic minors, especially those that also traffic drugs, because prosecution is more likely to result in a conviction.[248] Minneapolis Police Department 3rd Precinct Inspector Lucy Gerold noted that most purchasers of sexual services apprehended by the police have been allowed to plea bargain their sentences down to restorative justice.[249] In September 2008, Susan Segal, the Minneapolis City Attorney, reported that the her office was currently reviewing its plea bargain standards in "john cases," and that prevention and treatment for prostituted minor girls is the current focus of the department's work and the direction taken in the prostitution review calendar with the court.[250]

Similar to the Duluth advocates' accounts, the *Denver Post* reported that from 1997 to 2006, federal prosecutors rejected almost two-thirds of reservation cases brought to them by FBI and Bureau of Indian Affairs investigators.[251] It was outside the scope of this report to get extensive input from law enforcement personnel on this barrier, but a larger discussion of their perspectives should be included in future reports on this topic.

Child Protection Policies

Some of advocates working with adolescent girls reported encountering challenges when child protection policies and priorities prevented opening a case

for an adolescent girl who was being prostituted or at extremely high risk of being prostituted. The scope and time frame for this report limited our ability to access the perspectives of county child protection workers, but these should also be included in further discussions of this issue.

Limited Resources for Support and Healing

Lack of services designed for Native women and girls in prostitution

Advocates repeatedly emphasized the fact that very few of the programs and services available to prostituted Native women and girls are designed to meet their needs, especially if they have not yet reached the point where they have made a firm commitment to leaving prostitution forever. Advocates also reported that program funders' requirements can restrict prostituted Native women's and girls' access to the types of support they need.

The research literature suggests a significant lack of federal funding or state funding for assisting domestically trafficked adult women. Though the Trafficking Victims Protection Act provides for a grant program that local and state authorities can use to provide services to mostly U.S. citizen victims, those funds were never requested by the Department of Justice, and subsequently no programs were ever funded.[252] Violence Against Women Act (VAWA) monies can be used for services to women in prostitution, but cannot be used for services to domestic victims of sex trafficking.[253,254] Victims of domestic violence and physical or sexual assault are eligible for reparations through Victims of Crime Act (VOCA) funding, but not if they were "committing a crime or any misconduct that is connected with the incident"—which automatically excludes prostituted women beaten or sexually assaulted by a pimp or a john."[255]

Inadequate Support from the Mental Health System

Earlier in this report, we described the overall emotional and mental vulnerability of Native girls and women. Experiencing prostitution adds significant mental health consequences to pre-existing emotional problems. The advocates described many prostituted Native women and girls as living in a constant state of fear that is based on very real threat, with no access to appropriate mental health services. They reported that most mental health professionals have no experience providing services to prostituted women, who live in an environment where rape and injury are routine occurrences and there is no protection against either.

Advocates also described misdiagnosis and over-diagnosis as significant problems for Native women and girls in prostitution or attempting to exit prostitution. Some questioned whether the criteria for certain mental health disorders were even appropriate for prostituted American Indian women and girls.

Though recognizing a need for psychiatric and psychological services for Native women who are severely traumatized, several of the advocates at the Minneapolis round table reported significant discomfort with having to se-

What are you going to do to get her out? Because recognizing them, identifying them, that's great—but once she's ready to get out, are you going to have a place for her? This is not an overnight fix. This is not just 'Get her housing and her whole life is going to be better.' We're talking about incest, mental health issues, trauma that is life-long. [Second speaker] In housing funding streams, the programming has become more and more [difficult]. The reporting and the documentation and the things that they're supposed to track, that advocates can't keep up with just 'Let's get you into housing.' Housing is really complicated, it takes a lot of time and energy to get all that stuff in place.' [Advocates]

[The programs I work with] are battered women's programming, and the attitude is 'It doesn't happen here' because there's no money for it [working with prostituted women], for them to have that kind of programming. When I used to run the shelter here, we never touched on that, that wasn't something we ever, ever talked about. [Advocate]

That diagnosis of bipolar, I think it's archaic. We're talking about trauma, multiple generations of trauma...That diagnosis doesn't accurately describe our experiences. And so the mental health field is kind of off the hook in addressing the social problems that go with that. And it's like, 'Here, we've done our share, this is what she has, give her the pills and refer her onto someone else.' [Advocate]

A counselor or a therapist can recognize some of the symptoms of PTSD as bipolar, or as schizophrenic. And unless you are well versed, or, I don't want to discredit any therapist, but I think doing more research and more involvement of what happens with mental health is needed, and I don't think a lot of therapists do that. Then you're stuck into a category. Because research is showing that PTSD has a lot of symptoms and if you're saying 'Oh, well she has disassociated, therefore she's schizophrenic.' [Advocate]

When the victim cannot fight or flee, she may try to form a protective relationship with her captor. She hopes that if she can prove her love and loyalty to the pimp, she can 'love' him into being good. This can become such a desperate attachment that she actually believes she loves him, and passes up chances to escape. Stockholm Syndrome is often the real reason for what others see as the 'choice' to stay in the sex industry. [Joe Parker, co-founder of a foundation that provides services to prostituted women and men][261]

Right now mental health is what is being funded the most, so a lot of times our women cannot receive resources until we get her the diagnosis. People are handing out the diagnosis, and that can be because they know housing comes first, and the most open model to people in prostitution is 'We'll take you where you're at and we'll move you forward rather than making you do those steps.' You can't even get them into a lot of housing programs that focus on where you are now, until you get a diagnosis. We have one woman we're working with, she got a diagnosis from like five doctors. [Advocate]

Finally, it got to the point where she wanted to leave, but this was absolutely not abuse to her. She was in control of her body, and those guys were idiots that wanted to give her any money for it. And, the fact of the matter was that she was never safe. [Advocate]

Their mentality is 'This guy is taking care of me. He has provided for me. My family has let me down and this man cares about me. So, no matter what you guys are trying to tell me, I'm not trying to hear that because when you're gone at 5 o'clock, he's still gonna be here. So everything you're telling me is a lie because he takes me home, he takes care of me, and me turning tricks is okay because I need to help out somehow. I can't work, I don't have a job and I can't find a job, so I'm doing what I can to help out.' [Advocate]

cure a mental health diagnosis as a condition to obtain rapid client access to emergency or supportive housing. Some were also concerned that the mental health field could potentially becoming the favored approach for addressing prostitution.

Research has found that prostituted women and girls often dissociate to survive psychologically, allowing their minds to distance themselves from experiences that are too much for them to process at the time.[256,257] Some survivors of abuse describe this as "leaving your body."[258] However research has found that frequent dissociation can lead to a lack of connection in a person's thoughts, memory and sense of identity, which would significantly hamper a prostituted woman's or girl's ability to take steps to remove herself from a painful or dangerous situation.[259]

In a recent study with prostituting women in Vancouver, over half of whom were Aboriginal, 89 percent had at least one PTSD symptom, 81 percent reported at least three numbing and avoidance PTSD symptoms, and 85 percent reported at least two physiological hyper-arousal symptoms.[260] These included:

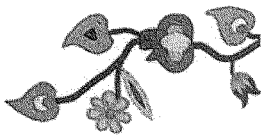
- Having a difficult time falling or staying asleep
- Feeling more irritable or having outbursts of anger
- Having difficulty concentrating
- Feeling constantly "on guard" or like danger is lurking around every corner
- Being "jumpy" or easily startled

Dependency, Denial, and Distrust of Advocates

Joe Parker, co-founder of a foundation that provides services to prostituted women and men, asserts that prostituted people's loyalty to a pimp must be viewed as a manifestation of Stockholm Syndrome, which has been described as a psychological condition common to hostage situations, in which the hostage becomes emotionally bonded to her captor.[262,263] Advocates at both round tables described the tendency of prostituted Native women and girls to insist that they are in prostitution by choice, and to minimize or deny any harm they have experienced. The advocates emphasized the extensive period of time it takes to build enough trust with prostituted Native women and girls that they are even willing to consider that they are being exploited, and the longer period of time it takes until they become willing to leave the sex trade. Some advocates cautioned that prostituted Native women and girls have been manipulated and exploited most of their lives. They asserted that prostituted Native women and girls need to be offered ongoing options without any pressure, because any program that requires them to immediately adopt a new belief system and/or way of thinking and behaving could trigger even higher levels of mistrust.

Fear, Shame, and the "Don't Talk" Rule

During the round table discussions, several advocates commented that Native communities are often aware that certain families in the community are sexually exploiting and trafficking their girls into prostitution, but ignore the signs



that this is occurring because they are reluctant to "interfere." Long-time advocates described this as "the don't talk rule," and reflected that at one time, this same silence existed around domestic violence in Native communities.

Research with Native child victims of physical and sexual abuse, physical and sexual assault, and commercial exploitation supports the advocates' reports at round tables. In one study, American Indian Native survivors of childhood sexual abuse told researchers that when girls in their communities are sexually assaulted by a family member (or even a member of another Native family in the same community), reporting the assault often results in significant social repercussions, so most victims are too afraid to report.[264] In recent interviews with sexual violence survivors, activists, and support workers in three regions of Indian Country (Standing Rock Sioux Reservation in North and South Dakota, the State of Oklahoma, and the State of Alaska), Amnesty International found that a number of the Native women would only agree to be interviewed if their anonymity was guaranteed. These women described the barriers to reporting sexual assault as fear of breaches in confidentiality, fear of retaliation, and a lack of confidence that reports will be taken seriously or result in perpetrators being brought to justice.[265]

In the Canadian study with 150 commercially sexually exploited Aboriginal youth in 22 communities described earlier, prostituted youth reported that prior to running away from home, they had no one they could talk to about the physical and sexual violence they had experienced at the hands of family members and other adults in the community. Similar to the advocates' accounts, these youth reported that people are often reluctant to "interfere." The youth felt that either they would not be believed, or that telling someone would simply trigger new violence.[266]

Absence of a Common, Evidence-based Approach

In addition to those listed above, advocates described two additional barriers they have encountered in trying to determine what services and approaches would result in the best outcomes for prostituted Native women and girls. Both are related to a lack of a uniform, evidence-based approach to working with prostituted Native girls and women.

The first is the absence of appropriate training for anyone working with prostituted Native women and girls, and trainers having cultural knowledge and extensive experience in working with this population. Because addressing this issue is relatively new to Native communities, advocates felt that no common language or body of knowledge has yet been established. Though they reported that participating in the round tables and sharing information and perspectives had significantly increased their own knowledge and awareness, they felt that training is extremely important for new advocates who have never been exposed to hearing stories of severe sexual and psychological violence. The advocates emphasized the importance of appropriate training to ensure that new advocates practice self-care and learn to balance compassion with good boundaries, as a way to prevent advocate burn-out and support good client outcomes.

Another barrier noted by the advocates related to the lack of an evidence-based approach to assisting Native women and girls in prostitution is a lack of systematic data collection that could help estimate the number involved in the various forms of commercial sexual exploitation, the number that meet the state's legal definition for traf-

We've got families that have been in prostitution for generations and you get one that starts talking, she's out of the family. You know, even sisters who were sexually abused by their father also, they're mad at her, you know. 'You better not move back to our rez.' [Second speaker] And then that causes a lot of drinking and drugs because they're ousted. [Advocates]

One of the things we need to work on is that denial. We first have to recognize that this is happening...In our community, what is slowly killing us is that denial, that there is sexual abuse, there is incest happening, and as a result we're setting our future off to be utilized by someone else sexually. [Advocate]

You do not call the police. I don't care what is going on, you call the police and your house will get stoned. Even neighbors who were not involved in what was happening. You just do not do it. That is a big piece that these women and girls are getting, when they're little. [Advocate]

ficking, their current paths of entry, the prevalence of violence they are experiencing, and their needs while in prostitution and when trying to exit. Most of the advocates voiced a high level of interest in a collaborative data collection effort if MIWRC or a group of collaborators would provide a questionnaire and technical assistance, and enter and analyze those data. There was strong agreement that these data are essential for effective planning and services.

Conclusions

On July 22, 2009, MIWRC held a listening session with 33 Native community leaders and elders to discuss the draft of this report and to gather input on recommended action steps. Their comments are included in the following discussion.

The Social Ecology of Native Girl's Vulnerability to Sex Trade Recruitment

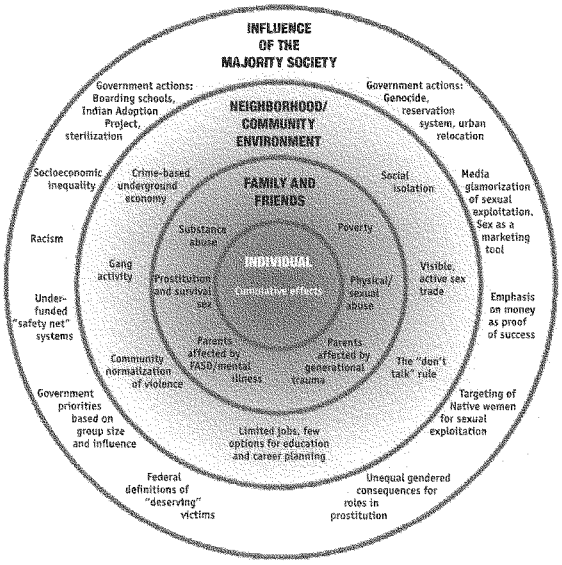
Social ecology is the study of people in their environment and the influence of that environment on human development and behavior.[267] This theoretical model allows for examination of layered social and economic influences on Native children's ability to develop the four beliefs described at the beginning of this summary as essential for a coherent and resilient sense of self:

- The world is predictable, meaningful, and fair
- I am a worthy person
- People are trustworthy.[268]

Overall, the information we gathered for this report demonstrates that the sex trafficking of Native women and girls is neither a new problem nor a rare occurrence. It is, however, a very complex problem in its origins, activities, and solutions. In reviewing our findings, we recognized that a social ecology framework is a useful approach for summarizing the influences that contribute to Native girls' and women's involvement in the sex trade. Using a social ecology lens, we identified four major layers of influences that in combination make American Indian women and girls extremely vulnerable to sex trafficking:

- The impact of the majority society
- Neighborhood and community environments
- The influence of family and friends
- The cumulative impact on the individual

The social ecology of Native girls' vulnerability



Influence of the Majority Society

Government actions

The first and most pervasive layer of influence is that of the majority society. The historical review provided as context describes a series of U.S. government actions that contributed to the poverty and social problems that plague American Indian communities today. These include:

- The removal of Native people from their traditional land base to remote rural reservations, which forced them to become dependent on the U.S. government for food and other basic needs
- The large-scale removal of Native children from their families and communities to boarding schools and adoptive homes, which prevented intergenerational transmission of language and cultural norms for community and family roles and responsibilities
- The widespread physical and sexual abuse of Native children in boarding schools, which significantly impacted their ability to parent their own children in healthy ways
- Prohibitions against practicing traditional spirituality and participating in ceremonies, which impeded grieving of losses and healing from trauma
- Urban relocation initiatives that failed to provide the promised resources, leaving Native families in dire poverty and isolated from the community support that had been present on the reservation
- Government-sponsored assaults on Native women's bodies, including rape in military action and involuntary sterilization by Indian Health Service physicians

I remember going to some kind of historical presentation where they were talking about the Voyageurs, and how they would keep an Indian woman in a trundle bed under their bed for their purposes. And I was so appalled that anybody in the Historical Society would still be dramatizing that, like this was some great and wonderful historical event. And I was really hurt because I'm an Indian woman, and I went there with a group of school kids...if I'm appalled and offended, think of what it's doing to these poor little minds. They're being taught that, 'Oh, Indian women. All they're good for is sex.' [Native community leader discussing report findings]

I'm currently the chief baby-sitter for my granddaughters, who are both 13, the critical age, and one of them is wearing the Britney Spears look. And, I'm like, 'Don't you want to put something over that?' And you know monitoring their Internet activity...it's the clothing and the cosmetics and the ads that all say women are less valued than men...it is a sort of hammering, constant message. [Native community elder and leader discussing report findings]

Racism and the targeting of Native women for sexual violence

In the historical review, advocates' round table discussions, Canadian studies of prostituted Native women and youth, and the listening session with community leaders and elders, racism was consistently identified as a key factor in sexual violence against Native women and girls and in extreme physical and sexual violence against prostituted Native women and youth. The research cited in this report also shows Native women and girls to be more frequent sexual assault victims than any other group of women in the country, and more likely to sustain injuries in those assaults.

Media glamorization of sexual exploitation and sex as a marketing tool

Advocates participating in the two round tables reported Native girls' perception of the sex trade, particularly dancing in strip clubs, as a glamorous career option in which they could make a lot of money very quickly. A number of community leaders and elders at the listening session to discuss the report findings described the massive influence of the media (especially the sexualized nature of music videos) and the constant use of sex as a marketing tool as significant majority-society influences encouraging Native girls and boys to view sexual exploitation as glamorous and profitable.

Socioeconomic inequality and the emphasis on money as proof of success

The advocates' stories, the Canadian literature on the relationship between poverty, homelessness, and Aboriginal women and youth entering the sex trade, and the over-representation of Native women and girls in the Wilder Research study of homelessness in Minnesota all show socioeconomic inequality to be a major factor facilitating Native women's and girls' entry into the sex trade. As we reported earlier, American Indian poverty is the highest in the nation, increasing over the past three years while Black, Hispanic, and White poverty rates declined.[269]

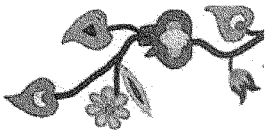
The advocates' discussions at the two round tables and the Canadian literature on studies of prostituted Aboriginal youth all described young Native girls' belief that the money they could earn in the sex trade would empower them, allowing them the freedom to run their own lives and make their own choices. Advocates also repeatedly described pimps' emphasis on money as a way to solve problems and realize dreams as a major incentive for Native girls to begin dancing in strip clubs and then move into prostitution.

Government priorities based on group size and influence

American Indians are a small demographic group in Minnesota, representing only 1.6 percent of the state's population.[270] Research has shown that whenever decisions must be made about the allocation of government resources, small low-income groups have limited influence over those decisions in comparison to more affluent, higher-status groups.[271]

Underfunded "safety net" systems

Our discussions with local police and advocates' stories about trying to find help from law enforcement and child protection units of local government highlight inadequate funding of these agencies as a significant barrier to identifying and protecting Native girls who have been trafficked into prostitution, and to active pursuit of pimps that traffic Native girls and women. In combination, the prevalence of homelessness among Native women and girls, Native girls' high rates of running away, and the severe short-



age of housing options for Native women and girls trying to avoid or escape the sex trade reflect a woefully inadequate system for meeting the emergency shelter needs of low-income, sexually exploited Native girls and women. Not only does the absence of an effective safety net make Native girls more vulnerable to sexual exploitation, it also makes it extremely difficult for trafficked girls to successfully exit the sex trade.

Unequal gendered consequences for roles in prostitution

The attribution of responsibility for women's involvement in the sex trade is deeply rooted in the notion that prostitution is a business transaction between equals and prostituted women have chosen the sex trade as a form of employment. Popular use of the term "the oldest profession" perpetuates this idea, despite a body of research indicating that most prostituted women and girls want out of the sex trade but have no other way to shelter or support themselves.

There is significant gender bias in social and legal sanctions for women and girls engaged in selling sex, compared to those experienced by the men who buy it. Catharine McKinnon has described a gap between the promise of civil rights and the real lives of prostituted women. She notes the ways that the prostitution law fails to protect the civil rights of women involved in prostitution while favoring the civil rights of pimps and johns, citing court decisions to make these points:

- The law does not protect prostituted women's freedom from arbitrary arrest, because it makes women into criminals for being victimized as women, and enforcement of prostitution law has traditionally involved police officers impersonating johns in order to arrest prostituting women.
- The law does not protect a prostituted woman's rights to property, since she cannot declare any parts of herself off-limits, while pimps and johns retain the right to use her body as they choose.
- The law does not protect prostituted women's right to liberty, since liberty is the ability to set limits on one's condition or to leave it.[272]

Our conversations with law enforcement personnel and advocates' stories at the round tables show that purchasers of sexual services typically receive light sentences and are frequently permitted to do community service or restorative justice rather than jail time. This unequal treatment disproportionately softens penalties for men's purchase of sexual services while it criminalizes and stigmatizes women engaged in the same transaction.

Federal definitions of "deserving" victims

The advocates' stories of Native adult women who had been trafficked into prostitution as children illustrated the impact of federal guidelines for "deserving" victims. As adults trying to exit the sex trade, many had been refused access to emergency shelters, victim services, and federally-funded housing due to their prostitution convictions. Donna Hughes, professor and Carlson Endowed Chair at the University of Rhode Island, has pointed out the overlap in definitions of sex trafficking and pimping, emphasizing that women's experiences in prostitution and sex trafficking are quite similar in regard to violence, control, exploitation, and level of victimization. Hughes notes that in multiple studies of women in prostitution, the average reported age of entry suggests that 70 percent were, by definition, victims of sex trafficking at the time they entered the sex trade.[273] Child victims of sex trafficking do not cease to be victims simply because they turned 18. Their victimization in childhood continues to impact their lives as adults.

I have a 10-year-old now, and... when we set up camp [at a powwow] he wants to be gone and run around, and all the boys are running around...and then when they go to the vendor booths, the first place they always go is the one where they have all the hats and the pimp gear and all the bling and all that. He always wants to buy that stuff. He always wants that hat with the bunny sign on it. [Native community leader discussing the report findings.]

It wasn't too long ago, I was at a venue of Native people and I was within ear's length of a group of young girls. One of the young girls said that her baby needed diapers and so she did a booty call so she could get money to get diapers for her kid...so that was prostitution in the definition of the word. But she didn't see that. That was the normalcy of it, you know. 'I need this for my child and I'm going to use what I have.' If you have money, you can go to the store...If you don't have money, you have to use what you have at your disposal...And that was shared with a bunch of young girls, and none of them were appalled by it. There was more of a 'Yeah, I understand that,' than 'Oh, my god, how could you do something like that?' [Native community leader discussing report findings.]

We all knew which houses were doing what in our community. And historically, because of who they were or who they were related to, or they're on the board, they were able to get away with it. Right? Everybody looked the other way on it. [Advocate]

Some of us in this room have addressed this on several occasions, but it was always hard to get the community to jump on board. I mean, it was—you know, you always had the choir. You always had the people that worked in the field that were interested in helping the victims that were in front of them at their desk, but there was not any cry from the community to deal with it on a community basis, at a community level, and so there are those pockets of safety for people that are committing these heinous crimes on a regular basis. [Community elder and leader discussing the report findings]

Influence of neighborhood and community environments

Gang activity and community normalization of violence

The discussions of advocates at the two round tables and the research literature from Canada and the U.S. all noted the considerable influence of gangs in Native communities, gangs' use of violence to coerce Native girls into prostitution, and Native girls' efforts to be as safe as they can in an unsafe environment through sexual relationships with gang members. Native girls' responses to the 2007 Minnesota Student Survey indicated significant levels of gang presence at their schools, and similar to the Canadian research we cited, showed violence to be a common feature of Native girls' school and neighborhood life in Minnesota.

A visible and active sex trade

Advocates repeatedly described young Native girls being approached on the street and offered money for sex, and in Canadian studies, Aboriginal youth reported the same experience. In the data collected by MIWRC, a significant number of Native women and girls reported knowing someone in prostitution, and many reported knowing a trafficker. The discussions at the advocates' round tables and the Canadian literature on Aboriginal youth in prostitution described frequent exposure of Native youth to a visible and active neighborhood sex trade as a key influence in normalizing survival sex and prostitution.

Social isolation and the "don't talk" rule

Research in poor neighborhoods has found that high levels of neighborhood violence and crime contribute to social isolation, where safety concerns limit the degree to which people become involved with or interact with their neighbors. The long-term success of children in these neighborhoods has been found to be strongly related to community members' willingness to support parents' efforts to keep their children safe.[274] Minneapolis and Duluth both have large urban concentrations of American Indians in low-income, high-crime neighborhoods where short-term residence in rental housing is the norm. The advocates' accounts and participants in Canadian research on prostituted youth both emphasized community norms for minding one's own business and the potentially dangerous consequences of calling the police.

The advocates' reports and the literature on abuse at boarding schools describe current Native community members' reluctance to get involved and the pervasiveness of "don't talk" rule. Both view these unhelpful social norms as responses of Native children that experienced or witnessed abuse at boarding schools. Teachers and administrators perpetrating sexual and physical abuse forced these children to accept responsibility for their own abuse. The children learned to be ashamed of their own sexuality, and also learned that telling anyone about the abuse they or others had experienced only led to increased violence and additional shame. Passed down to consecutive generations, the end result of these efforts to avoid harm to self or others is a lack of safety for sexually exploited children and an absence of accountability for perpetrators in Native communities.

A crime-based underground economy

Though community participation in an underground economy was not included in our description of factors contributing to Native girls' and women's vulnerability to entering the sex trade, some advocates did comment on Native girls' reliance on "boosters" selling stolen clothing, shoes, and accessories at very low prices. The community leaders and elders at the listening session pointed out that Native girls' and women's routine

use of "boosters" increases their risk of involvement in other types of illegal activity, and viewing the sex trade as an acceptable way to get the things they want.

Limited jobs, few options for education and career planning

In the neighborhoods where American Indians are concentrated in Minneapolis and Duluth, unemployment rates are high and opportunities for legal, living-wage employment are extremely limited, as are options for a quality education. Research has found that inner-city schools consistently receive lower ratings for quality of education and student achievement than suburban schools, reflecting the broader patterns of inequality elsewhere in American society.[275] Students in these schools have been described as a "captured market," because their socioeconomic status makes them completely dependent upon the public school system.[276] The high American Indian school dropout rates suggest that unrewarding school experiences contribute to a belief that educational attainment and career planning are neither useful nor realistic life goals.

Influence of families and friends

Poverty

The advocates' discussions at the round tables, the research literature from Canadian studies of prostituted Aboriginal women and youth, and the comments from community leaders and elders all emphasized the importance of family poverty in two types of vulnerability among Native women and girls:

- Vulnerability to homelessness
- Vulnerability to landlord pimps that threaten rent increases and/or eviction.

Physical and sexual victimization

Canadian studies' findings that childhood physical and sexual abuse are common among prostituted Native women and girls and runaway Native youth, Minnesota Student Survey findings on Native girls' reports of physical and sexual abuse at home and having run away from home, and state and local data on American Indian child maltreatment show that many Native girls are at very high risk of being trafficked into the sex trade because of prior victimization. The Wilder Research study of homelessness also found that Native women and girls frequently reported physical or sexual violence at home as the reason for their current homelessness. Other studies' findings of high rates of partner violence among low-income Native women suggest that many Native women and girls are forced to leave home to avoid violent victimization, resulting in homelessness that further increases their vulnerability to sex trafficking.

Prostitution and survival sex

At both round tables, advocates described Native girls whose families were involved in generational prostitution and girls' friends already involved in stripping and/or prostitution. The Canadian studies of Aboriginal youth involvement in prostitution reported similar findings. The data collected from clients entering MIWRC programs confirmed that many have friends in prostitution, and also showed that clients reporting involvement in prostitution were most often recruited by a friend.

Substance abuse

At round tables, advocates reported Native mothers trafficking their daughters into prostitution to feed an addiction, and the Canadian studies of prostituted youth that we cited also identified parental substance abuse as a facilitating factor for Native youth running away from home and entering the sex trade. In the 2007 Minnesota Student Survey, the propor-

We need to also remember that this sub rosa economy is working all the time. The sale of illegal goods, all of that happens in our community, and the inability of young women to understand what they're doing in exchanging a sexual favor for money to buy diapers is part of that. [Community elder and leader discussing report findings]

What I'm saying is it is so commonplace because boosters are so prevalent. I mean, in other advocacy and other outreach, I was in people's homes and we were talking about healthy housing and education and their booster shows up and is trying to sell me clothes that they just got from the plus size clothing store, and he had an entire trunk of all this beautiful stuff. [Advocate]

tion of American Indian girls reporting problematic drug and alcohol use by a family member was much higher than that of girls in the general population, and the responses of homeless American Indian women and girls in the Wilder Research study of homelessness indicate that family substance abuse often forces Native women and girls to leave home without any other place to stay. The advocates and studies with prostituted Aboriginal youth in Canada both identified Fetal Alcohol Syndrome Disorder (FASD) as an indirect affect of mothers' substance abuse on Native girls' vulnerability to sexual exploitation.

Parents affected by generational trauma, FASD, and/or mental illness

At the advocates' round tables and in findings from Canadian studies with prostituted Native women and youth, unresolved generational trauma was identified as a root cause of the community violence, domestic violence, child abuse, and substance abuse that pervades Native communities in the U.S. and Canada. Advocates also reported knowing FASD-affected Native mothers trafficking their children, and the research we cited confirms that a FASD-affected, mentally ill or cognitively-impaired parent can increase their children's vulnerability to sexual exploitation.

The cumulative effect on Native girls

Lack of workforce preparation, sex trade viewed as a glamorous career option

Native girls' responses to the 2007 Minnesota Student Survey show high levels of disengagement from school and truancy, and data on American Indian school dropout shows that many leave school without the education level necessary to succeed at most living-wage jobs. The absence of employment opportunities in their neighborhoods and the lack of social networks for securing first jobs leave many Native girls with no employment history or job skills. The glamorization of sexual exploitation in the popular media, a highly visible sex trade, and girls' awareness that sex can be a resource for meeting basic needs combine to normalize the sex trade, encouraging Native girls to view it as a reasonable way to obtain money.

Absence of safety and emotional vulnerability

Native girls' reports of physical and sexual violence at home, gang presence and threat of violence in their schools, and physical and sexual violence by dates in the 2007 Minnesota Student Survey shows an alarming lack of safety in their lives. Advocates' stories at the round tables and Canadian research with runaway and prostituted Native youth also described the tremendous emotional vulnerability of Native girls in this type of home and community environment, especially to pimps and recruiters that promise to take care of and protect them. The reluctance of community members to intervene and community antagonism to anyone who calls the police makes Native girls even more vulnerable to guerrilla recruitment into prostitution. The very limited options for emergency shelter and crisis services leave the vast majority without alternatives that could offer protection or support.

Native girls' own trauma responses

Native girls' responses to the 2007 Minnesota Student Survey show that many use alcohol before the age of 12, show signs of alcohol dependency before leaving high school, and participate in violence against others. Research showing the prevalence of sexual assault and the link between sexual assault trauma and substance abuse among American Indian women confirms that these traumas make a significant number of Native girls and women vulnerable to prostitution recruitment by a pimp promising them safety. Advocates' reports of prostituted Native women's reluctance to trust and their dependency on pimps indicate that these trauma responses frequently expose them to new violence and new trauma.

Last Words

At the July 22, 2009 listening session to discuss the report findings, all of the Native community leaders and elders in attendance confirmed the seriousness of the problem and inspired us with their commitment to working together on a community response to end the commercial sexual exploitation of Native women and children.

Based on the information presented in this report, we conclude that commercial sexual exploitation of Native girls and women is neither harmless nor victimless. The widespread notion that prostitution is a voluntary career choice made by a fully informed adult has no basis in reality for the vast majority of prostituted Native women and girls. We find it unreasonable and cruel to assume that any Native person in prostitution has made an informed choice to endure extreme violence and subjugation at the hands of pimps and purchasers of sexual services, or to voluntarily decided to accept this maltreatment as an acceptable occupational hazard.

We found that most prostituted Native women and girls are trafficked into the sex trade as children but were never identified or protected as trafficking victims. Unable to find the support to leave prostitution, at the point that these victims reach the age of 18, they are immediately considered criminals and are often refused access to shelters and other services for trafficking, sexual assault, domestic violence, and stalking victims.

While stripping and pornography are often framed as relatively harmless aspects of the sex trade, we have identified these as gateways to prostitution for a significant number of Native women and girls. While some enter the sex trade to pursue the illusion of a glamorous and lucrative career, continued involvement in prostitution is almost always due to an absence of other options.

Because our focus for this report was the commercial sexual exploitation of Native women and girls, we did not address the prostitution of Native boys or Two-Spirit (gay, lesbian, and bisexual) youth. However, a number of Canadian studies reported that though girls made up 75-80 percent of Aboriginal youth in the sex trade, the remaining 20-25 percent were boys, Two-Spirit, and transsexual individuals.[277,278,279,280] In a 2008 Canadian study of street youth, 23 percent of Aboriginal boys and 54 percent of Aboriginal girls described themselves as not entirely heterosexual, bisexual, or gay/lesbian. These youth were much more likely than heterosexual-identifying youth to report having been kicked out of their homes or having run away, which makes them even more vulnerable to commercial sexual exploitation.[281]

Next Steps

The community leaders and elders that attended the listening session agreed on three main points regarding next steps toward addressing the commercial sexual exploitation of Native people:

- Any approach to addressing the problem must prioritize the healing and empowerment of Native communities, and ensure that they are not re-victimized as a result of the information brought forth in this report.

Feedback from Native community leaders

I'm really happy that this report came out. I'm really happy that finally we can sit in a group like this and talk about it, because we can't hide it any more. We can't tell our girls it's okay, because it's not okay...I really want to continue to be a part of this dialogue because I think it's long overdue.

The report shines a light on this—it's a stake in the ground. It says 'Look at this.' This is something that needs attention, and we're not going to solve this now or in the next little while, but if we don't start, we'll never solve it.

One of our spiritual leaders said to us some years ago, those of us who are older, who have been victimized by racism in this country and also those of us who are women who have victimized in whatever ways simply because we are women—what he said to us was, 'That pain is yours. That is your pain, and you need to deal with it, but don't pass it on to your children. They will experience their own difficulties and they will have to deal with that, but do not talk to them about what you have dealt with.' I think [that] until we do deal with our own pain, it's impossible not to pass it on.

- To ensure community engagement and an emphasis on healing and empowerment, the next stage of strategic planning must be led by a committed and knowledgeable group of Native people.
- This is not solely a women's issue—it is a community issue that also involves Native boys and Two-Spirit youth and adults.

Recommendations for Action

The recommendations we provide here came from:

- Advocates attending the two regional round tables
- American Indian community leaders and elders that attended the listening session
- Prostituted Aboriginal women and youth and Aboriginal community members participating in Canadian studies of commercial sexual exploitation
- Patterns of risk identified in data and literature gathered for this report

Increase Awareness of the Problem

Provide education to a cross section of leadership on:

- The impact of poverty and other risk factors on Native youth's disproportionate involvement in the sex trade
- The extreme violence and trauma experienced by Native women and youth in prostitution
- Traffickers' recruitment strategies and the significance of strip clubs, pornography, online and phone sex, and escort services as gateways to prostitution for Native youth

Reframe the conversation and change the language

- Increase awareness that prostitution is not a life style choice, is not a victimless crime, and that the vast majority of prostituted people were trafficked into the sex trade as children--clearly identify prostitution as a form of sexual violence
- Highlight the proven relationship between men's belief that sex is a commodity that they have the right to purchase and the likelihood that they will commit violence against a woman
- Eliminate terms that place the onus of responsibility on the exploited person; rather than "prostitute," promote use of "person in prostitution" or "prostituted person"

Hold Sexual Exploiters Accountable

- Prosecute all cases of juvenile sex trafficking to the fullest extent of the law
- Reduce demand by increasing penalties for the purchase of sexual services (particularly sex with minors), and prohibit plea bargain agreements that allow purchasers to reduce their penalties through community service and/or restorative justice
- Support efforts by American Indian communities to hold families involved in multi-generational trafficking of their children accountable
- Identify, arrest, and prosecute anyone attempting to recruit vulnerable Native adults and youth for prostitution at homeless shelters, battered women's shelters, and other places providing emergency services
- Address gangs' use of violence to force Native youth into prostitution

Begin Outreach

- Recruit Native survivors of prostitution for employment as outreach workers and community educators
- Use harm reduction strategies, including providing condoms/promoting consistent condom use and partnering street nurses with outreach workers to provide Hepatitis B vaccinations
- Distribute information about domestic sex trafficking, sexual assault programs and related programs and services through community agencies, hospital emergency rooms, health clinics, and food shelves so that sexually exploited Native women and youth are more aware of places they can find help
- Establish protocols to identify and interrupt recruitment at outreach and drop-in programs, and ensure that programs are safe

Improve access to emergency shelter and transitional housing

All of the information we gathered on the types of housing prostituted Native women and girls need to successfully exit the sex trade emphasized three key points that should inform any plan to improve emergency shelter and housing options:

- The sex trade reinforces dependency on a pimp, so victims of commercial sexual exploitation often take a very long time to make the final decision to complete separate themselves
- These victims have known nothing but exploitation most of their lives, so are very reluctant to trust any program or organization that applies limits or makes demands
- The most useful and effective services have the fewest requirements, and focus on "meeting victims where they are"

For these reasons, these are the aspects of emergency shelter and transitional housing needed to provide effective support to prostituted Native women and youth to avoid or leave the sex trade:

- 24-hour, 7 days a week "safe houses" statewide, where sexually exploited Native women and youth can access emergency shelter, showers, clothing, food, referrals for health care, and other basic needs
- Transitional and supportive housing facilities with culturally competent staff statewide, specifically designed for prostituted Native women and youth
- Shelters, transitional housing and outreach services should link prostituted and at-risk Native girls and women to an array of holistic services to meet basic needs, receive health care, and work toward access to permanent safe housing
- Funding for transitional housing that is long-term and covers operating expenses—length of stay must be adequate to ensure that prostituted Native girls and women have enough time to build the skills and stability they need to secure gainful employment

To provide the greatest access, existing emergency and transitional housing facilities should:

- To the extent possible, revise public housing policies blocking access to anyone with a felony conviction, to allow access for victims of sex trafficking whose convictions were due to having been trafficked
- Work with child protection systems in the best interest of the families
- Give prostituted people attempting to exit the sex trade the same priority as people with a mental health diagnosis, rather than requiring them to get a mental health diagnosis for priority access

Increase Options for Self-sufficiency to Reduce Vulnerability

Poverty is one of the major factors in vulnerability to commercial sexual exploitation. The following are recommendations for services and programs that can help Native women and youth stay in school and/or gain the skills and resources they need to become self-sufficient

- Provide opportunities to finish high school that include mentoring, flexible hours, and access to high quality childcare so that those with children can participate
- Tailor employment services, academic, and career counseling to match prostituted Native women's and youth skills and interests, and accommodate learning styles
- Build relationships with employers willing to provide internship and apprenticeship programs where prostituted Native women and youth can develop skills and build confidence in their abilities

Promote Healing

- Hold community forums and workshops in American Indian communities to raise awareness of sex trafficking, the vulnerability of Native women, youth, and Two-Spirit people, and available resources for trafficking victims and their families
- Build community support for believing Native people that report sexual abuse and sexual exploitation, valuing and protecting them rather than stereotyping and isolating them
- Engage Native communities in recognizing and addressing the role of silence and denial in generational abuse and sexual exploitation, and in working as a community to hold all traffickers of Native people accountable
- Engage Native communities in holding producers and sellers of media and products that sexualize Native women and children accountable
- Encourage culturally based agencies to incorporate programming to meet the unique needs of sexually exploited women and youth, and provide opportunities for collaboration and networking to streamline services
- Create healing centers where victims and families can re-engage in traditional healing and build stronger cultural identities
- Provide culturally based healing that holistically addresses chemical dependency, mental illness and sexual trauma

Improve Systems and Increase Collaboration Between Systems

Engage child protection, law enforcement, schools, and Native community-based housing and social service agencies in collaborative efforts.

- Standardize intake procedures that can accurately identify victims of sex trafficking and provide them with immediate access to appropriate resources
- Develop training protocols in partnership with other stakeholders to raise awareness and install effective response mechanisms
- Support coordinated efforts by local law enforcement, Tribal law enforcement, the FBI, and the Coast Guard and other agencies to identify, investigate, and prosecute sex traffickers
- Investigate possible sex trafficking when youth report sexual abuse in the home, and ensure that a trained child protection worker works closely with police and Native programs to meet the unique needs of prostituted Native children
- Target gangs in schools, housing complexes, and neighborhoods by developing zero tolerance strategies to prevent and interrupt criminal activities with youth
- Develop coordinated responses to truant and runaway Native youth that divert them from the juvenile justice system to Native programs that serve sexually exploited Native youth

When the court case has begun against a Native sex trafficking victim's trafficker:

- Provide victims with a specific advocate who has the skills and knowledge to deal with her/him respectfully and for the length of time necessary
- Provide Pro Bono legal services to the victim and a safe space where she/he and the attorney can meet
- Do not require victims to be in the same room as the accused trafficker
- Develop alternatives to corrections placement in foster care and group homes for prostituted Native youth so they are not isolated from their culture and community
- Improve protections for victims who have outstanding warrants for their arrest, if those arrests are related to being trafficked, and consider that probation violations may be related to being trafficked

Provide Extensive Training to all Professionals that Come into Contact with Prostituted Native Women and Youth

In addition to basic training on the dynamics and impacts of the sex trade, various professionals should receive more in-depth training. These are some of the main topics we suggest:

For police officers, prosecutors, courts, and guardians ad litem:

- The importance of screening runaway and truant Native youth for involvement in the sex trade, and making social services arrangements on site rather than releasing them back to the community
- Establishing guidelines for recognizing when a prostituted Native person may be affected by FASD and or PTSD
- Networking with referral agencies for culturally-appropriate intervention and support services

For medical and emergency room personnel:

- The importance of treating prostituted victims of sexual or physical assault as assault victims, even when their injuries were perpetrated by a purchaser of sexual services or a pimp
- Information about trafficking laws, how to contact law enforcement, and how to keep a trafficking victim safe until the police arrive

For teachers and school administrators, 5th through 12th grade:

- Sex trade culture and terminology, common recruitment strategies, trafficker profiles, and indicators that a student is being trafficked
- Information about trafficking laws, how to contact law enforcement, and how to keep a trafficking victim safe until the police arrive
- Referral agencies for culturally-appropriate intervention and support services.

For workers in child protection, child welfare, and family social services:

- Sex trade culture and terminology, and the importance of early intervention
- Culturally-specific screening tools for sex trafficking and other forms of commercial sexual exploitation
- Follow-up strategies for protecting and monitoring sexually exploited Native adolescents and teens to provide a safety net for those that continue living with their families, including providing information on suitable referral services

For mental health professionals:

- The guilt and shame experienced by prostituted and trafficked Native adults and youth, and the need to respond immediately and skillfully
- The importance of a nonjudgmental approach that does not include a timeline for progress.
- The importance of a careful diagnosis that takes potential FASD and PTSD into account as possible aggravating factors
- Prostituted Native women's frequent experiences with unnecessary or inappropriate medications

Project Limitations and Future Research

Methodologically, our decision to convene round table discussions with advocates working with American Indian women and girls in crisis situations and use the information gathered there as a framework turned out to be a very useful approach. Our assumption that these advocates were likely to come into contact with trafficked and prostituted Native women and girls was correct. In the absence of any prior source of systematically collected data on Native women and girls in prostitution or other areas of the sex trade in either Minnesota or the U.S., triangulating advocates' experiences and observations with findings from published research, local data, and MIWRC client screening data allowed us to develop a basic understanding of a little-understood and complex problem within relatively short period of time.

Though it was useful as a starting point, the data collected by MIWRC via client screening and the two advocates' round table discussions represented a very small number of participants in very limited geographic areas. MIWRC is currently revising and expanding its screening tool and process to improve our ability to identify trafficking victims and provide them with appropriate services and supports. We expect to implement the new tool and process in October 2009.

There is an urgent need for a regional study involving a systematic and coordinated data collection process, to develop findings that can be generalized to the larger population. At both round tables and at the listening session with Native community leaders and elders in Minneapolis, Native participants emphasized the great need for more in-depth information to build upon what was found in producing this report, but they also voiced a serious concern that research could not take priority over adequate funding for direct services to prostituted Native people. With that qualifier in place, regarding future research, we recommend that:

- Funding for coordinated and appropriate support services to victims of commercial sexual exploitation is the community's highest priority—additional research will require a separate funding pool
- Any future research should involve identification, experiences, and needs of all American Indian victims, regardless of gender or sexual orientation
- Data collection should involve multiple agencies and programs providing culturally-specific crisis services to Native people for emergency shelter and housing, domestic violence, sexual assault, substance abuse, crisis intervention, and the needs of at-risk youth
- Because this exploratory study found indications of trafficking between cities in Minnesota, Wisconsin, North Dakota, and South Dakota, we recommend a regional study that includes two large urban Indian communities in each of the four states: Minneapolis, Duluth, Grand Forks, Fargo, Sioux Falls, Rapid City, Milwaukee, and Green Bay

References

1. Cited in The Advocates for Human Rights, (September 2008). Sex trafficking needs assessment for the State of Minnesota. Minneapolis: The Advocates for Human Rights.
2. The Advocates for Human Rights, (September 2008). Sex trafficking needs assessment for the State of Minnesota. Minneapolis: The Advocates for Human Rights.
3. Beyond Borders , ECPAT-USA and Shared Hope International, (2008). Report of the Canada-United States Consultation in preparation for World Congress III against sexual exploitation of children and adolescents. Beyond Borders , ECPAT-USA and Shared Hope International.
4. Adapted from the definition used on page 11 of Walker N, (April 2002). Prostituted teens: More than a runaway problem---Michigan Family Impact Seminars, Briefing Report No. 2002-2. East Lansing MI: Institute for Children, Youth and Families, Michigan State University.
5. Farley M, (2003). Prostitution and the invisibility of harm, Women & Therapy 26(3/4): 247-280.
6. Based on the definition used in Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation, authored by Cherry Kingsley and Melanie Mark and published by Save the Children Canada in 2000.
7. The Advocates for Human Rights, (September 2008). Sex trafficking needs assessment for the State of Minnesota. Minneapolis: The Advocates for Human Rights.
8. See 18 U.S.C. § 1591(a).
9. The Advocates for Human Rights, (September 2008). Sex trafficking needs assessment for the State of Minnesota. Minneapolis: The Advocates for Human Rights.
10. Hughes D, (November 2, 2006). Prostitution and trafficking: Is there a difference? Presentation at Breaking Free, Saint Paul MN.
11. Minnesota Statute § 609.321, subd. 2; Minnesota Statute § 609.321, subd. 7a. For a full description of Minnesota trafficking law, see The Advocates for Human Rights, (September 2008). Sex trafficking needs assessment for the State of Minnesota. Minneapolis: The Advocates for Human Rights.
12. Klain E, (1999). Prostitution of children and child-sex tourism: An analysis of domestic and international responses.
13. Minnesota Statute 609.342.
14. Office of Juvenile Justice and Delinquency Prevention, (June 2004). Prostitution of juveniles: Patterns from NIBRS, Juvenile Justice Bulletin. Washington DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.
15. The Advocates for Human Rights, (June 2009). Update on sex trafficking legislation. Retrieved June 24, 2009 from http://www.theadvocatesforhumanrights.org
16. Minnesota Statute § 609.321, subd. 7a
17. Fischer K, (2002). Suspect relations: Sex, race, and resistance in colonial North Carolina, Ithaca: Cornell University Press, pp. 62 and 67.
18. Waselkov, Gregory A. and Braund, Kathryn E. Holland (1995). William Bartrand on the Southeastern Indians. Lincoln: University of Nebraska Press, p. 114.
19. Brown, Dee, (1970). Bury my heart at Wounded Knee: An Indian history of the American West. New York: Holt, p. 90.
20. Board of Indian Commissioners, (1872). Third annual report of the Board of Indian Commissioners to the President of the United States, 1871. Washington DC: Government Printing Office.
21. Roth S and Newman E, (1995). The process of coping with sexual trauma, in Everly G and Lating J s.), Psychotraumatology: Key papers and core concepts in post-traumatic stress. New York: Plenum Press, pp. 321-339.
22. West W Jr. and Gover K, (1988). The struggle for Indian civil rights, in Hoxie F (Ed.), Indians in American History/ Arlington Heights IL: The Newberry Library, p. 276.
23. Smith A, (2005). Better dead than pregnant: The colonization of Native women's reproductive health, in Conquest: Sexual violence and American Indian genocide. Cambridge MA: South End Press, pp. 79-80.
24. Giago T, (October 25, 2007). Children left behind: The dark legacy of Indian mission boarding schools. Santa Fe: Clear Light Publishing.
25. National Council on Urban Indian Health, (undated). Relocation has been endemic to modern American Indian history.
26. Cited in Lawrence J, (Summer 2000). The sterilization of Native American women, American Indian Quarterly 24(3): 410.
27. Takaki R, (1993). A different mirror: A history of multicultural America. Boston: Back Bay Books. Pp. 233-236.
28. Yellow Horse Brave Heart, Maria and DeBruyn, Lemyra M, (1998). The American Indian holocaust: Healing historical unresolved grief, American Indian and Alaska Native Mental Health Research 8(2), p. 63.
29. National Council on Urban Indian Health, (undated). Relocation has been endemic to modern American Indian history.
30. Josephy A Jr., (1988). Modern America and the Indian, in Hoxie E (Ed.), Indians in American History, pp.251-272. Arlington Heights IL: Harlan Davidson.
31. Ibid.
32. Kreisher K, (March 2002). Coming home: The lingering effects of the Indian Adoption Project, Children's Voices. Child Welfare League of America.
33. Cited in Lawrence J, (Summer 2000). The sterilization of Native American women, American Indian Quarterly 24(3): 400-419.
34. Yellow Horse Brave Heart M and DeBruyn L, (1998). American Indian holocaust: Healing historical unresolved grief, American Indian and Alaska Native Mental Health Research 8(2): 60-82.
35. Kaufman G, (1989). The psychology of shame: Theory and treatment of shame-based syndromes
36. Tjaden P and Thoennes N, (2000). Full report of the prevalence, incidence, and consequences of violence against women. Washington DC: U.S. Department of Justice.
37. Perry S, (December 2004). American Indians and crime—A BJS statistical profile 1992-2002. Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs.
38. Bachman R, (September 29, 2003). The epidemiology of rape and sexual assaults against American Indian women: An analysis of NCVS data, presented to a federal and tribal working group on sexual assault against Native women. Cited in Sarah Deer, 2005, Sovereignty of the soul: Exploring the intersection of rape law reform and Federal Indian law, Suffolk University Law Review 38: 455.
39. Walters K and Simoni J, (1999). Trauma, substance use, and HIV risk among urban American Indian women. Cultural Diversity and Ethnic Minority Psychology 5(3): 236-248.
40. Ibid.
41. Tjaden P and Thoennes N, (2000). Extent, nature, and consequences of intimate partner violence: Findings from the National Violence Against Women Survey. Washington, D.C.: National Institutes of Justice.
42. Ibid.
43. Malcoe L, Duran B and Montgomery J, (2004). Socioeconomic disparities in intimate partner violence against Native American women: A cross-sectional study, BMC Medicine.
44. Malcoe L and Duran B, (in press). Intimate partner violence and injury in the lives of low income Native American women, in B. Fisher (Ed.), Violence Against Women and Family Violence: Developments in Research, Practice, and Policy Conference Proceedings. Washington, DC: National Institute of Justice, U.S. Department of Justice.

45. Bohn D, (2003). Lifetime physical and sexual abuse, substance abuse, depression, and suicide attempts among Native American women, Issues in Mental Health Nursing 24(3): 333-352.
46. Hunter S, (1994). Prostitution is cruelty and abuse to women and children. Michigan Journal of Gender and Law 1: 1-14.
47. Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, Fourth World Journal 6(1): 21-29.
48. Ibid.
49. Cler-Cunningham and Christenson C, (2001). Studying violence to stop it: Canadian research on violence against women in Vancouver's street level sex trade. Research for Sex Work 4, June: 25-26.
50. Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, Fourth World Journal 6(1): 21-29.
51. Cler-Cunningham and Christenson C, (2001). Studying violence to stop it: Canadian research on violence against women in Vancouver's street level sex trade, Research for Sex Work 4, June: 25-26.
52. Baldwin M, (1992). Split at the root: Prostitution and feminist discourses of law reform, Yale Journal of Law and Feminism 5: 47-120.
53. Currie, S. (1994). Assessing the violence against street-involved women in the downtown Eastside/Strathcona community.
54. Lowman, J (1993). Canada. In NJ Davis (Ed.) Prostitution: An international handbook on trends, problems, and policies, pp. 56-86. London: Greenwood Press.
55. Lowman J and Fraser L, (1995). Violence against persons who prostitute: The experience in British Columbia. Unedited technical report. Department of Justice Canada. Cited in Federal/Provincial Territorial Working Group on Prostitution (1998) Report and recommendations in respect of legislation, policy, and practices concerning prostitution-related activities. Canadian Federal/Provincial Working Group on Prostitution.
56. Miller J, (1995). Rape myths and violence against street prostitutes. Deviant behavior 16:1-13.
57. Stark C and Hodgson C, (2003). Sister oppressions: A comparison of wife battering and prostitution. In M Farley, (Ed.) Prostitution, trafficking and traumatic stress, pp. 17-32.
58. Special Committee on Pornography and Prostitution, (1985). Pornography and prostitution in Canada, p. 350.
59. Amnesty International Canada, (2004). Canada: Stolen sisters—a human rights response to discrimination and violence against indigenous women in Canada. Ottawa: Amnesty International.
60. Evans-Campbell T, (2008). Historical trauma in American Indian/Native Alaska communities: A multilevel framework for exploring impacts on individuals, families, and communities, Journal of Interpersonal Violence 23: 316-338.
61. Martin L and Rud J, (October 2007). Prostitution research report: Data sharing to establish best practices for women in prostitution. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.
62. Meeting December 31, 2008.
63. Ibid.
64. Telephone conversation, March 23, 2009.
65. Meeting with Lauren Martin, co-author of a report based on Hennepin County Corrections data, April 10, 2009.
66. Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). Human trafficking in Minnesota: A report to the Minnesota Legislature. Saint Paul: Minnesota Statistical Analysis Center.
67. Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2008). Human trafficking in Minnesota: A report to the Minnesota Legislature. Saint Paul: Minnesota Statistical Analysis Center.
68. Ibid.
69. Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). Human trafficking in Minnesota: A report to the Minnesota Legislature. Saint Paul: Minnesota Statistical Analysis Center.
70. Carter V, (2004). Providing services to African-American prostituted women, in Farley M (Ed.), Prostitution, trafficking, and traumatic stress. New York: Taylor and Francis, Inc.
71. Carter V, (2000). Breaking free, in Hughes D (Ed.), Making the harm visible: Global sexual exploitation of women and children. The Coalition Against Trafficking in Women.
72. Cited in Hofstede Committee, (November 1999). The Hofstede Committee report: Juvenile prostitution in Minnesota. Saint Paul: Minnesota Attorney General's Office.
73. Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, Fourth World Journal 6(1): 21-29.
74. Benoit C and Millar A, (2001). Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers. Victoria: Prostitutes Empowerment, Education, and Resource Society.
75. Assistant Deputy Minister's Committee on Prostitution and Sexual Exploitation of Youth, (2001). Sexual exploitation of youth in British Columbia. Victoria: Ministry of Attorney General, Ministry for Children and Families, and Ministry of Health.
76. Farley M and Lynn J, (2000). Pilot study of 40 prostituted women and girls in Vancouver, Canada. Unpublished manuscript cited in Farley and Lynne, 2002, Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women.
77. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada, p. 41.
78. Cited in Cherry T, (November 13, 2008). Flesh trade targets natives, Toronto Sun.
79. Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). It's not what you think: Sexually exploited youth in British Columbia. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC.
80. Meeting in Minneapolis, May 13, 2009.
81. Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, Fourth World Journal 6(1): 21-29.
82. Hofstede Committee, (November 1999). The Hofstede Committee report: Juvenile prostitution in Minnesota. Saint Paul: Minnesota Attorney General's Office.
83. Raphael J and Ashley J, (May 2008). Domestic sex trafficking of Chicago women and girls. Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.
84. Hofstede Committee, (November 1999). The Hofstede Committee report: Juvenile prostitution in Minnesota. Saint Paul: Minnesota Attorney General's Office.
85. Carter V, (March 13, 2008). Press release: Local responses to prostitution. Retrieved May 1, 2009 from http://www.health.state.mn.us/injury/new/svpnews.cfm?gcNews=109
86. Boyer D, Chapman L, and Marshall B, (1993). Survival sex in King County: Helping women out. Report to the King county Women's Advisory Board. Seattle: Northwest Resource Associates.
87. Lowman J and Fraser L, (1989). Street prostitution: Assessing the impact of the law. Vancouver BC: Department of Supply and Services Canada.
88. Bramly L, Tubman M and Rapporteurs S, (1998). International summit of sexually exploited youth: Final report. Out From the shadows: The sexually exploited youth project. Vancouver: Save the Children Canada.
89. Calgary Police Commission, (1997). Children involved in prostitution: Report by The Task Force on Children in Prostitution. Calgary: Calgary Police Commission.
90. Jesson J, (1993). Understanding adolescent female prostitution: A literature review. British Journal of Social Work 23: 517-530.
91. Manitoba Youth and Child Secretariat, (1996). Report of the Working Group on Juvenile Prostitution. Winnipeg: Manitoba Child and Youth Secretariat.
92. McIntyre S, (1994). The youngest profession: The oldest oppression. PhD Thesis, University of Sheffield: Department of Law.

93. Gorkoff K and Runner J (Eds.), (2003). Being heard: The experiences of young women in prostitution. Halifax: Fernwood.
94. Urban Native Youth Association, (2002). Full Circle. Vancouver: Urban Native Youth Association.
95. Short S, (2004). Making hay while the sun shines: The dynamics of rural strip clubs in the American Upper Midwest, and the community response, in Stark C and Whisnant R, (Eds.), Not for sale: Feminists resisting prostitution and pornography.
96. Ibid.
97. Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). Human trafficking in Minnesota: A report to the Minnesota Legislature. Saint Paul: Minnesota Statistical Analysis Center.
98. Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2008). Human trafficking in Minnesota: A report to the Minnesota Legislature. Saint Paul: Minnesota Statistical Analysis Center.
99. Raphael J and Ashley J, (May 2008). Domestic sex trafficking of Chicago women and girls. Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.
100. Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, First Peoples Child and Family Review 3: 57-71.
101. Benoit C and Millar A, (October 2001). Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers (short report). Victoria BC: Prostitutes Empowerment, Education, and Resource Society (PEERS).
102. Williamson C and Prior M, (January 2009). Domestic minor sex trafficking: A network of underground players in the Midwest, Journal of Child and Adolescent Trauma 2 (1): 46-61.
103. Ibid.
104. Priebe A and Suhr C, (September 2005). Hidden in plain view: the commercial sexual exploitation of girls in Atlanta, Atlanta Women's Agenda.
105. Williamson C and Prior M, (January 2009). Domestic minor sex trafficking: A network of underground players in the Midwest, Journal of Child and Adolescent Trauma 2 (1): 46-61.
106. Nimmo M, (2001). The "invisible" gang members: A report on female gang association in Winnipeg. Manitoba: Canadian Centre for Policy Alternatives.
107. Harrington J and Cavett K, (2000). G is for Gangsta: Introductory assessment of gang activity and issues in Minnesota. St. Paul: Hand in Hand.
108. Estes R and Weiner N, (2001). The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study. Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.
109. Harrington J and Cavett K, (2000). G is for Gangsta: Introductory assessment of gang activity and issues in Minnesota. St. Paul: Hand in Hand.
110. Robertson T, (March 16, 2006). The huge influence of gangs. Minnesota Public Radio.
111. National Gang Intelligence Center, (January 2009). National gang threat assessment 2009. Washington DC: U.S. Department of Justice.
112. Thrasher P, (2005). Child sexual exploitation, Port Alberni, BC. BC: Port Alberni's Women's Resources Society. Cited in Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, First Peoples Child and Family Review 3: 57-71.
113. Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, First Peoples Child and Family Review 3: 57-71.
114. Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, Envision: The Manitoba Journal of Child Welfare 3(1).
115. West J, (Summer 2005). Pimps and drug traffickers target First Nations school girls, First Nations Drum.
116. Native Women's Association of Canada (NWAC), (June 20-22, 2007). Aboriginal women and gangs: An issue paper, p. 2. Prepared for the National Aboriginal Women's Summit in Corner Brook, New London, Canada.
117. Nimmo M, (2001). The "invisible" gang members: A report on female gang association in Winnipeg. Manitoba: Canadian Centre for Policy Alternatives.
118. Hanon A, (May 28, 2009). National Aboriginal Gang Commission is gathering testimonies to help stem the tide of Native gangs in Canada, Edmonton Sun.
119. Estes R, (2002). The silent emergency: The commercial sexual exploitation of children in the U.S., Canada and Mexico, in Michigan Family Impact Seminars, (2002). Prostituted teens: More than a problem. Briefing Report No. 2002-2. East Lansing MI: Michigan State University and Wayne State University.
120. Priebe A and Suhr C, (September 2005). Hidden in plain view: the commercial sexual exploitation of girls in Atlanta, Atlanta Women's Agenda.
121. Raphael J and Ashley J, (May 2008). Domestic sex trafficking of Chicago women and girls. Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.
122. Williamson C and Prior M, (January 2009). Domestic minor sex trafficking: A network of underground players in the Midwest, Journal of Child and Adolescent Trauma 2 (1): 46-61.
123. Steinberg L, (2001). Adolescence, in Gale Group (Eds.), Encyclopedia of childhood and adolescence. Farmington Hills MI: The Gale Group.
124. Peterson S, Nachtman C, and Roman J, (2002). What are the risk factors for becoming a prostituted teen?, in Prostituted teens: More than a runaway problem. Briefing report No. 2002-2, Michigan Family Impact Seminars. Michigan State University and Wayne State University.
125. Lynn J, (1998). Colonialism and the sexual exploitation of Canada's Aboriginal women. Paper presented at the American Psychological Association 106th Annual Convention, San Francisco, August 17, 1998.
126. Tutty L and Nixon K, (2003). That was my prayer every night: Just to get home safe, in Gorkoff K and Runner J, (Eds.), Being heard: The experience of young women in prostitution, pp. 29-45. Halifax: Fernwood.
127. Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, First Peoples Child and Family Review 3: 57-71
128. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada, p. 13.
129. Raphael J and Shapiro D, (August 2002). Sisters speak out: The lives and needs of prostituted women in Chicago—a research study. Chicago: Center for Impact Research.
130. Flowers B, (2001). Runaway kids and teenage prostitution: America's lost, abandoned, and sexually exploited children. Westport CT: Greenwood Press.
131. Subset of data provided by Julie Rud, Minneapolis Police Department, from dataset used to produce Martin L and Rud J, (2007) Prostitution research report: Data sharing to establish best practices for women in prostitution. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.
132. Children of the Night, (2009). Frequently asked questions, www.childrenofthenight.org/faq.html
133. Smoller J, (September 2001). Homeless youth in the United States, Prevention Researcher 8(3): pp. 1, 3-5.
134. Janus M, McCormack A, Burgess A, and Hartman C, (1987). Adolescent runaways: Causes and consequences. Lexington MA: Lexington Books.
135. Whitbeck L, Hoyt D, and Ackley K, (1997). Abusive family backgrounds, and later victimization among runaway and homeless adolescents, Journal of Research on Adolescence 7: 375-392.
136. Janus M, Archambault F, Brown S, and Welsh L, (1995). Physical abuse in Canadian runaway adolescents, Child Abuse and Neglect 19: 433-447.
137. Molnar B, Shade S, Kral A, Booth R, and Watters J, (1998). Suicidal behavior and sexual/physical abuse among street youth, Child Abuse & Neglect 22(3):213-222.
138. Whitbeck L and Hoyt D, (1999). Nowhere to grow: Homeless and runaway adolescents and their families. Hawthorne NY: Walter de Gruyer, Inc.
139. Cited in Flowers B, (2001). Runaway kids and teenage prostitution: America's lost, abandoned, and sexually exploited children. Westport CT: Greenwood Press.
140. Whitbeck L and Hoyt D, (1999). Nowhere to grow: Homeless and runaway adolescents and their families. Hawthorne NY: Walter de Gruyter, Inc.
141. Robertson M and Toro P, (1998). Homeless youth: Research, intervention, and policy. Washington DC: The National Symposium on Homelessness Research.
142. Wilder Research, (June 2008). Overview of youth and young adult homelessness in Minnesota. St. Paul: Amherst H. Wilder Foundation.
143. Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.
144. Wilder Research, (June 2008). Overview of youth and young adult homelessness in Minnesota. St. Paul: Amherst H. Wilder Foundation.

145. Schissel B and Fedec K, (1999). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, Canadian Journal of Criminology. Pp. 35-56.
146. Source: Census 2000, cited in American Indian Families Project (September 2003). A look at American Indian families in Hennepin County, p. 6. Minneapolis: Hennepin County Office of Planning and Development.
147. Williams L, Powell A, and Frederick M, (November 2008). Pathways into and out of commercial sexual exploitation: Preliminary findings and implications for responding to sexually exploited teens.
148. Carter V, (Executive Director of Breaking Free), (March 13, 2008). Press release: Local responses to prostitution. Minnesota Department of Health Injury Prevention News. http://www.health.state.mn.us/injury
149. Paul and Lisa Program Study, (1999). New York City. Cited in The Hofstede Committee report: Juvenile prostitution in Minnesota (1999), p.6.
150. Nadon S, Koverola C and Schiedermann E, (April 1998). Antecedents to prostitution: Childhood victimization, Journal of Interpersonal Violence 13: 206-207.
151. Nadon S, (1991). Childhood victimization: Antecedents to prostitution. Unpublished Master's thesis, University of Manitoba, Winnipeg, Manitoba, Canada. Cited in Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, Envision: The Manitoba Journal of Child Welfare 3(1).
152. Saewyc E, Bingham B, Bruananski D, Smith A, Hunt S, Northcott M, and the McCreary Centre Society, (2008). Moving upstream: Aboriginal marginalized youth and street-involved youth in B.C. Vancouver B.C.: McCreary Centre Society.
153. Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). It's not what you think: Sexually exploited youth in British Columbia. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC. Retrieved May 1, 2009 from http://www.nursing.ubc.ca/PDFs/ItsNotWhatYouThink.pdf
154. Farley M and Barkan H, (1998). Prostitution, violence against women, and posttraumatic stress disorder, Women and Health 27(3): 37-49.
155. Council for Prostitution Alternatives, (1991). Characteristics of 800 CPA participants, in Weitzer R (Ed.), Sex for sale: Prostitution, pornography, and the sex industry, pp. 139-155. New York: Routledge.
156. Farley M and Lynn J, (2004). Prostitution in Vancouver: Pimping women and the colonization of Aboriginal, in Stark C and Whisnant R (Eds.), Not for sale: Feminists resisting prostitution and pornography. North Melbourne, Victoria, Australia: Spinifex Press.
157. U.S. Census Bureau, (August 29, 2006). Income climbs, poverty stabilizes, uninsurance rate increases, U.S. Census Bureau News, http://www.census.gov
158. Source: U.S. Census 2008 estimates, cited in Families USA, (September 2009). Fact sheet: Health coverage in communities of color—Talking about the new Census numbers.
159. Children's Defense Fund Minnesota, (November 2007). 10 quick facts about child poverty in Minnesota. St. Paul: Children's Defense Fund Minnesota.
160. Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.
161. Silbert M and Pines A, (1981). Sexual child abuse as an antecedent to prostitution, Child Abuse and Neglect 5:407-411.
162. Silbert M and Pines A, (1982). Entrance into prostitution, Youth and Society 13(4): 471-500.
163. Bagley C and Young L, (1987). Juvenile prostitution and child sexual abuse: A controlled study, Canadian Journal of Community Mental Health 6: 5-26.
164. Simons R and Whitbeck L, (1991). Sexual abuse as a precursor to prostitution and victimization among adolescent and adult homeless women, Journal of Family Issues 12(3): 361-379.
165. Belton R, (October 22, 1992). Prostitution as traumatic re-enactment. Paper presented at the 8th Annual Meeting of the International Society for Traumatic Stress Studies, Los Angeles CA.
166. Estes R and Weiner N, (2001). The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study. Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.
167. Tyler K, Whitbeck L, Hoyt D, and Yoder K, (2000). Predictors of self-reported sexually transmitted diseases among homeless and runaway adolescents, Journal of Sex Research 37(4): 369-377.
168. Whitbeck L, Hoyt D, and Yoder K, (1999). A risk-amplification model of victimization and depressive symptoms among runaway and homeless adolescents, American Journal of Community Psychology 27: 273-296.
169. Kipke M, Montgomery S, Simon T, and Iverson E, (1997). Substance abuse disorders among runaway and homeless youth, Substance Use and Misuse 37:969-986.
170. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada, p. 13.
171. Farley M, Lynne J and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, Transcultural Psychiatry 42: 242-271.
172. Schissel B and Fedec K, (1999). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, Canadian Journal of Criminology. Pp. 35-56.
173. Child File and SDC, cited in Administration for Children and Families, (2002). Child maltreatment 2002, pp. 23, 42.
174. Administration for Children and Families, (2002). Data from the National Child Abuse and Neglect Data System, cited in Administration for Children and Families, (2002). Child maltreatment 2002, p. 25.
175. Children and Family Services, (2007). Minnesota's child welfare report, 2007: Report to the 2008 Minnesota Legislature. St. Paul.
176. Ibid.
177. Children and Family Services, Minnesota Department of Human Services, (July 2009). Minnesota's Child Welfare report 2008: Report to the 2009 Legislature. St. Paul.
178. Children and Family Services, Minnesota Department of Human Services, (July 2009). Minnesota's Child Welfare report 2008: Report to the 2009 Legislature. St. Paul.
179. Ibid.
180. Minnesota Department of Human Services, (April 2009). Child abuse and neglect prevention: Strengthening families is fundamental. St. Paul.
181. Minnesota Department of Human Services Social Services Information System, (May 2, 2007). Cited in Hennepin County Child Protection Task Force: Final report. Minneapolis.
182. Hennepin County Child Protection Task Force, (June 2007). Hennepin County Child Protection Task Force final report. St. Paul.
183. Ibid.
184. Children and Family Services, Minnesota Department of Human Services, (July 2009). Minnesota's Child Welfare report 2008: Report to the 2009 Legislature. St. Paul.
185. Minnesota Department of Human Services, (April 2009). Child abuse and neglect prevention: Strengthening families is fundamental. St. Paul.
186. Minnesota Department of Human Services Social Services Information System, (May 2, 2007). Cited in Hennepin County Child Protection Task Force: Final report. Minneapolis.
187. Gorkoff K and Runner J (Eds.), (2003). Being heard: The experiences of young women in prostitution. Halifax: Fernwood.
188. Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.
189. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.
190. Urban Native Youth Association, (2002). Full circle. Vancouver BC: Urban Native Youth Association.
191. Administration for Children and Families, (October 1995). Youth with runaway, throw-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary. Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.
192. Urban Native Youth Association, (2002). Full circle. Vancouver BC: Urban Native Youth Association.
193. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.

194. Urban Native Youth Association, (2002). Full circle. Vancouver BC: Urban Native Youth Association. Retrieved February 29, 2008 from http://www.unya.bc.ca/resources
195. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.
196. Estes R and Weiner N, (2001). The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study. Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.
197. Tutty L and Nixon K, (2003). Selling sex? It's really like selling your soul, in Gorkoff K and Runner J (Eds.), Being heard: The experience of young women in prostitution, pp. 29-45. Halifax: Fernwood.
198. Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, Envision: The Manitoba Journal of Child Welfare 3(1).
199. Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.
200. Administration for Children and Families. (October 1995). Youth with runaway, thrown-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary. Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.
201. Cited in Walker N, (2002). Prostituted teens: A problem for Michigan too, in Prostituted teens: More than a runaway problem. East Lansing: Michigan State University Institute for Children, Youth, and Families.
202. Sweeney P, Lindegren M, Buehler J, Onorato I, and Janssen R, (1995). Teenagers at risk of human immunodeficiency virus Type I infection: Results from seroprevalence surveys in the United States, Archives of Pediatric and Adolescent Medicine 149: 521-528.
203. Tutty L and Nixon K, (2003). Selling sex? It's really like selling your soul, in Gorkoff K and Runner J (Eds.), Being heard: The experience of young women in prostitution, pp. 29-45. Halifax: Fernwood.
204. PACE Society, (2000). Violence against women in Vancouver's street-level sex trade and the police response. Vancouver BC.
205. Weber A, Roy E, Blais L, Haley N, and Boivin J-F, (2001). Predictors of initiation into prostitution among female street youth. Included as part of Weber A, (2001). HIV risk behavior and predictors of initiation into prostitution among female street youth in Montreal, Canada. Master's thesis. Montreal, Canada: Department of Epidemiology and Biostatics, McGill University.
206. Subset of data provided by Julie Rud, Minneapolis Police Department, from dataset used to produce Martin L and Rud J, (2007) Prostitution research report: Data sharing to establish best practices for women in prostitution. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.
207. Koss M, Yuan N, Dightman D, Prince R, Polacca M, Sanderson B, and Goldman D, (2003). Adverse childhood exposures and alcohol dependence among seven Native American tribes, American Journal of Preventive Medicine 25 (3): 238-244.
208. Straarup D, (1997). Master's thesis: Maneuvering the maze: Exploring the experiences of fetal alcohol effected adults, pp. 71 and 72. School of Social Work, University of British Columbia.
209. Centers for Disease Control, (May 2, 2006). Information, Fetal Alcohol Syndrome, www.cdc.gov
210. Cited in Kaisernetwork.org, (October 24, 2007). Kaiser health disparities report: A weekly look at race, ethnicity, and health, www.kaisernetwork.org/daily_reports
211. Boland F and Durwyn M, (1999). Fetal alcohol syndrome: Understanding its impact. Correctional Service of Canada. Cited in Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.
212. Vancouver/Richmond Health Board, (1999). Healing ways: Aboriginal health and service review. http://www.vch.ca
213. Hunt S, (2006). Final Report—Violence in the lives of sexually exploited youth and adult sex workers in BC: Provincial research. Justice Institute of British Columbia, Centre for Leadership and Community Learning.
214. Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, Envision: The Manitoba Journal of Child Welfare 3(1).
215. Olson H, Burgess D and Streissguth, A, (1992). Fetal alcohol syndrome (FAS) and fetal alcohol effects (FAE): A lifespan view, with implications for early intervention, Zero to Three: National Center for Clinical Infant Programs, 13(1), 24-29.
216. Ibid.
217. Famy C, Streissguth A and Unis A, (April 1998). Mental illness in adults with fetal alcohol syndrome or fetal alcohol effects, American Journal of Psychiatry 155: 552-554.
218. Streissguth A, (May 4, 2005). FASD: Juvenile Justice and the community. Keynote lecture at the kick-off for the Hennepin County Juvenile Justice Project. Minneapolis MN.
219. Ibid.
220. Ibid.
221. Ibid.
222. According to the Minnesota Department of Education, the NGA rate is a four-year, on-time graduation rate agreed to by all 50 states. In addition to grads and drops, it considers continuing and unknown students: these two additional groups add approximately 16,000 students statewide into the measure. For the Class of 2007, the cohort of students was determined by counting first time ninth graders in 2004 plus transfers into the group minus transfers out over the next four years. The NGA rate only considers students who graduate in four years. http://education.state.mn.us/mde/Data
223. Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). It's not what you think: Sexually exploited youth in British Columbia. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC.
224. Cited in Walker N, (2002). Prostituted teens: A problem for Michigan too, in Prostituted teens: More than a runaway problem. East Lansing: Michigan State University Institute for Children, Youth, and Families.
225. Subset of data provided by Julie Rud, Minneapolis Police Department, used to produce Martin L and Rud J, (2007) Prostitution research report: Data sharing to establish best practices for women in prostitution. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.
226. Women's Foundation of Minnesota, (April 2008). Status of girls in Minnesota.
227. Dyck L, (November 2006). Reaching Aboriginal youth: Issues and challenges in education. Presentation at the STAN conference.
228. Nimmo M, (2001). The "invisible" gang members: A report on female gang association in Winnipeg. Manitoba: Canadian Centre for Policy Alternatives.
229. Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). It's not what you think: Sexually exploited youth in British Columbia. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC.
230. Bohn D, (2003). Lifetime physical and sexual abuse, substance abuse, depression, and suicide attempts among Native American women, Issues in Mental Health Nursing 24(3): 333-352.
231. Robin R, Chester B, and Goldman D, (1996). Cumulative trauma and PTSD in American Indian communities, in Marsella A, Friedman J, Gerrity E, and Scurfield R (Eds.), (1996). Ethnocultural aspects of posttraumatic stress disorder: Issues, research, and clinical applications, pp. 239-254. Washington DC: American Psychological Association.
232. Hamby S and Skupien M, (1998). Domestic violence on the San Carlos Apache Indian Reservation: Rates, associated psychological symptoms, and current beliefs, The Indian Health Service Primary Care Provider 23: 103-106.
233. Whitbeck L, Hoyt D, Simons R, Conger R, Elder G, Lorenzo L, and Huck S, (1992). Intergenerational continuity of parental rejection and depressed affect, Journal of Personality and Social Psychology 63: 1036-1045.
234. Suicide Awareness Voices of Education (SAVE), (no date). http://www.save.org
235. Health Canada, (2003). A statistical profile on the health of First Nations in Canada. Ottawa: Health Canada, First Nations and Inuit Health Branch.

236. Borowsky I, Ireland M and Resnick M, (2009). Health status and behavioral outcomes for youth who anticipate a high likelihood of early death, Pediatrics 124(1): 81-88.
237. Tyler K, Whitbeck L, Hoyt D, and Johnson K, (2003). Self-mutilation and homeless youth: The role of family abuse, street experiences, and mental disorders, Journal of Research on Adolescence 13(4): 457-474.
238. Schissel B and Fedec K, (January 2009). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, Canadian Journal of Criminology. Pp. 35-56.
239. Wichmann C, Serin R and Abracen J. (2002). Women Offenders Who Engage in Self-harm: A Comparative Investigation. Ottawa: Correctional Service Canada.
240. Priebe A and Suhr, Cristen, (September 2005). Hidden in plain view: the commercial sexual exploitation of girls in Atlanta, Atlanta Women's Agenda.
241. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.
242. Carter V, (1999). Breaking Free, in Hughes D (Ed.), Making the harm visible: Global sexual exploitation of women and children. Kingston RI: The Coalition Against Trafficking in Women.
243. Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, Transcultural Psychology 42: 242-271.
244. Elizabeth Fry Society of Toronto, (1987). Streetwork outreach with adult female prostitutes: Final report. Cited in Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, Transcultural Psychology 42: 242-271.
245. Telephone interview with Kathy Black Bear, Rosebud Sioux Tribal Services, on April 6, 2009. Cited with permission.
246. Interview with Minneapolis police officer, December 31, 2008.
247. Meeting in Minneapolis, May 13, 2009.
248. Ibid.
249. E-mail correspondence from Inspector Gerold to Suzanne Koepplinger, Executive Director of the Minnesota Indian Women's Resource Center, September 2, 2008.
250. E-mail correspondence from City Attorney Segal to Suzanne Koepplinger, Executive Director of the Minnesota Indian Women's Resource Center, September 12, 2008.
251. Riley M, (November 11, 2007). Lawless lands: Promises, justice broken. Denver Post.
252. Hughes D, (July 30, 2007). Enslaved in the U.S.A.: American victims need our help, National Review Online. http://article.nationalreview.com
253. Ibid.
254. Minnesota Office of Justice Programs, (2007). Violence Against Women Act FFY 2007-2009: Minnesota Office of Justice Programs State implementation plan, p.6. www.ojp.state.mn.us
255. Minnesota Senate, (April 22, 2009). Public Safety Budget Division update. www.senate.leg.state.mn.us
256. McLeod E, (1982). Women working: Prostitution now. London: Croom Helm.
257. Holgard C and Finstad L, (1992). Backstreets: Prostitution, money, and love. Cambridge: Polity.
258. Corr J and Scaer R, (2008). Healing from trauma: A survivor's guide to understanding your symptoms and reclaiming your life. Cambridge MA: Da Capo Press.
259. National Mental Health Association, (2009). Fact sheet: Dissociation and dissociative disorders. www.nmha.org
260. Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, Transcultural Psychology 42: 242-271.
261. Parker J, (2004). How prostitution works, in Stark C and Whisnant R (Eds.), Not for sale: Feminists resisting prostitution and pornography, pp. 3-14. North Melbourne: Spinifex Press.
262. Ibid.
263. Carver J, (undated). Love and Stockholm Syndrome: The mystery of loving an abuser (Part 1), Counseling Resource. http://counsellingresource.com
264. Gonzales J, (1999). Native American survivors, in Support for Survivors Manual, California Coalition Against Sexual Assault, pp. 257-259.
265. Amnesty International, (2007). Maze of injustice: The failure to protect indigenous women from sexual violence in the U.S. London: Amnesty International.
266. Kingsley C and Mark M, (2000). Sacred lives: Canadian aboriginal children and youth speak out about sexual exploitation. Save the Children Canada.
267. Hawley AH, (1950). Human ecology: A theory of community structure. New York. Ronald Press.
268. Roth S and Newman E, (1995). The process of coping with sexual trauma, in Everly G and Lating J (Eds.), Psychotraumatology: Key papers and core concepts in post-traumatic stress. New York: Plenum Press, pp. 321-339.
269. U.S. Census Bureau, (August 29, 2006). Income climbs, poverty stabilizes, uninsurance rate increases, U.S. Census Bureau News. www.census.gov
270. 2000 U.S. Census, (2006). Profile of populations on American Indian reservations. St. Paul: State Demographic Center, Minnesota Department of Administration. www.demography.state.mn.us
271. Gilens, Martin. 2005. Inequality and Democratic Responsiveness. Public Opinion Quarterly 69: 778-796.
272. MacKinnon C, (2007). Prostitution and civil rights, in Women's Lives, Men's Laws. Cambridge MA: Harvard University Press, p. 152.
273. Hughes D, (November 2, 2006). Prostitution and trafficking: Is there a difference? Presentation at Breaking Free, Saint Paul MN.
274. Furstenberg F, Jr., (1993). How families manage risk and opportunity in dangerous neighborhoods, in Wilson WJ (Ed.), Sociology and the public agenda, pp. 231-258. Newbury Park: Sage.
275. Noguera, P and Akom A, (2000). Disparities Demystified: Causes of the racial achievement gap all derive from unequal treatment, The Nation 5(2): 29-35.
276. Noguera P, (2002). Racial isolation, poverty and the limits of local control as a means for holding public schools accountable, UCLA's Institute for Democracy, Education, and Access. Los Angeles: University of California.
277. Calgary Police Commission, (1997). Children involved in prostitution: Report by The Task Force on Children in Prostitution. Calgary: Calgary Police Commission.
278. City of Burnaby, (1998). Report of the City of Burnaby Task Force on the Sexual Exploitation and Prostitution of Children and Youth. Burnaby: City of Burnaby.
279. Jiwani Y and Brown S, (1999). Trafficking and sexual exploitation of girls and young women: A review of select literature and initiatives. Vancouver: FREDA.
280. Manitoba Youth and Child Secretariat, (1996). Report of the Working Group on Juvenile Prostitution. Winnipeg: Manitoba Child and Youth Secretariat.
281. Saewyc E, Bingham B, Bruananski D, Smith A, Hunt S, Northcott M, and the McCreary Centre Society, (2008). Moving upstream: Aboriginal marginalized youth and street-involved youth in B.C. Vancouver B.C.: McCreary Centre Society.

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Shattered Hearts

The Commercial
Sexual Exploitation
Of American Indian
Women And Girls
In Minnesota

Minnesota Indian Women's Resource Center

Prepared by Alexandra (Sandi) Pierce, Ph.D. for the Minnesota Indian Women's Resource Center, Minneapolis MN

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Dedication

This report is dedicated to Bill 'Big Wolf' Blake, who devoted his life to ensuring that Native children would have an environment where they could thrive in safety. Bill, a member of the Red Lake Nation and a Sergeant with the Minneapolis Police Department, was a passionate supporter of this project and an active participant in a meeting with American Indian elders, community leaders, and service providers to discuss this report and next steps just days before his unexpected death. Though we grieve his passing, we are immensely grateful for the time that we had with him, and for his tireless work to prevent violence against our children. Thank you, Bill, and we wish you a good journey.

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Last but certainly not least, we want to express our deep appreciation for the support and guidance of MIWRC's Board of Directors, and for their ongoing dedication to helping American Indian women and their families live safer and healthier lives.

Board Chair: Joy Persall
Vice Chair: Becky Beane
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Janice Bad Moccasin
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In 2007, a long time resident of the Supportive Housing Program at the Minnesota Indian Women's Resource Center (MIWRC) came into a staff member's office, saying she was looking for a job but no one would give her a break. The resident was having trouble completing her GED due to dyslexia, and had very little useful work experience. She told the staff member that the only way she knew how to make money was to prostitute herself, and she did not want to go back to that.

Her story, which she was disclosing for the first time, was alarming. She had been pimped out by her mother at the age of 12 to support the mother's crack habit. By the time she was 14 she had begun to pimp out other young girls to feed her own drug addiction. At the point in time when she walked into the staff member's office, she had done hard time in prison, given birth to six children, and lost custody of them all. The MIWRC staff member realized that under current Minnesota law, this resident was a victim of a federal crime, the prostitution of a juvenile under the Trafficking Victims Protection Act (TVPA).

Rather than being recognized or protected as a trafficking victim, she had been criminalized. Today, even though she has been repeatedly beaten and sexually assaulted by pimps and johns, she is ineligible for most federally-funded services and supports for victims of physical and sexual violence because of her prostitution arrests. And all she wants to know is, who will ever give her a chance?

Background

The topic of this report is the commercial sexual exploitation of American Indian women and girls in Minnesota, including but not limited to sex trafficking. In 2006, the Legislature passed Minnesota Statute section 299A.79 requiring the Commissioner of Public Safety to develop a plan to address current human trafficking and prevent future human trafficking in Minnesota. To develop a comprehensive plan for addressing the complicated issue of trafficking and the needs of trafficking victims, the commissioner created, per Minnesota Statute section 99A.7955, the statewide Minnesota Human Trafficking Task Force. The Task Force's charge is to advise the Commissioner on the statewide trafficking assessment and on the commissioner's plan to address human trafficking and prevent future trafficking in Minnesota, assisting in two statutory actions:

- Collect, share, and compile trafficking data among government agencies to assess the nature and extent of trafficking in Minnesota
- Analyze the collected data to develop a plan to address and prevent human trafficking[1]

Each year, the Minnesota Office of Justice Programs and the Minnesota Human Trafficking Task Force, with input from organizations providing services to trafficked individuals, produces an annual report to the Minnesota Legislature and provides training on identifying trafficking victims, methods for prosecuting traffickers, methods for protecting the rights of trafficking victims, and methods for promoting the safety of trafficking victims.[2]

As part of its activities to produce the 2007 Human Trafficking Report, the Office of Justice Programs

[1] Office of Justice Programs, (no date). *Human trafficking task force.* Minnesota Department of Public Safety. Retrieved May 1, 2009 from http://www.dps.state.mn.us/OJP/cj/httf/about.htm

[2] *Ibid.*

interviewed law enforcement personnel, nurses, and social service providers, asking questions about the characteristics and experiences of sex trafficking victims they had worked with. Based on their responses, the OJP estimated that at least 345 American Indian women and girls in Minnesota had been sexually trafficked in a three-year period.

After a client disclosed her own experience, MIWRC recognized that other Native women coming to the agency for housing, domestic violence, sexual assault, and other crisis-related services might have similar stories. Staff contacted other Native-specific housing and social service agencies in Minnesota to ask what their caseworkers were seeing in terms of commercial sexual exploitation of Native women and girls. Several reported an increasing number coming in for domestic violence and sexual assault services, later acknowledging that their assailant had trafficked them for prostitution. Tribal advocates in South Dakota and Minnesota had also began raising red flags, reporting that Native girls were being trafficked into prostitution, pornography, and strip shows over state lines and internationally to Mexico.

Reports began coming in from Duluth, of police rescuing Native girls who had been lured off reservations, taken onto ships in port, beaten, and gang-raped by the ships' crews. In Canada, where the history and current circumstances of Native (Aboriginal) people closely parallel those of American Indians in the U.S., research studies were consistently finding Aboriginal women and girls to be hugely over-represented in the sex trade. An international report on the commercial sexual exploitation of children described Canadian Aboriginal and American Indian youth as being at greater risk than any other youth in Canada and the U.S. for sexual exploitation and trafficking.[3]

By 2008, Minneapolis had been identified by the FBI as one of thirteen U.S. cities having a high concentration of criminal activity involving the commercial sexual exploitation of juveniles.[4] In September of that year, The Advocates for Human Rights released a sex trafficking needs assessment report, commissioned by the Office of Justice Programs and the Minnesota Human Trafficking Task Force pursuant to a mandate from the Commissioner of Public Safety. The needs assessment involved evaluation of government response to sex trafficking in Minnesota, identification of facilities and services currently available to sex trafficking victims, assessment of the effectiveness of those services, and recommendations for improvement.[5] In the report, The Advocates for Human Rights noted the significant lack of information about American Indian trafficking victims and the relative absence of services to not only help them find safety, but to also heal from the trauma of life in prostitution.

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[3] Beyond Borders , ECPAT-USA and Shared Hope International, (2008). *Report of the Canada-United States consultation in preparation for World Congress III against sexual exploitation of children and adolescents.* Beyond Borders , ECPAT-USA and Shared Hope International.

[4] Cited in The Advocates for Human Rights, (September 2008). *Sex trafficking needs assessment for the State of Minnesota.* Minneapolis: The Advocates for Human Rights.

[5] The Advocates for Human Rights, (September 2008). *Sex trafficking needs assessment for the State of Minnesota.* Minneapolis: The Advocates for Human Rights.

Despite Minnesota's significant efforts to identify sex trafficking victims and meet their needs, to our knowledge there had never been any sort of summary report produced in either Minnesota or the U.S. regarding the commercial sexual exploitation of this nation's indigenous girls and women. The abundance of anecdotal evidence suggested that a disproportionate number of Midwest Native women and girls were being targeted by sex traffickers, yet no reliable data existed to support or contradict this theory.

As a first step to addressing this gap, MIWRC approached the W.K. Kellogg Foundation to request support for developing a report that aggregated what is known to date about the commercial sexual exploitation of American Indian women and girls in Minnesota, and to develop a set of recommendations for addressing gaps in knowledge and addressing the needs of victims. The W.K. Kellogg Foundation agreed to support the project, which began in November 2008 and resulted in this report.

Organization of the report

This report is organized to tell a story. For any story, there is always a setting, a context within which the story unfolds. Therefore, Section I briefly describes the historical experiences of American Indian women in the U.S. that have made them uniquely vulnerable to commercial sexual exploitation, and unique in the ways that such exploitation impacts their well-being.

Section II describes the methods and sources used to produce this report, and our definitions for the terms we use to describe the experiences of commercially sexually exploited Native women and girls.

Section III provides information about the prevalence of Native women's and girls' involvement in the sex trade in Minnesota, across the U.S. and in Canada.

Section IV describes Native women's and girls' patterns of entry into commercial sexual exploitation.

Section V is a summary of the risk factors that have been found to facilitate Native women's and girls' entry into commercial sexual exploitation, and of current data describing the representation of Native women and girls in those facilitating factors in Minnesota.

Section VI provides information about barriers and challenges to helping Native women and girls to escape commercial sexual exploitation.

Section VII contains our conclusions, including a theoretical model for understanding and addressing the problem.

Section VIII describes our recommendations.

I. The context

An understanding of Native women's and girls' experiences in the history of this nation is critical for understanding their unique vulnerability to commercial sexual exploitation. Four fundamental beliefs have been found to be essential for a coherent and resilient sense of self, which protects a person against sexual exploitation and/or helps a victim of such exploitation to heal:

- The world is a good and rewarding place
- The world is predictable, meaningful, and fair
- I am a worthy person
- People are trustworthy.[6]

The traumatic experiences of American Indian people during the colonial era and their exposure to new losses and new trauma each consecutive generation have had a devastating effect on Native people, families, and communities, and on their ability to sustain those four beliefs.

American Indians have been stereotyped as a stoic and savage people, incapable of what society deems "normal" feelings,[7] but historic events contributed significantly to the development of this stereotype. U.S. government actions such as extermination policies, religious persecution, forced migration to Indian reservations, and systematic removal of Native children to boarding schools caused repeated exposure to trauma, which impeded a natural grieving process. Each time, past and current trauma were transferred to the next generation along with the unresolved grief in what has been termed generational trauma or historical trauma.[8] The long-term impacts have been well-documented: widespread poverty, low educational attainment, high rates of community and interpersonal violence, high rates of alcohol-related deaths and suicide, poor physical health, and corroded family and community relationships.

When a dominant society refuses to recognize a people's grief and losses as legitimate, the result is sadness, anger, and shame, feeling helpless and powerless, struggles with feelings of inferiority, and difficulty with self-identity. This negatively impacts interpersonal relationships and Native peoples' sense of themselves as sacred beings.[9] Disenfranchised grief is in itself a significant barrier to the healing of trauma, either generational or recent, and it, too, prevents development of the four beliefs needed to develop a strong and resilient sense of self.

In addition to these significant influences on American Indian women's well-being, ongoing experiences with racism lead to what has been termed "colonial trauma response," which results

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[6] Roth S and Newman E, (1995). The process of coping with sexual trauma, in Everly G and Lating J (Eds.), *Psychotraumatology: Key papers and core concepts in post-traumatic stress.* New York: Plenum Press, pp. 321-339.

[7] *Ibid.*

[8] Yellow Horse Brave Heart M and DeBruyn L, (1998). American Indian holocaust: Healing historical unresolved grief, *American Indian and Alaska Native Mental Health Research 8*(2): 60-82.

[9] Kaufman G, (1996). *The psychology of shame: Theory and treatment of shame-based syndromes.* New York: Springer.

when a Native woman experiences a current event that connects her to a collective, historical sense of injustice and trauma. Just as people with post-traumatic stress disorder are "triggered" to relive traumatic events they have experienced, American Indian women, who have endured massive trauma and injustice historically, are "triggered" to connect current experiences with racism, abuse, and/or injustice with those experienced by their female ancestors, in a very immediate and emotional way. A Native woman's response to the situation is not only based on her own experience, but on the experiences of generations of her female ancestors.[10]

For this reason, Native women experience sexual assault, prostitution, and sex trafficking as a continuation of the colonization process, in which Native women's sacred selves were routinely exploited for the gratification of a person who claimed the right to do so while ignoring or invalidating the impact on the woman herself. When the assailant, pimp, or john is a white male, the psychological impact on a Native woman is even greater.

While the historical experiences of all Native people have intensified Native women's vulnerability to sex trafficking and other forms of commercial sexual exploitation, generational trauma has also reduced Native communities' ability to respond positively to victims of sexual crimes. Native victims of sexual assault often do not report the assault because they do not believe that authorities will investigate or charge the crime, and they fear being blamed or criticized by people in their communities. Any admission of involvement in prostitution carries an even greater stigma, so Native women and girls trafficked into prostitution rarely seek help. If unable to escape prostitution prior to reaching the age of 18, Native child trafficking victims find themselves categorized as criminals rather than victims, which only adds to the trauma they have already experienced in prostitution. Most literally have nowhere to turn, as there are very few culturally-based services to help them heal from their experiences in safety. There are also very few culturally-based "upstream" interventions in place that explicitly focus on preventing the trafficking of American Indian girls into the sex trade.

Native women's experiences during colonization

From the times of earliest exploration and colonization, Native women have been viewed as legitimate and deserving targets for sexual violence and sexual exploitation. In the mid-1500s, the secretary of Spanish explorer Hernando de Soto wrote in his journal that De Soto and his men had captured Appalachee women in Florida "for their foul use and lewdness."[11] Historian Kirsten Fischer reported that during the earliest years of the Carolina Colony, indigenous cultures in the area all viewed women as sacred beings. Women held and managed the community's resources, including fields and the produce from them. They also had significant autonomy in their choices regarding sexual relationships, including short-term sexual alliances, marriage, divorce, and cohabitation. Native women often played an active and high-status role in

[10] Evans-Campbell T, (2008). Historical trauma in American Indian/Native Alaska communities: A multilevel framework for exploring impacts on individuals, families, and communities, *Journal of Interpersonal Violence* 23: 316-338.

[11] Gallay A, (2002). *The Indian slave trade: The rise of the English empire in the American South, 1670-1717*. New Haven: Yale University Press, pp. 34.

trade, sometimes using sexual liaisons to smooth trade relations while also acting as mediators providing outsiders with language skills and lessons in local customs.[12]

Fischer noted that Native cultures in what came to be the Carolina Colony did not have the concept of private property or inheritance of property, so European cultures' emphasis on women's virginity and chastity to ensure that property would be inherited father-to-son was not present in the Native worldview. Fischer quoted the writings of John Lawson, a surveyor for the Carolina Colony, who published his impressions of the Native people he had seen. Lawson's writings reflected British male colonists' interpretations of Native women's high status and freedom, viewed through their own patriarchal lens:

> *[They are] of that tender Composition, as if they were design'd rather for the Bed than Bondage[13]...[the] multiplicity of Gallants [was] never a Stain to a Female's Reputation...[the] more Whorish, the more Honorable.*[14]

Indian men did not escape being stereotyped in this process. King's Botanist John Bartram wrote that the Indian men of South Carolina, Georgia, and Florida:

> *...are courteous and polite to the women, gentle, tender, and fondling even to an appeorance of effeminacy, tender and affectionate to their offspring.*[15]

Rather than understanding Native men's behaviors as respect, self-possession and restraint, colonial writers viewed them as undersexed and passive, and either unwilling or unable to control their women or to take proper advantage of the wilderness around them. The colonists were "amazed at what seemed an unnatural breach of patriarchal authority," marveling that Indian hushands submitted to a "petticoat government" and let themselves be "cuckolded by" promiscuous wives.[16] These attitudes permitted colonists to justify their use of Native women and Native lands however they pleased, without obligation or limits.

Male colonists also recognized Indian women's ability to control their own fertility, which allowed them to believe that their sexual encounters with Native women, forced or consensual, had no consequences. It was a short cognitive leap to view Native women as shamelessly promiscuous and depraved, which freed male colonists from their own social rules about extramarital sexual relations.

The fact that Native women's sexual relations with colonists were often connected to trade allowed colonists to view those relations as tainted and even mercenary.[17] As a result of these

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[12] Fischer K, (2002). *Suspect relations: Sex, race, and resistance in colonial North Carolina*. Ithaca: Cornell University Press.

[13] *Ibid.*, p. 62.

[14] *Ibid.*, p. 67.

[15] Waselkov, Gregory A. and Braund, Kathryn E. Holland (1995). *William Bartrand on the Southeastern Indians*. Lincoln: University of Nebraska Press, p. 114.

[16] Fischer K, (2002). *Suspect relations: Sex, race, and resistance in colonial North Carolina. Ithaca: Cornell University Press*, p. 37.

[17] *Ibid.*, p. 56.

beliefs, English surveying teams routinely harassed and raped Native women, considering sexual restraint in such circumstance to be foolish.[18]

The conceptual framework to justify the sexual exploitation of American Indian women was now in place, supported by two critical stereotypes that emerged from this period in history: the sexually loose, mercenary, and innately immoral American Indian woman and the ineffective, profoundly lazy American Indian man, both of which exhibited a savage disregard for the norms of decent society.

Native women's experiences during national expansion

In 1769, an officer at York Factory on Hudson Bay described the frequent trafficking of Native women in and around the fur trade posts in his journal:

> *...the worst Brothel House in London is not common a [stew] as the men's House in this Factory was before I put a stop to it.*[19]

Similar sexual exploitation of Native women occurred in Oregon Territory as the British sought to extend their fur trade south. At Fort Langley, a Hudson's Bay Company outpost on the Fraser River in Oregon, Fort Commander James Yale (1776-1871) married three Indian women within his first three years at the fort to smooth trade relations with local tribes.[20] Native women such as these were considered "secondary wives" with no legal rights, and as European women began to arrive, these wives and their children were frequently abandoned.[21]

As immigrants moved westward, anti-Indian attitudes and stereotypes born in the colonial era grew and expanded. Entire villages were decimated by smallpox and measles epidemics, some deliberately launched by military distribution of blankets carrying the infection. The U.S. Army not only killed American Indian men in battle, it also slaughtered entire encampments of women, elders, and children. Troops sent to protect settlers referred to American Indian women as "breeders," justifying their rape, murder, and sexual mutilation.

U.S. Army Lieutenant James Connor wrote the following account of the attack launched by U.S. Army Colonel Chivington against Black Kettle's band of Cheyenne in 1864, despite their flag of truce:

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[18] Fischer K, (2002). *Suspect relations: Sex, race, and resistance in colonial North Carolina. Ithaca: Cornell University Press*, p. 68.

[19] Bourgeault R, (1989). Race, class, and gender: Colonial domination of Indian women, in Forts J et al., (Eds.), *Race, class and gender: Bonds and barriers (2nd edition)*. Toronto: Jargoned Press.

[20] Garneau D, (January 30, 2007). *Early years of the Canadian Northwest 1830-1849*. Retrieved February 2, 2009 from http://www.telusplanet.net/public/dgarneau/B.C.6.htm

[21] Lynn J, (August 17, 1998). *Colonialism and the sexual exploitation of Canada's Aboriginal women*, paper presented at the American Psychological Association 106th Annual Convention, San Francisco CA.

> *I heard one man say that he had cut out a woman's private parts and had them for exhibition on a stick...I also heard of numerous instances in which men had cut out the private parts of females and stretched them over the saddle-bows and wore them over their hats while riding in the ranks.*[22]

In 1871, an armed "citizens' group" from Tucson attacked a group of Apache camped at Camp Grant. In a sworn affidavit presented to the Bureau of Indian Affairs, U.S. Calvary Lieutenant Royal E. Whitman, commanding officer at the camp, reported on the aftermath:

> *The camp had been fired and the dead bodies of some twenty-two women and children were lying scattered over the ground; those who had been wounded in the first instance, had their brains beaten out with stones. Two of the best-looking of the squaws were lying in such a position, and from the appearance of the genital organs and of their wounds, there can be no doubt that they were first ravished and then shot dead. Nearly all the dead were mutilated.*[23]

The genocide of American Indian people during this period has been likened to the Jewish Holocaust, because it was fueled by the government's formal policies calling for extermination and religious persecution of Native people. Following the Wounded Knee massacre, similar to treatment of Jewish victims at Auschwitz, victims were stripped and thrown into a mass grave "like sardines in a pit."[24] Oral traditions for spiritual healing often died with the elders carrying that knowledge, further impacting Native peoples' ability to grieve losses together in healing ceremonies.

Native girls' boarding school experiences

Mission schools were established as early as the late 1700s for the "education of the Indian." In 1879, the Bureau of Indian Affairs opened Carlisle Industrial School in Pennsylvania, which became the model for government-funded, Christian-oriented Indian boarding schools. Approximately 12,000 American Indian children attended Carlisle in its 39 years of operation.[25] At times, there were as many as 100 government-operated Indian boarding schools nationwide.[26] The purpose of these schools was to destroy American Indian children's ties to their families, culture, religion, and language, and to replace those with the values and behaviors of the dominant Christian society.[27] This segment of a serialized story in Carlisle's weekly student newsletter written by a white school matron and titled "How an Indian girl might tell her own story if she had the chance" illustrates the school's goal for Native girls. In the story, an Indian

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[22] Brown D, (1970). *Bury my heart at Wounded Knee: An Indian history of the American West*. New York: Holt, p. 90.

[23] Board of Indian Commissioners, (1872). *Third annual report of the Board of Indian Commissioners to the President of the United States, 1871*. Washington DC: Government Printing Office. Retrieved March 2, 2009 from http://www.archive.org/stream/annualreportofbo03unitrich/annualreportofbo03unitrich_djvu.txt

[24] Mattes M, (1960). The enigma of Wounded Knee, *Plains Anthropologist* 5(9):1-11, p. 4.

[25] Anderson S, (2000). On sacred ground: commemorating survival and loss at the Carlisle Indian School, *Central Pennsylvania Magazine (May edition)*.

[26] National Public Radio, (May 12, 2008). *American Indian boarding schools haunt many*. Retrieved December 22, 2008 from http://www.npr.org/templates/story/story.php?storyId=17645287

[27] Hoxie F, (1989). *A final promise: The campaign to assimilate the Indians, 1880-1920*. Cambridge: Cambridge University Press.

girl has graduated from Carlisle and returned home to her Native community. When a white storekeeper asks if she will return to wearing "Indian clothes," she responds:

> *No! Do you think I can not appreciate what the great and good Government of the United States has done for me? Do you think I would be so ungrateful after the Government has spent so much time and money to educate me as not to use the knowledge I have obtained? I see I cannot do much here, but I believe I can keep myself right if I try. I can keep from going back to Indian ways if I am determined. I don't believe the [tribal leader] could force me back into the Indian dress. If he tried to I should run away. I believe the white people would protect me if I should run to them.*[28]

Native researchers Maria Yellow Horse Brave Heart and Lemyra DeBruyn, who have written extensively on historical trauma among American Indians, summarized the impact of "Indian education" on American Indian communities:

> *The destructive and shaming messages inherent in the boarding school system...were that American Indian families are not capable of raising their own children, and that American Indians are culturally and racially inferior...abusive behaviors—physical, sexual, emotional—were experienced and learned by American Indian children raised in these settings. Spiritually and emotionally, the children were bereft of culturally integrated behaviors that led to positive self-esteem, a sense of belonging to family and community, and a solid American Indian identity.*[29]

In the Midwest, reservation day schools and boarding schools were funded by the U.S. government and most frequently operated by the Catholic Church. Tim Giago, a well-known Lakota author and boarding school survivor, described what he witnessed as a child in a Catholic mission school in South Dakota:

> *These children were being indoctrinated into the rituals and beliefs of the Catholic Church. It was not out of the question for the abusers to warn the children that if they spoke about what happened to them that they would be committing a mortal sin and they would burn in hell...the children were required to go to confession at least once per week. Can you imagine their fear when they looked through the confessional screen and saw the face of the priest that had been abusing them? What were they to think? Don't you know that they were already suffering from the guilt pushed upon them by their abusers? When they saw the priest behind the confessional screen they knew that they had no one and nowhere they could turn for help. They buried what happened to them deep inside.*[30]

The Canadian Prime Minister issued a public policy in 2008 for the harm done to Native children in Canadian residential schools, but it was not until October 2009 that the U.S. Senate approved a resolution apologizing to American Indians for years of "ill-conceived policies" and acts of

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[28] Burgess M, (October 18, 1889). Segment of a serialized story in *The Indian Helper* transcribed and posted online by Barbara Landis. In 1891, the story was published as a book by Embe titled *Stiya, a Carlisle Indian Girl at Home*. Transcribed serial segment retrieved June 2, 2009 from http://home.epix.net/~landis/stiya.html

[29] Yellow Horse Brave Heart M and DeBruyn L, (1998). The American Indian holocaust: Healing historical unresolved grief, *American Indian and Alaska Native Mental Health Research* 8(2):63.

[30] Giago T, (October 25, 2007). *Children left behind: The dark legacy of Indian mission boarding schools.* Santa Fe: Clear Light Publishing. Retrieved May 4, 2009 from http://www.huffingtonpost.com/tim-giago/the-catholic-indian-missi_b_69887.html

violence by U.S. citizens. The resolution, described by the Associated Press as "controversial," was not a stand-alone action by the Senate. Rather, it was tacked onto a defense spending bill.[31]

Impact of assimilation policies on Native women

In the 1850s, the U.S. began establishing and relocating American Indians to reservations. The ultimate goal was their eventual assimilation. Francis Walker, Commissioner of Indian Affairs in the 1870s, imposed a system in which Native people could not leave the reservation without permission, and were required to participate in industrial labor. Walker proposed that "a severe course of industrial instruction and exercise under restraint" would teach American Indians industriousness and frugality, and prepare them for civilized society. In a further effort to force assimilation, Congress passed the Dawes Allotment Act in 1887, which broke up reservations into 160-acre parcels allotted to individual heads of families. It also allowed the U.S. to sell any unallotted land, resulting in the sale of over 17 million acres of Indian land in 1891 alone.[32]

From the 1950s to the 1970s, the U.S. government launched a series of aggressive efforts to assimilate American Indians. Three intersecting initiatives from that era had a significant impact on American Indian women's traditional roles in their communities, their safety, and their perceptions of themselves as sacred beings: tribal termination and urban relocation efforts, involuntary sterilization of Native women, and large-scale efforts to adopt Native children into white families.

Termination and relocation

At the time of the post-World War II economic boom, the average American Indian on a reservation earned $950 a year, compared to the $4,000 earnings of the average white person. The federal government initiated the Urban Indian Relocation Program in 1952, which encouraged reservation Indians to relocate to major cities where jobs were supposedly plentiful. Relocation offices were initially set up in Chicago, Denver, Los Angeles, San Francisco, San Jose, St. Louis, Cincinnati, Cleveland and Dallas, later expanding to include 28 urban areas. Minneapolis was one. Bureau of Indian Affairs (BIA) employees were charged with orienting new arrivals and managing financial and job training programs for them.[33]

Native people were told they would receive temporary housing and assistance obtaining permanent housing, counseling and guidance in finding a job, and community and social services, including start-up money. A couple with four children was to receive $80 a month. About 30 percent of all American Indians were rapidly relocated to cities, where they just as

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[31] Associated Press, (October 7, 2009). *Senate approves apology to American Indians*. Retrieved October 8, 2009 from http://www.usatoday.com/news/washington/2009-10-07-senate-apology-american-indians_N.htm

[32] Takaki R, (1993). *A different mirror: A history of multicultural America*. Boston: Back Bay Books. Pp. 233-236.

[33] Public Broadcasting Service, (September 2006). *Indian Country Diaries: The urban relocation program*. Retrieved February 2, 2009 from http://www.pbs.org/indiancountry/history/relocate.html#

quickly joined the urban poor when the promised assistance failed to materialize. By 1980, up to 750,000 had moved to the cities.[34] The National Council on Urban Indian Health reports:

> *The haunting memories of forced relocation and broken promises on the part of the federal government have affected the overall well being of the American Indian community. This has resulted in high rates of severe mental and physical health disparities. Contemporary health and social issues include poverty, alcoholism, heart disease, diabetes, and unemployment.*[35]

In 1953, Congress passed two measures: Public Law 280 (PL-280), which authorized some states to unilaterally assume jurisdiction over criminal and civil matters on reservations, and a resolution to end federal relations with tribes as quickly as possible. Nine of Minnesota's eleven tribes are currently subject to PL-280; only Bois Forte Band of Chippewa and the Red Lake Nation have retained federal jurisdiction for criminal matters. By the early 1960s, the U.S. had terminated 109 tribes across the nation, withdrawing from all relations with them, including trust and treaty obligations.[36] Increasingly isolated from the social supports and cultural strengths of their tribal communities, American Indian women relocated to urban areas experienced increased exposure to physical and sexual violence along with poverty and its added stressors.

Involuntary sterilization

During the 1960s and 1970s, the Indian Health Service (IHS), the primary source of medical care for most American Indians at the time, routinely performed tubal ligations on Native women and girls without their consent and sometimes during other surgeries without their knowledge. The U.S. government had targeted American Indians for family planning due to their high birth rate, and sterilization was considered an acceptable intervention. Between 1970 and 1976, the IHS sterilized between 25 and 50 percent of Native women in various areas of the U.S. One Choctaw-Cherokee physician examined IHS records and estimated that by 1975, 25,000 American Indian women had been sterilized by this unit of the federal government. In general, Native women agreed to tubal ligation after being threatened with losing their children and/or their welfare benefits. Most of them consented while still sedated during a Caesarean section or during labor to deliver a child, and most did not understand the 12th-grade reading level consent forms or the permanency of the procedure.[37]

Sterilization abuse destroyed these Native women's sacred roles as life-bringers. Mary Ann Bears Come Out, who conducted interviews with women who were sterilized during this era, described the impact:

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[34] Public Broadcasting Service, (September 2006). *Indian Country Diaries: The urban relocation program.* Retrieved February 2, 2009 from http://www.pbs.org/indiancountry/history/relocate.html#

[35] National Council on Urban Indian Health, (undated). *Relocation has been endemic to modern American Indian history.* http://www.ncuih.org/Relocation%20(2).pdf

[36] Josephy A Jr., (1988). Modern America and the Indian, in Hoxie E (Ed.), *Indians in American History*, pp.251-272. Arlington Heights IL: Harlan Davidson.

[37] Cited in Lawrence J, (Summer 2000). The sterilization of Native American women, *American Indian Quarterly 24*(3): 400-419.

> *The sterilization of Indian women affected their families and friends; many marriages ended in divorce, and numerous friendships became estranged or dissolved completely. The women had to deal with higher rates of marital problems, alcoholism, drug abuse, psychological difficulties, shame, and guilt. Sterilization abuse affected the entire Indian community in the United States.*[38]

The Indian Adoption Project

Before 1978, the wholesale removal of Native children from their families and tribes by state social services agencies and courts was commonplace. In Minnesota, one of every four Native children under the age of one was removed and adopted, usually by a non-Native family.[39] Most often, the justification for removal was "neglect," claiming the parent had "inappropriately" left the child with an extended family member for a prolonged period of time—ignoring the fact that in many Native cultures, extended family members play important parenting roles.[40]

Building on that practice, the Bureau of Indian Affairs and the U.S. Children's Bureau entered into a contracted collaboration with the Child Welfare League of America in 1958, to administer the Indian Adoption Project. The project was a response to the number of Native children in foster care or informal kinship care in poverty-stricken reservation settings, based on the idea that Native children would have better health and brighter futures if they escaped the conditions of reservation life. In 1962, the Director of the Indian Adoption Project described the benefits that white families could also realize by adopting an American Indian child:

> *As tribal members they have the right to share in all the assets of the tribe which are distributed on a per capita basis. The actual as well as anticipated benefits of an Indian child adopted through our Project are furnished by the Secretary of the Interior.*[41]

From 1958 to 1967, the Indian Adoption Project removed 395 Native children from 16 western states for adoption by white families in Illinois, Indiana, New York, Massachusetts, Missouri, and other states in the East and Midwest. The Adoption Resource Exchange of North America (ARENA), a national organization, took over the work of the Indian Adoption Project in 1966 and continued placing Native American children in white adoptive homes into the early 1970s.[42] A 1969 study by the Association on American Indian Affairs found that roughly 25-35 percent of Native children had been separated from their families, and the First Nations Orphan Association estimates that between 1941 and 1978, 68 percent of all Indian children were removed from their

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[38] Cited in Lawrence J, (Summer 2000). The sterilization of Native American women, *American Indian Quarterly 24*(3): 410.

[39] U.S. Congress, (1978). *The House Report, H.R. Rep. No. 1386, 95th Congress, 2nd Session*, reprinted in 1978 U.S. Code Congressional and Administrative News 7530.

[40] *Ibid.*

[41] Lyslo A, (December 1962). *Suggested criteria to evaluate families to adopt American Indian children through the Indian Adoption Project*, Child Welfare League of America Papers, Box 17, Folder 3, Social Welfare History Archives, University of Minnesota, pp. 3-5.

[42] Herman E, (July 11, 2007). *The Adoption History Project*. Department of History, University of Oregon. Retrieved May 2, 2009 from http://darkwing.uoregon.edu/~adoption/topics/IAP.html

homes and placed in orphanages or white foster homes, or adopted into white families.[43] This wholesale separation of Native children from their families and communities had devastating repercussions:

- It shamed Native mothers, reinforcing the stereotype fostered by the "Indian education" era that American Indian women are not competent to raise their own children.
- It left families and communities with disenfranchised grief that could not be resolved.
- It prevented the transmission of cultural values and practices through social learning and oral story-telling traditions.

Removing Native girls from their families and tribes and adopting them into white households severely curtailed these children's ability to foster any understanding of their roles in traditional Native community life, and their ability to build relationships with other Native people.[44] Their appearance marked them as American Indian, exposing them to racial targeting for sexual violence, but they had not been permitted to develop a culture-based identity as sacred givers of life.

These historic experiences over generations and the trauma induced by them have had a cumulative effect on today's American Indian girls and women. Coupled with regular exposure to racism and the poverty of most Native families and communities, they have significantly impacted Native girls' attainment of the four basic beliefs described at the beginning of this review, which are essential for a coherent and resilient sense of self:

- The world is a good and rewarding place
- The world is predictable, meaningful, and fair
- I am a worthy person
- People are trustworthy.[45]

The damage caused by life in prostitution

Later in this report, we describe the factors that make Native women and girls vulnerable to commercial sexual exploitation. Some may ask "Why does vulnerability matter?" It matters because women and girls in prostitution suffer extremely high rates of violence and trauma, and these experiences make it very difficult for them to ever return to a healthy lifestyle.

In over 20 years of research, the rates of rape and sexual assault of women in prostitution have consistently been found to range between 70 and 90 percent.[46,47] A U.S. study found that women

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[43] Kreisher K, (March 2002). Coming home: The lingering effects of the Indian Adoption Project, *Children's Voices*. Child Welfare League of America. Retrieved May 2, 2009 from http://www.cwla.org/articles/cv0203indianadopt.htm

[44] Jones B, (1995). *The Indian Child Welfare Act handbook: A legal guide to the custody and adoption of Native American children*. Section of Family Law, American Bar Association.

[45] Roth S and Newman E, (1995). The process of coping with sexual trauma, in Everly G and Lating J (Eds.) *Psychotraumatology: Key papers and core concepts in post-traumatic stress*. New York: Plenum Press, pp. 321-339.

[46] Silbert M and Pines A, (1982). Victimization of street prostitutes, *Victimology* 7(1-4): 122-133.

in prostitution had been raped an average of twice weekly. At least 84 percent of the women interviewed were victims of aggravated assault, 49 percent had been kidnapped, and 53 percent were victims of sexual torture. Those that were tortured reported having been burned, gagged, hung, and bound, and having body parts mutilated by pinching, clamping, and stapling.[48]

Though no U.S. data are available on the experiences of American Indian women in prostitution, one study in Vancouver, a city with a large proportion of Native women and girls in the sex trade, found that 68 percent of prostituted women had been recently raped and 72 percent had been kidnapped.[49] A second Vancouver study found that 90 percent of women in prostitution (about half of whom were Aboriginal) had been physically assaulted in prostitution. Of this group, 82 percent named johns as their assailants. In addition to cuts, black eyes, and "fat lips," 75 percent had sustained severe physical injuries from pimps and johns that included stabbings, beatings, broken bones (jaws, ribs, collar bones, fingers), and spinal injuries. Half had suffered concussions and fractured skulls when pimps and/or johns assaulted them with baseball bats and crowbars, or slammed their heads against walls or car dashboards. Prostituted women have reported frequent experiences with extreme violence whenever they refuse to perform a specific sex act.[50]

A study with commercially sexually exploited youth and adults in British Columbia, an area in which many are Native, found that significant changes occur when sailors are in port in Victoria. Youth reported the need to protect their safety at these times by traveling in groups and not provoking sailors, and prostituting women viewed these times as a combination of increased business opportunities and greater risk of violence.[51]

In addition to violence perpetrated by johns, research in regions with large Aboriginal populations has found that the vast majority of prostituted women experience extreme physical and sexual violence at the hands of pimps, boyfriends, and husbands.[52,53]

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[47] Parriott R, (1994). Health experiences of Twin Cities women used in prostitution. Unpublished survey initiated by WHISPER, Minneapolis MN, cited in Farley et al., 2003, Prostitution and trafficking in nine countries: An update on violence and posttraumatic stress disorder, in *Prostitution, trafficking and traumatic stress*. Binghamton NY: Haworth Maltreatment & Treatment Press.

[48] Hunter S, (1994). Prostitution is cruelty and abuse to women and children, *Michigan Journal of Gender and Law 1*: 1-14.

[49] Cler-Cunningham and Christenson C, (2001). Studying violence to stop it: Canadian research on violence against women in Vancouver's street level sex trade, *Research for Sex Work 4,* June: 25-26.

[50] Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, *Fourth World Journal 6*(1): 21-29.

[51] Hunt S, (2006). *Violence in the lives of sexually exploited youth and adult sex workers in BC: Provincial research.* Justice Institute of British Columbia, Centre for Leadership and Community Learning. Retrieved April 20, 2009 from http://peers.bc.ca/images/orchidupdat0407.pdf

[52] Currie S, Laliberte N, Bird S, Rosa N, and Sprung S, (1995), *Assessing the Violence Against Street Involved Women in the Downtown Eastside/Strathcona Community*, Downtown Eastside Youth Activities Society and Watari Research Society, Ministry of Women's Equality, Vancouver BC.

[53] Lowman J and Fraser L, (1995). *Violence against persons who prostitute: The experience in British Columbia.* Unedited technical report. Department of Justice Canada. Cited in Federal/Provincial Territorial Working Group on Prostitution (1998) *Report and recommendations in respect of legislation, policy, and practices concerning prostitution-related activities.* Canadian Federal/Provincial Working Group on Prostitution.

Verbal abuse by johns adds another layer of trauma for women in prostitution. Canadian studies have found that 83 to 88 percent of prostituted women describe verbal assaults as an intrinsic part of prostitution.[54,55] Research participants have reported that johns called them names during sex intended to humiliate, eroticize, or justify the john's treatment of the woman, often racial slurs.[56] Other research has found that racially-motivated verbal and physical violence are particularly intense forms of racial discrimination that have a profound impact on mental health, even when it is not accompanied by violence or abuse.[57,58] Some prostituted women have described verbal abuse by johns as the aspect of life in the sex trade that is most damaging.[59] A Native woman in Vancouver described the effect of johns' verbal abuse on her self-esteem:

> *It is internally damaging. You become in your own mind what these people do and say to you. You wonder, how could you let yourself do this, and why do these people want to do this to you?*[60]

Involvement in prostitution is also often deadly. In 1985, the Special Committee on Pornography and Prostitution in Canada reported the death rate of prostituted women as 40 times that of women in the general population.[61] Since Aboriginal women's overall death rate for homicide is 40 times that of the general Canadian population, prostituted Native women are by far those at greatest risk of lethal violence.[62] One Vancouver study found a 36 percent incidence of attempted murder among prostituted women,[63] and in 2004 Amnesty International reported that at least 500 Aboriginal women and girls had gone missing over the previous 30 years.[64]

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[54] Cler-Cunningham and Christenson C, (2001). Studying violence to stop it: Canadian research on violence against women in Vancouver's street level sex trade, *Research for sex work 4*, June: 25-26.

[55] Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271

[56] Baldwin M, (1992). Split at the root: Prostitution and feminist discourses of law reform, *Yale Journal of Law and Feminism 5*: 47-120.

[57] Williams D, Lavizzo-Jourey R, and Warren R, (2002). The concept of race and health status in America, *Public Health Reports 109*(1): 26-41.

[58] Turner C and Kramer B, (1995). Connections between racism and mental health, in Willie C, Rieker B, Kramer B, and Brown B (Eds.), *Mental health, racism, and sexism*. Pittsburgh PA: University of Pittsburgh Press, pp. 3-25.

[59] Cited in Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271.

[60] *Ibid*.

[61] Special Committee on Pornography and Prostitution (The Fraser Committee), (1985). *Pornography and prostitution in Canada*, p. 350. Ottawa: Minister of Supply and Services Canada.

[62] Health Canada Medical Services Branch, (1996). Unpublished tables from 1995, cited in The Royal Commission on Aboriginal Peoples, 1996, *Report of the Royal Commission on Aboriginal Peoples*, p. 153. Ottawa ON: Minister of Supply and Services Canada.

[63] Cler-Cunningham and Christenson C, (2001). Studying violence to stop it: Canadian research on violence against women in Vancouver's street level sex trade, *Research for Sex Work 4*, June: 25-26.

[64] Amnesty International Canada, (2004). *Canada: Stolen sisters—a human rights response to discrimination and violence against indigenous women in Canada*. Ottawa: Amnesty International. Retrieved December 4, 2008 from http://www.amnesty.ca/campaigns/resources/amr2000304.pdf

II. Methods and definitions

The information summarized in this report came from four primary sources: two regional round table discussions with advocates, data from screening forms used by MIWRC staff during client intake over a 6-month period, published materials (statistics, reports, and scholarly articles), and data or data output provided to MIWRC by the entities that collected those data.

Regional round table discussions with advocates

Two round table discussions were held with a total of 30 advocates working with American Indian women and girls. The first round table, attended by 12 advocates, was held in Duluth on January 30, 2009. The second, attended by 18, was held in Minneapolis on March 27, 2009.

Each round table discussion was about five hours in length. Almost all of the participating advocates are themselves American Indian, and were working in a variety of programs that brought them into contact with Native women and girls in prostitution as well as those seeking to escape prostitution. Both discussions included advocates from housing programs, domestic violence and sexual assault programs, tribal women's programs, programs serving homeless women and youth, and collaborative programs involving social services and law enforcement. Lunch was provided, and the majority of the participants stayed for the entire discussion. At each round table, advocates responded to the same set of semi-structured questions on the following topics:

- How frequently their work involved Native women and/or girls engaged in survival sex, who had been prostituted or trafficked, or who had worked in strip clubs or pornography.
- The types of commercial sexual exploitation affecting Native women and girls.
- The prevalence of various types of commercial sexual exploitation among Native women and girls in their region of the state.
- How Native girls and women enter the sex trade, age of entry, and who recruits them
- The facilitating factors that make Native women and girls vulnerable to recruitment into the sex trade
- Native women's and girls' experiences in the sex trade and barriers to exiting
- Advocates' recommendations for prevention, policies, interventions, and services for Native girls and women wanting to escape commercial sexual exploitation

The round table discussions were digitally recorded and transcribed verbatim. Open coding was used to identify major and minor themes in the two round table conversations, and quotes were organized within those themes. A copy of the facilitator's guide for the round tables is included in the Appendix.

Screening at intake for social services

To establish a basic source of data to estimate how many of its clients have been involved in commercial sexual exploitation, the Minnesota Indian Women's Resource Center asked an additional set of questions at intake for three of the agency's programs over a six month period. To prevent client concern about having disclosures documented, MIWRC program counselors waited until after the intake interview to fill out the screening form. To ensure anonymity, no names were recorded on the forms. The data from the forms were entered and analyzed by the research consultant charged with producing this report, who had no contact with the clients whose information was recorded. As of June 15, 2009, MIWRC had screened 95 Native and women and girls. A copy of the screening form is included in the Appendix.

Published materials

We recognize that the two round tables and the intake data alone are not adequate for drawing generalizeable conclusions. To place our findings in a larger frame of reference, we triangulated our data with following types of published materials and data sources in preparing this report:

- Statistics reported by government entities, public institutions, researchers, nonprofit organizations, and foundations
- Published research reports and journal articles describing the prevalence and characteristics of commercial sexual exploitation, prostitution, and sex trafficking
- Published reports and journal articles focusing on public policy and law regarding sex trafficking and other forms of commercial sexual exploitation
- Published research and articles produced by American Indian and Aboriginal survivors of commercial sexual exploitation and/or organizations serving Native victims
- Reports and other publications regarding recommended programming and support services for victims of sex trafficking and other forms of commercial sexual exploitation

American Indian tribes in the upper Midwest and Canadian Aboriginal communities share a common history of colonization and government oppression. Many also share a common ancestry and language, with active relationships back and forth across the U.S./Canada border. Therefore, the statistics and publications cited in this report include those from both the United States and Canada.

When citing demographic statistics from other studies or reports that were based on the U.S. Census, the authors of those publications did not always clarify whether they were reporting percentages for people identifying as American Indian only, or if those percentages included people identifying as American Indian as well as those that identified as American Indian in combination with one or more other races. In those cases, we simply reported the percentages as they appeared in the publication.

Data and output provided to MIWRC

Additional sources included a subset of data provided to MIWRC by Wilder Research, which contained the responses of all non-reservation American Indian women and girls participating in Wilder's 2006 statewide study of homelessness in Minnesota. We analyzed those data by age group, and the results of our analyses are described in this report.

Though raw data from the 2007 Minnesota Student Survey could not be released to MIWRC because cell sizes were too small to ensure the confidentiality of research participants in specific counties, the Minnesota Department of Education and the Minnesota Department of Health generated data output tables for MIWRC for American Indian girls in the 9th and 12th grades statewide, and when cell sizes were large enough, for American Indian 9th and 12th grade girls in Beltrami, Hennepin, Ramsey, and St. Louis Counties. Because 12th-grade girls' data could not be released for one of the four counties due to small numbers, we elected to report only statewide comparisons, and to include data on 6th grade girls' responses already released to the public. The charts developed for this report show percentages of girls by grade in school, in three categories:

- Girls identifying solely as American Indian (American Indian only)
- Girls identifying as American Indian only combined with those of girls identifying as American Indian plus another race (American Indian + in combination)
- All girls in the general population (referred to as "all girls")

We feel that the distinction between girls identifying as "American Indian only" and those identifying as "American Indian + in combination" is an important one, especially in the urban area. Hennepin County has noted that of the American Indian people included in the county's population during the 2000 U.S. Census, 69 percent also identified as one or more other races, and 40 percent of the county's American Indian children are of mixed-race ancestry.[65]

Limitations of this report

The time frame for this project was quite short, which limited the information that could be identified and accessed. We did not apply a rigorous standard to evaluate the generalizeability of the information to be included. Because this is the first report of its kind, we gathered every bit of information we felt to be reasonably reliable in describing the issue. As noted earlier, our samples for the round table discussions and clients screened at intake were quite small, and limited both demographically and geographically. Therefore, what we report here should be considered an exploratory study, a first glance at a complex problem, and only the tip of a very large iceberg.

[65] Source: Census 2000, cited in American Indian Families Project (September 2003), *A look at American Indian families in Hennepin County*, pp 1-2. Minneapolis: Hennepin County Office of Planning and Development.

Definitions

We recognize that men and boys are also victims of sexual exploitation, commercial and otherwise. Our focus on women and girls is not intended to deny the experiences of male victims, but rather to examine the impacts that are specific to females. For this reason, our definitions all refer to women and girls.

American Indian, Aboriginal, Native

Other than references to Alaska Natives, the indigenous people of the United States are most frequently referred to as American Indian or Native American. In Canada, indigenous people are legally categorized as First Nations, Metís or Inuit, and collectively described as Aboriginal. For simplicity's sake when discussing the Canadian and U.S. research literature, we use the terms American Indian or Native when referring to indigenous people in the U.S., and Aboriginal or Native when referring to indigenous people in Canada.

Adolescents, girls, young adults, and youth

For the purposes of this report, the terms "girls" and "adolescents" are used to describe females ages 12 to 18. "Young adults" are ages of 18 to 24. The term "youth" encompasses young women and young men ages 12 to 24. Though over the age of 18 and legally considered adults in the United States, American Indian females ages 18 to 24 are still very vulnerable and many are in need of youth-oriented services.

Commercial sexual exploitation

In the U.S., the term "commercial sexual exploitation" is almost exclusively applied to children. The National Institute of Justice defines commercial sexual exploitation of a child (CSEC) as sexual abuse of a ***minor*** for ***monetary*** gain (emphasis ours), including any accompanying physical abuse, pornography, prostitution, and the smuggling of children for unlawful purposes.[66] There is no parallel federal definition for commercially sexually exploited adults, who are instead defined as "prostitutes" unless they can prove force, fraud, or coercion and thus be considered victims of sex trafficking.

In a study of 150 Aboriginal prostituted youth in 22 communities across Canada, research participants differentiated between commercial sexual exploitation and sexual abuse even though they often overlap, arguing that exploitation is taking advantage of someone else for personal profit, pleasure, and/or control. In response, the researchers proposed this definition:

[66] National Institute of Justice, (December 2007). *Commercial sexual exploitation of children: What do we know and what do we do about it? (NCJ 215733)*, p. 1. Washington DC: U.S. Department of Justice, Office of Justice Programs.

> *Commercial sexual exploitation is the exchange of sex for food, shelter, drugs/alcohol, money, and/or approval.*[67]

Adult women are also sexually exploited by others taking advantage of their vulnerabilities for profit, pleasure, and/or power. Therefore, the definition used in this report is:

> *The exploitation of a woman's or girl's sexuality for financial or other non-monetary gains, in manner that involves significant benefits to the exploiter and violates the exploited person's human right to dignity, equality, autonomy, and physical and mental well-being.*[68]

Prostitution

We define prostitution as the act of engaging in sexual intercourse or performing other sexual acts in exchange for money or other considerations, including food, shelter, transportation and other basic needs. We use the terms "in prostitution," "involved in prostitution," and "prostituted" rather than "prostitute" because we find it unreasonable to assign a label to an exploited person that implies that she is responsible for her own exploitation. We concur with Melissa Farley, who pointed out:

> *We do not refer to battered women as 'battering workers.' And just as we would not turn a woman into the harm done to her (we don't refer to a woman who has been battered as a 'batteree') we should not call a woman who has been prostituted a 'prostitute.'*[69]

Though the term "sex worker" is used by some as an alternative to the term "prostitute," we choose not to, because it frames prostitution as an acceptable form of work rather than a form of sexual violence.

Sex trade

We use the term "sex trade" to describe the "business" of commercial sexual exploitation, all transactions in which sexual activity is exchanged for food, shelter, drugs, transportation, approval, money, or safety. We do not suggest that women and girls who are sold, traded, or purchased for sexual purposes are trading fairly in a free market system. Similar to the slave trade, women and girls in the sex trade are being exploited in exchange for their survival and/or the benefit of a more powerful person.[70]

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[67] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada, p. 41.

[68] Adapted from the definition used on page 11 of Walker N, (April 2002). *Prostituted teens: More than a runaway problem—Michigan Family Impact Seminars, Briefing Report No. 2002-2*. East Lansing MI: Institute for Children, Youth and Families, Michigan State University.

[69] Farley M, (2003). Prostitution and the invisibility of harm, *Women and Therapy 26*(3/4): 247-280. Retrieved February 6, 2009 from http://www.scribd.com/doc/6732117/Prostitution-the-Invisibility-of-Harm-HAWTH

[70] Based on the definition used in Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada.

The sex trade includes:

- Street prostitution
- Escort agencies
- Massage parlors
- Brothels, "trick pads" and "sex party houses"
- Bars and clubs that sell "lap dances" and "private dances"
- Businesses that organize and sell "private parties" with strippers and nude dancers
- Strip clubs
- Pornography and live "sex shows"
- Phone and Internet sex

Sex trafficking

International, federal, and Minnesota laws all reflect the idea that trafficking involves the recruiting, harboring, receipt or transportation of persons in order to exploit them. The Trafficking Victims Protection Act of 2000 (federal law) defines sex trafficking as:

> *The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act is under 18 years of age.*[71]

In Minnesota law, sex trafficking is defined as a type of promotion of prostitution:

> *...a person subjected to the practices in subdivision 7a [which are: receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of the individual].*[72]

In their 2008 sex trafficking needs assessment report to the State of Minnesota, The Advocates for Human Rights described the difference in the sex trafficking definition used in Minnesota law, compared to that used in federal law:

> *... federal law requires that traffickers use the means of 'force, fraud or coercion' to recruit or maintain an adult in sex trafficking while Minnesota does not. Minnesota law recognizes that a person can never consent to being sexually exploited and considers individuals who have been prostituted by others as trafficking victims. Federal law requires an assessment of the level of 'consent' of the prostituted person in determining whether the crime of trafficking has occurred.*[73]

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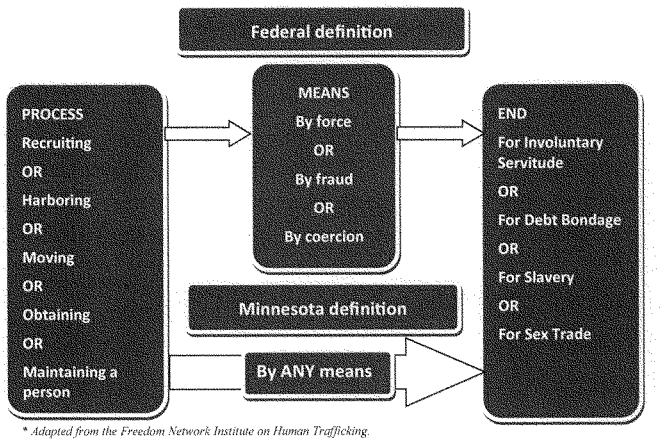
[71] See 18 U.S.C. § 1591 (a).

[72] Minnesota Statute § 609.321, subd. 7a

[73] The Advocates for Human Rights, (September 2008). *Sex trafficking needs assessment for the State of Minnesota.* Minneapolis: The Advocates for Human Rights.

Basically, the federal trafficking law requires that three elements be present for a crime to be considered trafficking. In Minnesota law, the victim is not required to establish "means" to prove that she did not consent. Rather, courts determine responsibility based on the conduct of the trafficker.[74]



* *Adapted from the Freedom Network Institute on Human Trafficking.*

On its website, the U.S. Department of State describes the signs that a person may be a trafficking victim, which include:

- Evidence of being controlled, evidence of inability to move or leave a job;
- Bruises or other signs of physical abuse;
- Fear or depression;
- Not speaking on own behalf

The same website recommends asking possible trafficking victims a set of questions, including:

- Can you come and go as you please?
- Have you or your family been threatened?
- What are your working and living conditions like?

[74] The Advocates for Human Rights, (September 2008). *Sex trafficking needs assessment for the State of Minnesota.* Minneapolis: The Advocates for Human Rights.

- Where do you sleep and eat?
- Do you have to ask permission to eat/sleep/go to the bathroom?
- Are there locks on your doors/windows so you cannot get out?

Many prostituted women under the control of a pimp in the U.S. would probably evidence the same signs and respond to the U.S. Department of State's proposed questions in exactly the same way as a woman meeting the federal definition of a victim of international sex trafficking. Donna Hughes, professor and Carlson Endowed Chair at the University of Rhode Island, has pointed out the overlap in definitions of sex trafficking and pimping, emphasizing that women's experiences in prostitution and sex trafficking are quite similar in regard to violence, control, exploitation, and level of victimization. Hughes notes that in multiple studies of women in prostitution, the average reported age of entry suggests that 70 percent were, by definition, victims of sex trafficking at the time they entered the sex trade. Hughes also reports that though the Trafficking Victims Protection Act provides for a grant program for local and state authorities to provide services to mostly U.S. citizen victims, those funds were never requested by the Department of Justice, and subsequently no programs were ever funded.[75]

The United Nations definition of trafficking echoes Hughes' point, including means beyond those described in U.S. federal law:

> *...deception, abuse of power of a position of vulnerability, or of the giving and receiving and benefits to achieve the consent of a person having control over other persons, for the purpose of exploitation.*[76]

In this report, we use the State of Minnesota's definition for sex trafficking, with the understanding that women and girls involved in "survival sex" experience deliberate exploitation of their vulnerability, with a clear sexual benefit to the exploiter:

> *...receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution of an individual.*[77]

Victim

The definition of "victim" is perhaps the most contested and least resolved issue related to sex trafficking and other forms of commercial sexual exploitation. There is considerable controversy as to whether an adult involved in prostitution should ever be considered a trafficking victim. The controversy is directly tied to the argument over whether or not a woman or child can ever

[75] Hughes D, (November 2, 2006). *Prostitution and trafficking: Is there a difference?* Presentation at Breaking Free, Saint Paul MN. Retrieved May 19, 2009 from http://www.uri.edu/artsci/wms/hughes/prost_v_traff.ppt

[76] United Nations General Assembly, (January 2000). *Revised draft protocol to prevent, suppress and punish trafficking in persons, especially women and children*, supplementing the United Nations Convention against Transnational Organized Crime, A/AC.254/4/Add.3/Rev.5, Article 3a. Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, Seventh session, Vienna, 17-28.

[77] Minnesota Statute § 609.321, subd. 2; Minnesota Statute § 609.321, subd. 7a. For a full description of Minnesota trafficking law, see The Advocates for Human Rights, (September 2008). *Sex trafficking needs assessment for the State of Minnesota.* Minneapolis: The Advocates for Human Rights.

give informed consent to be purchased and used for another person's benefit or gratification, without regard to her safety or well-being.

The assumption that a woman in prostitution is a consenting adult regardless of her circumstances is codified in law. Anupriya Sethi, who conducted interviews with program coordinators and others working with sexually trafficked Aboriginal women and girls in Canada, described the difficulty inherent in this assumption when defining a victim of sex trafficking:

> *It is often argued that a person who consents to engage in prostitution cannot be considered trafficked thereby suggesting that only coercion or force should form an integral part of the trafficking definition. However, it is essential to recognize that consent does not necessarily suggest an informed choice.*[78]

In a 2007 report, the National Institute of Justice emphasized the importance of minor status in recognizing sex trafficking victims:

> *...when a minor, with few visible choices, sells sex at the hands of an exploitative adult, it is generally a means of survival. The term 'teenage prostitute' also overlooks the legal status of minors who have greater legal protection regarding sexual conduct because of their emotional and physical immaturity and the need to protect them from exploitative adults. Therefore, it is important that victims of child sexual exploitation are not mistaken for offenders...Clearly, these youth are being harmed emotionally and are in considerable physical danger.*[79]

Another factor is that some states do not allow juveniles to be automatically considered victims of statutory sex crimes if they are older than 15.[80] In Minnesota, the age of consent is 16, but if a victim is younger, criminal charges still may not result in a conviction if the perpetrator is only a few years older. For instance, if the victim is 13, 14, or 15 and the perpetrator is less than 48 months older, coercion must be proved to convict him/her of first-degree criminal sexual conduct.[81] The Office of Juvenile Justice and Delinquency Prevention described the dilemma confronting police officers at the point of contact with juveniles involved in prostitution:

> *On the one hand, they are offenders involved in illegal and delinquent behavior. On the other, they are children who are being victimized by unscrupulous adults.*[82]

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[78] Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, *First Peoples Child and Family Review 3*: 57-71, p.59.

[79] Office of Juvenile Justice and Delinquency Prevention, (June 2004). Prostitution of juveniles: Patterns from NIBRS, *Juvenile Justice Bulletin*. Washington DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

[80] Klain E, (1999). *Prostitution of children and child-sex tourism: An analysis of domestic and international responses.* National Center for Missing and Exploited Children. Retrieved December 16, 2008 from http://www.docstoc.com/docs/415161/Commercial-Sexual-Exploitation-of-Children-What-do-we-Know-and-What-do-we-do-about-it---December-2007

[81] Minnesota Statute 609.342. Retrieved June 24, 2008 from https://www.revisor.leg.state.mn.us/statutes/?year=2008andid=609.342

[82] Office of Juvenile Justice and Delinquency Prevention, (June 2004). Prostitution of juveniles: Patterns from NIBRS, *Juvenile Justice Bulletin*. Washington DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

The definition of a sex trafficking victim used in the Minnesota Office of Justice Programs' *2007 Human Trafficking in Minnesota* report is consistent with the federal definition:

> *A trafficking victim can be anyone who is forced, defrauded, or coerced into commercial servitude regardless of movement.*[83]

In contrast, the United Nations Protocol considers any person prostituted by someone taking advantage of their vulnerability to be a victim, whether or not the prostituted person consented.[84]

As noted earlier, under Minnesota law the conduct of the trafficker is supposed to be the basis used by courts to determine whether any person has been trafficked for sexual purposes. To date no one has ever been prosecuted for sex trafficking under the Minnesota law, so there is no "test case" for establishing victimization. On May 21, 2009, the Minnesota Legislature unanimously passed and the governor signed a bill amending Minnesota's sex trafficking law, which will enable law enforcement and prosecutors to better hold perpetrators accountable. Specifically, the amendments:

- Provide law enforcement and prosecutors with the ability to arrest and charge sex traffickers with higher penalties where an offender repeatedly traffics individuals into prostitution, where bodily harm is inflicted, where an individual is held more than 180 days, or where more than one victim is involved;
- Increase the fines for those who sell human beings for sex;
- Criminalize the actions of those individuals who receive profit from sex trafficking;
- Categorize sex trafficking with other "crimes of violence" to ensure that those who sell others for sex are prohibited from possessing firearms; and
- Add sex trafficking victims to those victims of "violent crime" who are protected from employer retaliation if they participate in criminal proceedings against their traffickers.[85]

For the purposes of this report, any woman or girl who has been sexually exploited for the benefit of her exploiter is considered a victim of commercial sexual exploitation, whether the exploiter receives some financial benefit or gains other things of value, including goods, power, and status. If the victim is under 18 and/or if the trafficker is compensated in cash or other things of economic value, she is considered a sex trafficking victim.

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[83] Minnesota Statistical Analysis Center, (September 2007). *Human trafficking in Minnesota: A report to the Minnesota Legislature*, p. 4. St. Paul: Minnesota Office of Justice Programs, Minnesota Statistical Analysis Center.

[84] United Nations General Assembly, (January 2000). *Revised draft protocol to prevent, suppress and punish trafficking in persons, especially women and children*, supplementing the United Nations Convention against Transnational Organized Crime, A/AC.254/4/Add.3/Rev.5, Article 3a. Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, Seventh session, Vienna, 17-28.

[85] The Advocates for Human Rights, (June 2009). *Update on sex trafficking legislation*. Retrieved June 24, 2009 from http://www.theadvocatesforhumanrights.org/sites/608a3887-dd53-4796-8904-997a0131ca54/uploads/Website_update_--_passage_of_bill.doc

Survival sex

We use the term "survival sex" to describe the exchange of sex for money and other considerations such as food, shelter, transportation, or safety by women and girls who do not think of themselves as involved in prostitution but rather, as doing "what they have to do" to survive.

Runaway and thrown-away

A runaway is defined as a girl who leaves home or a place of legal residence without the permission of parent(s) or legal guardian(s) for at least 24 hours. If a girl has been told to leave or was locked out of her home and told not to return, if she is a runaway who was not actively sought hy her parent(s) after leaving, or if her parent(s) or guardian(s) failed to provide food or basic needs and she left home to meet those needs, she is defined as thrown-away.

Pimp/trafficker

We use the terms pimp and trafficker interchangeable, defined as a person who promotes and/or profits from the sale and/or abuse of another person's body or sexuality for sexual purposes, or from the production and/or sale of sexual images made of that person.

John

Because it is the most recognized term for a purchaser for sexual services, we use the term john to describe an adult male who provides some type of compensation to engage in a sexual encounter with a woman or girl. It is important to remember that if the girl is under the age of 18, this person is, in fact, a sex offender.

Honoring the efforts and resilience of Native people

The next two sections of this report present a large body of evidence that Native women face "a perfect storm" of victimization, oppression, and poverty that makes them tremendously vulnerable to commercial sexual exploitation. The information presented here calls attention to some problems that must be solved in the larger society. It also identifies some problems that must be solved within our own Native communities, where victimized Native women and girls cannot always find the level of safety and support that they need.

Even so, it is important to recognize that the continued existence of American Indian communities is a tribute to the resilience of Native people and their unending efforts to retain their language, social relationships, and culture. Many, many Native people are working to strengthen and heal their communities and to provide healthy options and positive futures for Native youth, and those efforts do make a difference.

Today, hundreds of Dakota and Ojibwe children and adults are learning and speaking their Native languages at weekly language tables in the Twin Cities and in language preservation programs on reservations. There is also an immense variety of programs, camps, and other events in urban areas and on reservations where Native youth can learn their history, culture, and values, connected to caring elders that help them learn in the traditional way.

A number of tribes have urban offices to meet the needs of members not living on reservations. One operates a pharmacy in Minneapolis that provides free prescription medication to all American Indians eligible for services through the Indian Health Service. Native-specific organizations in urban areas constantly collaborate to share information and resources to better serve American Indian people. During American Indian Month (May) in 2009, tribal offices and American Indian programs and agencies in the Twin Cities coordinated and hosted 48 events, including sunrise ceremonies, a sweat lodge, and storytelling; plays, concerts and art exhibits; open houses and feasts; educational events, Indian Youth Olympics and youth group presentations; health presentations and fund-raising walks.

Our goal in developing this report was to give our Native communities and their allies in the larger society information that could help pave the path to healing. Much good is already being done, and we look forward to what is to come.

III. Prevalence

Involvement in prostitution

Data collected by MIWRC

At the two round tables hosted by MIWRC, advocates working with Native women and girls in housing, domestic violence, sexual assault, and other social service programs focused on meeting crisis needs described the practice of trafficking Native girls and women into prostitution as a significant problem in both Duluth and Minneapolis.

The Duluth area advocates reported that street prostitution is highly visible, particularly when ships are in port and during times of the year when tourism is at its highest, such as hunting season and during the summer. Twin Cities advocates reported that in both Duluth and in the Twin Cities, much of the local prostitution activity occurs in bars, which makes it relatively invisible. These are some of the advocates' comments regarding the severity, visibility, and geographic locations of prostitution-related activity:

> *All you have to do is drive down First Street and ask somebody. It is so frickin' visible. I can't even believe it...Where we're located right on the corner of First Ave East and First Street down here. [Second speaker] In Duluth. [First speaker] It's prime area for street prostitution and there's [names of three strip bars] there. So now, right around the corner from North Shore is another strip place, and so there's a lot that happens right there. The liquor store is right there too. So, especially in the summer...it's not invisible by any means, way shape or form. If you even sit on a corner for a day you'll know who they are. Because people are coming, they're just getting into cars...I've overheard people negotiating prices, so it's really visible. [Duluth advocate]*
>
> *I work in the housing program portion of a women's shelter. I see the [Native] women and we accept the women escaping from prostitution. I did my data collection for a report and I couldn't believe how many people that we had...it was pretty close to 30 women, escaped from prostitution in a few short months. [Twin Cities advocate]*
>
> *The [Native] women are inside the bars and prostitution is happening in the bars, which makes it harder for the police to catch because it's not an outside thing. I see more of that coming down here...it's not just the pimps, it's the establishments that are making money off that girl being in the bar, bringing those patrons in because they know she's there on Wednesdays. And the young girls that want to drink, they get a fake ID. That's the prime way to get them in and recruit them, because they've got a bar setting versus a car or in a house. [Twin Cities advocate]*

At the Minneapolis round table, some of the advocates had been working with Native domestic violence and sexual victims for 25 to 30 years. Several of these long-time advocates reported that sex trafficking of American Indian women and girls is not a new development in either reservation or urban Indian communities. These are some of their comments:

> *This is an old story. This is not a new way of exploiting Native women, this has been happening since I was a child. I would hear those stories from women or people connected to my family network, about that happening to women. I'd hear my aunties or great aunties telling those stories, I'm talking about back to the 1940s. [Twin Cities advocate]*
>
> *As [another long-time advocate] was talking, it flashed into my mind, a very dear friend of mine would disappear out of my life, for probably six months to a year, and even longer. And she'd come back, just really all anxious, and so we'd work...She never talked about where she was at, and I always kind of suspected that something was going on. But, she was being trafficked between here and Mexico. This was 20-some years ago. Just recently, well, 10 years ago, she called me up from Utah and we talked for quite a while. She said that she was involved in prostitution. She had been prostituted by this group of people here in Minneapolis that she was involved with, and the man she was living with was a chiropractor, pretty well respected. And, he was the one who was sending her off. [Twin Cities advocate]*
>
> *This has been going on a hundred years on the ships. There's women my mom's age who talk about their grandmas working on the ships. [Duluth advocate]*

Two of the Duluth advocates that worked extensively with younger Native girls reported that even though Native women have been prostituting to the ships in port for many years, the conditions have changed dramatically. This is how they explained those changes:

> *Girls have conversations with their mothers about their time, when the mothers were working on the boats. Many of the girls were conceived out of working on the boats. But the mothers have a different way of talking about it. The opportunities of the people she met and that sort of thing. I'm not saying it's any less dangerous, but I think times have changed considerably. The mother relates it to being her choice when she worked on the boats, and she really cherishes those relationships she has with other women that are her friends now. But she really fears for her daughter, that times have changed and it's a whole different arena that you're dealing with now. [Duluth advocate]*
>
> *The violence has increased. I don't want say it but the nationality is a big thing for this family I am working with. The mother who worked on the boats, she is really intimidated by African American men in the community. A number of people that I'm working with, young women, have been recruited by African American men and immediately taken to Milwaukee, Chicago, or the Twin Cities. So, there's like this fear when the mom talks about it about, 'You really don't know what you're getting into. You don't know their family, you don't know their community, you don't know.' And what happens is, they take the girls from here further away. Away from their support system. [Duluth advocate]*

The data from 95 Native women and girls entering MIWRC programs also suggest that the trafficking of Native girls into prostitution is a significant, though rarely discussed, problem. Overall, 40 percent of incoming clients reported involvement in some type of commercial sexual exploitation and 27 percent reported activities defined as sex trafficking under Minnesota law (see Figures 1 and 2).

MIWRC's screening process confirmed other studies' findings that Native victims frequently do not identify as having been sexually trafficked, instead presenting with other issues such as

domestic violence and sexual assault.[86] Not one of the 25 MIWRC clients meeting the state's legal definition at intake had presented herself as a sex trafficking victim.

1. Percent of MIWRC clients reporting involvement in prostitution and pornography at intake (n=25)

	Number	Percent
Exchanged sex for shelter	24	25%
Exchanged sex for food	14	15%
Exchanged sex for money	32	34%
Exchanged sex for drugs or alcohol	30	32%
Exchanged sex for transportation	10	11%
Exchanged sex for some other type of assistance	5	5%
Asked to recruit or pimp other girls	21	22%
Pressured/forced to pose for nude photos or videos	11	12%

**Some reported multiple types of sexual exploitation, so percentages may total more than 100%.*

2. Percent of MIWRC clients trafficked into prostitution for the benefit of another person (n=25)

	Number	Percent
Trafficked for shelter	10	11%
Trafficked for food	7	7%
Trafficked for money	17	18%
Trafficked for drugs or alcohol	17	18%
Trafficked for transportation	4	4%
Trafficked for some other benefit	5	5%

**Some reported being trafficked for multiple benefits, so percentages may total more than 100%.*

Though prostitution arrests are often used to estimate the scope of prostitution in an area, the intake data collected by MIWRC confirm that these data are a poor indicator. None of the clients under age 18 that met the state definition for sex trafficking victims at intake had ever been arrested for prostitution, though 18 of the 25 trafficked adult women (72%) had one or more prostitution arrests (see Figure 3).

[86] Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). *Human trafficking in Minnesota: A report to the Minnesota Legislature.* Saint Paul: Minnesota Statistical Analysis Center.

3. Arrests for prostitution (only those MIWRC clients reporting prostitution involvement, n=17)		
	Number	Percent
Arrested for any prostitution-related offense	18	46%
1-2 arrests	5	13%
3-5 arrests	3	8%
6 or more arrests	3	8%
Number of arrests not recorded	7	18%

Information from other sources

Very few reports and publications have addressed the number of Native women and girls involved in prostitution in Minnesota. The State of Minnesota Office of Justice Programs (OJP) reported that in 2006, there were a total of 3,989 trafficking and prostitution related arrests and 1,790 convictions, most of which were for prostitution. The number of American Indian women arrested for prostitution offenses is not available.

In 2007, the Minnesota Office of Justice Programs conducted an online human trafficking survey with service providers, nurses, and law enforcement statewide. Twelve respondents reported working with a total of 345 American Indian female victims of sex trafficking in the previous three years.[87] In response to OJP's 2008 human trafficking survey, twelve service providers reported working with a total of 79 American Indian sex trafficking victims in the three-year period prior to the interview.[88] In both years' surveys, respondents described movement of trafficked Native women and girls from reservations to the Twin City metro and other cities, from one city to another, and from Minnesota to another state. Responses to the two surveys were based on overlapping time frames, so the discrepancy in the 2007 and 2008 numbers suggests that one or more of the 2007 providers that reported high numbers of American Indian trafficking victims did not participate in the 2008 survey. The numbers reported by the service providers were also estimates, since most did not use a systematic method to track the number of Native victims.[89,90]

Data provided by Hennepin County Corrections show a total of 313 arrests for prostitution-related offenses in 2008, twelve (4%) of which were American Indian women arrested for

[87] Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). *Human trafficking in Minnesota: A report to the Minnesota Legislature.* Saint Paul: Minnesota Statistical Analysis Center.

[88] Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2008). *Human trafficking in Minnesota: A report to the Minnesota Legislature.* Saint Paul: Minnesota Statistical Analysis Center.

[89] *Ibid.*

[90] Minnesota Department of Public Safety, Minnesota Office of Justice Programs, and Minnesota Statistical Analysis Center, (September 2007). *Human trafficking in Minnesota: A report to the Minnesota Legislature.* Saint Paul: Minnesota Statistical Analysis Center.

prostitution or loitering with intent to commit prostitution. Though the number of Native women was small, their representation in prostitution arrests was almost double their representation in the county population. Hennepin County has recently switched to a new data system, so county trends in prostitution arrests of Native women cannot be determined.[91]

The Minneapolis Police Department was able to provide its number of arrests of American Indian women from 2004 to 2008 (see Figure 4). According to a Minneapolis police officer, the significant decline in arrests seen in these data does not reflect a decline in prostitution-related activities, but rather the low priority given to addressing prostitution when there has been no public outcry.[92]

4. Arrests for prostitution-related offenses in Minneapolis, American Indian females, 2004 - 2008[93]

American Indian females	2004	2005	2006	2007	2008
Prostitution	83	57	70	53	9
Loitering with intent to commit prostitution	28	11	24	28	3
Promoting prostitution	1	3	2	3	-
Total, all prostitution-related offenses	112	71	96	84	12

A Minneapolis police officer and a Hennepin County Corrections staff member reported that by County policy, adolescents involved in prostitution-related crime are no longer arrested for prostitution, but may be arrested for a status offense such as truancy or runaway.[94,95] No data were available from Hennepin County or the Department of Justice on the number of American Indian juvenile females apprehended for each type of status offense.[96]

A recent study based on analysis of Hennepin County Corrections data found 70 women on probation for prostitution-related offenses in Hennepin County. Almost one-fourth (24%) were American Indian, while American Indian women represent only 2.2 percent of the county's population. Of the 17 Native women in the sample, 10 (59%) were arrested in the 3rd Precinct, which encompasses the Phillips neighborhood in which the Minnesota Indian Women's Resource is located. Five (29%) were arrested in the 5th Precinct, which is adjacent to the 3rd Precinct and borders the Phillips neighborhood. Over half of the Native women in the study lived in the same two precincts: seven lived in the 3rd Precinct and four lived in the 5th precinct.[97]

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[91] Telephone conversation with Hennepin County Corrections data analyst, March 23, 2009.

[92] Meeting December 31, 2008.

[93] Data faxed to MIWRC by the Minneapolis Police Department on December 19, 2008.

[94] Meeting December 31, 2008.

[95] Telephone conversation, March 23, 2009.

[96] Meeting with Lauren Martin, co-author of a report based on Hennepin County Corrections data, April 10, 2009.

[97] Martin L and Rud J, (October 2007). *Prostitution research report: Data sharing to establish best practices for women in prostitution.* Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

Racial miscoding in police incident data is a problem that inhibits accurate counts of prostituted American Indian women. It occurs frequently because individual officers identify the race of offenders and victims in their reports, with the result that the same person may have different racial designations in various reports. It is also difficult in many instances to determine whether the subject of the report is a victim or an offender, and even more so when it is a juvenile involved in prostitution. In 1988, the U.S. Department of Justice began replacing its long-established Uniform Crime Reporting (UCR) system with a more comprehensive National Incident-Based Reporting System (NIBRS). Child sexual abuse experts David Finkelhor and Richard Ormrod have described the NIBRS as the only available source of geographically diverse and uniformly collected crime data that:

- Provides detailed descriptions of police-involved incidents of the commercial sexual exploitation of minors
- Includes a description of both the offender and the victim in sex-related crimes.

NIBRS data are collected, compiled, and entered by local law enforcement, but data coding continues to be problematic. Finkelhor and Ormond note that police are not provided coding guidelines for distinguishing between victims and offenders or for coding the race of a victim or an offender in the data they enter into the NIBRS. The researchers describe NIBRS data as even more limited for identifying the prevalence of minors used in pornography, because the number of jurisdictions participating in the NIBRS is still quite small.[98] In 2005, Minnesota received Bureau of Justice funding for Minneapolis and St. Paul Police Departments begin preparations for NIBRS participation, but that process does not appear to have moved beyond the planning phase at this point in time.[99]

In the absence of data-based estimates of the number of women and girls in prostitution, estimates by organizations working with prostituted women and youth are generally considered the most reliable. Based on client intake interviews at Breaking Free, a non-profit organization serving women and girls in prostitution, Executive Director Vednita Carter has estimated that between 8,000 to 12,000 Minnesota women and children of all races are involved in prostitution on any given night, statewide.[100,101] PRIDE (from Prostitution to Independence, Dignity and Equality), a program of the Family and Children Service of Minneapolis, estimates that there are at least 1,000 juveniles currently in prostitution in Minnesota. Neither of these organizations has published any estimate of the number of American Indian women and girls in prostitution.

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[98] Finkelhor D and Ormrod R, (December 2004). Child pornography: Patterns from NIBRS. *Juvenile Justice Bulletin*. Washington DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

[99] Bureau of Justice Statistics, (undated). *Justice statistics improvement program: NIBRS implementation program—NIBRS grant activity*. Retrieved August 19, 2009 from http://www.ojp.usdoj.gov/bjs/nibrs2.htm

[100] Carter V, (2004). Providing services to African-American prostituted women, in Farley M (Ed.), *Prostitution, trafficking, and traumatic stress*. New York: Taylor and Francis, Inc.

[101] Carter V, (2000). Breaking free, in Hughes D (Ed.), *Making the harm visible: Global sexual exploitation of women and children*. The Coalition Against Trafficking in Women.

In contrast to the relative absence of prevalence data in the U.S., there have been a number of Canadian studies of Aboriginal women's and girls' involvement in prostitution and other forms of commercial sexual exploitation. In all that were identified for inclusion in this report, the Aboriginal proportion of prostituted women and youth was hugely disproportionate to their representation in the population (see Figure 5).

Figure 5. Aboriginal representation in Canadian studies of women with prostituted women

Year of study	Region	Native % of population	% Prostituted who are Aboriginal
2002	Vancouver BC [102]	1.7-7.0%	52%
2001	Victoria BC [103]	2.0%	15%
2001	Canada [104]	2 to 3%	14-60%
2001	Vancouver BC [105]	1.7-7.0%	63%

In Vancouver BC, the Women's Information Safe Haven (WISH) Drop-In Centre Society, which serves about 200 women engaged in prostitution and/or survival sex every night, reports that Native women make up half of all women that come through its doors. [106] In research with 22 communities across Canada, Aboriginal children were found to represent up to 90 percent of children in the sex trade in some communities. [107] The Manitoba Youth and Child Secretariat reported more than two thousand commercially sexually exploited youth, noting that a large number of this group are Aboriginal. [108] More recently, youth crime expert Michael Chettleburgh estimated that 90 percent of all urban Canadian teenagers in prostitution are Aboriginal. [109]

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[102] Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, *Fourth World Journal* 6(1): 21-29.

[103] Benoit C and Millar A, (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers*. Victoria: Prostitutes Empowerment, Education, and Resource Society.

[104] Assistant Deputy Minister's Committee on Prostitution and Sexual Exploitation of Youth, (2001). *Sexual exploitation of youth in British Columbia*. Victoria: Ministry of Attorney General, Ministry for Children and Families, and Ministry of Health.

[105] Farley M and Lynn J, (2000). *Pilot study of 40 prostituted women and girls in Vancouver, Canada*. Unpublished manuscript cited in Farley and Lynne, 2002, Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women.

[106] Shannon K, Bright V, Allinott S, Alexson S, Gibson K, Tyndall M, and the Maka Project Partnership, (2007). Community-based HIV prevention research among substance-abusing in survival sex work: The Maka Project Partnership, *Harm Reduction Journal (4)* 20. Published online December 8, 2007. Retrieved March 4, 2009 from http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=2248179

[107] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada, p. 41.

[108] Manitoba Youth and Child Secretariat, (1996). *Report of the Working Group on Juvenile Prostitution*. Winnipeg: Manitoba Child and Youth Secretariat.

[109] Cited in Cherry T, (November 13, 2008). Flesh trade targets natives, *Toronto Sun*. Retrieved March 20, 2009 from http://www.torontosun/news/canada/2008/09/29/6916776-sun.html

The McCreary Centre Society, a non-profit community-based youth health research and youth engagement organization in Vancouver, conducted a series of five surveys with sexually exploited street youth in British Columbia over a 6-year period. In the communities participating in the 2000 and 2006 surveys, the proportion of female Aboriginal street youth increased from 38 percent at the time of the first survey to 56 percent at the time of the second. In all five surveys, 34 to 57 percent of the street youth reporting commercial sexual exploitation self-identified as Aboriginal, and of those that were Native females, 24 to 56 percent reported having been commercial sexually exploited.[110] The 2006 survey involved 762 street-involved youth in BC, over half of whom were Aboriginal.

Involvement in the Internet sex trade

Data collected by MIWRC

Several of the advocates at the regional round tables described younger girls' use of technology and experiences with internet-based commercial sexual exploitation:

> *A lot of the [youth] drop-in centers now have computers...In St. Paul, they actually cleaned out their computers not too long ago, and they found quite a few of their youth that were uploading pictures off their phones onto the computers to post them onto Craigslist. [Twin Cities advocate].*
>
> *My Space too. That's what I see with a lot of young girls, and starting to get victimized by men getting them to show their body or their body parts. [Second speaker] Sexting. [Girls are doing] that sex texting stuff too, sending nude photos to people through their phones. [Twin Cities advocates]*

Advocates also identified Craigslist as a site used by Native girls in the sex trade, and noted pimps' use of the internet to recruit Native girls in the Twin Cities for the stripping and prostitution circuit in the northern part of the state during hunting and tourist seasons.

Information from other sources

In 1999, the Hofstede Committee Report on juvenile prostitution in Minnesota called attention to the ease with which johns could use the Internet to download naked images of commercially sexually exploited women, converse with their pimps, make appointments, and still retain anonymity. The Committee noted that law enforcement was challenged in two ways: determining the girls' ages, and distinguishing between legal escorts and prostituting women.[111]

Similar to what was reported by the advocates at the round tables, a Twin Cities law enforcement officer recently described a case in which he arrested a 49-year pimp from Woodbury for prostituting a 23-year old woman and her 15-year-old sister via the Craigslist website's "erotic

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[110] Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). *It's not what you think: Sexually exploited youth in British Columbia.* Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC. Retrieved May 1, 2009 from http://www.nursing.ubc.ca/PDFs/ItsNotWhatYouThink.pdf

[111] Hofstede Committee, (November 1999). *The Hofstede Committee report: Juvenile prostitution in Minnesota.* Saint Paul: Minnesota Attorney General's Office.

services" section. The pimp took some of their money, drove them to the hotel, and waited for them in the car while the women met the officer.[112] Another Minneapolis police officer with extensive experience working with prostitution crime and gang activity confirmed that in the Twin Cities, Craigslist is the primary venue for commercial sexual exploitation of Native adults and juveniles.[113]

A recent study of prostituted women and girls in Chicago found that eight percent were in contact with johns through the Internet, specifically Craigslist. The research team reported that at the time, Craigslist received more than 9 billion page views every month, and Craigslist users published more than 30 million new classified ads each month. Men were able to access live, interactive strip shows via web-cam in addition to the sex trade "resources" described 10 years ago by the Hofstede Committee, for most intents and purposes beyond the reach of law enforcement.[114]

IV. Patterns in entering the sex trade

Age of entry

Data collected by MIWRC

At the round tables hosted by MIWRC in Duluth and Minneapolis, advocates reported that the Native women and girls they work with have entered prostitution and other types of commercial sexual exploitation at two different life stages, each connected to specific life circumstances:

> *Everybody I've come across has been young [at the time they entered prostitution]. Like, 12, 13, 14 sometimes 15. I met one woman who was maybe 19, she was really the exception. There's definitely that 12-15 range. They seem like babies! [Duluth advocate]*
>
> *Several of the women have talked about when they started, and the youngest so far was 12. [Twin Cities advocate]*
>
> *I think the other age group are those [ages] 20 to 30 with young kids and their 5-year MFIP has run out. [Duluth advocate]*

Among the women and girls that reported commercial sexual exploitation during intake at the Minnesota Indian Women's Resource Center, 90 percent of the younger clients had entered prostitution before the age of 18, compared to about half of the older clients. Almost half of the younger women (42%) were 15 or younger when they first entered the sex trade. Three clients had entered prostitution between age 10 and 11, and one 14-year-old had been trafficked into pornography at the age of 11, reporting that she had been photographed or filmed for

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[112] Chanen D, (March 20, 2009). Craigslist used to sell sex with teens, *Minneapolis Star Tribune*. Retrieved March 30, 2009 from http://www.startribune.com/local/41610897.html

[113] Meeting in Minneapolis, May 13, 2009.

[114] Raphael J and Ashley J, (May 2008). *Domestic sex trafficking of Chicago women and girls*. Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.

pornography 10 times in the previous six months. Almost one-fourth (24%) of the incoming clients reporting involvement in prostitution had entered at age 27 or older, which supports the advocates' emphasis on Native mothers' vulnerability when their public assistance eligibility has ended.

Age at which MIWRC clients entered prostitution or pornography (n=32)*		
Age at entry	Number	Percent
8-12	7	21%
13-15	7	21%
16-17	7	21%
18-23	5	15%
27-38	6	18%
39-55	1	6%

**Age of entry not reported for 5 clients. Percentages are based on the number for which age of entry was recorded.*

Information from other sources

The 1999 Hofstede Report on juvenile sex trafficking in Minnesota reported that 14 was the average age of entry into prostitution at the time.[115] Other studies of youth and adults in prostitution in the U.S. have reported the average age of entry ranging from 13 to 17, most often about age 14.[116] Several studies conducted in Seattle, an area similar to Minneapolis in its population of low-income American Indians, found that almost all commercially sexually exploited girls enter the sex trade before the age of 16. One involving 60 women prostituted via escort services, street prostitution, strip clubs, phone sex, and massage parlors found that all had entered prostitution between the ages of 12 and 14.[117] A second, involving 200 adult women in prostitution, found that 78 percent began as juveniles and 68 percent entered prostitution when they were 15 or younger.[118] A third study found that 89 percent of the prostituted women that were interviewed had entered prostitution before the age of 16.[119] A fourth study published in June 2008 reported that girls were entering prostitution in Seattle around the age of 12 or 13.[120]

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[115] Hofstede Committee, (November 1999). *The Hofstede Committee report: Juvenile prostitution in Minnesota.* Saint Paul: Minnesota Attorney General's Office.

[116] National Center for Missing and Exploited Children, (November 2002). *Female juvenile prostitution: Problem and response.* Washington DC: Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

[117] Boyer D, Chapman L, and Marshall B, (1993). *Survival sex in King County: Helping women out.* Report to the King County Women's Advisory Board. Seattle: Northwest Resource Associates.

[118] Silbert M and Pines A, (1982). Entrance into prostitution, *Youth and Society 13*: 471-500.

[119] Nadon S, Koverola C, and Schludermann E, (1998). Antecedents to prostitution: Childhood victimization, *Journal of Interpersonal Violence 13*: 206-221.

[120] Lowman J and Fraser L, (1989). *Street prostitution: Assessing the impact of the law.* Vancouver BC: Department of Supply and Services Canada.

Most advocacy groups working with women in prostitution in the U.S. agree with what has been found in the research studies. Vednita Carter of Breaking Free in Saint Paul has reported that the average age of entry into prostitution has been 13, but recently announced that her organization is seeing a larger number of younger girls.[121] However, no U.S. studies have reported average age of entry for American Indian girls.

Though none reported separate averages by gender, several Canadian studies from the 1990s reported the average age of Aboriginal youth entering the sex trade as 14, but noted that some start as early as age 9.[122,123,124,125,126] More recent Canadian research suggests that Aboriginal youth are becoming victims of commercial sexual exploitation at younger ages than before. In a series of surveys with street-involved youth in British Columbia, about one in three victims of commercial sexual exploitation reported their age of entry as 13 or younger.[127] Citizen groups involved in safety patrols in Winnipeg have reported children as young as eight years old being approached on the street or in back lanes by men in vehicles, presumably for the purpose of sexual exploitation.[128] A 2002 study by the Urban Native Youth Association in Vancouver found commercial sexual exploitation of children as young as 9, with age of first being trafficked into prostitution averaging 11 to 12 years of age.[129]

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[121] Carter V, (March 13, 2008). *Press release: Local responses to prostitution*. Retrieved May 1, 2009 from http://www.health.state.mn.us/injury/new/svpnews.cfm?gcNews=109

[122] Bramly L, Tubman M and Rapporteurs S, (1998). *International summit of sexually exploited youth: Final report*. Out From the shadows: The sexually exploited youth project. Vancouver: Save the Children Canada.

[123] Calgary Police Commission, (1997). *Children involved in prostitution: Report by The Task Force on Children in Prostitution*. Calgary: Calgary Police Commission.

[124] Jesson J, (1993). Understanding adolescent female prostitution: A literature review. *British Journal of Social Work 23*: 517-530.

[125] Manitoba Youth and Child Secretariat, (1996). *Report of the Working Group on Juvenile Prostitution*. Winnipeg: Manitoba Child and Youth Secretariat.

[126] McIntyre S, (1994). *The youngest profession: The oldest oppression*. PhD Thesis, University of Sheffield: Department of Law.

[127] Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). *It's not what you think: Sexually exploited youth in British Columbia*. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC. Retrieved May 1, 2009 from http://www.nursing.ubc.ca/PDFs/itsNotWhatYouThink.pdf

[128] Gorkoff K and Runner J (Eds.), (2003). *Being heard: The experiences of young women in prostitution*. Halifax: Fernwood.

[129] Urban Native Youth Association, (2002). *Full Circle*. Vancouver: Urban Native Youth Association.

Modes of entry

Stripping, exotic dancing, and escort services

Data collected by MIWRC

At the round tables hosted by MIWRC, advocates often described girls entering the sex trade by stripping or nude dancing and then progressing to other types of commercial sexual exploitation:

> *Sometimes [Native girls] are on their own. Some other girls say 'Hey, I'm making good money doing this stripping,' and off they go. But then they end up with the drug thing [being prostituted for drugs]. [Second speaker] And they're letting underage girls into stripping. They [pimps] helping them get their fake IDs and stuff. There are 16, 15-year-olds stripping in town here. [Duluth advocate]*
>
> *...high school to early 20s with the dancing, they go out on the dancing circuit. And just being trafficked, maybe before, to Chicago, places like that. And then as they get farther along in their 20s and their 30s, then it's the trading, the sex for the drugs or the housing, a place to stay. [Twin Cities advocate]*

The advocates reported that most of the younger Native women and girls they worked with did not consider stripping or nude dancing to be sexual exploitation, instead viewing it as a somewhat glamorous way to make good money quickly. These are some examples of advocates' comments:

> *[One of the girls in my family], she asked her father 'What do you think about stripping?' because her friends are doing it and it's just becoming more and more common. [Twin Cities advocate]*
>
> *Deer hunting season. Big stripping time. And they're set-up joints. Like every little small bar has strip nights then and that's part of that circuit. I worked with someone for a long time who considered herself to be an independent contractor [in prostitution]. During hunting time, it was her big season in terms of making money and she would just go from one little bar to another in South Dakota, that was the main place. [Duluth advocate]*

The advocates described bars and strip clubs as prime recruiting grounds for pimps, asserting that bar and club owners are often complicit. At both round tables, advocates mentioned a "circuit" traveling throughout the state and sometimes to other states, for which young Native women are recruited to dance. Once they begin, they are quickly taken over by a pimp who moves them from place to place, prostituting them out of the bars and clubs in the circuit. These comments were part of those discussions:

> *[Traffickers] can have their own bachelor party-type setting, where they have it all set up and have the girls just coming in. Some pimp, male or female, has put this all together and provided everything, and just told her 'All you have to do is dance.' When you talk about entering prostitution, dancing doesn't seem as harsh to the individual as actually street-walking. You don't look at it as if you're doing anything wrong, because you go to clubs and nowadays the dancers in clubs are more seductive than some of the stuff the girls do on the stage. [Twin Cities advocate]*

> *You can walk into any strip club and you know, the people who work there are recruiters, so it seems so much less dangerous. I don't think other people think of it as sexual exploitation...A lot of Native girls work at [a local strip club]. [Second speaker] Yeah, [that club] is what I'm hearing about, too. There's a couple of pimps up at [that club] right now who've got a couple of girls...I know a few people who started off cocktail waitressing at a strip club and then it becomes normalized and then they're stripping. I had a friend who was cocktail waitressing and then she got a $4,000 tip from a football player, and then after that she was stripping. [Twin Cities advocates]*
>
> *They make their money on the side by the sex that they have with the customers. They don't make that much dancing, it's mostly the side thing. And then, there's drug involvement with it, too. But I've heard about where they go from here and there's a regular circuit where they go, like over to Wisconsin...This circuit that they travel, it just keeps going and going...and often times they are connected with [someone who] might be a gang connection that gets him out working and sends him out there. [Duluth advocate]*
>
> *Where you have some person that's controlling it and the money's going to go to them, the girls are prostituting. They actually make the money, the people who own the bars, the people that bring them there. But the ones that are going on the stripping circuit on their own, they leave with the clothes on their backs, with 20 bucks maybe. [Duluth advocate]*

One of the Duluth advocates noted that Native women in prostitution often decide to go back to stripping as a less risky option:

> *There's girls out there that are turning tricks that are saying, 'I'm going to go legal, so I'm going to go dance.' [Duluth advocate]*

Several advocates at both round tables reported pimps moving Native girls to cities from reservations, and to and from cities throughout the Midwest for prostitution. These are some of their comments:

> *There's a new thing out of track houses where girls are being trafficked and they're brought from other states down to houses here because of the 'no turn off' heat rule that we have. Guys are coming and purchasing these houses that are in foreclosure, they are renting them for a few months, 6 months or whatever and they're bringing girls here and putting them in these houses and that's where they stay. They don't go anywhere, they stay in these houses and the girls are ranging from 12 to 21, but they're being transported here and they're being moved all through MN. Some are from Chicago...They're coming from Iowa, Detroit. New York. [Twin Cities advocate]*
>
> *I also know of girls from out towards Bemidji, Red Lake, that way, that come this way that are brought down there to be prostituted on the boats. I don't know specifics about that, but they talk about it. [Duluth advocate]*

Information from other sources

Each year, 40 new strip clubs open nationwide. Many are described as "gentlemen's clubs," catering to businessmen who may spend up to $2000 a night on drinks, food, and "private dances" where patrons have physical contact with the dancer. One study found a disproportionate number of strip clubs in rural areas of the Upper Midwest where poverty and isolation had created a pool of women vulnerable for recruitment into the sex trade. For example, in 2003, Aberdeen, South Dakota had five strip bars despite a small population (25,000) and a

location 100 miles from any town of comparable size. Dancers in these bars and clubs reported that they were not only expected to work as strippers, but they are also required to accept degrading treatment, provide the club manager with sex during the "job interview," and allow the manager to prostitute them to customers.[130] The study author quoted a survivor of prostitution and stripping, Heidi Somerset, who was giving a talk in Moorhead:

> *One woman had her pimp along...and she had to meet the quota. So she had to do whatever it takes to get that money. The men shoved bullets up her, beer bottles, shoved dollar bills up her, and this was the situation that I encountered.*[131]

Though none reported findings by race, several studies in the U.S. have found that women and girls in prostitution are frequently involved in different types of commercial sexual exploitation at different times, including pornography, stripping and exotic dancing, escort services, and erotic massage services. Research with prostituted girls in Chicago found that 28 percent had started as escorts when first recruited, and at the time of the interview, 41 percent were currently working for an escort service. Almost 93 percent of the girls that had entered the sex trade via an escort service had a pimp at recruitment, and in addition to working in escort businesses, 43 percent were also trading sex at private parties and 68 percent were also trading sex at a hotel.[132]

Canadian researchers have found a similar pattern to that described by the advocates at round table discussions. Aboriginal girls are recruited as dancers in their early teens and then moved across Canadian provinces for "dance shows," where they are quickly routed into prostitution. Eventually losing ties with their communities, they become even more vulnerable as they age, and often moved into the more dangerous areas of the sex trade.[133]

Research in Canada found that the sex trade has no distinct "career ladder." One study found Aboriginal and other women in prostitution involved in a variety of types of commercial sexual exploitation, including pornography, street prostitution, strip bars, and escort agencies. Among those in escort services, 15 percent were Aboriginal though they represented only two percent of the region's population. Frequently, participants reported involvement in two types of commercial sexual exploitation at the same time.[134] One Canadian study with a sample of Vancouver women actively engaged in prostitution or recently exited, over half of whom were Aboriginal, found that two-thirds had pornography made of them while also engaged in

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[130] Short S, (2004). Making hay while the sun shines: The dynamics of rural strip clubs in the American Upper Midwest, and the community response, in Stark C and Whisnant R, (Eds.), *Not for sale: Feminists resisting prostitution and pornography*.

[131] *Ibid.*

[132] Raphael J and Ashley J, (May 2008). *Domestic sex trafficking of Chicago women and girls.* Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.

[133] Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, *First Peoples Child and Family Review* 3: 57-71.

[134] Benoit C and Millar A, (October 2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers (short report).* Victoria BC: Prostitutes Empowerment, Education, and Resource Society (PEERS).

prostitution, while 64 percent reported being upset by a john's efforts to force them to perform an act that the john had seen in pornography.[135]

Recruited or trafficked by pimps, boyfriends, and gangs

Data collected by MIWRC

In the two round table discussions, advocates reported that many of the Native women and girls they worked with were recruited by pimps, and almost always referred to their pimps as their "boyfriends" or "girlfriends." The advocates discussed a number of strategies used by pimps to recruit and groom Native women and girls for prostitution:

> *They're just these really beautiful girls and those men will sit there and stroke that. Like, 'You're so beautiful,' and then just start to turn them into objects. Talking about their body like 'Oh, this is so nice about your body', or 'Your body is so much better,' and the pimp starts to separate them from the other girls. It is like, 'You're so special.' I think that's part of that breakdown, with starting to break down other people. It is so intentional. We have young men who go into this [pimping] knowing...how to like, break a girl down, because they know that they can make a lot of money off of that. [Duluth advocate]*
>
> *[The pimp tells her] 'I want to take care of you.' Boyfriend or girlfriend, 'I'll take care of you.' With runaways, it's a place to sleep. [Second speaker] Yeah, so they're already doing survival sex kind of stuff. But it's like, [the pimp says] 'Don't worry, you won't need to go out on the street anymore. You won't need to do this. You can just stay here.' And then pretty soon it's like, 'You know, you have to start contributing. I'm not going to financially cover you. So, here, I can get you set up doing this. You're so hot, you're so good looking, you should go strip.' [Duluth advocate]*
>
> *First of all, he offered to chauffeur her [an adolescent client] around. He doesn't come across as saying, you know, 'Let's do this, and you're gonna get paid for any kind of sex act.' It's like, 'I've got this big car and you can drive me from place to place and get paid that way.' And, it's just like all these things lead up to other things. [Twin Cities advocate]*

Advocates in the Twin Cities and in Duluth described pimps, especially those affiliated with gangs, recruiting Native girls at parties deliberately set up for recruitment purposes. Others described boyfriends targeting girls who have access to money and moving them into prostitution when the money is gone. These are some of their comments:

> *So they're fourteen and they want something better and they're running around searching and they don't know where to find it they don't know where it is. So they come to Duluth, they go to the party, or they meet the guy down at the Holiday center, and he says 'Hey, why don't you come hang out with us?' The girls are just looking for anything. So part of that is, pimps and some of the tricks too, is that 'Well, you came looking for me, I didn't come looking for you, you come looking for me, you wanted this. You came here.' But they're deliberately exploiting the girls. [Duluth advocate]*

[135] Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, *Fourth World Journal* 6(1): 21-29.

> *The older guys will look for the younger girls at parties and so that's where I've seen some of the women get recruited. And then what happens is they'll start like dating or seeing the pimp and then so they engage that way. And then they'll take 'em, like 'Let's go down to the cities for a trip.' And then they'll be brought down to the cities, and then it'll be 'Lets go down to Morton' and they'll get further and further away, until they end up in Illinois or Iowa, and then they're stuck. [Twin Cities advocate]*
>
> *One other thing too, some girls get targeted for when they're gonna turn 18 and they're gonna get their per capita payment, and guys will talk about 'That's the way to come up' because they'll take the girl's money. But that also starts that pattern of using them, and then using them and using them. [Duluth advocate]*

Some advocates described Native women with children whose landlords had forced them or their children into prostitution by threatening the family's ability to stay in safe housing. These are some of the advocates' stories:

> *This young lady was in this unit with her kids, and she was supposed to pay a certain amount of rent. And MFIP [welfare] wanted her to verify that through a shelter statement. The landlord refused to write the shelter statement, so then she got sanctioned. So then she didn't have enough money to pay her rent. Then she was offered to do some prostitution. [Twin Cities advocate]*
>
> *The landlord piece is not uncommon, not uncommon at all. Landlords put the woman in a situation where they actually end up owing rent or they know they're getting rates half off of rent, or some landlords even up the rent. It was in the woman's range at first and now she fell on hard times, she lost a job, she still owes rent and the landlord will go ahead and proposition them in that manner, swap or trade. And if not for the mother, then for the daughters. And the fact that the mom says, 'We need a place to live.' You know, 'You just gotta go in there, he's not going to do anything to you, just go, you don't wanna be out on the streets.' And the kid feels, you know, 'I owe this to our family', the loyalty piece, so you do it. And once it's done once, that's all it takes. [Twin Cities advocate]*

In both Duluth and Minneapolis, advocates described the pimps they knew to be recruiting Native girls as primarily African-American or Latino, and reported that the number of pimps in the area seemed to vary at different times. These are some of the advocates' descriptions:

> *Some of the girls I work with were approached right on the street, right in Phillips. They were talking about how they were approached on the street, they were offered money over there by 26th and Cedar. That's a hot spot and I don't know what's going on over there, but they're very young girls. They're usually walking around late at night so obviously they're not being supervised. These are girls that are vulnerable and out there. They're 12, 13, 14. It was Latino men that approached them. [Twin Cities advocate]*
>
> *Most of the pimps I've run into, they're not Native...And they were not from here, they came here and more of them were African-American. And there was this one period of time where there's like four of them in a row, and then I don't hear anything, don't see anything. It kinda goes in waves like that. [Duluth advocate]*

Several of the advocates described Native women and girls being sent out by pimps to recruit, especially in shelters and youth centers where vulnerable Native women and girls go to be safe. These are some of the ways that pimp-controlled Native women and girls convince others to join them in prostitution:

> *I see [young girls thinking the sex trade is glamorous] as a new trend for the ones that I am working with. [Second speaker] They're all into that glamorized type of talk amongst one another. [First speaker] And I see more of the stuff that comes through Duluth as being more glamorized. And the girls recruiting other girls because then they won't have to do so much work and that's what they're expected to do. Then, the girls fight amongst each other over this guy! [Duluth advocates]*
>
> *They [pimps] are working them right out of the shelter...there are women that will pose [as battered women] to get in the shelter and bring women out...And that homeless youth drop-in center, that is a target place and it has been a target place ever since it's been open, and it continues. And advocates are always trying to figure out, you know, you want kids coming in for services, how you keep them safe. [Duluth advocate]*

The Duluth advocates also described pimps and Native women and girls already in prostitution using violence to coerce younger women and girls into the sex trade. These are some of those stories:

> *I encountered this woman this summer. She was older, 18, 19...a couple of girls had talked her into it. Kind of bribed her. Not bribed, but the same thing, like the description of 'Look at this, look at what I have, you should come up here it could be yours too.' And then...when she got up here, she realized she didn't want to do this and she thought she could walk away, but she couldn't. Those girls actually beat the crap out of her, so she ended up in the hospital. Somebody, not her, called the cops, but she was a mess and they beat the hell out of her. And the guy [pimp] had never had anything to do with it. [Second speaker] He didn't have to...They're handling it. [Duluth advocates]*
>
> *I'm working with someone who's been trafficked out by her family for a very long time. She's probably 17 now or 18. Another girl we work with just reported a sexual assault against this girl, and our understanding of the intention was someone was trying to recruit her for prostitution, as a part of her ring. And then that person sexually assaulted the girl, pretty brutally. Skin chunks out of her and things like that. That was woman on woman. The unfortunate part of that was that when this girl tried to report, a lot of people told her female on female wasn't sexual assault, so it took her a long time to find any help. [Duluth advocate]*

Advocates reported significant involvement of Native gangs and Native branches of other street gangs in prostituting Native girls. Either the girl's boyfriend was a gang member, or female gang members used violence to coerce Native girls into prostitution. Two gangs were mentioned most frequently, Native Mob and Gangster Disciples, though some advocates also mentioned Mexican or Latino gangs without specifying the name of the gang. These are some of the advocates' stories about gang involvement in recruiting Native girls for prostitution:

> *There's times when it's more organized than at other times...what will happen is that the gangs come in and it gets real organized. And then, instead of seeing those women on the street, they're in a hotel room somewhere and people are coming to their hotel room, one right after another...after a period of time they make their money and they leave. [When asked what gang] Gangster Disciples, from Chicago. [Duluth advocate]*

> *This guy [from one of the wealthy tribes] is buying gifts, buying a car for her. For one thing, he couldn't get a car because he had no license and no credit or nothing. She could buy the car with his money and then he could take it back at any time, and then all the clothing because then she would look good and of course the love connection...then there's the domestic abuse, and the addiction part. And, so, in order to get the drugs and the money she has to be doing what he wants. Otherwise, she'll get beat up. And there's also a gang connection involved in this, Native Mob. That other gang members will beat her up. Or other women that are connected with the other gang members and doing the same kind of thing will beat her up. [Duluth advocate]*
>
> *We sometimes see younger girls, in the 12-13 age range, especially the girls that are involved with Mexican gangs that are being sexually exploited. I'm thinking of one in particular. She has not said that, but they [staff] see her continuously being dropped off by different older gang members to school every day. [Twin Cities advocate]*

When screening incoming clients for commercial sexual exploitation, MIWRC staff asked all that met the state definition of a trafficking victim about factors that might put them at risk of re-involvement in commercial sexual exploitation. Eighty percent of the younger women reported that they were at risk of further commercial sexual exploitation due to fear of violence against themselves or others; one of these had specifically said that she had been trafficked into prostitution by a gang.

Information from other sources

Similar to the grooming process that advocates described at the MIWRC round tables, a 2005 study of prostituted girls in Atlanta described pimps' grooming strategies as two-stage. Initially, the pimp makes the girl feel attractive and valued, developing a sexual relationship with her, spending money on her, introducing drugs, and providing focused attention and validation that she is "special." The second phase involves moving the girl around to eliminate her relationships with family and others, then breaking her will and self-esteem through physical and verbal abuse. The researchers found that this process results in the girl forming a deep attachment to her pimp and having no option to refuse when he demands that she begin prostituting.[136]

Also similar to what advocates described at the round tables, research with adolescent girls in corrections placement for prostitution found that girls had been approached by pimps and recruiters in many locations: while walking, hanging out with friends on the street or at malls and corner stores, at friends' homes, and even outside the juvenile justice center while waiting to meet with a probation officer. The study found that two major recruitment methods were used: "finesse pimping" and "guerilla pimping." "Finesse pimping" involved the same grooming process described by the advocates at round tables and found in the Atlanta study cited above: putting vulnerable girls in a position where they felt obligated to repay the trafficker by encouraging her to move in, taking care of her basic needs, purchasing small gifts, providing free drugs, and generally treating her with great kindness. The next step was to present her with "opportunities" for a lucrative "modeling" career working for an escort service, which she later

[136] Priebe A and Suhr C, (September 2005). *Hidden in plain view: the commercial sexual exploitation of girls in Atlanta*. Atlanta: Atlanta Women's Agenda.

found was prostitution and a source of income for the pimp. By then, her drug habit and her emotional dependency on the pimp made it very difficult to refuse. "Guerilla pimping," similar to advocates' descriptions of violent gang and prostitution ring tactics during round table discussions, was recruitment by force: using threat, physical violence, and intimidation against the girl or against someone she cared about to coerce her into prostitution. Reflecting the stories told by advocates at the MIWRC round tables, the Atlanta study found that women played multiple roles: pimps, recruiters, groomers, watchers who made sure girls got to and from their assigned locations, and wife-in-laws (other women trafficked by the same pimp) living together and supervised by the pimp or the woman closest to him.[137]

Studies of gang activity in the U.S. also support the advocates' stories of Native girls trafficked into prostitution by gangs. In 2001, research on the commercial sexual exploitation of children in the U.S., Canada, and Mexico found significant gang involvement. The authors reported that girls in Native gangs were expected to be emotionally supportive of male members, including providing sex on demand.[138] A second gang study found that American Indian and African-American gangs involve their girl members in prostitution more frequently than Latino and other gangs, framing it as the girls' fair contribution to the gang's economy.[139]

Other research in Minnesota and the U.S. has found that Native female gang members participate in the guerilla recruitment of younger Native girls for prostitution, similar to the advocates' reports at round tables. In one study from 1995 to 1998, 100 current and former gang members were interviewed. Fourteen interviews were with Native youth members of four different gangs: Latin Kings (a female from St. Paul, two males and one female from Mille Lacs reservation, and a male from Hayward, Wisconsin); Vice Lords (two females from Mille Lacs reservation, one male from Duluth, and one male from Minneapolis); Gangster Disciples (a female from Red Lake reservation, a female from Minneapolis, and a male from Morton); and Native Mob (two males, one from Mille Lacs reservation and one from Minneapolis). The Native girls all reported that most girls involved with the gangs provided male members with sex on demand and/or were trafficked for drugs and money. A female Gangster Disciple from Red Lake described women's roles and status in her gang:

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[137] Williamson C and Prior M, (January 2009). Domestic minor sex trafficking: A network of underground players in the Midwest, *Journal of Child and Adolescent Trauma 2*(1): 46-61.

[138] Estes R and Weiner N, (2001). *The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study.* Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.

[139] Harris M (1994). Cholas: Mexican-American girls and gangs, *Sex Roles: A Journal of Research 330*(3-4):289-301.

> *I got beat-in six times, stopped one minute each time, got beat-in again...I took six minutes, because...If I don't have respect they can treat me like shit...But, if I had respect I would be able to violate people if they were like throwing up signs that they weren't supposed to throw up or else wearing the wrong color. I'd feel more better and then I would have control over most a the people who did not have respect. And, that would just make it easier on me...Once in a while the girls just go chill by themselves...But, if [my homie's] boyfriend [wants to] come with her, he'll come. She has no say in it. See, her boyfriend is our superior and even though we're not supposed to be like dating other people in the gang, he can just pass her on, pass her on to another gang member. When they pass her on, she just goes lower and lower.*[140]

A Native male Latin King member described girls' initiation into his gang:

> *When you get a girlfriend, she gotta be gang raped. She's gotta go around and get boned by all of us guys. All of us Kings...We meet girls and stuff at pow-wows and they hang around with us and then they get the idea that we wanna go out with them, but we really don't. And then they just bring it up. 'Is it all right if we roll with you? Make us a Queen or something?' Then we're like, 'Yeah, we'll make you a Queen.' Then we'll take them back to our house...Everybody on the rez has got their cellular phones or their pagers. Then we'll each get a page and we'll go call somebody and say, 'Hey, there's gonna be an initiation'...You take them in your bedroom or on the couch. In the back or down in the basement. Wherever. Then whenever they're done, they'll come out. Then whoever is next, they'll take. She stays in the bedroom. She can't come out and then whoever got done with her will come back out and say 'Hey, whoever's next, go ahead.'*[141]

A Minneapolis police officer with extensive knowledge of local gang activities confirmed that girls' status in Native gangs is very low, and regardless of the male member they "belong" to, none have a level of status that would protect them from being prostituted.

More recent U.S. studies suggest that gangs are playing an increasingly large role in the sex trafficking of American Indian girls and women. In 2006, *Minnesota Public Radio* described gangs as a big problem on Minnesota's American Indian reservations, reporting that authorities estimate hundreds of young Native men on White Earth, Red Lake, and Leech Lake reservations that consider themselves part of a gang.[142] Amnesty International reported that in interviews with sexual assault survivors on the Standing Rock Sioux Reservation, there were several reports of gang rapes. A June 2008 study of prostituted youth in Seattle noted a recent increase in gang activity in that area, also finding that 100 percent of the gang-affiliated youth in the study were being trafficked in street prostitution.[143,144]

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[140] Harrington J and Cavett K, (2000). *G is for Gangsta: Introductory assessment of gang activity and issues in Minnesota*. St. Paul: Hand in Hand.

[141] *Ibid.*

[142] Robertson T, (March 16, 2006). *The huge influence of gangs*. Minnesota Public Radio.

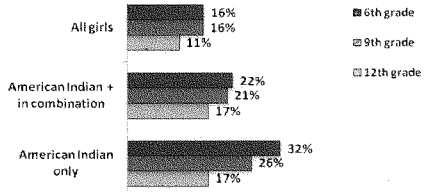
[143] Amnesty International, (2007). *Maze of injustice: The failure to protect indigenous women from sexual violence in the U.S.* London: Amnesty International.

[144] Boyer D, (June 2008). *Who pays the price? Assessment of youth involvement in prostitution in Seattle*. Seattle WA: City of Seattle Human Services Department, Domestic Violence and Sexual Assault Prevention Division.

In January 2009, the National Gang Intelligence Center reported that several American Indian gangs, particularly Native Mob, have expanded on and off reservations, beyond Indian Country. The report described Native Mob as one of the largest and most violent Native American gangs operating in the United States, currently most active in Minnesota, Michigan, Wisconsin, North Dakota, and South Dakota. The report noted that Native Mob and other urban and suburban gangs in Minnesota are expanding their drug distribution activities, sometimes working in conjunction with Mexican drug trafficking and criminal organizations.[145]

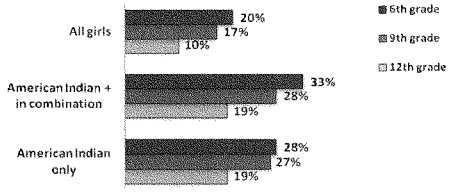
Findings from the 2007 Minnesota Student Survey strongly suggest that American Indian girls in Minnesota are more affected by gangs than girls in the general population (see Figure 7). A significantly larger percentage of Native girls also reported having been threatened at school than girls in the general population (see Figure 8). It cannot be determined whether some of these threats may be related to guerilla recruitment, but they clearly indicate a lack of safety at school.

7. Girls reporting "illegal gang activity is a problem at my school," statewide*



**2007 Minnesota Student Survey*

8. Girls reporting that they have been threatened at school during the past 12 months, statewide *



**2007 Minnesota Student Survey*

[145] National Gang Intelligence Center, (January 2009). *National gang threat assessment 2009.* Retrieved April 12, 2009 from http://www.usdoj.gov/ndic/pubs32/32146/index.htm

In Canada, there is significant evidence that pimps and their recruiters are targeting Native girls. In 2005, the principal of a Vancouver elementary school went before the City Council's Planning and Environment Committee to report that recruiters had repeatedly tried to come on school grounds to target Aboriginal girls ages 10 to 12, and to urge the Committee not to expand the park next to the school because the school would be unable to police it. While teachers had been able to deal with recruiters by issuing "no trespassing" orders when they entered school grounds, they would not have the same authority in a public park.[146] Similar school-based recruitment has been found in other Canadian cities with high concentrations of Aboriginal peoples, including Winnipeg.[147]

Similar to the advocates' stories, Canadian research has also found that it is common for prostituted Aboriginal girls to refer to their pimps as "boyfriends" and to refuse to consider themselves sexually exploited.[148] Canadian pimps also use force or manipulation to coerce Native girls into approaching friends and peers with tales of a better, more glamorous lifestyle, inviting Aboriginal girls to parties at "trick pads," providing them with drugs, and then trafficking them for prostitution.[149] Recently, drug dealers and gang members have largely taken over the role of the pimp, sometimes using the same grooming process that is seen in finesse pimping.[150]

The Native Women's Association of Canada (NWAC) recently identified four primary Native gangs in Canada: the Indian Posse, Redd Alerts, Warriors, and Native Syndicate. NWAC reported that Native girls were currently being "banged-in" by the four gangs, required to have sex with multiple members of the gang in order to become a member.[151] A 2001 study in Winnipeg, Manitoba found significant involvement of Native women and girls with gangs. Most "gang girls" were between the ages of 14 and 24, though the fastest-growing segment was under the age of 16. Key informants reported that 70 to 80 percent of the female street youth that they see are affiliated with a gang, and one reported that over 90 percent of male and female gang members are Aboriginal. The study found that female Native gang members frequently used guerilla pimping to recruit girls for prostitution to increase their own status in the gang.[152] This is

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[146] West J, (Summer 2005). Pimps and drug traffickers target First Nations school girls, *First Nations Drum*. Retrieved May 5, 2009 from http://www.firstnationsdrum.com/Sum2005/WomGirls.htm

[147] Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, *First Peoples Child and Family Review 3*: 57-71.

[148] Thrasher P, (2005). *Child sexual exploitation, Port Alberni, BC*. BC: Port Alberni's Women's Resources Society. Cited in Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, *First Peoples Child and Family Review 3*: 57-71.

[149] *Ibid*.

[150] Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, *Envision: The Manitoba Journal of Child Welfare* 3(1). Retrieved March 19, 2009 from http://www.envisionjournal.com/application/Articles/59.pdf

[151] Native Women's Association of Canada (NWAC), (June 20-22, 2007). *Aboriginal women and gangs: An issue paper*, p. 2. Prepared for the National Aboriginal Women's Summit in Corner Brook, New London, Canada.

[152] Nimmo M, (2001). *The "invisible" gang members: A report on female gang association in Winnipeg*. Manitoba: Canadian Centre for Policy Alternatives.

how one key informant described guerilla recruitment of vulnerable Native girls by Aboriginal female gang members:

> *The latest one that I had contact with, she's twelve years old. She's a gang member now...She fought it, trying to stay away from [the gang]. She kept coming to me far about a month...Because of her friends, her family, the sort of lifestyle where she lived, it was all around her. And her friends kept saying, 'Oh, come on, come on. Join. You've got to be part of us'...And then she came one Sunday, and she pulled out her rag [gang bandana], and said, 'I'm a member. I was initiated over the weekend.' She was 'jumped in,' beat up, and she had to do something. I'm afraid she's going to have to do a lot more.*[153]

As this report was being completed, a flurry of news articles described rapid expansion of Native gangs in Canada. In late May 2009, the National Aboriginal Gang Commission held a conference, gathering testimonies to determine how to stem the tide of Native gangs in Canada. Some testimony described Native gangsters' growing involvement in drug trafficking and prostitution, branching out to other aspects of the sex trade by owning strip clubs and producing pornography. De Lano Gilkey, a gang expert from the U.S., warned that addressing younger Native youth's admiration of the gangster lifestyle is of critical importance, saying "These wanna-bes are the gonna-bes. They have something to prove."[154] NWAC and the Royal Commission on Aboriginal Peoples have both suggested that Aboriginal youth are attracted to gangs because they have suffered a loss of cultural ties and believe they will find an alternative "family" in a gang.[155,156]

Recruited or trafficked by family members and friends

Data collected by MIWRC

One advocate reported that of the three Native pimps she had encountered, two were Native mothers trafficking their children. The frequency of reports of Native adults prostituting their young female relatives and/or a mother's pimp recruiting her daughters was one of the most disturbing findings of the round table discussions. Advocates in both Minneapolis and Duluth described Native girls deciding to begin working for a pimp or on their own so they could have their own money after having been trafficked by a family member. For example:

> *There's a couple of families in town, I've heard about that, that they, grandma, moms, daughters—they're living through organizing [prostitution of Native girls to the ship crews] that way. [Duluth advocate]*

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[153] Nimmo M, (2001). *The "invisible" gang members: A report on female gang association in Winnipeg*. Manitoba: Canadian Centre for Policy Alternatives.

[154] Hanon A, (May 28, 2009). National Aboriginal Gang Commission is gathering testimonies to help stem the tide of Native gangs in Canada, *Edmonton Sun*. Retrieved May 28, 2009 from http://www.edmontonsun.com/news/columnists/andrew_hanon/2009/05/28/9595796-sun.html

[155] *Ibid.*

[156] Royal Commission on Aboriginal Peoples (RCAP), (1996). *Report of the Royal Commission on Aboriginal Peoples*. Ottawa: Minister of Supply and Services Canada.

> *Family traffics them first, and then if they run away, whoever they meet, that's their boyfriend, their pimp. [Duluth advocate]*
>
> *It was basically based on her mom trafficking her in the house room to room [at age 12], but her mom was doing it [prostituting] as well, so it was just family. They needed to pay rent and get what they need, food. [Twin Cities advocate]*

Advocates also reported that Native girls are being recruited for prostitution by their friends. For example:

> *We just talked to a young girl that walked into my office that was 14 years old, that was recruited when she was 12 by another 14 year old girl. Which is not as intimidating, when your girlfriend comes over and says, 'Hey, come see what I'm doing to make some money.' [Twin Cities advocate]*

The intake data collected by MIWRC over a 6-month period showed that, of the Native women and girls that reported having been trafficked into prostitution, most were recruited by one or more friends, followed by family members and boyfriends (see Figure 9).

9. MIWRC clients' recruitment into prostitution (those reporting prostitution that also named their recruiters, n=28)

Recruited by:	Number	Percent
Friend/friends	14	50%
Family member (mother, aunt, step-uncle, uncle)	5	18%
Boyfriend	5	18%
Pimp/gang/landlord	3	11%
Neighborhood/self	3	11%

** Some reported being recruited by two people acting together, so percentages add to more than 100%.*

Information from other sources

Though none have focused specifically on Native girls, some U.S. studies have reported family involvement in prostituting their children while others have not. In one large study of commercially sexually exploited youth in the U.S., Canada, and Mexico, molestation by family members was reported to be a common type of child sexual exploitation, but there was no mention of trafficking by family members.[157] In contrast, research with prostituted girls in Atlanta and Chicago found significant involvement of families in the sex trafficking of underage girls. The Atlanta study also found that while pimps' use of female recruiters was becoming increasingly common, these recruiters were frequently a girl's peers or family members, male and female. Sometimes they were siblings only slightly older than the girls being recruited.[158]

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[157] Estes R, (2002). The silent emergency: The commercial sexual exploitation of children in the U.S., Canada and Mexico, in Michigan Family Impact Seminars, (2002), *Prostituted teens: More than a runaway problem*. Briefing Report No. 2002-2. East Lansing MI: Michigan State University and Wayne State University.

[158] Priebe A and Suhr C, (September 2005). *Hidden in plain view: the commercial sexual exploitation of girls in Atlanta*. Atlanta: Atlanta Women's Agenda.

The Chicago study found that ten percent of the prostituted women and girls in the sample had been recruited by a family member, most often a sister or a cousin.[159]

Only a few U.S. studies mention the role of friends in recruitment for prostitution. In the Chicago research described above, 19 percent of the prostituted girls that were interviewed reported having been recruited by a girlfriend.[160] A recent study in Ohio found that girls were usually recruited for prostitution by a friend or a friend of a friend who worked for a pimp, often someone they knew from their neighborhoods.[161] Other research has found that youth in conflict with their families often have friends and sihlings already in prostitution. Wanting to demonstrate their autonomy, many become involved in prostitution as a form of sexual experimentation in which they can receive money for acts they find enjoyable.[162,163]

Similar to advocates' and MIWRC clients' reports, a Canadian study with 150 commercially sexually exploited Aboriginal youth found that they often had friends who had told them about the "easy money" and the potential to have some sense of control in their lives by entering the sex trade. This is how one Aboriginal girl described her own recruitment into prostitution by peers and a pimp "boyfriend":

> *My friends liked to take me along [when they were prostituting] and that's how it started for me. 'Look how easy it is, and you get this much money,' and then the boyfriend who says, 'Come on, I love you so much. Go out and make me some money...because if we don't have money, we can't spend time together.'*[164]

Research in Canada has also found family-based sex trafficking to be quite common in some Aboriginal communities.[165] In one study with 45 Native women in prostitution, ten (22%) were from families involved in prostitution: five had sisters in prostitution, four had mothers (one of whom also had a prostituted grandmother), two had pimp fathers, and one had a father who pimped out the research participant and her mother.[166]

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[159] Raphael J and Ashley J, (May 2008). *Domestic sex trafficking of Chicago women and girls.* Chicago: Schiller, DuCanto and Fleck Family Law Center, DePaul University of Law.

[160] *Ibid.*

[161] Williamson C and Prior M, (January 2009). Domestic minor sex trafficking: A network of underground players in the Midwest, *Journal of Child and Adolescent Trauma 2*(1): 46-61.

[162] Steinberg L, (2001). Adolescence, in Gale Group (Eds.), *Encyclopedia of childhood and adolescence.* Farmington Hills MI: The Gale Group.

[163] Peterson S, Nachtman C, and Roman J, (2002). What are the risk factors for becoming a prostituted teen?, in *Prostituted teens: More than a runaway problem. Briefing report No. 2002-2, Michigan Family Impact Seminars.* Michigan State University and Wayne State University.

[164] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation.* Save the Children Canada

[165] Lynn J, (1998). *Colonialism and the sexual exploitation of Canada's Aboriginal women.* Paper presented at the American Psychological Association 106th Annual Convention, San Francisco, August 17, 1998.

[166] Tutty L and Nixon K, (2003). That was my prayer every night: Just to get home safe, in Gorkoff K and Runner J, (Eds.), *Being heard: The experience of young women in prostitution*, pp. 29-45. Halifax: Fernwood.

V. Factors that facilitate entry

Generational/historical trauma

Data collected by MIWRC

At both round tables, advocates kept returning to the impact of generational or historical trauma and the cultural loss resulting from it as they described the unique vulnerability of American Indian girls to commercial sexual exploitation and the absence of safety in these girls' lives:

> *A lot of the women who are being prostituted, it's just the bottom line that was there. The majority of the time it means that we need to recognize where this came from in our communities. I mean, American Indian people say over and over again 'This is not how we treat our children. This is not where we are as far as respecting youth.' And I think traditionally that was true, but something dramatic like genocide happened. It was like a nuclear bomb, so the war site is exactly the best example of what happened to our communities. [Twin Cities advocate]*
>
> *I think [cultural loss] is part of what leads to that whole addiction thing because they can't relate to where they're stuck in this life here and they can't figure out how that cultural strength is going to help them...And in the high school years they get into just starting with pot and those kinds of things...and then it's easier to exploit them. [Duluth advocate]*
>
> *We don't necessarily talk about relocation, which was a formal government policy, and that relocation in particular made our families vulnerable. It was both extreme poverty there [on the reservation] and extreme poverty here [in the city]. Our families lived on the banks of the Mississippi in Minneapolis when we first came here because we couldn't get houses, we couldn't get jobs, nothing. We couldn't live together either. [Twin Cities advocate]*

Information from other sources

Though a significant body of U.S. literature links generational/historical trauma to substance abuse, child abuse, and violence in American Indian communities, we were unable to identify any that described its role in the commercial sexual exploitation of American Indian women and girls. However, a number of studies with prostituted Aboriginal women and girls in Canada have found that generational/historical trauma plays a critical role in their exploitation. In an article describing her research with domestically trafficked Aboriginal girls in Canada, Anupriya Sethi described the legacy of colonization and residential schools as a root cause of their vulnerability to being trafficked for sexual purposes.[167]

A study involving 150 commercially sexually exploited Aboriginal youth across 22 Canadian communities reported findings that reflect the same trauma-related vulnerability described by advocates at the MIWRC round tables:

[167] Sethi A, (2007). Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications, *First Peoples Child and Family Review* 3: 57-71

> *All of the Aboriginal youth who were consulted during the focus groups spoke of the physical, sexual, and/or emotional abuse they experienced in their home lives, as parents, relatives, care givers, and neighbors continued to suffer from the legacy of cultural fragmentation...their early years were filled with adults who were unable to break the cycle of pain and despair...their families and communities turned to alcohol, drugs, and violence to make their own sense of hopelessness...these youth lacked the skills and models necessary to create a healthy life for themselves.*[168]

From the perspectives of the advocates attending both MIWRC round tables, every one of the additional risk factors described below is directly linked to historical trauma and cultural loss. Within that context, these are the factors identified by the advocates that facilitate Native girls' and women's entry into the sex trade.

Runaway, thrown away, and/or homeless

Data collected by MIWRC

Advocates working with younger Native girls in prostitution reported that many had run away from home as a result of abuse or neglect. Some described girls from impoverished northern reservations who, seeing very few opportunities for a glamorous or affluent lifestyle at home, run away to Duluth or the Twin Cities in hope of attaining their dreams. These are some of the advocates' comments:

> *Kids running away. Running away from home. And that still happens on the remote reservations. I work with the girls on reservations, there is nothing going on, they don't know what to do, they got to get out of there...[They say] 'I'm outta here. I have family in Duluth, I have a sister in Duluth or someone in Duluth.' It seems like Duluth is the place to be with that stuff or something. Easier to get to, it's friendly...that's a lot of the wording: 'I gotta get out of here, there's absolutely nothing, I got nothing, I got to live wherever I can live.' [Duluth advocate]*
>
> *They'll do what they have to do to survive and stay on a couch or sleep on someone's couch overnight. Some of them, because of the duration, have gone into working in the dope house itself, and that comes with residency. They're taken advantage of in more ways than one inside those houses. [Twin Cities advocate]*
>
> *Most of the prostituted girls I've encountered, their parents would not ask or comment on whether they knew the person they were going to anyways. Especially for the younger kids that are trying to get drunk, they are trying to find drugs or whatever. And so they know somebody who knows somebody, there you go. [Duluth advocate]*

Some advocates talked about their own and other Native women's experiences in prostitution, in which they had come to view commercial sexual exploitation as a reasonable choice when they had no other way to support and sustain themselves. Others described women's need for shelter as the motivating force keeping them in prostitution:

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[168] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada, p. 13.

> *There's the survival aspect. And that's what they're doing, the ones that I see out on the reservation. They would never identify themselves as prostituting or using sex to get what they want. But that's what they're doing. And, when I think about it now, now that we're identifying more of what goes into this trafficking, how broad the scope is, this trading sex for things like survival, there's a lot of that going on at the reservations. [Duluth advocate]*
>
> *Sexual exploitation for the young women and the girls we work with is such a secondary issue. It's like, 'Help me find shelter, help me find food, help me find clinics.' And then if you work with them long enough, it's 'Oh yeah, I was sexually exploited.' [Twin Cities advocate]*

Information from other sources

Though none described findings for American Indians specifically, studies with women and girls in prostitution in the U.S. have consistently found that 50 to 75 percent ran away from home as adolescents.[169,170] In recent research with women on probation for prostitution in Hennepin County, 61 percent of the participants reported that they had run away when they were minors. Most described their reason for running away as "family problems."[171]

Researchers have consistently found that when youth run away from home with no place to go, it is usually because of parental neglect, physical or sexual abuse, family substance abuse, and/or family violence.[172,173,174,175] In one study with runaways in medium-sized cities in the Midwest, 81 percent of the participating youth had been pushed or grabbed in anger by an adult in their home, 64 percent had been threatened with a gun or knife, 59 percent felt neglected, 28 percent were abandoned by their parents for at least 24 hours, and 21 percent had been forced by a caregiver to engage in a sexual activity.[176] In a second study with runaway adolescents, 43 percent said that they had left home because of physical abuse, and 24 percent had left because of sexual abuse.[177]

Children of the Night, a national organization that works to rescue children from prostitution, says that of the one and one-half million children that run away each year in the U.S., it is safe to

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[169] Raphael J and Shapiro D, (August 2002). *Sisters speak out: The lives and needs of prostituted women in Chicago—a research study*. Chicago: Center for Impact Research.

[170] Flowers B, (2001). *Runaway kids and teenage prostitution: America's lost, abandoned, and sexually exploited children*. Westport CT: Greenwood Press.

[171] Subset of data provided by Julie Rud, Minneapolis Police Department, from dataset used to produce Martin L and Rud J, (2007) *Prostitution research report: Data sharing to establish best practices for women in prostitution*. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

[172] Smoller J, (September 2001). Homeless youth in the United States, *Prevention Researcher 8*(3): pp. 1, 3-5.

[173] Janus M, McCormack A, Burgess A, and Hartman C, (1987). *Adolescent runaways: Causes and consequences*. Lexington MA: Lexington Books.

[174] Whitbeck L, Hoyt D, and Ackley K, (1997). Abusive family backgrounds, and later victimization among runaway and homeless adolescents, *Journal of Research on Adolescence 7*: 375-392.

[175] Janus M, Archambault F, Brown S, and Welsh L, (1995). Physical abuse in Canadian runaway adolescents, *Child Abuse and Neglect 19*: 433-447.

[176] Whitbeck L and Hoyt D, (1999). *Nowhere to grow: Homeless and runaway adolescents and their families*. Hawthorne NY: Walter de Gruyer, Inc.

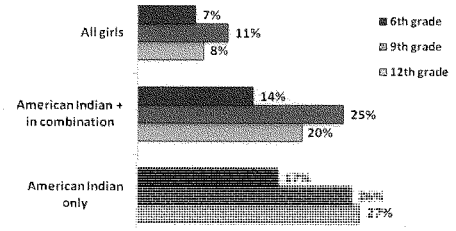
[177] Molnar B, Shade S, Kral A, Booth R, and Watters J, (1998). Suicidal behavior and sexual/physical abuse among street youth, *Child Abuse & Neglect 22*(3):213-222.

estimate that about one-third will have some type of involvement with prostitution and/or pornography.[178] A statewide study in Michigan reviewed youth arrests for running away and estimated that 2,000 youth arrested as runaways (a little over 57%) were likely to have become involved in prostitution.[179] The National Center for Missing and Exploited Children reported that up to 77 percent of prostituted teens have run away from home at least once before turning to prostitution as a way to support themselves.[180]

Runaway and thrown-away youth have very few legitimate ways to pay for their basic needs. Getting a job is very difficult without an address, phone number, high school diploma, work experience, or references, and even if they succeed, they usually do not have the identification needed to open a checking account or cash a check. Some fear being sent back home if they use their real name or home address.[181,182]

In the 2007 statewide Minnesota Student Survey, a much higher percentage of American Indian high school girls reported having run away at least once in the previous 12 months than girls in the general population (see Figure 10).

10. Girls that ran away in the past 12 months, statewide*



**2007 Minnesota Student Survey*

[178] Children of the Night, (2009). *Frequently asked questions.* Retrieved May 19, 2009 from http://www.childrenofthenight.org/faq.html

[179] Walker N, (2002). Prostituted teens: A problem for Michigan too, in *Prostituted teens: More than a runaway problem.* East Lansing: Michigan State University Institute for Children, Youth, and Families.

[180] Cited in Flowers B, (2001). *Runaway kids and teenage prostitution: America's lost, abandoned, and sexually exploited children.* Westport CT: Greenwood Press.

[181] Whitbeck L and Hoyt D, (1999). *Nowhere to grow: Homeless and runaway adolescents and their families.* Hawthorne NY: Walter de Gruyter, Inc.

[182] Robertson M and Toro P, (1998). *Homeless youth: Research, intervention, and policy.* Washington DC: The National Symposium on Homelessness Research. Retrieved May 29, 2009 from http://www.aspe.hhs.gov/progsys/homeless/symposium/3-youth.htm

Research with Aboriginal youth in Canada has also identified running away from home as a major risk factor for entering prostitution. A study that analyzed 400 youths' social services case files in two large Canadian cities found that among the Aboriginal youth that had run away at least once, 44 percent had become involved in prostitution, compared to 13 percent of Aboriginal youth that never ran away.[183] Targeted by pimps promising a glamorous life in the big city, Aboriginal girls quickly find themselves trapped. One researcher working with prostituted Aboriginal women and girls noted:

> *These are young, naïve and emotionally vulnerable Aboriginal women who are brought into cities like Toronto with the promise of shelter, a secure job, and a new start...what they get is sexual exploitation up to 10 to 15 times a day with no say in what percentage of their daily earnings they will get to keep for themselves. Once they realize what the reality is, it's too late to get out of the sleazy business, and those who do build up the courage to try and opt out are usually never seen again—they are killed.*[184]

Homelessness, the direct result of running away from home, has also been identified as a primary risk factor for the commercial sexual exploitation of youth.[185] One study found that being homeless for more than 30 days is the single most determining factor in young children and teens entering prostitution, and youth advocacy groups report that homeless youth can expect to be approached by a pimp, john, or drug dealer within 36 hours when they are first on the street.[186, 187, 188]

A study of commercially sexually exploited youth in Winnipeg found that 86 percent had been homeless for 40 days or more.[189] In three surveys of street-involved youth in British Columbia in which 34 to 57 percent of participants were Aboriginal, researchers found that 34 to 44 percent of younger victims of commercial sexual exploitation were living or had recently lived in precarious housing situations, including living on the street, couch-surfing, and staying in shelters, transition houses, hotels, squats, abandoned buildings, tents, and cars. The proportion of

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[183] Schissel B and Fedec K, (1999). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, *Canadian Journal of Criminology*. Pp. 35-56.

[184] Polera V, (October 22, 2008). Ignoring the plight of Aboriginal women: An interview with Anupriya Sethi, *Excalibur—York University and Community Newspaper (web edition)*. Retrieved December 27, 2008 from http://excal.on.ca/cms2//index.php?option=com_content&task=view&id=6446&Itemid=2

[185] Williams L, Powell A, and Frederick M, (November 2008). *Pathways into and out of commercial sexual exploitation: Preliminary findings and implications for responding to sexually exploited teens*. Retrieved February 3, 2009 from http://thewomensfoundation.org/wp-content/uploads/2008/11/pathways_11-18-08.pdf

[186] Carter V, (Executive Director of Breaking Free), (March 13, 2008). *Press release: Local responses to prostitution*. Retrieved December 27, 2008 from the Minnesota Department of Health Injury Prevention News website, http://www.health.state.mn.us/injury/new/svpnews.cfm?gcNews=109

[187] Paul and Lisa Program Study, (1999). New York City. Cited in *The Hofstede Committee report: Juvenile prostitution in Minnesota* (1999), p.6.

[188] Nadon S, Koverola C and Schiedermann E, (April 1998). Antecedents to prostitution: Childhood victimization, *Journal of Interpersonal Violence 13*: 206-207.

[189] Nadon S, (1991). *Childhood victimization: Antecedents to prostitution*. Unpublished Master's thesis, University of Manitoba, Winnipeg, Manitoba, Canada. Cited in Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, *Envision: The Manitoba Journal of Child Welfare 3*(1). Retrieved March 19, 2009 from http://www.envisionjournal.com/application/Articles/59.pdf

older prostituted youth reporting similar housing instability was even higher: 50 percent had lived in precarious housing during the past year and 95 percent had done so at some point in time.[190] In five surveys of British Columbia's street-involved youth over a 6-year period, the McCreary Centre Society found that an average of 61 percent reported a great need for safe housing.[191]

Homelessness is also a factor that facilitates women's and girls' entry into prostitution. Studies with prostituted women have found that 84 to 90 percent are currently homeless or have been homeless in the past.[192,193] In the 2006 Wilder Research statewide study of homelessness, non-reservation American Indians represented 28 percent of the unaccompanied homeless youth ages 17 or younger in outstate Minnesota and 12 percent in the Twin Cities area, though they are only two percent of Minnesota's youth population.[194] On Indian reservations, Native youth more frequently doubled up in other people's homes for shorter stays, while single adults were more likely to describe long periods of living with family members and friends.[195] Over the years that Wilder's homelessness survey has been conducted (every three years since 1994), there has been a significant increase in the proportion of American Indians among unaccompanied homeless youth, from 10 percent in 1994 to 20 percent in 2006.[196] Sixty percent of non-reservation homeless Native girls 17 and younger reported having left home to be on their own by the age of 13.[197]

Pertinent to the advocates' stories of Native mothers with children being vulnerable to landlords threatening eviction to recruit the mother or her daughters into prostitution, many of the non-reservation Native women and girls interviewed in the 2006 Wilder Research study of homelessness had children. Two-thirds had children under the age of 17, including 20 percent of the girls ages 17 and younger.[198]

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[190] Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). *It's not what you think: Sexually exploited youth in British Columbia.* Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC. Retrieved May 1, 2009 from http://www.nursing.ubc.ca/PDFs/ItsNotWhatYouThink.pdf

[191] Saewyc E, Bingham B, Bruananski D, Smith A, Hunt S, Northcott M, and the McCreary Centre Society, (2008). *Moving upstream: Aboriginal marginalized youth and street-involved youth in B.C.* Vancouver B.C.: McCreary Centre Society.

[192] Farley M and Barkan H, (1998). Prostitution, violence against women, and posttraumatic stress disorder, *Women and Health 27*(3): 37-49.

[193] Council for Prostitution Alternatives, (1991). Characteristics of 800 CPA participants, in Weitzer R (Ed.), *Sex for sale: Prostitution, pornography, and the sex industry,* pp. 139-155. New York: Routledge.

[194] Wilder Research, (June 2008). *Overview of youth and young adult homelessness in Minnesota.* St. Paul: Amherst H. Wilder Foundation.

[195] Wilder Research, (November 2007). *Homeless and near-homeless people on northern Minnesota Indian reservations.* Saint Paul: Wilder Research.

[196] Wilder Research, (June 2008). *Overview of youth and young adult homelessness in Minnesota.* St. Paul: Amherst H. Wilder Foundation.

[197] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

[198] *Ibid.*

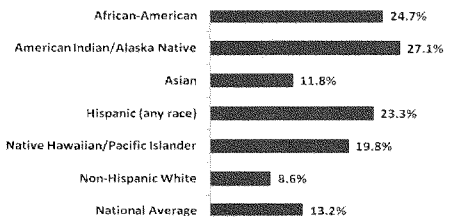
Poverty is a major contributor to homelessness. In the 2006 Wilder Research study of homelessness, about one-third of homeless non-reservation American Indian women and girls reported leaving their most recent regular or permanent housing for reasons related to poverty (see Figure 11).

11. Poverty-related reasons Native girls and women left stable housing (2006 Wilder Research study of homelessness in Minnesota)[199]

	Age group		
Partial or main cause of current homelessness	17 & under (n=70)	18-25 (n=111)	26+ (n=330)
Could not afford rent or house payments	29%	39%	42%
Eviction, foreclosure, or the lease not being renewed	29%	33%	39%
Family lost their housing (youth & young adults only)	33 %	27%	Not asked

National 2008 poverty rates released by the U.S. Census in September 2009 show that American Indians are more likely to live in poverty than any other group in the nation (see Figure 12).

12. Percent living in poverty by race and Hispanic ethnicity, nationwide 2008[200]



Poverty data for 2008 are not available at the state or county level, but in 2000, over 40 percent of Hennepin County's Native single mother-headed households (which represent 47% of Native households and one-third of Native children) were living in poverty[201] (see Figure 13).

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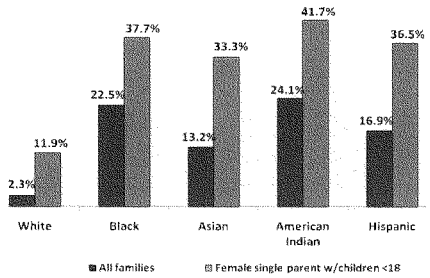
[199] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

[200] Source: U.S. Census 2008 estimates, cited in Families USA, (September 2009). *Fact sheet: Health coverage in communities of color—Talking about the new Census numbers.* Retrieved September 18, 2009 from http://www.familiesusa.org/assets/pdfs/minority-health-census-sept-2009.pdf

[201] Children's Defense Fund Minnesota, (November 2007). *10 quick facts about child poverty in Minnesota.* St. Paul: Children's Defense Fund Minnesota. Retrieved March 12, 2009 from http://www.cdf-mn.org

13. Percent of Hennepin County families in poverty by race and Hispanic ethnicity[202]



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Similar to Native women in the U.S., poverty contributes to Aboriginal women's and girls' homelessness in Canada and to their involvement in the sex trade. In a survey of 183 prostituting women in Vancouver, almost one-third of whom were Aboriginal, 40 percent reported entering prostitution because they needed the money.[203] In another study of prostituting women in Vancouver, over half of whom were Aboriginal, 86 percent reported past or present homelessness and cited housing as current, urgent need.[204] In the British Columbia study of active and exited women in prostitution described earlier, nearly 25 percent were without stable housing at the time of the interview. The percentage without housing was even higher for women currently engaged in street prostitution.[205]

Repeated exposure to abuse, exploitation, and violence

Childhood abuse

Data collected by MIWRC

Advocates at both round tables reported that most if not all of the prostituted Native women and girls they had encountered had been sexually abused as children. Many of the advocates described childhood sexual abuse as the key experience setting the stage for Native girls' entry

[202] Source: Census 2000, cited in American Indian Families Project (September 2003). *A look at American Indian families in Hennepin County*, p. 6. Minneapolis: Hennepin County Office of Planning and Development.

[203] PACE Society, (2000). *Violence against women in Vancouver's street-level sex trade and the police response*. Vancouver BC.

[204] Farley M and Lynn J, (2004). Prostitution in Vancouver: Pimping women and the colonization of Aboriginal, In Stark C and Whisnant R (Eds.), *Not for sale: Feminists resisting prostitution and pornography*. North Melbourne, Victoria, Australia: Spinifex Press.

[205] Benoit C and Millar A, (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers*. Victoria: Prostitutes Empowerment, Education, and Resource Society.

into the sex trade, as the primary reason that girls Native run away from home and then enter prostitution in order to survive. For example:

> *I know women I've worked with that have been sexually assaulted by family members and it was ongoing, and that's why they left. And then they found out they could get paid for it, so think 'What's the difference?' [Duluth advocate]*
>
> *I can't think of even one that doesn't have sexual assault in their history, that doesn't have domestic violence in their history, that didn't start...being expected to service Dad's friends. So, they weren't being paid for it, but what's really that different? [Twin Cities advocate]*

Some advocates also emphasized the impact of childhood sexual abuse on Native girls' ability to even recognize sexual exploitation, reporting that many view sexual abuse by a family member as relatively harmless compared to sexual exploitation by someone outside the family. This is one of the comments from that discussion:

> *I was talking to some of the young girls there about incest, and they really don't think that incest is as bad as a pedophile having sex with a two-year-old. So they thought, 'Well, it's a family member, it's at home and it's safe.' They really didn't correlate that it's the same thing. It is as bad, as damaging, and they don't get it. [Twin Cities advocate]*

Information from other sources

Supporting advocates' identification of sexual abuse as a primary facilitating factor at the round tables, studies in the U.S. have found that 60 to 73 percent of youth in prostitution and 55 to 90 percent of adult women in prostitution were sexually abused at home.[206,207,208,209,210] One study with 602 runaway adolescents in four Midwestern states found that the more abuse an adolescent had experienced at home, the more time they spent on their own and the more likely they were to have friends who sold sex.[211] Other research has confirmed that the amount of time that runaway youth have been on their own without a caring adult is strongly related to increased use of substances and to substance abuse, which are in turn related to increased risk of commercial sexual exploitation.[212,213]

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[206] Silbert M and Pines A, (1981). Sexual child abuse as an antecedent to prostitution, *Child Abuse and Neglect 5*:407-411.

[207] Silbert M and Pines A, (1982). Entrance into prostitution, *Youth and Society 13*(4): 471-500.

[208] Bagley C and Young L, (1987). Juvenile prostitution and child sexual abuse: A controlled study, *Canadian Journal of Community Mental Health 6*: 5-26.

[209] Simons R and Whitbeck L, (1991). Sexual abuse as a precursor to prostitution and victimization among adolescent and adult homeless women, *Journal of Family Issues 12*(3): 361-379.

[210] Belton R, (October 22, 1992). *Prostitution as traumatic re-enactment.* Paper presented at the 8th Annual Meeting of the International Society for Traumatic Stress Studies, Los Angeles CA.

[211] Tyler K, Whitbeck L, Hoyt D, and Yoder K, (2000). Predictors of self-reported sexually transmitted diseases among homeless and runaway adolescents, *Journal of Sex Research 37*(4): 369-377.

[212] Whitbeck L, Hoyt D, and Yoder K, (1999). A risk-amplification model of victimization and depressive symptoms among runaway and homeless adolescents, *American Journal of Community Psychology 27*: 273-296.

[213] Kipke M, Montgomery S, Simon T, and Iverson E, (1997). Substance abuse disorders among runaway and homeless youth, *Substance Use and Misuse 37*:969-986.

Physical abuse at home has also been identified as a major risk factor for youth entry into the sex trade.[214] The 2008 rate of American Indian child maltreatment reports in Minnesota was more than six times their proportion in the population, and American Indians also had the highest rates of recurring maltreatment at six- and twelve-month follow-up. The vast majority of American Indian maltreatment reports were for neglect, but Native rates for reported physical abuse and sexual abuse were also higher than those of any other group (see Figure 14). As of April 2009, the Minnesota Department of Human Services reported that American Indian children accounted for 10 percent of child maltreatment victims statewide, more than six times their representation in the child population.[215]

14. Child maltreatment by race, statewide 2008[216]

	American Indian	Black	Asian	White	2 or more race	Hispanic* (any race)
Total maltreatment reports per 1,000 in the MN child population	78.5	51.0	8.5	11.9	42.0	29.7
Neglect (non-medical)	62.4	37.2	5.5	7.6	32.4	19.4
Physical abuse	17.4	13.9	2.8	3.7	10.5	7.6
Sexual abuse	6.7	3.9	0.7	1.3	3.5	2.5
Medical neglect	1.4	0.9	0.2	0.1	0.6	0.3
Percent recurring within 6 months	5.8%	8.1%	3.9%	3.7%	6.6%	3.6%
Percent recurring within 12 months	14.5%	13.1%	3.9%	5.8%	11.7%	5.7%

**Children in the Hispanic category can be any race(s).*

Though the number of Native children separated from their families is itself alarming, foster placement is also a risk factor for entering the sex trade. In their book *Being Heard: The Experiences of Young Women in Prostitution,* Gorkoff and Runner reported that 63 percent of prostituted girls and young women in their study had been involved with the child protection system as children. Over three-fourths had been in foster and group homes, often for many years.[217] The most recent available statewide data (2008) on out-of-home placement of Minnesota children indicate that almost nine percent (8.81%) of the children in foster care were American Indian.[218]

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[214] Estes R and Weiner N, (2001). *The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study.* Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.

[215] Minnesota Department of Human Services, (April 2009). *Child abuse and neglect prevention: Strengthening families is fundamental.* Retrieved June 5, 2009 from http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4735-ENG

[216] Children and Family Services, Minnesota Department of Human Services, (July 2009). *Minnesota's Child Welfare report 2008: Report to the 2009 Legislature.* Retrieved August 18, 2009 from http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-5408A-ENG

[217] Gorkoff K and Runner J (Eds.), (2003). *Being heard: The experiences of young women in prostitution.* Halifax: Fernwood.

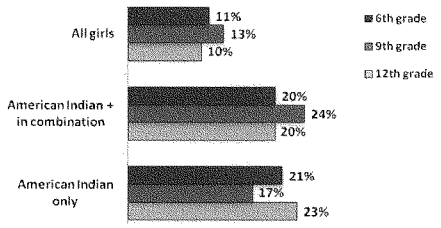
[218] Ombudsperson for Families, State of Minnesota, (January 2009). *2010-11 Biennial budget,* p.2. Retrieved September 6, 2009 from http://www.admin.state.mn.us/fmr/documents/BBS-1011%20Other%20Agncy,%20bds,%20councils,%20comm/Ombudsperson%20for%20Families.pdf

In Hennepin County, the most recent available data (2006) show eight percent of the confirmed child maltreatment cases to be American Indian, four times their representation in the county's child population.[219] Native children represented an even larger percentage of Hennepin County children in foster care (9%).[220]

Some Native researchers have suggested that the disproportionate number of American Indian child neglect reports may be related, at least in part, to standard definitions of neglect being based on a nuclear family model, while American Indian child rearing norms are based on the assistance of an extended family and community network.[221,222] However, in 2008 the National Indian Child Welfare Association described child neglect in American Indian communities as "serious, large scale, and persistent," pointing out Indian Health Service data show the leading cause of death for Native children under the age of 14 to be accidents, mostly alcohol-related.[223]

Supporting the advocates' reports at round tables that abuse at home is a common experience for Native girls, findings from the 2007 Minnesota Student Survey suggest that Native girls in Minnesota experience much higher rates of physical and sexual abuse at home than their peers in the general population (see Figures 15 and 16).

15. Girls' reports of physical abuse at home, statewide*



**2007 Minnesota Student Survey*

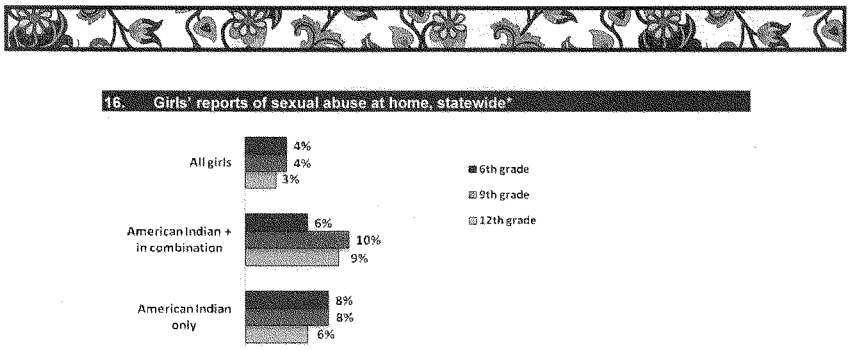
[219] Hennepin County Child Protection Task Force, (June 2007). *Hennepin County Child Protection Task Force final report.* Retrieved January 20, 2009 from http://hennepin.us/portal/site/HCInternet/menuitem.3f94db53874f9b6f68ce1e10b1466498/?vgnextoid=5895287c61a64110VgnVCM1000000f094689RCRD

[220] *Ibid.*

[221] Cross T and Simmons D, (April 14, 2008). *Child abuse and neglect and American Indians.* Portland OR: National Indian Child Welfare Association.

[222] Horesji C, Heavy Runner-Craig B , and Pablo J, (1992). Reactions by Native American parents to Child Protection agencies: Cultural and community factors, *Child Welfare 71*(4): 329-342.

[223] Cross T and Simmons D, (April 14, 2008). *Child abuse and neglect and American Indians.* Portland OR: National Indian Child Welfare Association.



16. Girls' reports of sexual abuse at home, statewide*

**2007 Minnesota Student Survey*

Homeless American Indian women and girls are even more likely to report having experienced childhood abuse. In the 2006 Wilder Research study of homelessness in Minnesota, 40 to 50 percent of Native girls and women disclosed physical or sexual maltreatment or parental neglect as a child. Native girls and younger women frequently cited not feeling safe from violence in the home or abuse by someone in the household as the reason for their current homelessness (see Figure 17).

17. Homeless Native female: history of abuse or neglect (2006 Wilder Research study of homelessness in Minnesota)[224]

	Age group			
Percent of homeless Native females that reported...	11-17	18-24	25	26+
Physical mistreatment as a child or youth	45%	41%	40%	54%
Sexual mistreatment as a child or youth	30%	41%	20%	51%
Parental neglect (no food, shelter, or medical care; absence)	32%	33%	60%	41%
Homeless now due to feeling unsafe from violence in the house	28%	31%	Not asked	
Homeless now due to physical/sexual abuse in the home	17%	31%	Not asked	

In Canada, a national study involving interviews with 150 commercially sexually exploited Aboriginal youth found that 80 percent had been physically, sexually, emotionally, and verbally abused in their homes, which led to them running away. Many also reported significant trauma at the hands of family friends, neighbors, and/or peers.[225] In a smaller study, 48 percent of prostituted youth in Winnipeg, many of whom were Aboriginal, reported physical abuse or

[224] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

[225] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada, p. 13.

neglect at home, and 68 percent reported sexual abuse.[226] Research with women in street prostitution in Vancouver also found histories of abuse among almost all of the women interviewed, 52 percent of whom were Aboriginal women. Close to three-fourths of the participants reported physical abuse in childhood, and 82 percent reported childhood sexual abuse.[227]

In a review of over 400 youth probation files compiled by the Department of Social Services in two large Canadian cities, researchers found that 41 percent of Aboriginal youth in the sex trade had experienced neglect, compared to five percent of non-Aboriginal youth.[228] Clinical and anecdotal evidence from Canada suggests that in some communities, the incidence of childhood sexual abuse among Aboriginal people is 80 percent or higher.[229,230]

Physical and sexual victimization as older teens and adults

Though no U.S. studies were identified that described rates of physical and sexual victimization of prostituted American Indian women or girls, a significant body of research has found high rates of physical and sexual victimization among American Indian adult women and older teen girls in general (see Figure 18). National data show Native women to be over 2.5 times more likely to be raped or sexually assaulted than women in the general population.[231]

Analysis of the National Crime Victim Survey data showed that half of the Native women who reported having been raped also reported suffering physical injuries in addition to the rape, compared to 30 percent of U.S. women in the general population.[232] Based on a national survey, researchers have estimated that over one-third of Native women will be raped during their lifetimes, compared to less than one in five women in the general population.[233]

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[226] Nadon S, (1991). *Childhood victimization: Antecedents to prostitution.* Unpublished Master's thesis, University of Manitoba, Winnipeg, Manitoba, Canada. Cited in Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, *Envision: The Manitoba Journal of Child Welfare 3*(1). Retrieved March 19, 2009 from http://www.envisionjournal.com/application/Articles/59.pdf

[227] Farley M, Lynne J and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychiatry 42*: 242-271.

[228] Schissel B and Fedec K, (1999). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, Canadian Journal of Criminology. Pp. 35-56.

[229] McEvoy M and Daniluk J, (1994). Wounds to the soul: The experiences of Aboriginal women survivors of sexual abuse, *Canadian Psychology 36*(3): 221-235.

[230] Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, *Fourth World Journal 6*(1):1-29.

[231] Perry S, (December 2004). *American Indians and crime—A BJS statistical profile 1992-2002.* Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs.

[232] Bachman R, (September 29, 2003). *The epidemiology of rape and sexual assaults against American Indian women: An analysis of NCVS data*, presented to a federal and tribal working group on sexual assault against Native women. Cited in Sarah Deer, 2005, Sovereignty of the soul: Exploring the intersection of rape law reform and Federal Indian law, *Suffolk University Law Review 38*: 455.

[233] Tjaden P and Thoennes N, (2000). Full report of the prevalence, incidence, and consequences of violence against women. Washington DC: U.S. Department of Justice.

18. Lifetime rates of women's physical and sexual victimization, by race

Year	Authors	n	Sample	Type of victimization	AI/AN	White	Black	Hisp
1999	Walters & Simoni[234]	68	New York City	Nonpartner sexual violence	27%			
1999	Walters & Simoni[235]	68	New York City	Interpersonal violence	25%			
2000	Tjaden & Thoennes[236]	88	National	Intimate partner rape	16%	8%	7%	8%
1998	Tjaden & Thoennes[237]	88	National	Rape	34%	18%	19%	15%
2004	Malcoe, Duran & Montgomery[238]	312	Oklahoma	Severe physical IPV	39%			
2004	Malcoe & Duran[239]	422	Oklahoma	Sexual IPV	49%			
2003	Bohn, 2003[240]	30	Minnesota	Physical or sexual IPV	87%			

Note: IPV=intimate partner violence. Comparisons with other racial/ethnic groups are given when included in the study. Otherwise, the entire sample was American Indian.

Low-income Native women have been found to be extremely vulnerable to partner violence. In a study of 312 low-income pregnant and childbearing Native women recruited from a tribal WIC clinic in southwestern Oklahoma, researchers found that more than half reported lifetime physical and/or sexual intimate partner violence and 40 percent reported injuries from partner-perpetrated violence.[241]

In the 2006 Wilder Research study of homelessness, almost half of the homeless non-reservation Native women ages 18 to 21 reported having been in an abusive relationship, and the same proportion reported staying in one because they had no other housing options (see Figure 19).

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[234] Walters K and Simoni J, (1999). Trauma, substance use, and HIV risk among urban American Indian women. *Cultural Diversity and Ethnic Minority Psychology* 5(3): 236-248.

[235] *Ibid.*

[236] Tjaden P and Thoennes N, (2000). *Extent, nature, and consequences of intimate partner violence: Findings from the National Violence Against Women Survey*. Washington, DC: National Institutes of Justice.

[237] Tjaden P and Thoennes N, (November 1998). *Prevalence, Incidence and Consequences of Violence Against Women:Findings From the National Violence Against Women Survey*. Washington, DC: National Institute of Justice, U.S. Department of Justice.

[238] Malcoe L, Duran B and Montgomery J, (2004). Socioeconomic disparities in intimate partner violence against Native American women: A cross-sectional study, *BMC Medicine*. Retrieved May 16, 2009 from http://www.biomedcentral.com/1741-7015/2/20

[239] Malcoe L and Duran B, (in press). Intimate partner violence and injury in the lives of low income Native American women, in B. Fisher (Ed.), *Violence Against Women and Family Violence: Developments in Research, Practice, and Policy Conference Proceedings*. Washington, DC: National Institute of Justice, U.S. Department of Justice. Retrieved April 7, 2009 from http://www.ncjrs.gov/pdffiles1/nij/199701.pdf

[240] Bohn D, (2003). Lifetime physical and sexual abuse, substance abuse, depression, and suicide attempts among Native American women, *Issues in Mental Health Nursing* 24(3): 333-352.

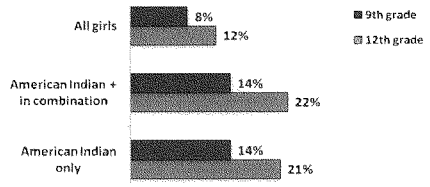
[241] Malcoe L, Duran B and Montgomery J, (2004). Socioeconomic disparities in intimate partner violence against Native American women: A cross-sectional study, *BMC Medicine*. Retrieved May 16, 2009 from http://www.biomedcentral.com/1741-7015/2/20

19. Experiences with violent victimization (2006 Wilder Research study of homelessness in Minnesota, n=142)[242]

Percent of homeless Native girls and women that reported...	Age group 11-17	18-21	22+
Being in physically abusive relationship during past 12 months	20%	48%	25%
Staying in an abusive situation because she did not have other housing options	5%	48%	50%
Physically or sexually attacked or beaten while without a regular place to stay	10%	16%	31%

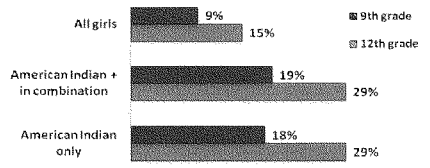
Violent victimization by a partner appears to begin early for many American Indian girls in Minnesota. In the 2007 Minnesota Student Survey, both 9th and 12th grade Native girls reported physical and sexual violence by dates much more frequently than girls in the general population (see Figures 20 and 21).

20. Girls reporting sexual assault by a date, statewide*



**2007 Minnesota Student Survey. Sixth grade girls were not asked this question.*

21. Girls reporting physical assault by a date, statewide*



**2007 Minnesota Student Survey. Sixth grade girls were not asked this question.*

[242] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

Normalization of sexual exploitation and violence

Data collected by MIWRC

Advocates at the round tables reported that Native girls' frequent exposure to violence, abuse, and commercial sexual exploitation in their homes, their peer groups, and communities tends to normalize these behaviors. Several advocates working with adolescent Native girls described the ways that girls' social environments often lead them to view threats to their safety and sexual exploitation as "no big deal." For example, this is one advocate's description of a Native girl's response after being trafficked to Mexico:

> *We had a young lady who was being held in Mexico for three years, and she didn't think that she was traumatized. [Twin Cities advocate]*

Some advocates described the way that childhood exposure to prostitution can make it seem normal. These are some comments from those discussions:

> *If the mom is being trafficked, then she puts the child, the daughter at high risk. They may not intentionally want them involved in that, but then they'll be around that and they're vulnerable, and then they get pulled into it. [Duluth advocate]*
>
> *I grew up with a bunch of women who did trade sex for money, clothing, food, shelter, housing, sold underwear, did whatever they had to do to keep me in a private education and a good home. [I] want to be able to move on from that so we're not raising more kids who normalize that activity as part of everyday life. [Twin Cities advocate]*

Other advocates described some prostituted Native women and girls that viewed free-lancing, prostitution without a pimp, as a way to empower themselves. These girls and women viewed prostituting themselves and/or working with other women in a collective group as a way to have some control over their lives. These are some of the advocates' comments:

> *A majority of them have been exposed to sexual abuse. And so, it's kind of like, they're making the decision now, they're in control of their bodies and they're going to do what they need to do to get what it is that they want. [Duluth advocate]*
>
> *The other aspect that we're seeing too is the idea of liberation, 'My body, my choice, I can do it myself.' All woman-run. You're seeing more women that know how to do these things and are very skilled at how to prevent more harm from coming to themselves. And so they're banding together creating all female call services. [Twin Cities advocate]*
>
> *They're choosing to take this road because it is what they've always done. Or how they can survive right now. Because it's normal. [Duluth advocate]*

During the six months that MIWRC collected data from women and girls entering MIWRC programs, counselors asked incoming clients if they knew anyone who sells or trades sex, and if they knew anyone who makes others sell or trade sex. Clients' responses suggest that Native girls are exposed to prostitution as a "career option" at very young ages. Almost half (46%) of the 95 women screened for commercial sexual exploitation reported a personal friend in prostitution, and over one-fourth (26%) reported a prostituting family member (see Figure 22). Over one-fourth (28%) of the incoming MIWRC clients said they knew someone who makes others sell or trade sex, most frequently their boyfriend (see Figure 23).

22. MIWRC clients that know someone in prostitution (n=95)		
Clients reporting that they...	Number	Percent
Know at least one person in prostitution	45	47%
Personal friend	44	46%
Family members (all categories)	25	26%
Cousin(s)	10	11%
Aunt	8	8%
Sister	4	4%
Mother	2	2%
Two or more family members	7	7 %
Mother's friend	1	1%

23. MIWRC clients that know someone who traffics others (n=95)		
Clients reporting that they...	Number	Percent
Know at least one trafficker	27	28%
Boyfriend/husband/partner	13	14%
Landlord	4	4%
Friend(s)	3	3%
Drug dealer(s)	3	3%
Unspecified family member	2	2%
Pimp(s)	2	2%
Uncle and brother	1	1%
Friend of mother/aunt	1	1%
Friend of boyfriend/husband	1	1%
Unspecified person/people	9	10%

Information from other sources

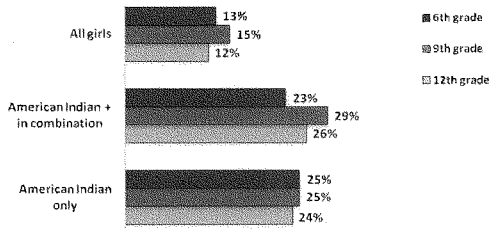
The advocates' reports of Native girls viewing violence and sexual exploitation as "no big deal" as a result of their social environments are echoed by National Indian Child Welfare Association:

> *Unrecognized and untreated child victims are at a high risk of growing up to become dysfunctional adults, and the repeated risk of sexual abuse greatly increases, generation after generation, within the community. The victims themselves become used to being victimized and see victimization as a fact of life.*[243]

[243] Cross T and Simmons D, (April 14, 2008). *Child abuse and neglect and American Indians.* Portland OR: National Indian Child Welfare Association.

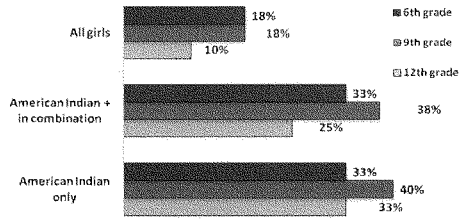
Native girls' responses to the 2007 Minnesota Student Survey indicate that they are not only frequent victims of family-perpetrated physical and sexual abuse, but they are also often witnesses to violence against others in the home. Native girls were much more likely than girls in the general population to report that a family member had physically assaulted another family member at home (see Figure 24). Given the amount of violence that Native girls encounter at home, at school, and in relationships, it is disturbing but not surprising that Native girls also reported being in physical fights much more frequently than girls in the general population (see Figure 25).

24. Girls reporting that a family member physically assaulted another family member*



*2007 Minnesota Student Survey.

25. Girls reporting that they hit or beat up another person in the past 12 months*



*2007 Minnesota Student Survey.

In Canada, studies with Aboriginal youth living on the street have found that these youth often report violence to be part of their daily life. A national study of 640 runaway and thrown-away

youth in shelters and 600 living on the street found high levels of violence among vulnerable and prostituted Aboriginal youth. About one-half of youth living in shelters and two-thirds of the street youth reported carrying a weapon; one-fourth of street youth said they had committed a violent act using a weapon.[244] In research conducted in five areas of British Columbia, prostituted Aboriginal youth noted that a cycle of violence had been normalized in their communities, which they felt made it impossible for many caught in that cycle to break the pattern.[245]

Other studies have found that children's exposure to prostitution contributes to their entry into the sex trade. An international study of commercial sexual exploitation of children in the U.S., Canada, and Mexico found that exposure to a pre-existing adult prostitution zone and social groups that condone or tolerate child-adult sexual relationships is a key contributing factor in youth entering prostitution.[246] A study with prostituted Canadian women has found that over 20 percent grew up in environments where prostitution was common. Research participants described their own involvement in commercial sexual exploitation as a result of learned behavior and day-to-day survival within their families for generations.[247] One Canadian researcher whose participants included a large number of Aboriginal youth noted that, to youth living in impoverished neighborhoods where street prostitution is concentrated and they have no other access to money, an offer to watch an indecent act by a man cruising by in his car can easily seem reasonable and worthwhile.[248]

Similar to the advocates' comments about Native women and girls involved in "free-lancing," studies with Aboriginal youth that had been sexually exploited by family members at a young age found that many viewed the sex trade as a way to have some control over their lives. These youth saw no harm in being paid for sex since it was taken for free when they were still at home.[249] One study with commercially exploited youth and 22 Aboriginal communities across Canada reported that for many Aboriginal youth in the sex trade, prostitution presented them with an illusion of escape and independence.[250]

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[244] Administration for Children and Families, (October 1995). *Youth with runaway, throw-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary.* Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.

[245] Hunt S, (2006). *Final Report—Violence in the lives of sexually exploited youth and adult sex workers in BC: Provincial research.* Justice Institute of British Columbia, Centre for Leadership and Community Learning. Retrieved April 20, 2009 from http://peers.bc.ca/images/orchidupdat0407.pdf

[246] Estes R and Weiner N, (2001). *The commercial sexual exploitation of children in the U.S., Canada, and Mexico: Full report of the U.S. national study.* Philadelphia: Center for the Study of Youth Policy, University of Pennsylvania School of Social Work.

[247] Tutty L and Nixon K, (2003). Selling sex? It's really like selling your soul, in Gorkoff K and Runner J (Eds.), *Being heard: The experience of young women in prostitution*, pp. 29-45. Halifax: Fernwood.

[248] Scheirich W, (April 2004). Manitoba's strategy: Responding to children and youth involved in sexual exploitation, *Envision: The Manitoba Journal of Child Welfare 3*(1). Retrieved March 19, 2009 from http://www.envisionjournal.com/application/Articles/59.pdf

[249] Urban Native Youth Association, (2002). *Full circle.* Vancouver BC: Urban Native Youth Association. Retrieved February 29, 2009 from http://www.unya.bc.ca/resources

[250] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation.* Save the Children Canada.

Addiction

Parents' addiction as a risk factor

Data collected by MIWRC

Advocates at both round tables described a parent's substance abuse, particularly drug abuse, as playing a role in some Native girls' entry into prostitution. This is an example of those stories:

> *Two years ago I was working with three sisters who had been prostituted by their mother since they were two, and the girls were about 15, 16, 17. They were just shifting and turning on their mother and taking their profits...it was kind of a struggle, mom still wanted money for her drug addiction, and they were starting to want to take their [own] money. [Twin Cities advocate]*

Information from other sources

Research has found that family substance abuse is strongly related to youth running away, which puts them at greater risk of sexual exploitation. In a national U.S. study, researchers found that 31 percent of 640 runaway and thrown-away youth in shelters and 45 percent of 600 runaway and thrown-away youth living on the street reported problematic substance use by a family member (most frequently a step-parent) during the 30 days before the youth left home. These youth told interviewers that when family members used substances, they were more likely to get into arguments with the youth, to neglect or ignore them, or to hit them.[251] The Michigan Network of Runaway, Homeless, and Youth Services reported that 41 percent of the youth they had served in 1995 reported leaving because of adult substance abuse in the home.[252]

In the statewide study of homelessness conducted by Wilder Research, over half (56%) of the Native girls age 21 and younger described their parents' drug and alcohol use as the partial or main reason they were currently homeless.[253] Findings from the 2007 Minnesota Student Survey also suggest that family alcohol and drug abuse are significant problems for many Native high school girls. Statewide, American Indian girls reported problematic alcohol use by a family member at more than double the rate of girls in the general population (see Figure 26). The same pattern is seen in Native girls' Minnesota Student Survey reports of a family member's drug use causing problems. The percentage of American Indian girls reporting problematic family drug use was also high, two to three times that of girls in the general population for the three grade levels (see Figure 27).

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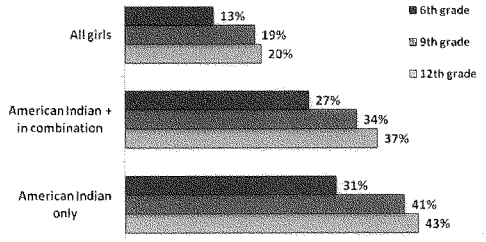
[251] Administration for Children and Families, (October 1995). *Youth with runaway, thrown-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary.* Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.

[252] Cited in Walker N, (2002). Prostituted teens: A problem for Michigan too, in *Prostituted teens: More than a runaway problem.* East Lansing: Michigan State University Institute for Children, Youth, and Families.

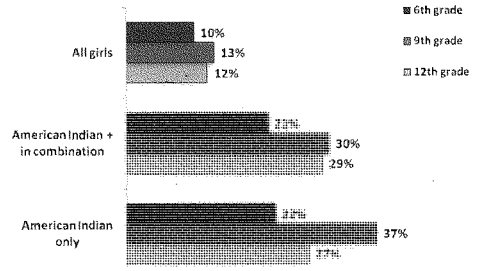
[253] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

26. Girls reporting that a family member's alcohol use repeatedly caused family, health, job, or legal problems, statewide*



*2007 Minnesota Student Survey.

27. Girls reporting that a family member's drug use repeatedly caused family, health, job, legal problems, statewide*



*2007 Minnesota Student Survey.

As noted earlier, Canadian studies with prostituted youth have also identified parental substance abuse as a primary factor in the physical and sexual abuse of Native youth, Native youth's decision to run away from home, and their resulting recruitment for prostitution.[254]

[254] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada.

Personal addiction as a risk factor

Data collected by MIWRC

Advocates at both round tables described Native women's and girls' own addiction as a major facilitating factor in their entry into prostitution, and one that keeps them in the sex trade even when they want to leave. The Duluth advocates emphasized pimps' practice of providing girls with free drugs to get them addicted and then prostituting them. These are some of their comments:

> *There are a lot of women who enter after the age of 20. Who don't have parents in prostitution. A lot of those women are at that point where they have addictions. [Twin Cities advocate]*
>
> *I think they come into prostitution with addictions. I think they start, you know, they're experimenting around with drugs and then they find a ready source, because pimps latch onto that as a method to get them into it. [Duluth advocate]*
>
> *I also know a girl here, she got turned out with drugs, and she had to feed her addiction. So, she was really young and they gave her whatever, and then she had to keep that up. And it doesn't matter what your family status is, period. Because this girl I knew, her family status is pretty good. [Duluth advocate]*

Information from other sources

The Administration for Children and Families reported that family substance abuse is strongly related to runaway and thrown-away youths' own use of substances, which other research has shown to be a risk factor for entering the sex trade.[255] A number of studies have identified prostituted women's and girls' substance abuse as a precursor to their involvement in prostitution.[256,257, 258,259] In research based on a national sample of 200 prostituted juveniles and adults, 55 percent reported being addicted to drugs prior to entering the sex trade, 30 percent had become addicted following entry, and 15 percent said they became addicted at the same time they entered.[260]

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[255] Administration for Children and Families, (October 1995). *Youth with runaway, thrown-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary.* Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.

[256] Clatts M, Rees-Davis W, Sotheran J, and Atillasoy A, (1998). Correlates and distribution of HIV risk behaviors among homeless youths in New York City: Implications for prevention and policy, *Child Welfare 2*: 195-207.

[257] Pfeifer R and Oliver J, (1997). A study of HIV seroprevalence in a group of homeless youth in Hollywood, California, *Journal of Adolescent Health 20*: 339-342.

[258] Whitbeck L, Hoyt D, and Yoder K, (1999). A risk-amplification model of victimization and depressive symptoms among runaway and homeless adolescents, *American Journal of Community Psychology 27*: 273-296.

[259] Kipke M, Montgomery S, Simon T, and Iverson E, (1997). Substance abuse disorders among runaway and homeless youth, *Substance Use and Misuse 37*:969-986.

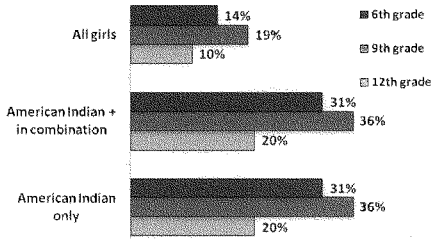
[260] Sweeney P, Lindegren M, Buehler J, Onorato I, and Janssen R, (1995). Teenagers at risk of human immunodeficiency virus Type I infection: Results from seroprevalence surveys in the United States, *Archives of Pedriatric and Adolescent Medicine 149*: 521-528.

In the Hennepin County study of women on probation for prostitution described earlier, 64 percent of the American Indian women for whom data were available reported drug use at the time of their arrest. One in five used both drugs and alcohol at the time of arrest, and half had received prior treatment for chemical dependency.[261]

American Indian women are more likely than women in other racial groups to become alcohol dependent as a response to childhood abuse. A study involving interviews with 979 American Indian women in seven tribal communities found that parental alcoholism, sexual abuse, combined physical and sexual abuse, emotional abuse, and emotional neglect as a child each doubled the risk of alcohol dependence. Those who had experienced four or more categories of these adverse experiences in childhood had seven times the risk of alcohol dependence.[262]

Early use of alcohol is a significant problem in American Indian communities. American Indian high school girls responding to the 2007 Minnesota Student Survey also reported early use of alcohol at much higher rates than girls in the general population (see Figure 28). In the Wilder Research study of homeless in Minnesota, one-third of homeless American Indian girls ages 11-17 and 42 percent of those ages 18-21 reported that their own use of drugs or alcohol was partial or main cause of their current homelessness.[263]

28. Girls reporting first use of alcohol at age 12 or younger, statewide*



**2007 Minnesota Student Survey.*

In the 2007 Minnesota Student Survey, 9th grade Native girls reported problematic drug and alcohol use at a rate close to double that of girls in the general population (see Figure 29).

[261] Subset of data provided by Julie Rud, Minneapolis Police Department, from dataset used to produce Martin L and Rud J, (2007) *Prostitution research report: Data sharing to establish best practices for women in prostitution.* Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

[262] Koss M, Yuan N, Dightman D, Prince R, Polacca M, Sanderson B, and Goldman D, (2003). Adverse childhood exposures and alcohol dependence among seven Native American tribes, *American Journal of Preventive Medicine 25* (3): 238-244.

[263] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

Among 12th grade Native girls, 20 to 35 percent reported at least one indicator of a substance abuse problem, over double the proportion of girls in the general population (see Figure 30).

29. 9th grade girls reporting problematic substance abuse, statewide (2007 Minnesota Student Survey)

Percent of girls reporting that they...	Indian only	Indian + in combination	All girls
Could not remember what said or did after using alcohol/drugs 2 or more times	16%	15%	8%
Used more alcohol/drugs than intended 2 or more times	16%	14%	8%
Continued to use alcohol even though it was hurting relationships with friends or family	20%	16%	8%
Have needed to use more alcohol/drugs to get the same effect in the past 12 months	18%	16%	8%
Had 5 or more drinks in a row at least once in the past 2 weeks	29%	23%	13%

30. 12th grade girls reporting problematic substance abuse, statewide (2007 Minnesota Student Survey)

Percent of girls reporting that they...	Indian only	Indian + in combination	All girls
Could not remember what said or did after using alcohol/drugs 2 or more times	22%	21%	15%
Used more alcohol/drugs than intended 2 or more times	21%	21%	16%
Continued to use alcohol even though it was hurting relationships with friends or family	20%	15%	9%
Have needed to use more alcohol/drugs to get the same effect in the past 12 months	21%	17%	12%
Past 2 weeks, had 5 or more drinks in a row at least once	35%	32%	25%

Similar to research in the U.S., Canadian research has found substance abuse to be both a predictor for and a consequence of involvement in prostitution, particularly among Aboriginal women. A Montreal study involving interviews with 165 female street youth initially not involved in prostitution found at follow-up that substance abuse was a significant predictor for entering the sex trade.[264] A second Canadian study with young prostituted women, many of whom were Aboriginal, found that while drug use had facilitated their entry into prostitution, participants' use had also escalated as a result of being in prostitution.[265] Similar to the

[264] Weber A, Roy E, Blais L, Haley N, and Boivin J-F, (2001). Predictors of initiation into prostitution among female street youth. Included as part of Weber A, (2001). *HIV risk behavior and predictors of initiation into prostitution among female street youth in Montreal, Canada.* Master's thesis. Montreal, Canada: Department of Epidemiology and Biostatics, McGill University.

[265] Tutty L and Nixon K, (2003). Selling sex? It's really like selling your soul, in Gorkoff K and Runner J (Eds.), *Being heard: The experience of young women in prostitution*, pp. 29-45. Halifax: Fernwood.

advocates' remarks at the round table discussions, 60 percent of 183 prostituting women in Vancouver, about half of whom were Aboriginal, told researchers that they remained in the sex trade to maintain a drug habit.[266]

Risk due to fetal alcohol spectrum disorders

The Centers for Disease Control (CDC) currently use the term Fetal Alcohol Spectrum Disorders to describe three alcohol-related disorders: fetal alcohol syndrome (FAS), fetal alcohol effects (FAE), and alcohol-related neurodevelopmental disorder (ARND). The CDC describes how these three disorders differ:

> *The term FAE has been used to describe behavioral and cognitive problems in children who were prenatally exposed to alcohol, but who do not have all of the typical diagnostic features of FAS. In 1996, the Institute of Medicine (IOM) replaced FAE with the terms ARND and ARBD. Children with ARND might have functional or mental problems linked to prenatal alcohol exposure. These include behavioral or cognitive abnormalities or a combination of both.*[267]

Data collected by MIWRC

Advocates at both MIWRC round tables reported working with Native girls and women in prostitution who were affected by fetal alcohol spectrum disorders. The advocates described FASD as a critical risk factor, since it results in impaired judgment and impulsiveness, putting younger girls at very high risk of commercial sexual exploitation. Advocates also described FASD as a factor in Native parents prostituting their children, and the prevalence of FASD in Native youth in foster care. These are some of their comments:

> *One of the clients I work with, she comes and goes, she knows she's been diagnosed with FAE and her children have been diagnosed as well. So her mother drank and she drank while she was pregnant with her kids. So, she's working to keep herself in a home and she's exchanging sex for her home and so she has no problem with her kids doing the same thing, her daughters. [Second speaker] I think the other thing with FASD what we know about that brain damage, is you have a 15 year old girl's body but you have an 8 year old girl's mental capacity, because your brain is not formed correctly because you're brain damaged. [Twin Cities advocates]*
>
> *This is something that I always see, and I don't know that we know so much about, is how many people are affected by fetal alcohol. Some individuals are really aware of it, they have been tested, and usually those are the kids that are coming out of foster care, like they might have had that testing so they're aware of it. But when those two things get coupled, FAS and also foster care, that's its own dynamic. But also, there are the kids that might have FAS but don't know it and other people don't know it either, which makes them really vulnerable. [Duluth advocate]*

[266] PACE Society, (2000). *Violence against women in Vancouver's street-level sex trade and the police response.* Vancouver BC.

[267] Centers for Disease Control, (May 2, 2006). *Information, Fetal Alcohol Syndrome.* Retrieved April 18, 2009 from http://www.cdc.gov/ncbddd/fas/fasask.htm

Information from other sources

In research by the Centers for Disease Control, the fetal alcohol syndrome rate among American Indians has been found to be 30 times the rate among whites.[268] Other research in the U.S. has found that adolescents affected by FASD are at high risk of sexual exploitation. The authors of one study reported:

> *Teenagers and adults with FAS or FAE seem to 'plateau' academically and in daily functioning but their problems grow more serious as attention deficits, poor judgment, and impulsivity create obstacles to employment and stable living. Adolescents and adults with FAS/FAE have been described as 'innocent,' 'immature,' and easily victimized.*[269]

Findings from a study involving structured clinical interviews with 25 FASD-affected adults suggest that this group often suffers from substantial mental illness as well, including major depression, psychotic disorders, and anxiety disorders.[270] Ann Streissguth, a national expert on FASD, reported these findings from her own and others' research with this vulnerable population:[271]

- 62% have had a disrupted school experience between the ages of 12 and 20.
- 90% have had mental health problems diagnosed.
- 40% of youth ages 6-11, 48% of people ages 12-20, and 52% of those over age 21 have exhibited inappropriate sexual behavior and have been sexually victimized.
- 79% of girls ages 12 and up have exhibited sexually inappropriate behavior.

FASD also disproportionately impacts Native communities in Canada.[272,273] Canadian research with prostituted youth has found that those affected by FASD are particularly vulnerable to sexual exploitation by pimps using violent "guerrilla recruitment" methods, sometimes first offering them free drugs at house parties. Once addicted, FASD-affected youth are threatened and told they must work off their debt through prostitution.[274]

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[268] Cited in Kaisernetwork.org, (October 24, 2007). *Kaiser health disparities report: A weekly look at race, ethnicity, and health.* Retrieved March 27, 2009 from http://www.kaisernetwork.org/daily_reports/rep_index.cfm?DR_ID=48423

[269] Olson H, Burgess D and Streissguth, A, (1992). Fetal alcohol syndrome (FAS) and fetal alcohol effects (FAE): A lifespan view, with implications for early intervention, *Zero to Three: National Center for Clinical Infant Programs, 13*(1), 24-29.

[270] Famy C, Streissguth A and Unis A, (April 1998). Mental illness in adults with fetal alcohol syndrome or fetal alcohol effects, *American Journal of Psychiatry 155*: 552-554.

[271] Streissguth A, (May 4, 2005). *FASD: Juvenile Justice and the community.* Keynote lecture at the kick-off for the Hennepin County Juvenile Justice Project. Minneapolis MN.

[272] Boland F and Durwyn M, (1999). *Fetal alcohol syndrome: Understanding its impact.* Correctional Service of Canada. Cited in Kingsley C and Mark M, (2000), *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation.* Save the Children Canada.

[273] Vancouver/Richmond Health Board, (1999). *Healing ways: Aboriginal health and service review.* Retrieved May 6, 2009 from http://www.vch.ca/community/Docs/healing_ways.pdf

[274] Hunt S, (2006). *Final Report—Violence in the lives of sexually exploited youth and adult sex workers in BC: Provincial research.* Justice Institute of British Columbia, Centre for Leadership and Community Learning. Retrieved April 20, 2009 from http://peers.bc.ca/images/orchidupdat0407.pdf

In a study in British Columbia that involved interviews with FASD-affected adults, one research participant described the ways that FASD puts her at risk:

> *I have trouble making decisions, if they're bad or they're right, and that's what has been hardest throughout my life. I realize that it's right or wrong after I've done it, and then that's what makes it really bad...because you can get in a lot of trouble and I've gotten into lots of trouble...it's hard to say no to things...I used to do anything and everything, just, you know, for the hell of it, or just to have fun...but there'd be so much trouble...you think of having fun, you think you're going to have fun, and what's wrong with that and then you realize fun turns into trouble and trouble turns into danger.*[275]

Involvement with child protection systems

Data collected by MIWRC

A number of the advocates working with runaway and street youth described a history of removal from the home and placement in a foster care as an important risk factor for Native girls' entry into prostitution. One advocate described working with a Native girl in prostitution whose mother ran away from foster care:

> *Mom aged out of foster care and came to this community on her own from a rural area and just kinda connected really young. She came here probably, I wouldn't say she aged out of foster care, she ran when she was about 16 years old. Came to this area and nobody looked for her, more or less. She ended up connecting with people who were willing to take care of her, females. Who also had experiences of running back to this area because this is where her family is, or was. And she went from there, just started working on the boats. [Duluth advocate]*

Other advocates described working with prostituted Native girls who had been in foster care, and the role of Native parents' own foster placement in trafficking their children. These are some of those comments:

> *[One girl] had just aged out of foster care and she ended up here. [Second speaker] I think removal from the homes, girls in foster care. We've got a lot of kids running from foster homes, you know. [Duluth advocate]*
>
> *Every person I've known in my personal life that has ever been in foster care and that's Native has always been sexually abused. [Second speaker] I think that is a really big issue...What happened to the mom that she [trafficked] her child? [Twin Cities advocate]*

Information from other sources

Research has found that many commercially sexually exploited youth have been involved in the child welfare system. In their book *Being Heard: The Experiences of Young Women in Prostitution,* Gorkoff and Runner reported that 63 percent of prostituted girls and young women in their Canadian study had been involved with the child welfare system as children. Over three-

[275] Straarup D, (1997). Master's thesis: *Maneuvering the maze: Exploring the experiences of fetal alcohol effected adults*, pp. 71 and 72. School of Social Work, University of British Columbia. Retrieved May 16, 2009 from https://circle.ubc.ca/bitstream/2429/6445/1/ubc_1997-0483.pdf

fourths had been in foster and group homes, often for many years.[276] A national study of homeless, runaway and thrown-away youth in the U.S. found that 58 percent of 640 youth staying in shelters and 71 percent of 600 street youth had been placed or spent time in an institutional setting such as a foster home, group home, psychiatric or mental hospital, juvenile detention, or jail.[277]

American Indian youth have the highest rates of out-of-home placement in the state, representing 12 percent of children in foster care but only one percent of the state's child population. Reflecting the data on recurrence in Native child maltreatment cases at six-month and twelve-month follow-up, almost 20 percent of American Indian children that entered foster care in 2007 (19.8%) had re-entered within twelve months of a prior episode.[278] In 2009, nine percent of the children in Hennepin County foster care were American Indian, more than four times their representation in the county's child population.[279]

Foster placement was also a common background experience among non-reservation Native women and girls participating in the 2006 Wilder Research study of homelessness. Over one-fourth of the non-reservation Native girls ages 17 and under (28%) and 24 percent of those ages 18 to 20 reported having left foster care or a group home without a permanent place to go. Overall, almost 30 percent had lived in a group home at some point in time.[280]

Failure to finish high school

Research has found that a minor who has been expelled from school, or who is no longer interested in finishing school, is at a high risk of becoming involved in prostitution.[281] In the Hennepin County study of 70 women on probation for prostitution described earlier, only one of the 17 American Indian women had completed high school.[282]

Statewide, about 41 percent of American Indian students graduated on time in the 2006-2007 school year. Except for Hispanic students, many of whom are English Language Learners, American Indians had the highest dropout rate (34.5%) of any group statewide (see Figure 31).

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[276] Gorkoff K and Runner J (Eds.), (2003). *Being heard: The experiences of young women in prostitution*. Halifax: Fernwood.

[277] Administration for Children and Families, (October 1995). *Youth with runaway, thrown-away, and homeless experiences: Prevalence, drug use, and other at-risk behaviors—A FYSB research summary*. Silver Spring MD: Family and Youth Services Bureau, National Clearinghouse on Families and Youth.

[278] National Indian Child Welfare Association (NICWA), (November 2007). *Time for reform: A matter of justice for American Indian and Alaskan Native children*. Portland OR: National Indian Child Welfare Association.

[279] Minnesota Department of Human Services Social Services Information System, (May 2, 2007). Cited in Hennepin County Child Protection Task Force: Final report. Minneapolis.

[280] Based on analysis of the non-reservation American Indian female subset of the 2006 Homelessness in Minnesota data, provided by Wilder Research.

[281] Cited in Walker N, (2002). Prostituted teens: A problem for Michigan too, in *Prostituted teens: More than a runaway problem*. East Lansing: Michigan State University Institute for Children, Youth, and Families.

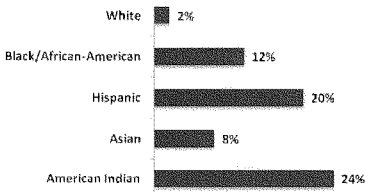
[282] Subset of data provided by Julie Rud, Minneapolis Police Department, used to produce Martin L and Rud J, (2007) *Prostitution research report: Data sharing to establish best practices for women in prostitution*. Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

In Hennepin County, the graduation rate for American Indians was even lower. Unlike other racial groups in the county, American Indian graduation rates did not improve since the previous year, but actually declined from 32.2 percent graduating on time in 2005 to only 30.2 percent graduating on time in 2006. Almost one-fourth (24%) dropped out of school that year (see Figure 32).

31. High school graduation rates, Minnesota public schools 2006-2007 (National Governor's Association rates)[283]

	Graduated on time	Dropped out	Still continuing
All students statewide	73.1%	6.3%	14.3%
American Indian students	41.4%	18. 6%	27.3%
Asian/Pacific Islander students	65.7%	6.0%	19.2%
Black students	41.3%	13.3%	32.6%
White students	80.4%	4.2%	10.7%
Hispanic students (any race)	41.3%	19.5%	23.6%

32. Percent of Hennepin County high school students that dropped out of school in 2006, by race[284]



In their responses to the 2007 Minnesota Student Survey, American Indian girls showed the least attachment to school when compared to girls in other racial groups. Statewide, Native girls were

[283] According to the Minnesota Department of Education, the NGA rate is a four-year, on-time graduation rate agreed to by all 50 states. In addition to grads and drops, it considers continuing and unknown students: these two additional groups add approximately 16,000 students statewide into the measure. For the Class of 2007, the cohort of students was determined by counting first time ninth graders in 2004 plus transfers into the group minus transfers out over the next four years. The NGA rate only considers students who graduate in four years. Data retrieved April 2, 2009 from http://education.state.mn.us/mde/Data/Data_Downloads/Student/Graduation_Rates/index.html

[284] Minnesota Department of Education. Data retrieved April 2, 2009 from http://education.state.mn.us/mde/Data/Data_Downloads/Student/Graduation_Rates/index.html

least likely to report that they like school (74.9%) and most likely to report truancy in the past 30 days (44.5%).[285]

Canadian research has found similarly high drop-out rates among Aboriginal youth. In Canada's 2001 Census, 62 percent of Aboriginal people living on reserves and 48 percent of those living off-reserve had less than a high school education.[286] In Canadian studies of gang-affiliated youth, most Native girls were typically two to three years behind their age cohort if they were still in school, and few finished even a 10th grade education.[287] Two surveys of street-involved Canadian youth over a six-year period found that youth involved in commercial sexual exploitation were much less likely to be in school than those that were not, and the difference in exploited and non-exploited youth's participation in school increased between 2000 and 2006. Though in general, street-involved girls tended to be in school more often than street-involved boys, those that were not engaged in prostitution were much more likely to be attending school than those that were (see Figure 33).

33. Percent of Native street-involved youth in Manitoba studies currently attending school[288]

Percent currently attending school	Prostituted youth	Commercial youth
2000 Street-Involved Youth Survey (boys and girls)	58%	63%
2006 Street-Involved Youth Survey (boys and girls)	57%	66%
2006 Street-Involved Youth Survey (girls only)	60%	76%

Mental and emotional vulnerability

Data collected by MIWRC

Advocates at both MIWRC round tables described issues related to mental health as a significant factor in Native girls' vulnerability to recruitment into the sex trade. Several advocates emphasized the effect of generational trauma on Native families, and by extension, the effect on Native girls' emotional vulnerability. These are some of their comments:

[285] Cited in Women's Foundation of Minnesota, (April 2008). *Status of girls in Minnesota*. Retrieved April 3, 2009 from http://www.wfmn.org/PDFs/StatusOfGirlsInMN_FullReportFINAL.pdf

[286] Dyck L, (November 2006). *Reaching Aboriginal youth: Issues and challenges in education*. Presentation at the STAN conference.

[287] Nimmo M, (2001). *The "invisible" gang members: A report on female gang association in Winnipeg*. Manitoba: Canadian Centre for Policy Alternatives.

[288] Saewyc E, MacKay L, Anderson J, and Drozda C, (2008). *It's not what you think: Sexually exploited youth in British Columbia*. Vancouver: University of British Columbia School of Nursing. Report based on data from surveys conducted by the McCreary Centre Society, Vancouver BC. Retrieved May 1, 2009 from http://www.nursing.ubc.ca/PDFs/ItsNotWhatYouThink.pdf

> *And then another situation is young women who are vulnerable to mental health issues. This is something that I always see. [Second speaker] Their home life is not as functional, there's a lot of chaos. So, there's all this chaos going on, so the other supports that other kids might have, like at school or those things, they're just not in place. [Duluth advocates]*
>
> *We're talking mental health, we're talking about borderline personality disorders, post-traumatic stress, anxiety. Bipolar. And I think in the beginning, it's dissociation. [Second speaker] Right, because that's the only way to deal with it, is you dissociate, it's like an out of body experience. They go somewhere else or they become someone else to be able to detach what they just had to go through, so they turn into nicknames and secondhand names. I was Diamond on the street, even though I'm _____ in real life, and Diamond is a whole another personality. [Twin Cities advocate]*
>
> *That void. Culture and identity, all those things that lead to that searching and that hopeless feeling of 'There's no place for me,' all that conflict between two worlds and just being vulnerable to being taken somewhere down a path. [Duluth advocate]*

Information from other sources

American Indian women's high rates of violent physical and sexual victimization have mental health consequences. Depression in Native women is frequently linked to a history of child abuse, adult revictimization, and lifetime abuse.[289] The American Psychological Association (APA) describes anxiety, depression, insomnia, irritability, flashbacks, emotional numbing, avoidance of situations or activities and/or hypervigilance as manifestations of post-traumatic stress disorder (PTSD), which can result when a person has "experienced, witnessed, or been confronted with an event or events that involve actual or threatened death or serious injury, or a threat to the physical integrity of oneself or others," and when "the person's response involved intense fear, helplessness, or horror."[290]

Researchers have found high rates of PTSD among American Indian women.[291] One study found that depression, PTSD, and suicide are strongly related to Native women's experiences with forced sex by a partner.[292] Exposure to racial discrimination has also been found to play a role Native girls' mental health, often resulting in withdrawn behavior, anxiety, depression, and physical complaints related to stress.[293] In a study of American Indian teen mothers, 61 percent reported interpersonal violence. There was a significant relationship between the teens' violent

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[289] Bohn D, (2003). Lifetime physical and sexual abuse, substance abuse, depression, and suicide attempts among Native American women, *Issues in Mental Health Nursing 24*(3): 333-352.

[290] American Psychiatric Association, (2000). *Diagnostic and statistical manual of mental disorders DSM-IV-TR (Fourth ed.)*. Washington D.C.: American Psychiatric Association.

[291] Robin R, Chester B, and Goldman D, (1996). Cumulative trauma and PTSD in American Indian communities, in Marsella A, Friedman J, Gerrity E, and Scurfield R (Eds.), (1996). *Ethnocultural aspects of posttraumatic stress disorder: Issues, research, and clinical applications*, pp. 239-254. Washington DC: American Psychological Association.

[292] Hamby S and Skupien M, (1998). Domestic violence on the San Carlos Apache Indian Reservation: Rates, associated psychological symptoms, and current beliefs, *The Indian Health Service Primary Care Provider* 23: 103-106.

[293] Whitbeck L, Hoyt D, Simons R, Conger R, Elder G, Lorenzo L, and Huck S, (1992). Intergenerational continuity of parental rejection and depressed affect, *Journal of Personality and Social Psychology 63*:1036-1045.

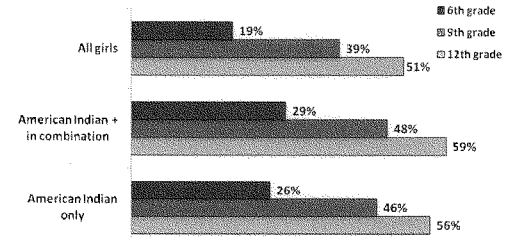
victimization and their likelihood of substance abuse and PTSD symptoms such as dissociation, defensive avoidance, intrusive experiences, and anxious arousal.[294]

In a recent study with prostituting women in Vancouver, over half were Aboriginal. Researchers found that 89 percent had at least one post-traumatic stress disorder (PTSD) symptom: 81 percent reported at least three numbing and avoidance PTSD symptoms, and 85 percent reported at least two physiological hyper-arousal symptoms.[295] These included:

- Having a difficult time falling or staying asleep
- Feeling more irritable or having outbursts of anger
- Having difficulty concentrating
- Feeling constantly "on guard" or like danger is lurking around every corner
- Being "jumpy" or easily startled

Native girls responses to the 2007 Minnesota Student Survey indicate that many are experiencing some level of emotional stress. At all three grade levels, a larger proportion of Native girls reported feeling high levels of emotional stress when compared to girls in the general population (see Figure 34).

34. Girls that felt under stress/pressure "quite a bit" or "almost more than I could take," statewide*



**2007 Minnesota Student Survey*

Native girls responding to the 2007 Minnesota Student Survey also more frequently reported that they had thought about suicide and that they had attempted suicide in the past 12 months than girls in the general population (see Figures 35 and 36).

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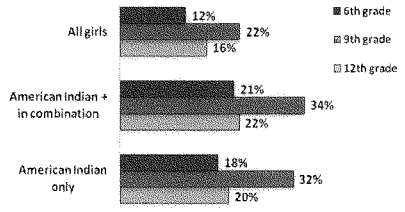
[294] Mylant M and Mann C, (July 31, 2008). Current sexual trauma among high-risk teen mothers, *Journal of Child and Adolescent Psychiatric Nursing*. Retrieved June 1, 2009 from http://www.blnz.com/news/2008/09/02/Current_Sexual_Trauma_Among_High-Risk_9060.html

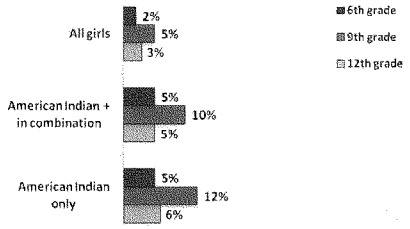
[295] Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271.

35. Girls that thought about killing themselves during the past year, statewide*



**2007 Minnesota Student Survey*

36. Girls that tried to kill themselves during past year, statewide*



**2007 Minnesota Student Survey*

A recent study found that 29 percent of American Indian teens believed they had only a 50-50 chance of living to age 35, compared to 10 percent of white teens. Teens that predicted a high likelihood of early death were much more likely to engage in subsequent risky behavior.[296] SAVE (Suicide Awareness Voices of Education) reports that the suicide rate for American Indian youth ages 10 to 15 in Minnesota is two to three times the rate of other groups in the state.[297] In Canada, the 2003 completed suicide rate for Aboriginal female youth ages 15 to 24 was almost 9 times that of female youth in the general population.[298] Many Native youth also do

[296] Borowsky I, Ireland M and Resnick M, (2009). Health status and behavioral outcomes for youth who anticipate a high likelihood of early death, *Pediatrics 124*(1): 81-88.

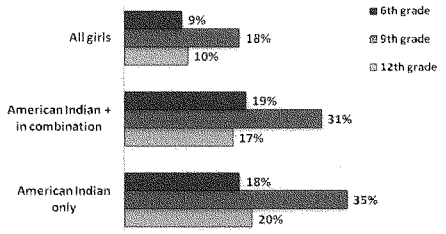
[297] Suicide Awareness Voices of Education (SAVE), (no date). Minnesota youth suicide statistics. Retrieved June 29, 2009 from http://www.save.org/index.cfm?fuseaction=home.viewPage&page_id=E9794786-DA70-AAB0-BABB61E8CC2F8EE0

[298] Health Canada, (2003). *A statistical profile on the health of First Nations in Canada.* Ottawa: Health Canada, First Nations and Inuit Health Branch.

not seek help when they feel distressed. A study with 101 American Indian youth who had attempted suicide found that 74 percent had not sought any help. Their most common reasons were embarrassment, not recognizing the problem, a belief that nobody could help, and feeling a need to rely on themselves.[299]

Self-injury (self-cutting/slashing or burning) is often used as a proxy measure for emotional well-being. Self-injury appears to be common among American Indian girls in Minnesota. Sixth and 9th grade Native girls responding to the 2007 Minnesota Student Survey reported having deliberately hurt themselves during the past year much more frequently than other girls (see Figure 37). The reduced percent of Native 12th grade girls reporting self-harm and their lower rates of reporting problematic alcohol use may be related to the extremely high American Indian drop-out rate. It is possible that Native girls that continue in school to this grade level are those with the strongest coping strategies, support systems, and/or life skills.

37. Girls that hurt themselves on purpose during the past year, statewide*



**2007 Minnesota Student Survey*

Research with homeless youth in the U.S. has resulted in similar findings. In a study of 428 street youth in Washington State, 14 percent were American Indian. Self-injurious acts were found to be extremely common; 69 percent of the youth reported that they had engaged in self-injury. A history of sexual abuse, physical abuse and neglect, and what the authors described as "deviant survival strategies" were found to be related to self-injury.[300]

Canadian research with prostituted Aboriginal adolescents on probation found that almost one-third had engaged in self-harm (self-cutting or slashing),[301] a rate very similar to that of 9th grade

[299] Freedenthal S and Stiffman A, (2007). "They might think I was crazy": Young American Indians' reasons for not seeking help when suicidal, *Journal of Adolescent Research, 22*: 58-77.

[300] Tyler K, Whitbeck L, Hoyt D, and Johnson K, (2003). Self-mutilation and homeless youth: The role of family abuse, street experiences, and mental disorders, *Journal of Research on Adolescence 13*(4): 457-474.

[301] Schissel B and Fedec K, (January 2009). The selling of innocence: The gestalt of danger in the lives of youth prostitutes, *Canadian Journal of Criminology*. Pp. 35-56.

Native girls responding to the Minnesota Student Survey. A Canadian study of incarcerated Canadian women who reported engaging in self-harm found that 64 percent were Aboriginal. These are some of the reasons participants gave when asked what motivated them to cut or slash themselves:

- A cry for attention or nurturing
- Self-punishment or self-blame
- Coping with isolation or loneliness
- Distracting themselves from or cleansing themselves of emotional pain
- A way to feel again, or to re-connect with reality
- Expression of painful life experiences
- Feeling in control, having power over self[302]

VI. Barriers to exiting the sex trade

The vast majority of prostituted women and girls want to leave prostitution.[303, 304] Despite that desire, most remain in the sex trade, for a variety of reasons. The following are the major barriers described by advocates attending the MIWRC round tables and in the literature produced by researchers and programs working with prostituted Native women and girls.

Inadequate support to ensure safety

Limited access to emergency or supportive housing

Studies of women and girls in prostitution cite a lack of safe shelter as the primary barrier to assisting those who want to leave the sex trade.[305,306] The advocates attending the MIWRC round table discussions also identified the absence of safe housing options as the major barrier for women and girls seeking to escape prostitution. These are some of their comments:

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[302] Wichmann C, Serin R and Abracen J. (2002). *Women Offenders Who Engage in Self-harm: A Comparative Investigation*. Ottawa: Correctional Service Canada.

[303] Farley M and Lynne J, (2005). Prostitution of indigenous women: Sex inequality and the colonization of Canada's Aboriginal women, *Fourth World Journal 6*(1): 21-29.

[304] Elizabeth Fry Society of Toronto, (1987). *Streetwork outreach with adult female prostitutes: Final report*. Cited in Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271.

[305] Priebe A and Suhr C, (September 2005). *Hidden in plain view: the commercial sexual exploitation of girls in Atlanta*. Atlanta: Atlanta Women's Agenda.

[306] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation*. Save the Children Canada.

> *It's like, 'Why would I waste my time talking with you about the situation, because there is nothing as a housing resource or as an advocate that you are going to be able to do. I think they're very aware that they're alone in that. [Duluth advocate]*
>
> *It's really frustrating when you have someone come in who says, 'I'm in this situation where I'm getting brought down to the Cities and I need to come back home.' Okay, we get a ticket so that person can come back home, and then it starts happening again by another family member, and then they're homeless and we can't move. We need a network of resources that are aware of the issue, and that can talk openly with about what we can do, and bring those resources together. We just don't have that right now. [Duluth advocate]*

Several advocates described federal regulations for public housing programs as a significant barrier for many prostituted Native women and girls with a felony conviction, which makes them automatically ineligible. Some advocates reported that most transitional housing programs and domestic violence shelters will refuse women and girls entry if they disclose that they have been prostituted. Minnesota state law also allows landlords and managers of subsidized housing to refuse to rent to a person with a history of prostitution.[307]

Some advocates described additional rules at battered women's shelters that effectively lock out Native women and girls in prostitution, simultaneously sabotaging advocates' efforts to help them exit the sex trade. These are examples of the stories they told:

> *I worked with someone for three years who was stripping. She was sexually abused as a child, got married at eighteen to someone who was abusive to her and when they got divorced she did all the things she was supposed to. Got her child got out, that's it. There's a strip club down the road that she made a little money at and she was good looking and was able to do that, and pretty soon now that's the only work experience she has, that's her whole entire life. She managed to get her son through high school and now he's out. She's traveling the circuit, she can't make any money, she's getting stuck places, sleeping in her car, staying at guys' houses who are holding guns to her head. She doesn't use, completely sober. And I spent three years with appointments over the phone, she'd call me from all over and talk. What kind of brought her to leaving is that she just could never be safe. There was no place to go. She couldn't get a job, she couldn't get into a [women's] shelter where she lived, and so I said if she could get up here we would get her into a shelter up here. And they kicked her out almost immediately and told her to go to the homeless shelter. She was used to being up all night, and that was an issue at the shelter. That was her job hours. I mean she was up until six in the morning and then slept all day, and that was what she got in trouble for and got kicked out for. [Duluth advocate]*
>
> *All of the places we outreach workers have to refer these young women and girls to, there's rules, there's curfews, you can't be chemically dependent or anything...they'll be at the point where they want help. They'll try it out and realize 'No, this isn't working for me. I'm not getting my needs met' and they go back into the same situation and they burn a lot of bridges. They have shelters saying 'No, you've been here once before. You can't come back.' Then they have nowhere to go. [Duluth advocate]*

[307] Carter V. (1999). Breaking Free, in Hughes D (Ed.), *Making the harm visible: Global sexual exploitation of women and children.* Kingston RI: The Coalition Against Trafficking in Women.

Absence of other options for self-sufficiency

As noted earlier in this report, most American Indian women and girls in the sex trade have not completed high school, so they rarely have marketable job skills or a formal employment history. Though 90 to 95 percent want to get out of the sex trade, most do not feel they have any other realistic options for earning enough money to survive.[308,309]

Distrust of law enforcement

Advocates at both round tables described Native women's and girls' distrust of police, fear that they would be arrested if they asked police for help, and fear that their trafficker would suffer no real consequences even if they did file a complaint and agree to testify. Some Minneapolis advocates reported interactions with city police in which they or their clients felt they were not treated well, and advocates working with prostituted Native girls in Duluth expressed frustration that the FBI chose not to prosecute a recent case involving four trafficked girls even though the girls were willing to testify and Duluth police had gathered extensive evidence. Echoing the Duluth advocates' stories, Kathy Black Bear at Rosebud Tribal Services in South Dakota reported that last year, an underage Rosebud girl living in Sioux Falls was trafficked to Mexico and kept there from January to March 2008. Ms. Black Bear reported that the FBI declined to investigate the case, so the tribe hired a private investigator to travel to Mexico, who successfully found the girl and brought her home. No charges were ever brought against the trafficker.[310]

Conversations with police officers suggest that limited staff time and budget constraints are often the reason that more pimps are not investigated. A Minneapolis police office explained that this is difficult when only two officers are assigned to prostitution-related crime citywide, and their other responsibilities allow them to spend an average of one week per month on prostitution-related investigations.[311] A second Minneapolis police officer reported that his unit would like to do more to apprehend pimps, but to do so requires significant planning, the cooperation of the person being prostituted, and a task force of five or six officers. He said that these costs tend to limit law enforcement efforts to the investigation of large prostitution rings that traffic minors, preferably those that also traffic drugs.[312] The same officer acknowledged that arresting the prostituted woman is generally considered the most expedient way to ensure her cooperation in securing adequate evidence to successfully prosecute her pimp.[313]

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[308] Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271.

[309] Elizabeth Fry Society of Toronto, (1987). *Streetwork outreach with adult female prostitutes: Final report.* Cited in Farley M, Lynne J, and Cotton A, (2005). Prostitution in Vancouver: Violence and the colonization of Aboriginal women, *Transcultural Psychology 42*: 242-271.

[310] Telephone interview with Kathy Black Bear, Rosebud Sioux Tribal Services, on April 6, 2009. Cited with permission.

[311] Interview with Minneapolis police officer, December 31, 2008.

[312] Meeting in Minneapolis, May 13, 2009.

[313] *Ibid.*

A study of prostituted women in Hennepin County using SIP (Subject in Process) numbers from the Hennepin County Court system confirmed that each woman convicted of prostitution had an average of eight prostitution-related arrests.[314] Minneapolis Police Department 3rd Precinct Inspector Lucy Gerold reported that the department does conduct "john stings" to arrest purchasers of sexual services, but noted that most have been allowed to plea bargain their sentences down to restorative justice.[315] In September 2008, Susan Segal, the Minneapolis City Attorney, reported that her office was currently reviewing its plea bargain standards in "john cases," and that prevention and treatment for prostituted girls is the focus of the department's work and the direction taken in the prostitution review calendar with the court.[316]

In a series titled "Lawless Lands," the *Denver Post* reported that from 1997 to 2006, federal prosecutors rejected almost two-thirds of reservation cases brought to them by FBI and Bureau of Indian Affairs investigators. The newspaper described some of the reasons that this occurred:

> *Investigative resources are spread so thin that federal agents are forced to focus only on the highest-priority felonies while letting the investigation of some serious crime languish for years. Long delays in investigations without arrest leave child sexual assault victims vulnerable or suspects free to commit other crimes, including, in two cases the Post found, homicide. With overwhelmed federal agents unable to complete thousands of investigations or supplement those done by poorly trained tribal police, many low-priority felonies never make it to federal prosecutors in the first place... Federal investigators usually take the lead when the victim is 9 or younger, authorities say; tribal investigators take the lead with older victims. But federal prosecutors often decline those cases precisely because the victim has been interviewed too many times or by investigators who aren't specially trained to handle child sexual assault.*[317]

It was outside the scope of this report to get extensive input from law enforcement personnel on this barrier, but a larger discussion of their perspectives should be included in future reports on this topic.

Child protection policies

Some advocates working with adolescent girls reported encountering challenges when child protection policies and priorities prevented opening a case for an adolescent girl who was being prostituted or was at extremely high risk of being prostituted. These are two of their stories:

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[314] Hope L and Martin L, (2006). *Prostitution Project.* Cited in Martin and Rud (2007). *Prostitution research report: Data sharing to establish best practices for women in prostitution.* Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

[315] E-mail correspondence from Inspector Gerold to Suzanne Koepplinger, Executive Director of the Minnesota Indian Women's Resource Center, September 2, 2008.

[316] E-mail correspondence from City Attorney Segal to Suzanne Koepplinger, Executive Director of the Minnesota Indian Women's Resource Center, September 12, 2008.

[317] Riley M, (November 11, 2007). Lawless lands: Promises, justice broken. *Denver Post.* Retrieved February 2, 2009 from http://www.denverpost.com/ci_7429560

> *We dealt with a case where the girl was screaming for help and even did a self-report and they wouldn't open the case until the mother abandoned the kids. One of the things is, it's very dependent upon the youth's age. If they are 16, 17, they all just become disposable, forgotten. And if you don't get all of the information from the youth, if you don't have enough substantiated evidence about who, what, when, where, why, they can't open cases, they have nothing to work with. And the girls are not gonna talk. [Second speaker] Exactly. Even though we're mandated reporters and we're supposed to tell those things, if we don't have enough information, they can't open the case. You have to have enough information to warrant the opening of the case, or to even get them to investigate. [Twin Cities advocates]*
>
> *Number one, there's instances where child protection should be called, but we're finding gaps on why they can't be called. Two, there's this concern among mothers about child protection, that it's bad. In some of these cases I think that it would be helpful...These are younger girls, and they are being prostituted or are at very high risk of being prostituted. In the one case I couldn't prove nothing but the mother wouldn't let her get medical treatment, and I called around and they wouldn't let me take her as an advocate without Mom's signature. And so, I couldn't even get her the medical treatment without mom and the county didn't think that it would be a child protection case. But then I called it in three times just to see if I could get help. I just said 'I don't even want it to be a child protection case. I just want you to find me a loophole.' They did find me a loophole. [Twin Cities advocate]*

The scope and time frame for this report also limited our ability to access the perspectives of county child protection workers, which should be included in further discussions of this issue.

Limited resources for support and healing

Lack of services designed for Native women and girls in prostitution

Advocates repeatedly emphasized the fact that very few of the programs and services available to prostituted Native women and girls are designed to meet their needs, especially when they have not yet reached the point where they have made a firm commitment to leaving prostitution. These are some of their comments:

> *When she has to stay places where people hold guns to her head, when she has to sleep in her car, when she's taking off all of her clothes off for a dollar, and she doesn't have anything, she's never ever once applied for a job, has no job history, nothing. She's going into her fifties. She's also aging out of the business. So what ended up happening [when we couldn't get her into a shelter] was we found a place for her where she could go for a period of time in a whole different city and we got four tires donated for her car and filled it full of gas and off she went. And that was the best we could do. And she was here and she knew us, we could provide counseling and we could provide stuff. It was just so, I don't know, a very sad situation. [Duluth advocate]*
>
> *We ask our women, 'What do you need?' but our services aren't set up to help them, and I feel like it's an injustice to them, to pry into their life and say 'What the hell is going on, and how can I help you?' We don't even know, and our services aren't set up for that, so what can we do as organizations to make sure that we're all on the same page, that we treat the survivor the same no matter way? [Twin Cities advocate]*

Advocates also described the absence of programming that holistically addresses Native girls' and women's mental health, substance abuse, and safety issues. This is one of their comments:

> *What are you going to do to get her out? Because recognizing them, identifying them, that's great—but once she's ready to get out, are you going to have a place for her? This is not an overnight fix. This is not just 'Get her housing and her whole life is going to be better.' We're talking about incest, mental health issues, trauma that is life-long. [Duluth advocate]*

Advocates at both round tables described the ways that funders' requirements can impede prostituted Native women's and girls' access to the support they need. These are some examples of their comments:

> *[The programs I work with] are battered women's programming, and the attitude is 'It doesn't happen here' because there's no money for it [working with trafficked women], for them to have that kind of programming. When I used to run the shelter here, we never touched on that, that wasn't something we ever, ever talked about...But, like in Red Lake...the [reservation's] shelter there doesn't have programming for helping women in prostitution either. [Duluth advocate]*
>
> *The other piece is that in housing funding streams, the programming has become more and more [difficult]. The reporting and the documentation and the things that they're supposed to track, that advocates can't keep up with just 'Let's get you into housing.' Housing is really complicated, it takes a lot of time and energy to get all that stuff in place.' [Duluth advocate]*

Advocates and others have commented that there is also a significant lack of federal funding or state funding for assisting domestically trafficked and prostituted adult women. Though the Trafficking Victims Protection Act provides for a grant program that local and state authorities can use to provide services to mostly U.S. citizen victims, those funds were never requested by the Department of Justice, and subsequently no programs were ever funded.[318] Violence Against Women Act (VAWA) monies can be used for services to women in prostitution, but cannot be used for services to domestic victims of sex trafficking.[319,320] Victims of domestic violence and physical or sexual assault are eligible for reparations through Victims of Crime Act (VOCA) funding, but not if they were "committing a crime or any misconduct that is connected with the incident"—which automatically excludes prostituted women who have been beaten or sexually assaulted by a pimp or a john."[321]

Inadequate support from the mental health system

Earlier in this report, we described the overall emotional and mental vulnerability of Native girls and women, particularly the prevalence of post-traumatic stress disorder (PTSD). Life in

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[318] Hughes D, (July 30, 2007). Enslaved in the U.S.A.: American victims need our help, *National Review Online*. Retrieved June 14, 2009 from http://article.nationalreview.com/?q=ZDU0OGNlMDcwM2JmYjk0N2M0OTU4NGVlMTBlMmEyMjI

[319] *Ibid.*

[320] Minnesota Office of Justice Programs, (2007). *Violence Against Women Act FFY 2007-2009: Minnesota Office of Justice Programs State implementation plan*, p.6. Retrieved July 24, 2009 from http://www.ojp.state.mn.us/publications/VAWA_FFY07-09_Implementation_Plan.pdf

[321] Minnesota Senate, (April 22, 2009). *Public Safety Budget Division update*. Retrieved May 30, 2009 from http://www.senate.leg.state.mn.us/committees/2009-2010/finance_public_safety/update.htm

prostitution adds another layer of significant mental health consequences to pre-existing emotional problems. The advocates described many prostituted Native women and girls as living in a constant state of fear that is based on past experiences and current threat.

Research has found that prostituted women and girls often dissociate to survive psychologically, allowing their minds to distance themselves from experiences that are too much for them to process at the time.[322,323] Some survivors of abuse describe this as "leaving your body."[324] Frequent dissociation leads to a lack of connection in a person's thoughts, memory and sense of identity.[325] This significantly hampers a prostituted woman's or girl's ability to take steps to remove herself from a painful or dangerous situation.

In order to reach a level of stability that is needed to successfully exit the sex trade, many need mental health services while they are still in prostitution. As the advocates noted, most mental health professionals have no experience providing services to women living in the equivalent of a war zone, where rape and injury are routine occurrences and there is no protection against either. Though recognizing a need for psychiatric and psychological services for severely traumatized and mentally ill prostituted women, many of the advocates at the Minneapolis round table reported significant discomfort with having to secure a mental health diagnosis as a condition for rapid access to emergency or supportive housing. Some were also concerned about the mental health field potentially becoming the favored approach for addressing prostitution. These are some of the comments from that discussion:

> *Right now mental health is what is being funded the most, so a lot of times our women cannot receive resources until we get her the diagnosis. People are handing out the diagnosis, and that can be because they know housing comes first, and the most open model to people in prostitution is 'We'll take you where you're at and we'll move you forward rather than making you do those steps.' You can't even get them into a lot of housing programs that focus on where you are now, until you get a diagnosis. We have one woman we're working with, she got a diagnosis from, like, five doctors. [Twin Cities advocate]*
>
> *Plenty of women that I have worked with have been diagnosed as bipolar then get the medication that goes along with it. So it concerns me, that once women have that diagnosis, then the medication is it, that's the treatment. None of the other issues are addressed. [Twin Cities advocate]*

In addition to these concerns, advocates also described misdiagnosis and over-diagnosis as significant problems in assisting Native women and girls in prostitution as well as those trying to exit. Some questioned whether the criteria for certain mental health disorders were even appropriate for prostituted American Indian women and girls. These comments are part of those discussions:

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[322] McLeod E, (1982). *Women working: Prostitution now*. London: Croom Helm.

[323] Holgard C and Finstad L, (1992). *Backstreets: Prostitution, money, and love*. Cambridge: Polity.

[324] Cori J and Scaer R, (2008). *Healing from trauma: A survivor's guide to understanding your symptoms and reclaiming your life*. Cambridge MA: Da Capo Press.

[325] National Mental Health Association, (2009). *Fact sheet: Dissociation and dissociative disorders*. Retrieved June 29, 2009 from http://www.nmha.org/go/information/get-info/dissociation-and-dissociative-disorders

> *That diagnosis of bipolar, I think it's archaic. We're talking about trauma, multiple generations of trauma. There's papers out about the trauma of racism which Native women experience. It's like not only the racism, the sexism, a lack of acknowledgement of the history of Native people and what this particularly means for women who have been exploited. That diagnosis doesn't accurately describe our experiences. And so the mental health field is kind of off the hook in addressing the social problems that go with that. And it's like, 'Here, we've done our share, this is what she has, give her the pills and refer her onto someone else.' [Twin Cities advocate]*
>
> *There's one other side to dissociation, there's a positive side to that, and where that takes you is just spirituality. When you go out of body it's like you go into the spirit world. What does that mean? What is that about? Healing. Instead of all this 99.99% of negative stuff about what happening to you. And so, I've found women responsive to that and questioning what that meant for them. And that leads us right down the road of healing and spirituality. 'What does dissociation mean for you, and how do you find safety in that?' [Twin Cities advocate]*
>
> *A counselor or a therapist can recognize some of the symptoms of PTSD as bipolar, or as schizophrenic. And unless you are well versed, or, I don't want to discredit any therapist, but I think doing more research and more involvement of what happens with mental health is needed, and I don't think a lot of therapists do that. Then you're stuck into a category. Because research is showing that PTSD has a lot of symptoms and if you're saying 'Oh, well she has disassociated, therefore she's schizophrenic...' [Twin Cities advocate]*

Dependency, denial, and distrust of advocates

Advocates at both round tables described the tendency of prostituted Native women and girls to insist that they are in prostitution by choice, and to minimize or deny any harm they have experienced. These are some examples of those comments:

> *Finally, it got to the point where she wanted to leave, but this was absolutely not abuse to her. She was in control of her body, and those guys were idiots that wanted to give her any money for it. And, the fact of the matter was that she was never safe. [Duluth advocate]*
>
> *Their mentality is 'This guy is taking care of me. He has provided for me. My family has let me down and this man cares about me. So, no matter what you guys are trying to tell me, I'm not trying to hear that because when you're gone at 5 o'clock he's still gonna be here. So everything you're telling me is a lie because he takes me home, he takes care of me, and me turning tricks is okay because I need to help out somehow. I can't work, I don't have a job and I can't find a job, so I'm doing what I can to help out.' [Twin Cities advocate]*
>
> *One of the girls' mom used to work out on the boats and she come in and wanted to get an order against the guy who she thought but couldn't prove was pimping out her girl. That girl to this day still says 'He loves me and blah blah blah.' Puke everywhere, because he doesn't love you. He's shamelessly exploiting you and using you. [Duluth advocate]*

Joe Parker, co-founder of a foundation that provides services to prostituted women and men, argues that this type of loyalty must be viewed as a manifestation of Stockholm Syndrome, a psychological condition common to hostage situations in which the hostage becomes emotionally bonded to her captor.[326,327] In a book chapter, Parker wrote:

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[326] Parker J, (2004). How prostitution works, in Stark C and Whisnant R (Eds.), *Not for sale: Feminists resisting prostitution and pornography*, pp. 3-14. North Melbourne: Spinifex Press.

> *When the victim cannot fight or flee, she may try to form a protective relationship with her captor. She hopes that if she can prove her love and loyalty to the pimp, she can 'love' him into being good. This can become such a desperate attachment that she actually believes she loves him, and passes up chances to escape. Stockholm Syndrome is often the real reason for what others see as the 'choice' to stay in the sex industry.*[328]

At the round tables, advocates emphasized the extensive period of time it takes to build enough trust that prostituted Native women and girls are even open to considering that they are being exploited, and the longer period of time it takes until they become willing to leave the sex trade. Several advocates described their methods for giving younger girls time and space to tell what happened to them, to begin building that trust. This is one of their comments:

> *You've got to have that relationship, it isn't even a matter of asking the right question...I mean, once I know I've got that confidence with them and they're talking about problems and living in the cities, whatever, how horrible it was down there. So I ask questions about that. Maybe we're just starting to ask. But there still needs to be that relationship there. We're not doing the intake form with them. You know, when I get women where they start talking for some reason it's in the car. Even if we're sitting in the office it's 'Let's get some Dairy Queen,' just so I can get them in the car. [Duluth advocate]*

Some advocates cautioned that prostituted Native girls and women need to be offered options, saying that any programming that requires them to adopt a belief system, even one based on Native spirituality and healing, could potentially have a negative impact. This is one of their comments:

> *With some people who have been through so much trauma, are they even gonna be able to have faith right away in anything? So if you put them in [an immersion program based on Native spirituality] right away, is it gonna maybe push them away from that? What about people who go do that and then say 'That's just one more person playing on my vulnerability,' even if it was well intended? I wouldn't get my [Indian] name at that point, I would not...I look back and I think 'That's asking a lot. You know, it's one thing to sort of have my body but you will never have my mind,' right? When you're coming from that very protective space, you just get irritated and hate everybody. [Duluth advocate]*

Fear, shame, and the "don't talk" rule

During the round table discussions, several advocates commented that Native communities are often aware that certain families in the community are sexually exploiting and trafficking their girls into prostitution, but ignore the signs that this is occurring because they are reluctant to "interfere." Long-time advocates described this as the "don't talk" rule, and reflected that at one time, this same silence existed around domestic violence in Native communities. They felt that until communities start talking openly about sexual abuse, sexual assault, and commercial sexual exploitation, these problems will not cease. These are some comments from those discussions:

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[327] Carver J, (undated). Love and Stockholm Syndrome: The mystery of loving an abuser (Part 1), *Counseling Resource*. Retrieved June 29, 2009 from http://counsellingresource.com/quizzes/stockholm/

[328] Parker J, (2004). How prostitution works, in Stark C and Whisnant R (Eds.), *Not for sale: Feminists resisting prostitution and pornography*, pp. 3-14. North Melbourne: Spinifex Press.

> *We've got families that have been in prostitution for generations and you get one that starts talking, she's out of the family. You know, even sisters who were sexually abused by their father also, they're mad at her, you know, 'You better not move back to our rez.' [Second speaker] And then that causes a lot of drinking and drugs because they're ousted. [Duluth advocates]*
>
> *You do not call the police. I don't care what is going on, you call the police and your house will get stoned. Even neighbors who were not involved in what was happening. You just do not do it. That is a big piece that these women and girls are getting, when they're little. [Duluth advocate]*
>
> *One of the things we need to work on is that denial. We first have to recognize that this is happening...In our community, what is slowly killing us is that denial, that there is sexual abuse, there is incest happening, and as a result we're setting our future off to be utilized by someone else sexually. [Twin Cities advocate]*

When some of the advocates were discussing the need to get the community talking about commercial sexual exploitation, especially families prostituting their children, others responded that when they had opened discussions about incest and sexual assault in their own communities, many elders disapproved. This is an example comment from that discussion:

> *Um, some of the elders don't appreciate that. [Second speaker] Oh, I know, I know. I was 'that nasty girl who talks nasty.' [Duluth advocates]*

Research with Native child victims of physical and sexual abuse, physical and sexual assault, and commercial exploitation supports the advocates' reports. In one study with American Indian survivors of childhood sexual abuse, participants told researchers that when Native women or girls are sexually assaulted by a family member, they often fear being ostracized by their extended family if they report the assault. Reporting a family member, or even a member of another Native family in the same community, could result in significant social repercussions, so most victims do not report the assault.[329] In recent interviews with sexual violence survivors, activists, and support workers in three regions of Indian Country (Standing Rock Sioux Reservation in North and South Dakota, the State of Oklahoma, and the State of Alaska), Amnesty International also found that violence against Native women often goes unreported. In fact, a number of the women that were interviewed agreed to speak only if their anonymity was guaranteed. The researchers described barriers to reporting that included fear of breaches in confidentiality, fear of retaliation, and a lack of confidence that reports will be taken seriously or result in perpetrators being brought to justice.[330]

In the Canadian study with 150 commercially sexually exploited Aboriginal youth in 22 communities described earlier, prostituted youth that bad run away from home told interviewers that in their home communities, there is no one they could talk to about the physical and sexual violence they had experienced at the hands of family members and other adults in the

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[329] Gonzales J, (1999). Native American survivors, in California Coalition Against Sexual Assault, *Support for survivors manual*, pp. 257-259.

[330] Amnesty International, (2007). *Maze of injustice: The failure to protect indigenous women from sexual violence in the U.S.* London: Amnesty International.

community. The youth reported that people are often reluctant to "interfere," which leaves victims with no source of help or support. The youth felt that either they would not be believed, and/or that telling someone would simply trigger new violence.[331]

Absence of a common, evidence-based approach

At the round tables, advocates described two additional barriers they have encountered in trying to determine what services and approaches would result in the best outcomes.

The first is the absence of appropriate training for anyone working with prostituted Native women and girls, provided by people with cultural knowledge and extensive experience working with this population. The advocates reported that because addressing this issue is relatively new to Native communities, no common language or body of knowledge has been established. They felt that participating in the round tables and sharing information and perspectives had significantly increased their own knowledge and awareness, but felt that training is extremely important for advocates that have never been exposed to hearing stories of trauma this severe. The advocates with long-term experience working with prostituted Native women and girls emphasized the importance of training advocates on self-care, which they felt to be critical for working with such a traumatized population while staying balanced and avoiding burn-out.

The second barrier the advocates requested assistance in surmounting is the lack of a systematic approach to collecting reliable data about the number of Native women and girls involved in the various forms of commercial sexual exploitation, the number that meet the state's legal definition for trafficking, their current paths of entry, the prevalence of violence they are experiencing, and their needs while in prostitution and when trying to exit. Many of the advocates at both round tables voiced a high level of interest in participating in a collaborative data collection effort if MIWRC or a collaborative group would provide a questionnaire and technical assistance and enter and analyze those data. There was strong agreement at both round tables that these data are essential for effective planning and services.

[331] Kingsley C and Mark M, (2000). *Sacred lives: Canadian Aboriginal children and youth speak out about sexual exploitation.* Save the Children Canada.

VII. Conclusions

On July 22, 2009, MIWRC held a listening session with 33 Native community leaders and elders to discuss the draft of this report and to gather input on recommended action steps. Their comments are included in the following discussion.

The social ecology of vulnerability

Overall, the information we gathered for this report demonstrates that the sex trafficking of Native women and girls is neither a new problem nor a rare occurrence. It is, however, a very complex problem in its origins, activities, and solutions.

In reviewing our findings, we recognized that a social ecology framework is a useful lens for summarizing the influences that contribute to Native girls' and women's involvement in the sex trade. Social ecology is the study of people in their environment and the influence of that environment on human development and behavior.[332] This theoretical model allows for examination of layered social and economic influences on Native children's ability to develop the four beliefs described at the beginning of this report as essential for a coherent and resilient sense of self:

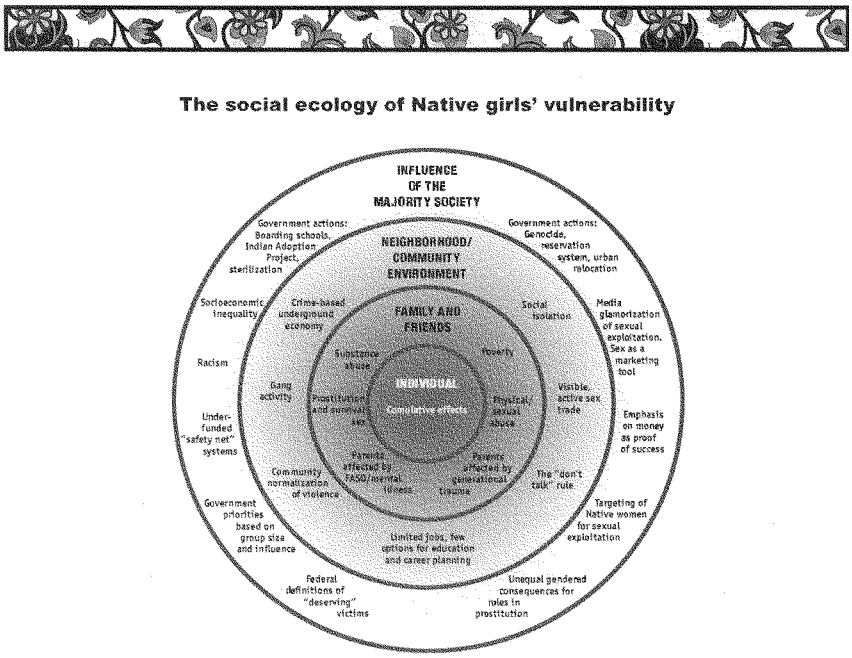
- The world is a good and rewarding place
- The world is predictable, meaningful, and fair
- I am a worthy person
- People are trustworthy.[333]

Using a social ecology lens to view the information presented in this report, we identified four major layers of influences that in combination make American Indian women and girls extremely vulnerable to sex trafficking:

- The impact of the majority society
- Neighborhood and community environments
- The influence of family and friends
- The cumulative impact on the individual

[332] Hawley AH, (1950). *Human ecology: A theory of community structure*. New York: Ronald Press.

[333] Roth S and Newman E, (1995). The process of coping with sexual trauma, in Everly G and Lating J (Eds.), *Psychotraumatology: Key papers and core concepts in post-traumatic stress*. New York: Plenum Press, pp. 321-339.



Influence of the majority society

Government actions

The first and most pervasive layer of influence is that of the majority society. The historical review provided as context for this report describes a series of U.S. government actions that contributed to the poverty and social problems that plague American Indian communities today.[334] These include:

[334] See pp. 4-13.

- The removal of Native people from their traditional land base to remote rural reservations, which forced them to become dependent on the U.S. government for food and other survival needs
- The large-scale removal of Native children from their families and communities to boarding schools and adoptive homes, which prevented intergenerational transmission of language and cultural norms for community and family roles and individual responsibilities to family and community
- The widespread physical and sexual abuse of Native children in boarding schools, which significantly impacted their ability to parent their own children in healthy ways
- Prohibitions against practicing traditional spirituality and participating in ceremonies, which impeded grieving of losses and healing from trauma
- Urban relocation initiatives that failed to provide the promised resources, leaving Native families in dire poverty and isolated from the community support that had been present on the reservation
- Government-sponsored assaults on Native women's rights to their bodies, including rape in military action and involuntary sterilization by Indian Health Service physicians

Racism and the targeting of Native women for sexual violence

In the historical review, advocates' round table discussions, Canadian studies of prostituted Native women and youth, and the listening session with community leaders and elders, racism was consistently identified as a key factor in sexual violence against Native women and girls and in extreme physical and sexual violence against prostituted Native women and youth.[335] Research cited in this report also shows that Native women and girls are more frequently victims of sexual violence than any other group of women in the country, and that they more frequently sustain injuries in those assaults.[336]

In the listening session, one of the community leaders commented on the majority society's casual acceptance of the sexual exploitation of Native women:

> *I remember going to some kind of historical presentation where they were talking about the Voyageurs, and how they would keep an Indian woman in a trundle bed under their bed for 'their purposes.' And I was so appalled that anybody in the Historical Society would still be dramatizing that, like this was some great and wonderful historical event. And I was really hurt because I'm an Indian woman, and I went there with a group of school kids...if I'm appalled and offended, think of what it's doing to these poor little minds. They're being taught that, 'Oh, Indian women. All they're good for is sex.' [Native community leader at the listening session]*

[335] See pp. 6-8, 11-13,16-17.

[336] See pp. 65-66.

Media glamorization of sexual exploitation and sex as a marketing tool

Advocates participating in the two round tables made frequent reference to Native girls' perception of the sex trade, particularly dancing in strip clubs, as a glamorous career option in which they could make a lot of money very quickly.[337] A number of community leaders and elders at the listening session described the influence of the media (especially the sexualized nature of music videos) and the aggressive use of sex in marketing as significant majority-society influences that encourage Native girls and boys to view sexual exploitation as glamorous. These are a few of their comments:

> *I'm currently the chief baby-sitter for my granddaughters, who are both 13, the critical age, and one of them is wearing the Britney Spears look. And, I'm like, 'Don't you want to put something over that?' And, you know, monitoring their Internet activity...it's the clothing and the cosmetics and the ads that all say women are less valued than men...it is a sort of hammering, constant message. [Native community elder and leader at the listening session]*
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> *I have a 10-year-old now, and...when we set up camp [at a pow-wow] he wants to be gone and run around, and all the boys are running around...and then when they go to the vendor booths, the first place they always go is the one where they have all the hats and the pimp gear and all the bling and all that. He always wants to buy that stuff. He always wants that hat with the bunny sign on it. [Native community leader at the listening session]*

Socioeconomic inequality and the emphasis on money as proof of success

The advocates' stories, the Canadian literature on the relationship between poverty, homelessness, and Aboriginal women and youth entering the sex trade, and the over-representation of Native women and girls in the Wilder Research study of homelessness in Minnesota all show socioeconomic inequality to be a major factor facilitating Native women's and girls' entry into the sex trade. As we reported earlier, American Indian poverty is the highest in the nation, increasing over the past three years while Black, Hispanic, and White poverty rates declined.[338]

Poverty is clearly a major factor in facilitating Native women's and girls' entry into the sex trade. The advocates' stories, the Canadian literature on the relationship between poverty, homelessness, and Aboriginal women and girls entering the sex trade, and the over-representation of Native women and girls in the Wilder Research study of homelessness in Minnesota all illustrate the continuing influence of economic inequality on the choices available to Native women and girls.[339]

The advocates' discussions at the two round tables and the Canadian literature on studies of prostituted Aboriginal youth both described young Native girls' belief that the money they could earn in the sex trade would empower them, allowing them the freedom to run their own lives and

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[337] See pp. 39-40, 42-44, 52, 57, 68, 71.

[338] U.S. Census Bureau, (August 29, 2006). Income climbs, poverty stabilizes, uninsurance rate increases, *U.S. Census Bureau News*. Retrieved February 19, 2009 from http://www.census.gov/Press-Release/www/releases/archives/income_wealth/007419.html

[339] See pp. 39-41, 54-55, 57-60.

make their own choices. Advocates repeatedly described pimps' emphasis on money as a way to solve problems and realize dreams as a major incentive for Native girls to begin dancing in strip clubs and then move into prostitution.[340] One of the community leaders at the listening session described a recent experience that illustrates the way that poverty affects Native girls' attitudes toward sexual exploitation:

> *It wasn't too long ago, I was at a venue of Native people and I was within ear's length of a group of young girls. One of the young girls said that her baby needed diapers and so she did a booty call so she could get money to get diapers for her kid...so that was prostitution in the definition of the word. But she didn't see that. That was the normalcy of it, you know, 'I need this for my child and I'm going to use what I have.' If you have money, you can go to the store...If you don't have money, you have to use what you have at your disposal...And that was shared with a bunch of young girls, and none of them were appalled by it. There was more of a 'Yeah, I understand that,' than 'Oh, my god, how could you do something like that?' [Native community leader at the listening session]*

Government priorities based on group size and influence

American Indians are a small demographic group in Minnesota, representing only 1.6 percent of the state's population.[341] Research has shown that whenever decisions must be made about the allocation of government resources, small, low-income groups have limited influence over those decisions in comparison to larger, more affluent, or higher-status groups.[342]

Underfunded "safety net" systems

Our discussions with local police and advocates' stories about trying to find help from law enforcement and child protection units of local government highlighted limited funding as a significant barrier to identifying and protecting Native girls who had been trafficked into prostitution, and to active pursuit of pimps that traffic adult Native women.[343]

The prevalence of homelessness among Native women and girls described in the research literature, the high rates of running away among Native girls participating in the Minnesota Student Survey, and advocates' descriptions of the severe shortage of housing options for Native women and girls trying to escape the sex trade reflect an inadequate system for meeting the emergency shelter needs of low-income, sexually exploited Native girls and women.[344] Not only does the absence of an effective safety net make Native girls more vulnerable to sexual exploitation, it also makes it extremely difficult for trafficked girls to successfully exit the sex trade.

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[340] See pp. 39, 42, 44-46, 49, 51-52.

[341] 2000 U.S. Census, (2006). *Profile of populations on American Indian reservations.* St. Paul: State Demographic Center, Minnesota Department of Administration. Retrieved June 3, 2009 from http://www.demography.state.mn.us/Cen2000profiles/Cen00Reservations.html

[342] Gilens, Martin. 2005. Inequality and Democratic Responsiveness, *Public Opinion Quarterly 69*: 778-796.

[343] See pp. 89-91.

[344] See pp. 54-60, 91-92.

Unequal gendered consequences for roles in prostitution

The attribution of responsibility for women's involvement in the sex trade is deeply rooted in the notion that prostitution is a business transaction between equals and prostituted women have chosen the sex trade as a form of employment. Popular use of the term "the oldest profession" perpetuates this idea, despite a body of research indicating that most women and girls in prostitution want out of the sex trade, but have no other way to support themselves.[345]

There is significant bias in social and legal sanctions for women and girls in prostitution compared to those experienced by men that purchase sex. Catharine McKinnon has described a gap between the promise of civil rights and the real lives of prostituted women. McKinnon notes the ways that the law fails to protect the civil rights of women involved in prostitution while favoring the civil rights of pimps and johns, citing court decisions to make these points:

- The law does not protect prostituted women's freedom from arbitrary arrest, because it makes women into criminals for being victimized as women, and enforcement of prostitution law has traditionally involved police officers impersonating johns in order to arrest prostituting women.
- The law does not protect a prostituted woman's rights to property, since she cannot declare any parts of herself off-limits, while pimps and johns retain the right to use her body as they choose.
- The law does not protect prostituted women's right to liberty, since liberty is the ability to set limits on one's condition or to leave it.[346]

Our conversations with law enforcement personnel and advocates' stories at the round tables show that purchasers of sexual services typically receive light sentences and are frequently permitted to do community service or restorative justice rather than jail time.[347] This unequal treatment disproportionately excuses men's purchase of sexual services while it criminalizes and stigmatizes women engaged in the same transaction.

One of the Minneapolis police officers we talked with acknowledged that arresting the prostituted woman is considered the most expedient way to ensure her cooperation in securing adequate evidence for prosecuting her pimp.[348] A study of prostituted women in Hennepin County using SIP (Subject in Process) numbers from the Hennepin County Court system confirmed that each woman convicted of prostitution had an average of eight arrests for prostitution.[349]

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[345] See pp. 56, 80-82, 89.

[346] MacKinnon C, (2007). Prostitution and civil rights, in *Women's Lives, Men's Laws.* Cambridge MA: Harvard University Press, p. 152.

[347] See pp. 89-90.

[348] Meeting in Minneapolis, May 13, 2009.

[349] Hope L and Martin L, (2006). *Prostitution Project.* Cited in Martin and Rud (2007). *Prostitution research report: Data sharing to establish best practices for women in prostitution.* Minneapolis: Prostitution Project, Hennepin County Corrections and the Folwell Center.

Federal definitions of "deserving" victims

The advocates' stories of Native adult women who had been trafficked into prostitution as children described the impact of federal guidelines for "deserving" victims. As adults trying to exit prostitution, many had been refused access to emergency shelters, victim services, and federally-funded housing due to prior prostitution convictions.[350] As noted earlier, under the Trafficking Victims Protection Act of 2000, to qualify as a victim of sex trafficking entitled to protection and federally-funded services, a sexually exploited woman must provide evidence of force, fraud, or coercion.[351] Though the Trafficking Victims Protection Act provides for a grant program for local and state authorities to provide services to mostly U.S. citizen victims, those funds were never requested by the Department of Justice, and subsequently no programs were ever funded.[352]

Even though most were victims of child sex trafficking under the federal law at the time they entered prostitution, eligibility requirements for federally-funded victim services make it difficult for prostituted American Indian women to receive assistance. Victims of domestic violence and physical or sexual assault are eligible for reparations through Victims of Crime Act (VOCA) funding, but not if they were "committing a crime or any misconduct that is connected with the incident—which automatically excludes prostituted women beaten or sexually assaulted by a pimp or a john."[353] Violence Against Women Act (VAWA) monies can be used for services to women in prostitution, but cannot be used for services to victims of sex trafficking, which includes domestically-trafficked victims—and organizations wishing to provide such services must compete for funding in the "general" category.[354,355] Some advocates have suggested that a pool of VAWA funds should be earmarked for services to prostituted women, similar to earlier earmarks for women with disabilities, women on campuses, rural women, and tribal programs.[356,357] Child victims of sex trafficking do not cease to be victims simply because they turned 18. Their victimization in childhood continues to impact their lives as adults, skewing their view of what is possible and attainable.

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[350] See pp. 54-55, 87-88.

[351] See 18 U.S.C. § 1591 (a).

[352] Hughes D, (July 30, 2007). Enslaved in the U.S.A.: American victims need our help, *National Review Online*. Retrieved June 14, 2009 from http://article.nationalreview.com/?q=ZDU0OGNlMDcwM2JmYjk0N2M0OTU4NGVlMTBlMmEyMjI

[353] Minnesota Senate, (April 22, 2009). *Public Safety Budget Division update*. Retrieved May 30, 2009 from http://www.senate.leg.state.mn.us/committees/2009-2010/finance_public_safety/update.htm

[354] Hughes D, (July 30, 2007). Enslaved in the U.S.A.: American victims need our help, *National Review Online*. Retrieved June 14, 2009 from http://article.nationalreview.com/?q=ZDU0OGNlMDcwM2JmYjk0N2M0OTU4NGVlMTBlMmEyMjI

[355] Minnesota Office of Justice Programs, (2007). *Violence Against Women Act FFY 2007-2009: Minnesota Office of Justice Programs State implementation plan*, p.6. Retrieved July 24, 2009 from http://www.ojp.state.mn.us/publications/VAWA_FFY07-09_Implementation_Plan.pdf

[356] Williamson C, (2005). Violence against women in street level prostitution: Women centered community responses, *Advancing Women in Leadership Online Journal 18*. Retrieved August 22, 2009 from http://www.advancingwomen.com/awl/social_justice1/williamson.html

[357] See pp. 24-26, 92.

Influence of neighborhood and community environments

Gang activity and community normalization of violence

The discussions of advocates at the two round tables and the research literature from Canada and the U.S. described the considerable influence of gangs in Native communities, gangs' use of violence to coerce Native girls into prostitution, and Native girls' efforts to be as safe as they can in an unsafe environment through sexual relationships with gang members. Native girls' responses to the 2007 Minnesota Student Survey also indicated significant levels of gang presence at Native girls' schools. [358]

Native girls' responses to the 2007 Minnesota Student Survey and the responses of Aboriginal community members and prostituted youth in Canadian research described in this report also show violence to be a common feature of urban Indian neighborhoods and reservation life, and girls' own participation in that violence to be a form of self-defense.[359]

A visible and active sex trade

Advocates also repeatedly described young Native girls being approached on the street and offered money for sex, and in Canadian studies, Aboriginal youth reported the same experience. In the data collected by MIWRC, a significant number of Native women and girls reported knowing someone in prostitution, and many reported knowing a trafficker. The discussions at the advocates' round tables and the Canadian literature on Aboriginal youth involvement in prostitution both described Native youth exposure to a visible and active neighborhood sex trade as a key influence in normalizing involvement in prostitution. [360]

Social isolation and the "don't talk" rule

Research in poor neighborhoods has found that high levels of neighborhood violence and crime contribute to social isolation, where safety concerns limit the degree to which people become involved with or interact with their neighbors. The long-term success of children in these neighborhoods has been found to be strongly related to community members' willingness to support parents' efforts to keep their children safe.[361]

Minneapolis and Duluth both have large urban concentrations of American Indians in low-income, high-crime neighborhoods where short-term residence in rental housing is the norm. The advocates' stories at the round tables and the responses of Aboriginal community members in studies of prostituted youth in Canada described a similar reluctance among Native community members to get involved when a woman or child reports sexual assault, sometimes to the extent

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[358] See pp. 44-50.

[359] See pp. 66-67, 70-71.

[360] See pp. 39-40, 68-69, 71.

[361] Furstenberg F, Jr., (1993). How families manage risk and opportunity in dangerous neighborhoods, in Wilson WJ (Ed.), *Sociology and the public agenda*, pp. 231-258. Newbury Park: Sage.

of blaming the victim. Both advocates and prostituted Native youth in Canada also emphasized the potentially dangerous consequences of calling the police.[362]

The advocates' accounts and the literature on the impact of abuse at boarding schools show community members' reluctance to get involved and the "don't talk" rule to be rooted in the experiences of Native children at boarding schools. Teachers and administrators perpetrating sexual and physical abuse forced Native children to accept responsibility for their own abuse, telling the children that they had caused or invited it. Native children learned to be ashamed of their own sexuality, and that telling anyone about the abuse only led to increased violence and more shame.[363] Passed down to consecutive generations, the end result of these efforts to avoid harm to self or others is a lack of safety for sexually exploited children and an absence of accountability for perpetrators in Native communities. One of the community leaders and elders at the listening session commented:

> *Some of us in this room have addressed this on several occasions, but it was always hard to get the community to jump on board. I mean, it was -- you know, you always had the choir; you always had the people that worked in the field that were interested in helping the victims that were in front of them at their desk, but there was not any cry from the community to deal with it on a community basis, at a community level, and so there are those pockets of safety for people that are committing these heinous crimes on a regular basis. [Native community elder and leader at the listening session]*

A crime-based underground economy

Though community participation in an underground economy was not included in our description of factors contributing to Native girls' and women's vulnerability to entering the sex trade, some of the community leaders and elders attending the listening session pointed out that Native girls' and women's involvement with "boosters" selling stolen clothing, shoes, and accessories normalizes illegal activity. This is one of their comments:

> *We need to also remember that this sub rosa economy is working all the time. The sale of illegal goods, all of that happens in our community, and the inability of young women to understand what they're doing in exchanging a sexual favor for money to buy diapers is part of that. [Native community elder and leader at the listening session]*

In addition to the advocates' lengthy discussion of Native women's and girls' trading of sex for shelter and other basic needs at both round tables,[364] this is how one of them described Native women's and girls' frequent use of boosters to get the things they want:

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[362] See pp. 96-97.

[363] See pp. 9, 95-96.

[364] See pp. 43, 54-56, 71.

> *There are some really good boosters out there. [Second speaker] The guy where you get stuff hot? [First speaker] What I'm saying is it is so commonplace, because boosters are so prevalent. I mean, in other advocacy and other outreach, I was in people's homes and we were talking about healthy housing and education and their booster shows up and is trying to sell me clothes that they just got from the plus size clothing store, and he had an entire trunk of all this beautiful stuff. [Twin Cities advocate]*

Limited jobs, few options for education and career planning

In the neighborhoods where American Indians are concentrated in Minneapolis and Duluth, unemployment rates are high and opportunities for legal, living-wage employment are extremely limited, as are options for a quality education. The America's Promise Alliance recently reported that only about half (53%) of youth in the nation's largest cities graduate on time, with an 18 percent gap in graduation rates between youth attending city schools and youth attending suburban schools.[365] Inner-city schools consistently receive lower ratings for quality of education and student achievement than suburban schools, reflecting the broader patterns of inequality elsewhere in American society.[366] Students in these schools have been described as a "captured market," because their socioeconomic status makes them completely dependent upon the public school system.[367] In 2000, less than 75 percent of American Indian adults in Minnesota had completed at least a high school degree.[368] The high dropout rates of American Indian youth cited in this report suggest that unrewarding school experiences contribute to a belief that educational attainment and career planning are neither useful nor realistic life goals.[369]

Influence of families and friends

Poverty

The advocates' discussions at the round tables, the research literature from Canadian studies of prostituted Aboriginal women and youth, and the comments from community leaders and elders all emphasized the importance of family poverty in Native women's and girls' vulnerability to homelessness and to sexual exploitation of Native women and their children by landlords threatening eviction. The Hennepin County data showed over 40 percent of American Indian woman-headed households living in poverty, which suggests a high level of vulnerability to sexual exploitation for these families.[370]

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[365] America's Promise Alliance, (2009). *Cities in crisis 2009.* Retrieved May 8, 2009 from http://www.americaspromise.org

[366] Noguera, P and Akom A, (2000). Disparities Demystified: Causes of the racial achievement gap all derive from unequal treatment, *The Nation* 5(2): 29-35.

[367] Noguera P, (2002). Racial isolation, poverty and the limits of local control as a means for holding public schools accountable, *UCLA's Institute for Democracy, Education, and Access.* Los Angeles: University of California. Retrieved May 4, 2009 from http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1016&context=idea

[368] Minnesota State Demographic Center, (March 2003). *Educational attainment in Minnesota.* Retrieved May 4, 2009 from http://www.demography.state.mn.us/PopNotes/EducationalAttainment.pdf

[369] See pp. 39, 80-82, 101-102.

[370] See pp. 54-55, 57-60.

Physical and sexual abuse

The prevalence of physical and sexual abuse in the histories of prostituted Aboriginal women and youth in Canadian research and in prostituted Aboriginal youth's reasons for running away from home show that child abuse in the home is a major factor in vulnerability to commercial sexual exploitation. Native girls' reports in the 2007 Minnesota Student Survey of physical and sexual abuse at home and of having run away from home, combined with state and local data on American Indian child maltreatment rates, suggest that many of Minnesota's Native girls are at very high risk of being trafficked into the sex trade due to abuse.[371]

Native girls' responses to the 2007 Minnesota Student Survey also showed high rates of physical and sexual assault by boyfriends. The Wilder Research study of homelessness also found that Native women and girls frequently reported physical or sexual violence at home as the reason for their current homelessness. Other studies' findings of high rates of partner violence among low-income Native women suggest that many Native women and girls are forced to leave home to avoid violence, resulting in homeless that further increases their vulnerability to sex trafficking.[372]

Prostitution and survival sex

The involvement of female relatives and friends in survival sex and/or prostitution is clearly a factor that facilitates Native girls' own involvement. At both round tables, advocates described Native families involved in prostitution and bringing young daughters into the sex trade over several generations. The Canadian studies of Aboriginal youth involvement in prostitution reported similar findings. The advocates' stories at round tables and the Canadian research literature on Aboriginal youth in prostitution also identified friends (and pimps' recruiters posing as friends) as significant influences on young Native girls' recruitment into stripping and prostitution. The data collected from clients entering MIWRC programs confirmed that many have friends in prostitution, and also showed that clients reporting involvement in prostitution were most often recruited by a friend.[373]

The community leaders and elders attending the listening session to discuss the findings of this report also commented on Native families' involvement in prostituting their women and girls. This is one of those comments:

> *We all knew which houses were doing what in our community. And historically, because of who they were or who they were related to, or they're on the board, they were able to get away with it. Right? Everybody looked the other way on it. [Native community leader at the listening session]*

[371] See pp. 60-65.

[372] See pp. 65-67.

[373] See pp. 50-52, 68-69.

Substance abuse

Several of the advocates at the two round tables described Native mothers trafficking their daughters into prostitution to feed an addiction. Studies of prostituted youth in the U.S. and Canada also identified parental substance abuse as a facilitating factor for Native youth running away from home and entering the sex trade. In the 2007 Minnesota Student Survey, American Indian girls' rates of reporting drug and alcohol use by a family member were much higher than those of girls in the general population, and the responses of homeless American Indian women and girls in the 2006 Wilder Research study of homelessness indicate that family substance abuse is also a factor in forcing Native women and girls to leave home without any other place to stay.[374] The advocates, research in Canada and studies in the U.S. also noted the indirect affect of parental substance abuse on girls' vulnerability to sexual exploitation, being impacted by FASD.[375]

Parents affected by generational trauma, FASD, and/or mental illness

At the advocates' round tables and in findings from Canadian studies with prostituted Native women and youth, unresolved generational trauma was identified as a root cause of community violence, domestic violence, child abuse, and substance abuse that pervades Native communities in the U.S. and -Canada.[376] The research literature shows high rates of depression and PTSD among sexually assaulted Native women, which impact their ability to parent their children effectively. Advocates also described FASD-affected mothers trafficking their children, and research described in this report reflects the prevalence of FASD in Native communities. The research that we cited regarding adults with FASD and PTSD highlights the ways that a mentally ill or cognitively-impaired parent can increase Native children's vulnerability to sexual exploitation.[377]

The cumulative effect on Native girls

Lack of preparation for the legal workforce, viewing the sex trade as a glamorous option

Native girls' responses to the 2007 Minnesota Student Survey show high levels of disengagement from school and truancy, and data on American Indian school dropout shows that many leave school without the education level necessary to succeed at most living-wage jobs. The absence of employment opportunities in their neighborhoods and the lack of social networks for securing jobs leave them with no employment history or job skills. Without those resources, many Native girls have no hope of self-sufficiency through the legal job market. The glamorization of sexual exploitation in the popular media, a highly visible sex trade, and girls'

[374] See pp. 55, 72-73.

[375] See pp. 77-78.

[376] See pp. 53-54.

[377] See pp. 78, 83-84.

awareness that sex can be a resource for meeting basic needs combine to normalize the sex trade, encouraging Native girls to view it as a reasonable way to make money.[378]

Absence of safety and emotional vulnerability

The frequency of Native girls' 2007 Minnesota Student Survey reports of physical and sexual abuse at home, gang presence and threat of violence in their schools, and physical and sexual violence by dates shows an alarming lack of safety in their lives. Advocates' stories at the round tables and Canadian research with runaway and prostituted Native youth described the tremendous emotional vulnerability of Native girls in these situations, especially to pimps and recruiters that promise to take care of and protect them.[379] The reluctance of community members to intervene and community antagonism to anyone who calls the police makes Native girls even more vulnerable to sexual exploitation by pimps and gang members that use violence to force young girls into prostitution. The very limited options for emergency shelter and crisis services leave Native girls few alternatives.[380]

Native girls' trauma responses

Native girls' responses to the 2007 Minnesota Student Survey show that many use alcohol before the age of 12, show signs of alcohol dependency, and participate in violence against others. Research showing the prevalence of sexual assault and the link between sexual assault trauma and substance abuse by American Indian women suggests that a significant number are at extremely high risk of commercial sexual exploitation. Advocates' reports of prostituted Native women's reluctance to trust police or advocates and their dependency on pimps are reflections of the lack of safety in their lives. All of these trauma responses expose Native girls and women to new violence and make them even more vulnerable to sexual exploitation.[381]

Last words

In the listening session with Native community leaders and elders held on July 22, 2009, all of the participants confirmed the seriousness of the problem and inspired us with their commitment to working together on a community response to end the commercial sexual exploitation of Native women and children. These are just a few of their comments:

> *I'm really happy that this report came out. I'm really happy that finally we can sit in a group like this and talk about it, because we can't hide it any more. We can't tell our girls it's okay, because it's not okay...I really want to continue to be a part of this dialogue because I think it's long overdue.*

[378] See pp. 42-46, 54-58, 60-65, 82-86.

[379] See pp. 42-43, 54-58, 60-65, 82-86.

[380] See pp. 87-88, 95-97.

[381] See pp. 74-76, 89, 94-95.

> *The report shines a light on this—it's a stake in the ground. It says 'Look at this.' This is something that needs attention, and we're not going to solve this now or in the next little while, but if we don't start, we'll never solve it.*
>
> *One of our spiritual leaders said to us some years ago, those of us who are older, who have been victimized by racism in this country and also those of us who are women who have victimized in whatever ways simply because we are women—what he said to us was, 'That pain is yours. That is your pain, and you need to deal with it, but don't pass it on to your children. They will experience their own difficulties and they will have to deal with that, but do not talk to them about what you have dealt with.' I think [that] until we do deal with our own pain, it's impossible not to pass it on.*

Based on the information presented in this report, we conclude that commercial sexual exploitation is neither harmless nor victimless. The widespread notion that prostitution is a voluntary career choice made by a fully informed adult has no basis in reality for the vast majority of prostituted Native women and girls. We find it unreasonable and cruel to assume that any Native person in prostitution has made an informed choice to endure extreme violence and subjugation at the hands of pimps and purchasers of sexual services, or to accept this maltreatment as a normal occupational hazard.

While stripping and pornography are often framed as relatively harmless, we have identified these as gateways to prostitution for Native women and girls. The information that we presented here shows that some Native women and girls may enter the sex trade to pursue the illusion of a glamorous and lucrative career, but continued involvement in prostitution is almost always due to an absence of other options. Most are trafficked into the sex trade as children and never identified or protected as trafficking victims. Unable to find the support to needed to leave prostitution at the point they reach the age of 18, they are immediately considered criminals and are often refused access to shelters and other services for trafficking, sexual assault, domestic violence, and stalking victims.

Because our focus for this report was the commercial sexual exploitation of Native women and girls, we did not address the prostitution of Native boys or Two-Spirit (gay, lesbian, and bisexual) youth. However, a number of Canadian studies reported that though girls made up 75-80 percent of Aboriginal youth in the sex trade, the remaining 20-25 percent were boys, Two-Spirit, and transsexual individuals.[382,383,384,385] In a 2008 Canadian study of street youth, 23 percent of Aboriginal boys and 54 percent of Aboriginal girls described themselves as not entirely heterosexual, bisexual, or gay/lesbian. These youth were much more likely than

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[382] Calgary Police Commission, (1997). *Children involved in prostitution: Report by The Task Force on Children in Prostitution*. Calgary: Calgary Police Commission.

[383] City of Burnaby, (1998). *Report of the City of Burnaby Task Force on the Sexual Exploitation and Prostitution of Children and Youth*. Burnaby: City of Burnaby.

[384] Jiwani Y and Brown S, (1999). *Trafficking and sexual exploitation of girls and young women: A review of select literature and initiatives*. Vancouver: FREDA.

[385] Manitoba Youth and Child Secretariat, (1996). *Report of the Working Group on Juvenile Prostitution*. Winnipeg: Manitoba Child and Youth Secretariat.

heterosexual-identifying youth to report having been kicked out of their homes or having run away, which makes them even more vulnerable to commercial sexual exploitation.[386]

Community priorities for moving forward

The community leaders and elders that attended the listening session agreed on three main points regarding next steps toward addressing the commercial sexual exploitation of Native people:

- Any approach to addressing the problem must prioritize the healing and empowerment of Native communities, and ensure that they are not re-victimized as a result of the information brought forth in this report.
- To ensure community engagement and an emphasis on healing and empowerment, the next stage of strategic planning must be led by a committed and knowledgeable group of Native people.
- This is not solely a women's issue—it is a community issue that also harms Native boys and Two-Spirit youth and adults.

[386] Saewyc E, Bingham B, Bruananski D, Smith A, Hunt S, Northcott M, and the McCreary Centre Society, (2008). *Moving upstream: Aboriginal marginalized youth and street-involved youth in B.C.* Vancouver B.C.: McCreary Centre Society.

VIII. Recommendations for action

The recommendations we provide here are an aggregate of those we gathered from:

- Advocates attending the two regional round tables
- American Indian community leaders and elders that attended the listening session
- Prostituted Aboriginal women and youth and Aboriginal community members participating in Canadian studies of commercial sexual exploitation
- Patterns of risk identified in data and literature gathered for this report.

Increase awareness of the problem

Provide education to a cross section of leadership on:

- The relationship between disproportionate poverty and other risk factors, and Native youth's disproportionate involvement in the sex trade.
- The extreme violence and trauma experienced by Native women and youth in prostitution.
- Traffickers' recruitment strategies and the significance of strip clubs, pornography, online and phone sex, and escort services as gateways to prostitution for Native youth.

Reframe the conversation and change the language

- Increase awareness that prostitution is not a life style choice, is not a victimless crime, and that the vast majority of prostituted people were trafficked into the sex trade as children. Clearly identify prostitution as a form of sexual violence.
- Highlight the proven relationships between men's belief that sex is a commodity that they have the right to purchase and the likelihood that they will commit violence against women.
- Eliminate terms that place the onus of responsibility on the exploited person; rather than "prostitute", promote "person in prostitution" or "prostituted person."

Hold sexual exploiters accountable

- Prosecute all cases of juvenile sex trafficking to the fullest extent of the law.
- Reduce demand by increasing penalties for the purchase of sexual services (particularly sex with minors), and prohibit plea bargain agreements that allow purchasers to reduce their penalties through community service and/or restorative justice.
- Support efforts by American Indian communities to hold families involved in multi-generational trafficking of their children accountable.
- Identify, arrest, and prosecute anyone attempting to recruit vulnerable Native adults and youth for prostitution at drop-in programs, homeless shelters, battered women's shelters, and other places providing emergency services.
- Address gangs' use of violence to force Native youth into prostitution.

Begin outreach

- Recruit Native survivors of prostitution for employment as outreach workers and community educators.
- Use harm reduction strategies, including providing condoms/promoting consistent condom use and partnering street nurses with outreach workers to provide Hepatitis B vaccinations.
- Distribute information about domestic sex trafficking, sexual assault programs, and other programs/services through community agencies, hospital emergency rooms, health clinics, and food shelves so that sexually exploited Native women and youth are more aware of places they can find help.
- Establish protocols to identify and interrupt recruitment at crisis support, outreach and drop-in programs, and ensure that programs are safe.

Improve access to emergency shelter and transitional housing

All of the information we gathered on what types of housing prostituted Native women and girls need to successfully exit the sex trade emphasized three key points that should inform any plan to improve emergency shelter and housing options.

- The sex trade reinforces dependency on a pimp, so victims of commercial sexual exploitation often take a very long time to make the final decision to complete separate themselves.
- These victims have known nothing but exploitation most of their lives, so are very reluctant to trust any program or organization that applies limits or makes demands.
- The most useful and effective services have the fewest requirements, and focus on "meeting victims where they are."

For these reasons, the following are the characteristic of emergency shelter and transitional housing needed to provide effective support to prostituted Native women and youth to avoid or leave the sex trade:

- 24-hour, 7 days a week "safe houses" statewide, where sexually exploited Native women and youth can access emergency shelter, showers, clothing, food, referrals for health care, and other basic needs.
- Transitional and supportive housing facilities statewide, specifically designed for prostituted women and youth who are moved from place to place. Staff should be culturally competent.
- Shelters, transitional housing and outreach services that link prostituted and at-risk Native women and youth to an array of holistic services to meet basic needs, receive health care, and access permanent safe housing.
- Funding for transitional housing that is long-term and covers operating expenses. Permitted length of stay must be adequate to ensure that prostituted Native girls and women have enough time to build the skills and stability they need to secure gainful employment.

To ensure access, existing emergency and transitional housing facilities should:

- To the extent possible, revise public housing policies blocking access to anyone with a felony conviction, to allow access for victims of sex trafficking whose convictions were due to having been trafficked.
- Work with child protection systems in the best interest of the families.
- Give prostituted people attempting to exit the sex trade the same priority as people with a mental health diagnosis, rather than requiring them to get a mental health diagnosis for priority access.

Increase options for self-sufficiency to reduce vulnerability

Poverty is one of the major factors in vulnerability to commercial sexual exploitation. The following are recommendations for services and programs that can help Native women and youth stay in school and/or gain the skills and resources they need to become self-sufficient.

- Provide opportunities to finish high school that include mentoring, flexible hours, and access to high quality childcare so that those with children can participate.
- Tailor employment services, academic, and career counseling to match prostituted Native women's and youth skills and interests, and accommodate learning styles.
- Build relationships with employers willing to provide internship and apprenticeship programs where prostituted Native women and youth can develop skills and build confidence in their abilities.

Promote healing

- Hold community forums and workshops in American Indian communities to raise awareness of sex trafficking, the vulnerability of Native women, youth, and Two-Spirit people, and available resources for victims and families.
- Build community support for believing Native people who report sexual abuse and sexual exploitation, valuing and protecting them rather than stereotyping and isolating them.
- Engage Native communities in recognizing and addressing the role of silence and denial in generational abuse and sexual exploitation, and in working as a community to hold all traffickers of Native children and youth accountable.
- Engage Native communities in holding producers and sellers of media and products that sexualize Native women and children accountable.
- Encourage culturally based agencies to incorporate programming to meet the unique needs of sexually exploited women and youth, and provide opportunities for collaboration and networking to streamline services.
- Create healing centers where victims and families can re-engage in traditional healing and build strong cultural identities to holistically address chemical dependency, mental illness, and sexual trauma.

Improve systems and increase collaboration between systems

Engage child protection, law enforcement, schools, and Native community-based housing and social service agencies in collaborative efforts to:

- Standardize intake procedures that can accurately identify victims of sex trafficking and provide them with immediate access to appropriate resources.
- Develop training protocols in partnership with other stakeholders to raise awareness and install effective response mechanisms.
- Support coordinated efforts by local law enforcement, Tribal law enforcement, the FBI, and the Coast Guard and other agencies to identify, investigate, and prosecute sex traffickers.
- Investigate possible sex trafficking when youth report sexual abuse in the home, and ensure that a trained child protection worker works closely with police and Native programs to meet the unique needs of prostituted Native children.
- Target gangs in schools, housing complexes, and neighborhoods by developing zero tolerance strategies to prevent and interrupt criminal activities with youth.
- Develop coordinated responses to truant and runaway Native youth that divert them from the juvenile justice system to Native programs that serve sexually exploited Native youth.

When the court case has begun against a Native sex trafficking victim's trafficker:

- Provide victims with a specific advocate who has the skills and knowledge to deal with her/him respectfully and for the length of time necessary.
- Provide Pro Bono legal services to the victim and a safe space where she/he and the attorney can meet.
- Do not require victims to be in the same room as the accused trafficker.
- Develop alternatives to corrections placement in foster care and group homes for prostituted Native youth so they are not isolated from their culture and community.
- Improve protections for victims who have outstanding warrants for their arrest, if those arrests are related to being trafficked, and consider that probation violations may be related to being trafficked.

Provide extensive training to all professionals that come into contact with prostituted Native women and youth

In addition to basic training on the dynamics and impacts of the sex trade, various professionals should receive more in-depth training. These are some of the main topics we suggest:

For police officers, prosecutors, courts, and guardians *ad litem*:

- The importance of screening runaway and truant Native youth for involvement in the sex trade, and making social services arrangements on site rather than releasing them back to the community.
- Establishing guidelines for recognizing when a prostituted Native person may be affected by FASD and or PTSD.

- Networking with referral agencies for culturally-appropriate intervention and support services.

For medical and emergency room personnel:

- The importance of treating prostituted victims of sexual or physical assault as assault victims, even when their injuries were perpetrated by a purchaser of sexual services.
- Information about trafficking laws, how to contact law enforcement, and how to keep a trafficking victim safe until the police arrive.

For teachers and school administrators, 5th through 12th grade:

- Sex trade culture and terminology, common recruitment strategies, trafficker profiles, and indicators that a student is being trafficked.
- Information about trafficking laws, how to contact law enforcement, and how to keep a trafficking victim safe until the police arrive.
- Referral agencies for culturally-appropriate intervention and support services.

For workers in child protection, child welfare, and family social services:

- Sex trade culture and terminology, and the importance of early intervention.
- Culturally-specific screening tools for sex trafficking and other forms of commercial sexual exploitation.
- Follow-up strategies for protecting and monitoring sexually exploited Native adolescents and teens to provide a safety net for those that continue living with their families, including information on suitable referral services.

For mental health professionals:

- The guilt and shame experienced by prostituted and trafficked Native adults and youth, and the need to respond immediately and skillfully.
- The importance of a nonjudgmental approach that does not include a timeline for progress.
- A careful diagnosis that takes potential FASD and PTSD into account as possible aggravating factors.
- Prostituted Native women's/youth's experiences with unnecessary or inappropriate medications.

Future research

Methodologically, our decision to convene round table discussions with advocates working with American Indian women and girls in crisis situations and use the information gathered there as a framework turned out to be a very useful approach. Our assumption that these advocates were likely to come into contact with trafficked and prostituted Native women and girls was correct. In the absence of any prior source of systematically collected data on Native women and girls in prostitution or other areas of the sex trade in either Minnesota or the U.S., triangulating advocates' experiences and observations with findings from published research, local data, and

MIWRC client screening data allowed us to develop a basic understanding of a little-understood and complex problem within relatively short period of time.

The data collected by MIWRC via client screening and the two advocates' round table discussions represented a very small number of participants in very limited geographic areas. Though these findings were helpful in creating a general picture of the problem, there is an urgent need for a regional study involving a systematic and coordinated data collection process, to develop findings that can be generalized to the larger population. MIWRC is currently revising and expanding its screening tool and process to improve our ability to identify trafficking victims and provide them with appropriate services and supports. We expect to implement the new tool and process in October 2009.

However, we cannot prioritize research over the needs of Native women and children still in the sex trade. At both round tables and at the listening session with Native community leaders and elders in Minneapolis, Native participants emphasized the great need for more in-depth information to build upon what was found in producing this report, but they also voiced a significant concern that research could not take priority over adequate funding for direct services to prostituted Native people. With that qualifier in place, regarding future research, we recommend:

- Funding for coordinated and appropriate support services to victims of commercial sexual exploitation is the community's highest priority—additional research will require a separate funding pool.
- Any future research should involve identification, experiences, and needs of all American Indian victims, regardless of gender.
- Data collection should involve multiple agencies and programs providing culturally-specific crisis services to Native people for emergency shelter and housing, domestic violence, sexual assault, substance abuse, crisis intervention, and the needs of at-risk youth
- Because this exploratory study found indications of trafficking between cities in Minnesota, Wisconsin, North Dakota, and South Dakota, we recommend a regional study that includes two large urban Indian communities in each of those four states: Minneapolis, Duluth, Grand Forks, Fargo, Sioux Falls, Rapid City, Milwaukee, and Green Bay.

Appendix

Round table facilitator's guide

Introduction: Introduce self and co-facilitator, introduce main concepts:

- Definitions of trafficking
- Reasons for emphasizing "commercial sexual exploitation" over "trafficking" and "prostitution"
- Goals for the round table: discuss who, what, why, how, where, and when
- Before lunch plan: Get through who, why, how, when and where
- After lunch plan: Talk about what keeps Indian women who are being sexually exploited from getting out of the sex trade, and what services are really needed for the victims and for the advocates who help them

BEFORE LUNCH:

Who and why?

1. Who is being exploited, and why are they vulnerable?
    a. Age
    b. Financial circumstances
        1. Ability to find legal employment
        2. Supporting children/ MFIP 5-year limit
        3. Housing stability
        4. Addiction—need to support the habit
    c. Mental health, FAS/FAE
    d. History of abuse/physical and sexual violence
    e. Other reasons
2. What kinds of commercial sexual exploitation are the Indian women and girls that you see involved in?
    a. Prostitution
    b. Pornography
    c. Stripping/nude dancing
    d. Survival sex? Trading sex for housing, rides, etc.?
    e. Other?

How?

3. How are they being recruited or forced into the different types of commercial sexual exploitation?
    a. Who is pimping them?
        1. Friends/family, boyfriends/pimps?
        2. Gangs? Landlords?
    b. How are they approached? What do the recruiters say to them?
    c. How are they "groomed" for prostitution and other kinds of commercial sexual exploitation?
        1. "Helping out" temporarily
        2. Gifts, being told they are "special"
        3. Giving and taking away affection, gifts, special treatment
        4. Violence, shaming
        5. Getting them addicted—what drugs?
    d. Do they start out being involved in one kind of sexual exploitation and progress to others?

When and where?

4. Where is the recruitment of Indian women into commercial sexual exploitation happening?
   a. Urban, reservation, suburbs?
   b. Pow-wows, 49s?
   c. Certain neighborhoods or housing types, certain parts of the state?
   d. Are they moved around to prevent them from getting help to leave?
      1. Where to where?
      2. Who moves them , and how?
5. Where have they been exchanging sexual activity for money or other resources at the time they start talking to you about it?
   a. Private homes
   b. Motel rooms
   c. Hotels/conference centers/casinos?
6. Are there specific "seasons" or times that you see more Indian women and girls involved in prostitution, nude dancing, or other types of commercial sexual exploitation?
   a. Are there specific seasons or times of the year that you see more Indian girls or women trying to get out of prostitution?

AFTER LUNCH:

Barriers to addressing the problem?

7. What prevents Indian girls and women from escaping a lifestyle where they exchange sexual behavior for money or resources?
   a. Do they view exchanging sexual activity for money or other resources as a "choice"?
   b. What brings them to you?
      1. What needs do they "present" with?
      2. How long does it take before you know that they are being prostituted or trying to escape sex work?
      3. As an advocate, what sends up the "red flag" for you? What tells you that an Indian woman's or girl's "friend," "boyfriend," or "protector" is a pimp, or that she is trying to leave prostitution?
8. What kinds of assistance do these women and girls need the most?
   a. Types of services, length of time needed
   b. What are some of the challenges to getting them those services?
      1. Funders' requirements
         a. For defining "victims" (arrest for prostitution makes them a criminal, not a victim)
         b. Length of time services are allowed/pressure to show results
      2. Lack of legal protection
         a. Police disinterest/lack of cooperation between different law enforcement agencies
            1. Who and why?
            2. No prosecution of pimps—reasons?
            3. Lack of cooperation between different law enforcement agencies
            4. Ways/reasons that American Indian women suffer greater impact, compared to other prostituted women
9. What about your needs, as advocates?
   a. What kinds of training and support would help you do this very difficult work?

Minnesota Indian Women's Resource Center

Client Screening & Tracking Form

Client ID:_____ Screening date:_____

Pre-screening: Prostitution and trafficking

1. Have you ever exchanged sexual activity for: Yes, for: (check all that apply) a. ☐[1] Shelter (living space, rent or reduced rent) b. ☐[1] Food c. ☐[1] Money d. ☐[1] Drugs or alcohol e. ☐[1] A ride or use of a car f. ☐[1] Any other kind of assistance (describe):_____ g. ☐[1] No, never have	2. Has anyone every pressured you, forced you, or paid you to pose for nude photos or videos? ☐[0] No ☐[1] Yes 2a. IF YES: How many times has this happened in the past 6 months? _____# of times
3. Has anyone ever asked you to recruit other women or girls to sell sex, or to manage a group of women or girls who sell sex? ☐[0] No ☐[1] Yes 3a. IF YES: How many times has this happened in the past 6 months? _____# of times	4. Has anyone ever threatened, tricked, or talked you into providing sexual activities to another person so the person pressuring you would get some benefit? Yes, so they could get: a. ☐[1] Shelter (living space, rent, or reduced rent) b. ☐[1] Food c. ☐[1] Money d. ☐[1] Drugs or alcohol e. ☐[1] A ride or use of a car f. ☐[1] Any other kind of assistance or benefit (describe):_____ g. ☐[1] No, never have

Do you know anyone else who has been involved in prostitution and/or sexual exploitation? (check all that apply)

5. As someone who sold or traded sex	6. As someone who made others sell or trade sex
a. ☐[1] Family (relationship):_____ b. ☐[1] Friend c. ☐[1] Other:_____ d. ☐[0] No, don't know anyone	a. ☐[1] Family (relationship):_____ b. ☐[1] Boyfriend/husband/partner c. ☐[1] Other:_____ d. ☐[0] No, don't know anyone

Pre-screening: Mental health and brain injury

7. Have you ever been assaulted in a way that caused a head injury—either by being hit, or caused to hit your head? ☐[0] No ☐[1] Yes 7a. IF YES: How many times? _____# of times	8. Have you ever fallen due to intoxication or drug use and hit your head? ☐[0] No ☐[1] Yes 8a. IF YES: How many times? _____# of times

9. Have you ever received a mental health diagnosis by a doctor or mental health professional?

☐[0] No

☐[1] Yes IF YES: What diagnosis/diagnoses, where received:_____

Screening questions for identified victims of trafficking

1. Age at which you entered prostitution:_____ 2. Current age: _____

3. Do you have children under the age of 18?

   ❑[0] No, no children under age 18

   ❑[1] Yes, at least one child living with you

   ❑[2] Yes, but none live with you

4. How were you recruited into prostitution?

   a. People/relationships involved:_____

   b. Area of the state where this occurred:_____

   c. Situation/coercion/pressure that made you do it:_____

   _____

5. After recruitment, where were you trafficked?

   a. ❑[1] Domestically : What locations? _____

      a1. Across state lines? ❑[1] Yes ❑[0] No

   b. ❑[1] Internationally: From where, to where?_____

      b1. How were you transported? _____

6. Have you ever been arrested for prostitution or prostitution-related charges?

   ❑[0] No

   ❑[1] Yes IF YES: How many times?_____

7. Are you currently at risk of sexual exploitation?

   ❑[0] No

   ❑[1] Yes, due to (check all that apply):

   a. ❑[1] Emotional dependency on trafficker
   b. ❑[1] Homelessness
   c. ❑[1] Addiction
   d. ❑[1] Fear of violence against self or others
   e. ❑[1] Inability to financially provide for your child(ren)
   f. ❑[1] Other reasons:_____

8. Have you sought assistance at other sexual assault or victim of trafficking programs? We are only asking because we're working with these other organizations to estimate how many Indian women are in this situation (check all that apply)

   a. ❑[1] Phoenix/DIW
   b. ❑[1] MIWSAC
   c. ❑[1] Women of Nations
   d. ❑[1] Breaking Free
   e. ❑[1] Indigenous Women's LifeNet (MAIC)
   f. ❑[1] Ain Dah Yung
   g. ❑[1] Sexual Offense Services (SOS in St. Paul)
   h. ❑[1] Other program(s) in the metro area:_____
   i. ❑[1] Other program(s) outside the metro area:_____

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"The Devastating Impact of Human Trafficking of Native Women on Indian Reservations"

Testimony of Lisa Brunner, Program Specialist, National Indigenous Women's Resource Center

Hearing on "Combating Human Trafficking: Federal, State, and Local Perspectives" before the Committee on Homeland Security and Governmental Affairs

Monday, September 23, 2013

Human Trafficking of Native women in the United States is not a new era of violence against Native women but rather the continuation of a lengthy historical one with the colonization of America through wars, forced removal from their homelands to reservations, boarding schools and forced urban relocation. Domestic human trafficking in the United States has a longstanding history.

Native women experience violent victimization at a higher rate than any other U.S. population. Congressional findings are that Native American and Alaska Native women are raped 34.1%, more than 1 in 3, will be raped in their lifetime, 64%, more than 6 in 10, will be physically assaulted. Native women are stalked more than twice the rate of other women. Native women are murdered at more than ten times the national average. Non-Indians commit 88% of violent crimes against Native women.

Given the above statistical data and the historical roots of violence against Native women, the level of human trafficking given the sparse data collected can only equate to the current epidemic levels we face within our tribal communities and Nations.

As an enrolled member of the White Earth Ojibwe Nation in Minnesota, I live, work and raise my children on my reservation. I have worked for over 15 years addressing domestic violence and sexual assault of Native women and have witnessed and heard countless stories of human trafficking occurring to the point that we have girls as young as 12 years olds who are victims. With the introduction of heroin, we now have an epidemic of the same age group and up of girls and women who are trafficked now have heroin needles in their arms. Native women and girls are sold for $20 worth of heroin.

We have mother's call local county sheriffs departments reporting their daughters missing only to be told, "We have better things to do with our time or why don't you be a mother and know where the hell your daughter is". It is difficult given the jurisdictional complexity of the 566 federally recognized tribes in the country with non-Public Law 280, Public Law 280, 638 Contract, Land Claim Settlement States, Oklahoma's checkerboard and Alaska Native villages. To add to the complexity, if

the perpetrator is non-Native, then the Tribes and Alaska Villages do not have criminal jurisdiction

With the recent wide-range impact of extractive industries such as oil fracking and pipelines is predatory economics at its worse for the Fort Berthold Nation in North Dakota and Fort Peck Reservation in Montana. With the fracking of the Bauken formation, comes "man camps'. The victim advocates responding to calls for service on Forth Berthold said there has been a doubling and tripling of numbers of sexual assaults, domestic violence and human trafficking incidents since 2008.

The multiple layers of issues that have come to the forefront are the lack of documentation of these man camps. Emergency services often can't find their locations and since they are located in isolated and desolate areas, there often are no cell phone services available. There are two types of man camps: documented and undocumented. Undocumented camps are often 50-100 trailers that a rancher or farmer has set up on his land to rent out and make money. These undocumented camps present a special problem for emergency services and organizations since they don't exist on a map or have addresses.

The other issue involved with the man camps in Forth Berthold is lack of monitoring and registration of sex offenders whether they are in the documented or undocumented man camps that pose a serious threat to the safety of women and children in the area.

In Montana, the Bauken Oil Boom has impacted the largest reservation, Fort Peck, and residing counties have experienced both a population and crime explosion.

The majority of employees from the oilrigs are not from Fort Peck Tribes or Roosevelt County or even from Montana. There have been documented increases in drug use and human trafficking, theft, alcohol related incidents and assaults within the last year. Law enforcement response, tribal DV/SA services, and medical response to these crimes have tripled in the last year.

Within Northeastern Montana there are currently three man camps with several more only seventy miles away in the neighboring state of North Dakota. Many Tribal advocates have responded to victims that have been trafficked at the man camps often preying on young native women. Groups of men from the man camps use free access to drugs and alcohol as a method of coercion for young native women to "get in the car" and go party. This has resulted in 11 young native women ranging from the ages of 16-21 years of age reporting rape, gang rape and other sex acts; the majority of these victims are afraid to report due to fear and shame.

The Fort Peck Tribes SORNA program reports that one year ago there were forty-eight registered sex offenders and now there are over six hundred registered sex offenders. The struggle has been that non-native sex offenders to do not recognize the tribal jurisdiction and feel they "do not" have to report to the tribal SORNA

program. However, the U.S. Marshals and other law enforcement agencies have assisted in gaining registration of known sex offenders on the tribal registry.

Another aspect of to the domestic human trafficking issues in the U.S. and Tribal Nations is the U.S. Adoption Industry. In an article in Indian Country Today titled: Trafficking of Native Children: The Seamy Underbelly of U.S. Adoption Industry brings to light the practice of selling Indian infants and children to the highest bidder which brings in revenue for lawyers from $25,000-$100,000 per child. In this article, it is stated that in 2012, 50 Native children were adopted out from North Dakota to South Carolina. These adoptions are done without the Tribes knowledge or consent or that of the biological fathers.

To really gain insight to domestic human trafficking in the U.S., one must take examine the many sectors in which this is facilitated, whether it be extractive industries, pimps, gangs, cartels, family members or lawyers working in an adoption industry. Many different avenues must be examined and taken into account to fully understand what leads to this epidemic of human trafficking that not only impacts Tribal Nations and Alaska Villages but all citizens of this country.

I am a Program Specialist with the National Indigenous Women's Resource Center. Our role as an organization is to serve as a National Indian Resource Center that provides technical assistance/training, resource development, policy development, research activity and public awareness that also seeks to enhance Native American and Alaska Native tribes, Native Hawaiians, Tribal and Native Hawaiian organizations to respond to violence against Native women.

Statement of Daniel Papa,
Director of "Project Stay Gold"
at a Hearing of the
U.S. Senate Committee on Homeland Security and Governmental Affairs
"Combatting Human Trafficking:
Federal, State, and Local Perspectives"
Washington, D.C.

September 23, 2013

I would like to begin by thanking the Homeland Security Committee for this incredible opportunity to share the accomplishments of my students. I would especially like to thank Senator Jeff Chiesa for his inspiring efforts and his committed support of me and my students.

Today, we are confronted by the emerging and horrific crime of human trafficking. There is an estimated 27 million people enslaved around our world. This means there are more slaves on planet earth now than at any other time in human history. Furthermore, an estimated 100,000 men, women, and children are trafficked across the United States. I believe the solution to combating modern day slavery is sitting in classrooms all over America. In the face of this global issue, my students have started a movement by implementing effective solutions to rescue their generation and abolish modern day slavery. I am here today to share with you our vision for a renewed abolitionist movement.

As a history teacher, I believe that history is a verb, it is something we do, and it is made every day. I have instilled in my students that we learn history to make history. The journey of Project Stay Gold began in October of 2010 when I was teaching my students about the introduction of slavery to the Jamestown colony. While teaching about slavery in our nation's past, I made the connection to today by communicating that slavery still exists in our world. With an interactive website prompt on the smart board in my classroom, I explained the issue of modern day slavery to my students. In passing, I mentioned that if anyone was interested in starting an awareness campaign later in the school year that I would support that effort as an advisor. As a teacher, I have observed that when issues of injustice are covered in class there is a deeper level of engagement. Simply stated, young people have sensitivity to issues of injustice. This sensitivity to matters of injustice was the spark that ignited the fire within my students to begin a modern day abolitionist movement.

Two months later, one of my students, Kate came to me and asked for the address of the website that I used to expose the issue of human trafficking. Following the Christmas recess, Kate returned to my room, and told me that she was moved by the website; she had become captivated by the issue. She looked at me and said "Mr. Papa, we have to do something." From that point on, we decided to organize an awareness campaign for our school. Little did we know, thirty-five other students felt that same way about the issue as Kate did. At the time, the students were reading the novel, *The*

Outsiders by S.E. Hinton, and they particularly liked one phrase from the end of the book "stay gold." My students interpreted the phrase "stay gold" to mean, stay innocent, stay pure, and stay true to yourself. This is the exact message they desire to communicate to their generation in the face of this crime. For the next two months, thirty-five students and myself, along with two other teachers, Sharon Ciliento and Nancy Harris organized the school wide campaign. Inspired by the Frederick Douglass quote, "I expose slavery in this country, because to expose it is to kill it," the awareness campaign was born. To communicate the issue, students created posters with pictures and statistics, included information about human trafficking on the morning announcements, and created a lesson to deliver to their peers during a Social Studies class. As part of the campaign, the students decided to order abolitionist wristbands to sell and raise money for a local organization that is on the front lines of fight against human trafficking. The campaign was a success; an entire school was made aware of the issue. The students sold four hundred abolitionist wristbands in less than 24 hours. The students had successfully started a conversation about modern day slavery, and they have not stopped talking about it since.

The students were not satisfied with simply awakening their school to the horrible reality of modern day slavery; they wanted to take their message to their generation. They decided to take their campaign to the Internet. Collaborating with a videographer and a web designer, Peter Nevill, the students launched a website. The site contained videos they had produced, songs they had written, pieces of art they had created, and the information they had learned. Following the launch of the website, Project Stay Gold was invited to our State capital to present at Human Trafficking Awareness Day. For the past two years the students delivered speeches, presented their videos, performed songs, and displayed their art before an audience of 200 state and local officials. January 11th, 2012 also marked Jeff Chiesa's first day as the Attorney General of the State of New Jersey. From that day on a partnership developed between Project Stay Gold, government officials, and other agencies such as Homeland Security and the FBI.

Since then, many opportunities arose for our students to raise awareness and use the power of education to awaken people to the reality of modern day slavery. Project Stay Gold was invited to present at the Department of Health and Human Services Awareness Day in New York City last October and have made presentations at public libraries, churches, community centers, colleges, and universities. The videos were also used as a training tool for staff and personnel at Picatinny Arsenal (United States Army). In addition, students have traveled to neighboring middle and high schools through out North Jersey to teach lessons and host assemblies communicating the issue of human trafficking to their peers.

Through their research, the students learned about the existence of human trafficking surrounding the host cities of the National Football League's Super Bowl each year. In February of 2014, the Super Bowl will be played at MetLife Stadium in East Rutherford, New Jersey. Motivated to confront the emergence of human trafficking at this year's Super Bowl in our state, the students of Project Stay Gold have launched their *Not On Our Turf* (students for a traffick free Super Bowl) campaign. On October 15th, our students are hosting a student summit where they have invited students and teachers

from all over the state to learn the issue, provide them with action kits, and empower them to start an awareness campaign at their schools leading up to the Super Bowl. New Jersey's Director of Criminal Justice and a Homeland Security agent are both keynoting. On November 16th, our second summit will take place in New York City. In addition, one student started a petition on change.org petitioning the Super Bowl host committee to address human trafficking around their event. In less than two weeks, his petition has collected more than three thousand signatures. The *Not On Our Turf* campaign also includes public service announcements featuring our students that we hope will air on cable television and public radio leading up the Super Bowl.

As I look at my students, I see modern examples of William Lloyd Garrison, Harriet Tubman, and Frederick Douglass. The students of Project Stay Gold are abolitionists, history makers, and world changers. Together, we believe that every young person in America can be an abolitionist and history maker as well. We believe that a revived abolitionist movement has started inside classrooms all over America. Motivated with sensitivity and empathy for trafficked young people just like them, students across the nation can be the voice of the voiceless. This modern day abolitionist movement must begin with students educating students on the warning signs, risk factors, and raising their voice to rescue their own generation. The critical component to combating human trafficking in our society is educating young people to advocate and pursue the abolition of modern day slavery among their generation. Education is much more than raising awareness; it is a monumental step toward prevention. As the American Abolitionist, Maria Weston Chapman reminds us; "Slavery can only be abolished by raising the character of people who compose the nation…" Through education our students are not just gaining knowledge, but also contributing to a nation where human rights are respected and an individual's dignity and worth are kept sacred. In education, there is no more important task than the development of an informed and responsible citizen.

A partnership between schools and government leaders establishes the foundation for this modern day abolitionist movement. The first step could be for Federal, State, and Local governments to declare January 11th as National Human Trafficking Awareness Day. In addition to the declaration, the Department of Education could issue a directive that human trafficking education will be a part of middle and high school curriculums during the month of January. Federal and State governments, through their respective Departments of Education, could emphasize the need for educating our students about the horrors of human trafficking. The availability of federal grants for student organizations, that meet certain requirements to organize abolitionist movements in their schools and communities, would provide the necessary resources for student organizations to succeed. Lastly, if Federal, State, and Local governments were to advertise and publicize the national human trafficking hotline number: 1-888-3737-888, young people would have access to resources that government agencies will provide.

Once again, thank you for this opportunity to testify in front of you this afternoon and I look forward to working closely with you to combat this horrific underground atrocity affecting our young people today.

ATTACHMENT #1

Hello my name is Nathaniel Hirschman and I am an abolitionist

One of the goals of Project Stay Gold is to raise awareness about the incredible scope and different settings in which human trafficking and exploitation arises. One of these areas includes major sport competitions, and clamping down at these events is a must to protect the scores of people being exploited at them. The upcoming Super Bowl at the Meadowlands presents a chance for us to make the connection between massive sporting events and massive exploitation. One way we can make sure that New Jersey's Super Bowl in 2014 is as safe as possible is by passing restrictive legislation like what was done in the states of the event's previous hosts, Dallas in 2011 and Indianapolis in 2012. At Indianapolis the governor signed a law that made it easier to prosecute anyone who forces kids into the commercial sex trade. According to reports, the 2010 Super Bowl brought 10,000 prostitutes to Miami, and in 2011 it resulted in 133 prostitution arrests. As they say, history repeats itself, and recent history leads us to believe that the Super Bowl and human trafficking go hand in hand. To combat this, we have created an affiliated campaign, Not on Our Turf. Our ambition is to create a league of schools and other educational institutions to battle against these horrors in our backyard. As always, this process begins with education. Next month, we will be hosting a summit to bring Not On Our Turf to schools around New Jersey. Our relationship with Senator Chiesa allows us to reach out to principals and superintendents across

the state, asking student and teacher representatives to become educated and be armed with the necessary tools to protect the integrity of the Super Bowl. We feel children will want to work for change in order to make their sports pure, much in the same way we expel steroids and game-fixing, we can expel sex-slavery as a side attraction to these activities. As the floodlights illuminate the action on the field, off of it, the Super Bowl's dirty underbelly must be exposed. With the help of the NFL, we can promote awareness to the signs of human trafficking. Special attention should be brought to the link between human trafficking and the Super Bowl next year. Senator Chiesa has recognized the need for action around the Super Bowl, and on his maiden speech to the US Senate, mentioned our group by name as he introduced issues of human trafficking to the Senate floor. "Not on our turf" is a phrase that shows how we, strong-spirited New Jersey students, parents and educators, want to expel the crime of human trafficking from one of the most beloved sports events in the world.

ATTACHMENT #2

"She"

Mark Dominguez

She just turned fifteen years old. No, she is not celebrating her birthday party with loving parents and friends. Her parents instead yell, tell her she is not good enough and abuse substances. She wants to run away, find a new way of living. She collects her possessions and walks out of the house, not even questioned by her parents who are yelling at each other. With her new life in her backpack, she goes to the mall to think about where she will go next. Alone and scared sitting at a food court table, a man in his twenties approaches her and asks her why she is alone. "I left my house because of my parents," she says shyly to the man who is very friendly. He tells her that he can let her live with him and set her up with a job. A free job? A place to live? No abusive parents? She quickly answers with a, "yes". They leave the mall and she thinks of her new life and opportunities. One hour later she is locked in a dark room and stripped of all her identification and communication. Two hours later she wants to go home, she is hit for crying. Three hours later she is forced to sell her body for sex to random men on dark streets. **She** was just sold into slavery. She is nameless because as a slave no one wants to know her name, she is stripped of her humility.

Jane just turned fifteen years old. Jane runs away from home and goes to the mall because her home was an abusive environment. She sits in the mall food court and her worries about her future are written on her face. A very friendly man approaches her and asks her what is wrong. They talk and Jane tells him everything. He tells her that things will get better and he will find a place to live for her. Jane clicks. Jane remembers that earlier in her school year a group of students from another school talked

about human trafficking and modern day slavery. Jane knows the warning signs and what she could get into. Jane gets up and snaps a picture of the man and runs. The police receive the picture from Jane and get a positive identification on the man. An investigation launches and the man is arrested and found with four other girls who are sex slaves. **Jane** is not another "**she**", Jane is someone who was educated about an evil that not many people know exists in the United States and around the world. Jane just saved countless of other "she's" from a life of slavery and exploitation.

The world needs to be informed of modern day slavery and human trafficking. Millions of "she's" and "he's" exist in the world today. They have no place to turn to and bystanders are oblivious to the fact that they are standing on a street corner or being chained in a basement in their own neighborhood. It happens everywhere and the number of modern day slavery activists are limited. We abolitionists, the people who can educate the community about this terrible crime and let others do the same, need more people to know and take action for the "she's" and "he's" who count on us to save them.

Post-Hearing Questions for the Record
Submitted to the Honorable Alice C. Hill and James A. Dinkins
From Senator Thomas R. Carper

"Combating Human Trafficking: Federal, State, and Local Perspectives"
September 23, 2013

Question#:	1
Topic:	lack of awareness/hiding in plain sight
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: It has been reported that an estimated 100,000 U.S. citizens annually fall victim to human trafficking, defying the myth that this only occurs in other parts of the world. A general lack of awareness has contributed to its characterization as a problem that is "hiding in plain sight".

Please describe factors that have suppressed identification of victims and perpetrators of human trafficking in the U.S.

Please describe in detail efforts made by your agency to raise awareness of human trafficking in the U.S. and identify victims.

What more should Congress, or the executive branch, be doing to address this issue?

Response: The U.S. Department of Homeland Security (DHS) is committed to raising awareness of human trafficking and, as part of that commitment, has taken many steps to enhance its investigative capabilities to target human traffickers globally.

In the course of that, U.S. Immigration and Customs Enforcement (ICE) has found several factors that tend to suppress identification of victims and human traffickers. Often, human trafficking victims do not report a crime because they may fear reprisal, their movements may be controlled by traffickers, they may not self-identify as trafficking victims, or they may distrust law enforcement. Additionally, victims may be misidentified as victims of other crimes (such as domestic violence) or as perpetrators of crime (such as prostitution) and thus not counted in trafficking statistics.

To better raise awareness of human trafficking, DHS efforts have included:

- **Support to the Blue Campaign:** ICE's Homeland Security Investigations (HSI) continues its commitment to the DHS Blue Campaign, the Department's One-

Question#:	1
Topic:	lack of awareness/hiding in plain sight
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

DHS effort to coordinate resources and expertise among all DHS components to combat human trafficking. Significant HSI contributions to this initiative have included public outreach through the "Hidden in Plain Sight" campaign, which has included the use of highway billboards, subway platforms, the exterior and interior of buses, bus shelters, urban panels, and dioramas in major cities to educate the public about the dangers of human trafficking. This effort even included the use of a digital projection screen in the New York Times Square subway station, which aired a modified version of the ICE human trafficking public service announcement. HSI also placed human trafficking awareness advertisements in foreign language and ethnic newspapers in 24 cities including Spanish, Korean, Chinese, and Thai language newspapers, as well as several English language papers whose target audiences are the Filipino and Asian-Pacific Islander communities. These languages were chosen because the countries of origin for many human trafficking victims include Mexico, Guatemala, Philippines, Thailand, Korea, and China. The human trafficking advertisements were placed in 50 different newspapers with a combined circulation of 1.97 million per advertising appearance.

- **Law Enforcement Training:** HSI has also coordinated with the Federal Law Enforcement Training Center (FLETC) to add human trafficking as one of the key topics in state and local law enforcement training symposiums. HSI personnel conduct these portions of training and have also developed human trafficking training modules as permanent curricula for the International Law Enforcement Academies in Bangkok, Budapest, and Latin America. These international training modules cover topics such as indicators and investigative methodologies in human trafficking, global networks, victim interviews, and victim services.

- **Outreach:** HSI domestic Special Agents in Charge (SAC), as well as internationally-assigned attachés, conduct outreach and provide training to educate federal, state, local, and foreign law enforcement agencies and non-governmental organizations regarding ICE's expertise and role in human trafficking investigations as well as the provision of Continued Presence as a form of short-term immigration benefit for victims of trafficking. International outreach efforts focus on greater awareness and increased host government efforts to combat human trafficking both as a source or transit country.

- **Operational Coordination:** Domestic HSI field offices seek to coordinate and de-conflict human trafficking investigations with domestic law enforcement partners and establish protocols for information exchange. Internationally, ICE

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attachés work with host government officials, law enforcement, and non-governmental organizations (NGOs) to enhance similar information exchange while also developing and building existing partnerships with foreign governments, law enforcement, and NGOs to strengthen long-term strategic relationships that foster information exchange and collaboration in human trafficking cases.

Commitment to Victims: HSI also has a robust victim assistance program with full-time victim assistance specialists at each of the 26 SAC offices that complement the work of the 350 collateral duty victim assistance coordinators in providing emergency assistance to victims of human trafficking. HSI also has dedicated child forensic interviewers to implement special procedures and training to deal with juvenile victims of trafficking. These individuals ensure that victims have the information and assistance they need to participate actively and fully in the criminal justice system process. From the time they are identified, victims receive emergency medical assistance, food, shelter, and other emergency needs for immediate rescue and stabilization. Referrals are made to NGOs for case management, legal services, and long-term needs while HSI provides short-term immigration benefits to certified victims of trafficking in the form of Continued Presence. ICE is fully committed to victim-centered investigations in which the identification, rescue, and needs of the victims are critically important.

- **Immigration Relief:** Without legal status, victims may not be able to stay in the United States to continue working with law enforcement agencies and prosecutors. DHS provides three types of immigration relief in order to encourage victims to come forward and report their case. ICE may provide short-term immigration relief to victims of trafficking in the form of Continued Presence. This form of relief is law enforcement based and allows potential witnesses to remain in the United States to assist law enforcement in the investigation and prosecution of crime. Law enforcement agencies are encouraged to request this type of relief as soon as a victim is identified. Continued Presence relief lasts for 1 year, with the option to extend at ICE's discretion. The second and third type of potential immigration relief may be provided by USCIS in the form of either a T or U nonimmigrant status visa. Both visas allow victims to live and work in this country as they assist law enforcement authorities in the investigation or prosecution of human trafficking cases. All of these forms of relief provide an opportunity for victims to apply for more permanent status.

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ICE appreciates Congress' continued support of human trafficking-related investigations and programs. In 2012, ICE initiated 894 human trafficking investigations, which resulted in more than 967 criminal arrests, 559 indictments and 381 convictions, all records for ICE. ICE will continue to prioritize human trafficking efforts in accordance with congressional guidance and Presidential priorities.

As with any transnational and evolving criminal threat, ICE looks forward to working with Congress and others to ensure Federal law enforcement has the tools it needs to appropriately address these challenges.

Question#:	2
Topic:	Targeting the illicit funds/Human Trafficking
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: It is reported that human trafficking generates a staggering $32 billion dollars annually worldwide. Written testimony for this hearing described partnerships such as one between the Blue Campaign and Western Union that have facilitated identification of human traffickers and the movement of illicit funds linked to trafficking.

Please describe typical human trafficking enterprises and the rising financial potential of these enterprises.

Please describe efforts made by your agency to assist financial establishments in the identification and reporting of illicit funds related to human trafficking?

What more should Congress, or the executive branch, be doing to address this issue?

Response: While there is no typical human trafficking enterprise, U.S. Immigration and Customs Enforcement (ICE) and its law enforcement partners have identified trends in how human traffickers are using suspicious financial transactions. Such trends include the use of structured cash deposits to avoid currency transaction reports, followed by contemporaneous outgoing international wire transfers; large cash deposits inconsistent with a particular business type; the leasing of high-end luxury vehicles and extravagant trips paid for by electronic funds transfer from business bank accounts; and credit card payments to online escort services for advertising, including small posting fees to companies such as online advertising websites as well as more expensive, higher-end advertising and website hosting companies. These trends indicate the evolving interplay between money laundering and human trafficking.

ICE has partnered with the private financial industry to best capture the existence and movement of illicit funds related to human trafficking by the implementation of both the Cornerstone Outreach Program and Project Smugglers' and Traffickers' Assets Monies and Proceeds (STAMP). In July 2003, ICE Homeland Security Investigations (HSI) launched the Cornerstone Outreach Program to work with the private sector to identify and eliminate vulnerabilities in financial systems through which criminals launder their illicit proceeds. Key to this initiative is building strong partnerships by sharing law enforcement trends and methods with the businesses and industries that manage the financial systems that terrorists and criminal organizations, including human smuggling/trafficking organizations, seek to exploit. There are more than 250 dedicated HSI Special Agents assigned to ICE field offices, working to share trends and "red flag" indicators of criminal activity with the private sector. Since the inception of this

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program, HSI Special Agents have conducted more than 12,800 outreach and training events, reaching approximately 277,000 participants worldwide.

Project STAMP likewise targets the illicit proceeds earned by human smuggling and trafficking organizations. In order to effectively disrupt and dismantle the operation of these transnational criminal organizations, HSI simultaneously targets the smuggling as well as the financing and money laundering activities of such organizations. By doing so, the substantial penalties associated with money laundering can be added to the consequences faced by those suspected of human trafficking, enhancing potential sentences imposed upon conviction. Moreover, the trail of monies uncovered during money laundering investigations routinely leads to those at the very top of a criminal organization resulting in crucial seizures of their assets, monies, and proceeds derived from such criminal activities.

ICE welcomes any requests to provide comments or expertise related to proposed legislation or activities and its potential impact on ICE's efforts to combat human trafficking. In addition, ICE appreciates Congress's continued support of human trafficking-related investigations and programs and looks forward to continuing to work with Congress to build on the progress already made.

Question#:	3
Topic:	Nexus
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
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Question: Human traffickers often form part of a broader criminal network that involves different illegal activities. For these criminal networks, human trafficking may be a funding source for their other criminal activities. Of particular concern, the President's Strategy to Combat Transnational Organized Crime points out that these broader criminal networks and terrorists are becoming increasingly connected.

Please describe in detail any convergence that your agency has observed between human trafficking and other forms of organized crime.

Please describe in detail any links that your agency has seen between these broader transnational criminal networks and terrorists.

What more should Congress, or the executive branch, be doing to address this issue?

Response: Human trafficking has been a lucrative criminal enterprise in the United States, using men, women, and children as commodities. Traffickers transport undocumented migrants into the United States for labor in legitimate and illegal industries.

The traffickers' foremost goal is to maximize profits, often resulting in physical and mental exploitation of the victims. The sale and distribution of trafficked humans in the United States is a global, regional, and national phenomenon. Human trafficking is intermixed with other illicit activities, including fraud, extortion, racketeering, money laundering, bribery of public officials, drug trafficking, document forgery, and gambling. While ICE has not seen firm linkages between human trafficking and terrorism, in regards to transnational organized crime, ICE has observed an upward trend in the trafficking of women and underage girls by criminal gangs (both within the United States and internationally) and remains committed to thwarting such activities.

ICE appreciates Congress's continued support of human trafficking-related investigations and programs. In FY 2012, ICE initiated 894 human trafficking investigations, which resulted in more than 967 criminal arrests, 559 indictments and 381 convictions, all records for ICE. ICE will continue to prioritize human trafficking efforts in accordance with congressional guidance and Presidential priorities.

Question#:	3
Topic:	Nexus
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As with any transnational and evolving criminal threat, ICE looks forward to working with Congress and others to ensure Federal law enforcement has the tools it needs to appropriately address these challenges.

Question#:	4
Topic:	victim intimidation
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: According to briefings provided to Committee staff, as many as 95 percent of trafficking victims have a cellphone which could be used to solicit help from law enforcement or others, yet most victims do not do so.

Please explain factors contributing to this phenomenon.

Response: U.S. Immigration and Customs Enforcement has encountered many reasons why victims fail to self-identify and, therefore, do not ask for law enforcement assistance. For instance, victims often lack an understanding of their legal rights and have had traffickers instill in them a fear of arrest or deportation, or physical harm to themselves or loved ones. Traffickers work hard to keep victims hidden—they prohibit or restrict outside contact, often force victims to live where they work, or prohibit them from going anywhere outside of their home or workplace(s). While traffickers may allow victims to have cell phones, they are often used as tools of commerce and control. Victims may not have free or safe use of their cell phones. Traffickers have reportedly used cell phones with GPS capabilities to track the location of their victims and force victims to check in via various apps once they reach destinations so that the trafficker always knows where they are and can further control them. Victims of sex trafficking, in particular, may be trafficked as part of large organized crime networks that keep victims moving from one place to another—keeping the victim disoriented and making it more difficult for law enforcement to find victims. Similarly, child victims of trafficking are often prevented from attending school or engaging in other activities where they might be discovered by authorities.

Traffickers often take away travel and identity documents, as well as personal items from their victims. They may also threaten to harm or impose debt upon members of a victim's family if the victim attempts to escape. When encountered by authorities, victims have usually been coached by traffickers to lie about their age, identity, as well as the nature of the relationship between trafficker and victim, resulting in victims denying their status for several interviews. Other traffickers seek to control their victims in a variety of insidious means: through the use of drugs; denying victim resources or emotional support; and causing feelings of fear, hopelessness, and extreme vulnerability. Finally, some victims experience traumatic bonding or "Stockholm syndrome" when they have been enslaved for long periods of time and begin to identify with their traffickers and decide to protect the traffickers by not disclosing the truth to law enforcement.

Question#:	5
Topic:	cellphones and the internet
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
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https://ect.dhs.gov/iq/workflow_edit.aspx?cid=997575&tabid=

Question: Recent news stories about human trafficking have suggested that modern technology and social media may increase the ability of traffickers to recruit new victims and to exploit them.

Please discuss whether the experience of your agency supports or negates these reports.

Have any strategies been discussed to use social media or other technologies to help establish evidence against traffickers?

What more should Congress, or the executive branch, be doing to address this issue?

Response: Human traffickers, like other types of criminals, are increasingly using technological advancements to facilitate their illicit activities. U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) continues to advance its technological capabilities through our Cyber Crimes Center in addition to working with our non-governmental organization and private industry partners. These partners, including major social media providers, routinely share their expertise with law enforcement agencies about various forms of new and emergent technology that may be used to further human trafficking investigations. ICE officials regularly meet with law enforcement partners and external stakeholders in order to stay abreast of the recent trends in trafficking. In addition, ICE provides information to the DHS Blue Campaign for use in its social media efforts to reach members of the public on human trafficking issues.

ICE investigations are victim-centered, and any technique that can be utilized to identify and rescue more victims will be used including internet-based and social media programs. ICE recently created a first of its kind smartphone application designed to elicit the public's help with identifying fugitive and suspect child predators. The application, called Operation Predator, enables users to receive alerts about wanted predators and share that information with friends via email and social media networks. The application also allows users to contact ICE with potential information by phone or online, 24 hours a day, seven days a week. Please note that all mobile applications, including this one, go through a rigorous privacy and security assessment process to ensure the appropriate safeguarding and dissemination of personal information adhere to applicable government rules and policies. Additionally, all information relating to individuals/suspects broadcasted on the Operation Predator application receives prior

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clearance by the ICE Privacy and Records Office. Further, ICE maintains records of all approved releases of Privacy Act Information.

As with any transnational and evolving criminal threat, ICE looks forward to working with Congress and others to ensure Federal law enforcement has the tools it needs to appropriately address these challenges.

Question#:	6
Topic:	Gangs and Human Trafficking
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Disturbing trends of increased gang involvement in human trafficking, such as one reported in Fairfax County, Virginia in recent years, have uncovered cases of the MS 13 drug gang recruiting young girls for prostitution. ICE was involved in some of those cases, and one agent told reporters about a victim as young as 12 years old. According to the agent, the girl was a runaway and approached some gang members at a party for a place to stay. Within hours, they were forcing her to work as a prostitute.

Please describe your agency's findings in terms of increased gang involvement and some of the implications for victims and for law enforcement and others trying to combat trafficking.

What more should Congress, or the executive branch, be doing to address this issue?

Response: U.S. Immigration and Customs Enforcement (ICE) Special Agents were deeply involved in the identified investigation, as well as other investigations involving MS-13. In general, investigators have observed an increase of gang-related trafficking of women and underage girls within the United States and internationally. Since 2011, ICE has initiated twenty-six unique criminal investigations of gang-related human trafficking, a level of criminal activity that reflects heightened levels of emotional harm and physical injury to victims as well as related violent crimes. ICE remains committed to combatting all facets of human trafficking, and will continue to proactively track and monitor the involvement of gangs in the trafficking of men, women, and children.

As with any transnational and evolving criminal threat, ICE looks forward to working with Congress and others to ensure Federal law enforcement has the tools it needs to appropriately address these challenges.

Question#:	7
Topic:	agency coordination/collaboration
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: Human trafficking has become a higher priority across the federal government, which brings the question and concern whether agencies are complementing rather than duplicating efforts.

Please describe in detail how your agency divides responsibility for this issue – first between your respective agencies, DHS and DOJ, and then more broadly within the federal government.

Response: Building partnerships is necessary to bring more resources and awareness to the issue of human trafficking. Increased partnership and awareness enhances the U.S. Department of Homeland Security's (DHS) ability to identify, assist, and provide services to victims, as well as to investigate human trafficking. Through the Blue Campaign, DHS component efforts are unified, which enhances DHS's ability to effectively and efficiently coordinate and collaborate within the federal government. Some examples include:

Interagency Working Groups

DHS, through the Blue Campaign, works in collaboration with law enforcement, government and non-governmental, and private organizations to protect the basic right of freedom and bring traffickers to justice.

- DHS participates in the President's Interagency Task Force (PITF) to Monitor and Combat Trafficking in Persons, chaired by the Secretary of State. The PITF brings together federal departments and agencies to ensure a whole-of-government approach that addresses all aspects of human trafficking, including enforcement of criminal and labor law, victim identification and protection, education and public awareness, international trade and development, enhanced partnerships and research opportunities, and international engagement and diplomacy.

- The DHS Chair of the Blue Campaign participates in the Senior Policy Operating Group (SPOG), chaired by the State Department's Office to Monitor and Combat Trafficking in Persons, a cross-departmental group and subordinate body to the PITF that coordinates interagency policy, grants, research, planning, and the implementation of the TVPA across the federal government. The SPOG convenes quarterly.

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- DHS, along with the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS), co-chair the SPOG Victims Assistance Working Group. The Working Group drafted a Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States. This plan, developed collaboratively with federal partners, including DOJ and HHS, will promote enhanced coordination across the federal government to identify, rescue, and support victims who have suffered to begin the recovery process.

- DHS participates in the Human Smuggling and Trafficking Center (HSTC), a collaboration between DHS, the U.S. Department of State (DOS), and DOJ to ensure a holistic approach to data and intelligence collection efforts.

- In March 2013, DHS also created the Council on Combating Violence Against Women, which works within DHS to ensure that policies and practices for combating violence against women and children are consistent Department-wide. By identifying opportunities to share best practices and coordinate efforts, the Council will support the Department's missions of effectively administering the laws to prevent violence against women and children. The Council is working to enhance the support that DHS provides to the general public, state, local, and tribal law enforcement officers, first responders, non-government organizations, faith-based groups, and members of the judicial system.

Interagency Partnerships

DHS embraces collaboration with other federal agencies, understanding that combating trafficking requires joint efforts.

- DHS partnered with the U.S. Department of Transportation (DOT) to enhance awareness of trafficking and victim identification to employees in the transportation industry. DOT adopted the Blue Campaign's awareness training to its workforce and, in 2012, trained nearly all 55,000 of its employees.

- This initial partnership with DOT led to further progress and partnerships with other transportation industries, including Amtrak, the Federal Motor Carrier Safety Administration, and the operators within the airline industry.

- DHS collaborated with DOS and other federal agencies to create a 15-minute general awareness training to educate the public on the indicators of human trafficking and how to report it.

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- DHS partnered with DOJ and the U.S. Department of Labor (DOL) to create an advanced human trafficking training course. The course brings together agents and prosecutors who investigate and prosecute these crimes.

- As part of the Blue Campaign, DHS provided the U.S. Department of Defense (DOD) human trafficking training.

- DHS's Federal Protective Service and the General Services Administration (GSA) collaborate to display Blue Campaign human trafficking awareness materials in GSA-owned facilities. Through the Blue Campaign, both entities are now involved in a pilot-program to display informational materials.

- DHS and the U.S. Department of Education are collaborating through the Blue Campaign to develop a Human Trafficking 101 course to educate school administrators and staff on the issue of human trafficking, potential indicators that they may encounter, and how to report cases of suspected human trafficking. This process also involves the development and institution of a permanent Memorandum of Understanding.

- In accordance with a TVPA requirement, HHS regularly consults with DHS regarding potential foreign child victims of human trafficking, and DHS cooperates with HHS in the protection of foreign child trafficking victims. DHS refers child victims for placement in the HHS' Unaccompanied Alien Children (UAC) Program. DHS and HHS cooperation also occurs through DHS notifications to HHS about Continued Presence and T nonimmigrant status granted to adult victims of trafficking, who are then able to gain access to certain federal and state benefits and services through HHS certification.

International Collaboration

DHS collaborates closely with DOS to coordinate anti-human trafficking engagement with our international partners.

- DHS signed an agreement with INTERPOL to distribute Blue Campaign materials to each of its 190 member countries. DHS and INTERPOL will work together to share training and awareness materials and best practices, strengthen support for victims, increase regional partnerships, and enhance cooperation on combating human trafficking.

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- Former Secretary of Homeland Security Napolitano and Attorney General Holder signed a memorandum of understanding with the Canadian Minister of Public Safety to allow the sharing of critical human trafficking-related information between the HSTC and its Canadian counterpart, the Human Trafficking National Coordination Centre.

- DHS signed statements of intent on combating trafficking in persons with the governments of Guatemala, Panama, New Zealand, Brazil, and the Dominican Republic, in which the countries reaffirmed their commitment to combating human trafficking and pledged to share resources and increase partnerships to more effectively combat the illicit organizations and individuals involved in the crime.

Question: Please describe the model, your agency's experience with, and the effectiveness of six new regional taskforces set up to address human trafficking.

Response: In July 2011, Attorney General Holder, former Secretary of Labor Solis, and former Secretary of Homeland Security Napolitano announced the final selection of Anti-Trafficking Coordination Teams (ACTeams) in six districts around the country (Atlanta, El Paso, Kansas City, Los Angeles, Memphis, and Miami) following a competitive, nationwide interagency selection process. These specialized teams of representatives from DHS, DOJ, and DOL receive support from technical experts on human trafficking investigations, prosecutions, and victim assistance. ACTeams bring together federal agents and investigators from the Federal Bureau of Investigation (FBI), U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI), and DOL's Wage and Hour Division and DOL's Office of the Inspector General, with federal prosecutors from U.S. Attorney's Offices, to implement a coordinated plan to develop significant federal human trafficking investigations and prosecutions.

In fiscal year (FY) 2012, DHS, DOJ, and DOL collaborated to create a joint Advanced Human Trafficking Training course held at DHS's Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, for investigators, prosecutors, victim assistance specialists, and other personnel participating in the ACTeam initiative. Between September 2012 and September 2013, FLETC trained all six ACTeams. Expert instructors from DOJ, FBI, ICE, and DOL trained the teams. The week-long course focuses on complex issues of human trafficking, including discovery issues, immigration relief, witness testimony strategies, search warrant information, interviewing cooperative and uncooperative witnesses, and evidence gathering. The training includes a case study, interviewing labs with professional role players, and computer lab modules. The course is highly interactive and uses adult learning methodologies such as small group

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assignments. The course culminates in the attendees' creation of strategic plans that they take back to their offices to improve the way their teams investigate human trafficking.

As a result of these efforts, the number of ICE-initiated human trafficking investigations and related federal prosecutions have increased significantly. For example, in ICE El Paso, ICE initiated 13 human trafficking investigations in 2010 and another 36 in 2013—an increase of 177 percent. Similarly, in Chicago (which includes HSI Kansas City), ICE increased investigations by 148 percent. The increases in Los Angeles, New Orleans, Miami and Atlanta were: 125 percent; 60 percent; 59 percent; and 50 percent, respectively between 2010 and 2013.

A further example of a recent ACTeam success is the investigation and prosecution of the Charles Marquez sex trafficking operation. In this ICE El Paso led investigation, the ACTeam found that Marquez and Martha Jimenez-Sanchez recruited females from Mexico to come to the United States. However, once in the United States the women, some of whom where minors, were put to work as prostitutes against their will. This investigation led to the identification of 15 victims of human trafficking.

In 2012, Marquez and Jimenez were indicted for multiple counts of 18 § USC 1591, sex trafficking of a minor and sex trafficking through force, fraud or coercion. Additionally, both primary defendants were also indicted for Mann Act violations, 18 USC § 2421 and 18 USC § 2422(a) and 8 USC § 1328, importation of an alien for immoral purpose. Jimenez pled guilty and Marquez was found guilty at trial for sex trafficking. Sentencing for both individuals has not yet taken place.

Question#:	8
Topic:	forced labor
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
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Question: Not all human trafficking involves forced sex. There are also cases in this country of modern slavery or forced labor.

Please describe some of the forced labor cases you have come across. What type of victims do you see and how are they coerced?

Response: In general, criminal investigations have found that victims of forced labor have included men, women, and children who are coerced by their employers. Examples of such coercion include: physical threats toward the victims; confiscation of the victim's identity documents upon arrival; use of forced isolation by denying victims outside visitations; luring of victims to the United States with false promises of pay, terms, and/or the nature of their employment; and entrapment of victims by threatening to turn them over to enforcement agencies once they arrive in the United States on employer-provided fraudulent visas.

In one recent example, on March 25, 2013, the suspect in a U.S. Immigration and Customs Enforcement (ICE) forced labor investigation was sentenced to 135 months imprisonment and ordered to pay $134,000 in restitution to the victims. This stemmed from an investigation, which was initiated on February 15, 2011, after the ICE Homeland Security Investigations (HSI) office in Detroit, Michigan received information from local law enforcement and school authorities indicating that a suspect trafficked four minor children from Togo, Africa for forced labor. The investigation revealed that the suspect petitioned for the children under his asylum application claiming they were his own. Investigators later discovered that he was not the biological father of the children and that he supplied fraudulent birth certificates in support of their immigration petition.

The children were forced to work in the house, complete all household duties, and care for the suspect's daily needs; if these duties were not completed, food was withheld or the children were beaten and punished in various ways. HSI Detroit worked with Child Protective Services to ensure that all of the victims' needs were met while the children were referred to the University of Michigan's Human Trafficking Clinic, which provided them with legal services and assistance in applying for T-visas.

In 2009, ICE investigated the owner of a massage parlor in Mt. Prospect, Illinois after information developed that sexual abuse, violence, and threats of violence were used to force three women from the Ukraine and one from Belarus to work without pay and little to no subsistence for almost two years. The suspect offered the victims jobs in his

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massage parlor, a place to live, assistance with immigration, and lured each of them into a romantic relationship. After gaining their trust, he forced the victims to get tattooed with his moniker, which he said made them his property and allowed him to stop paying them. The women were forced to work long hours and do as he instructed them, and were beaten and punished if they disobeyed him.

The suspect confiscated passports and identity documents from three of the victims, and forced one victim to engage in commercial sex acts with customers at other massage parlors. He also extorted over $25,000 from another victim after threatening to send a sexually explicit video recording to her parents in Belarus. One victim recounted numerous beatings at the hands of the suspect including one instance where she was tied to a bed and beaten with a belt.

The suspect was indicted for three counts of forced labor; three counts of alien harboring; three counts of unlawful conduct with respect to documents in furtherance of trafficking, peonage, slavery, involuntary servitude, or forced labor; one count of sex trafficking; and one count of extortion. He was found guilty after a jury trial, and on November 26, 2012 was sentenced to life in prison.

In 2005, ICE began investigating Abrorkhodja Askarkhodjaev of Giant Labor Solutions LLC, who led a labor trafficking ring whose members included nationals of Uzbekistan, Moldova, and the United States. Askarkhodjaev arranged for workers to be recruited from Jamaica, the Dominican Republic, the Philippines and elsewhere, luring many with false promises concerning the terms, conditions, and nature of their employment. Askarkhodjaev operated the organization for the purpose of obtaining money by securing labor leasing contracts and supplying labor to businesses.

Askarkhodjaev and the organization promised clients they would comply with all pertinent labor and immigration laws, pay all relevant employment taxes, and carry proper workers' compensation insurance coverage, which they did not. The victims believed they were awarded visas to work legitimate jobs in U.S. hotels; however, they were forced to work in factories throughout the U.S. and pay vastly inflated rent for employer provided housing.

Members of the criminal enterprise withheld much of the victims' earnings and threatened them with deportation and financial penalties if they refused to comply with the defendants' demands. The organization was found to have presented and/or submitted false and fraudulent documents to U.S. Citizenship and Immigration Services, the Department of Labor, the Internal Revenue Service, and the Kansas Department of Revenue. Askarkhodjaev and the organization petitioned for hundreds of foreign workers

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using false or misleading information in their application packages. Continued Presence and T-Visas were pursued for over 70 victims of this human trafficking ring.

On October 21, 2010, Abrorkhodja Askarkhodjaev was sentenced to 12 years in prison and three years of supervised release. He was also ordered to pay $172,000 in restitution to the foreign worker fraud and forced labor victims in addition to restitution for harm caused by other aspects of the criminal enterprise. Another participant, Kristin Dougherty, was also convicted and sentenced to 60 months in prison. Dougherty was the Vice President of Sales and Marketing for the company that recruited and exploited these foreign national workers. Dougherty also controlled three other businesses used to facilitate the scheme.

Question: What more should Congress, or the executive branch, be doing to address this issue?

Response: To continue to effectively address forced labor, the Department of Homeland Security (DHS) recommends the following:

- Promote the development of labor trafficking training and awareness materials; and

- Support the continuation of DHS, Department of Justice, and Department of Labor advanced anti-human trafficking training sessions to Anti-Trafficking Coordination Teams and specialized taskforces per year.

- Support government collaboration to counter forced labor such as the President's Interagency Task Force's (PITF) interagency collaboration, and efforts by and between federal, state, and local anti-trafficking task forces to address all forms of trafficking including forced labor.

Question#:	9
Topic:	Human Trafficking and Amtrak
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Thomas R. Carper
Committee:	HOMELAND SECURITY (SENATE)

Question: The Blue Campaign has formed a partnership with Amtrak, U.S. airlines, and other transportation industries to train employees about human trafficking.

Please describe these partnerships and their effectiveness.

Response: In 2012, the U.S. Department of Homeland Security (DHS) partnered with U.S. Department of Transportation (DOT) to enhance awareness of human trafficking and to teach members of the transportation industry how to identify trafficking victims.

- DOT adapted the Blue Campaign's awareness training to its workforce, and by 2012 nearly all 55,000 of its employees had completed the course.
- The initial partnership with DOT led to further collaborations and joint partnerships within the transportation industry, including partnerships with Amtrak, the Federal Motor Carrier Safety Administration, and the airline industry.
- Amtrak is training all 20,000 Amtrak employees and Amtrak Police Department officers to identify and recognize indicators of human trafficking, as well as how to report suspected cases of human trafficking. DHS and DOT coordinate with the U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Tip Line to identify human trafficking reports associated with Amtrak or trains.
- Amtrak made the DHS human trafficking general awareness training mandatory for all frontline transportation managers.
- Managers deliver a DHS/DOT human trafficking awareness crew briefing to all public-facing rail employees.
- Amtrak made the DHS state and local law enforcement human trafficking training mandatory for all Amtrak police officers.
- Amtrak distributes informational and awareness-raising materials to Amtrak employees.
- Amtrak continues to work together with DHS and DOT on this important issue.

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The Blue Lightning Initiative, led by DHS, U.S. Customs and Border Protection (CBP), and DOT, is a Blue Campaign training program to educate airline employees.

- Blue Lightning involves representatives from ICE, the Human Smuggling and Trafficking Center, the Federal Air Marshal Service, the Federal Aviation Administration, nongovernmental organizations, and private industry.

- Blue Lightning's federal collaboration created unique flight-deck communication protocols, enabling real-time reporting of potential trafficking. This DOT/DHS Blue Campaign innovation enables faster law enforcement response, protecting victims, preventing trafficking, and supporting resulting prosecution. DHS and DOT coordinate with the HSI Tip Line to identify human trafficking reports associated with domestic and international flights.

- Since the January 2013 Blue Lightning Initiative rollout, five airlines committed to use the Blue Lightning Initiative: Delta, JetBlue, Allegiant, Silver Airways, and North American. DHS, CBP, and DOT are in discussions with several other carriers.

- The Blue Lightning Initiative provides participating airlines with a federally approved training module that can be integrated into their initial or refresher training for airline employees. This tailored training gives airline employees the tools to identify the signs of human trafficking and an understanding of how to appropriately make a report to the proper law enforcement officers in real time. In addition, this training includes human trafficking indicators the flight crew will likely encounter during international flights.

Question: Please describe any similar partnerships with other businesses and/or industries.

Response: The DHS Blue Campaign is expanding its network of private industry partners in the fight against human trafficking. The Blue Campaign's goal is to increase the number of financial business and private industry partnerships this coming year.

In 2013, the Blue Campaign partnered with Western Union. Western Union agents are in a unique position to recognize human trafficking and other illicit activity of criminal organizations and businesses that use alternative financing mechanisms to move and store money. Through this alliance, Western Union will provide the Blue Campaign's

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multilingual training and awareness materials to select agent locations in the Southwest Border region of the United States and certain other high-risk locations.

Post-Hearing Questions for the Record
Submitted to the Honorable Alice C. Hill and James A. Dinkins
From Senator Tom Coburn

"Combating Human Trafficking: Federal, State, and Local Perspectives"
September 23, 2013

Question#:	10
Topic:	statistics
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: Having verifiable, quantitative evidence of the prevalence of human trafficking is essential to both understanding the problem, and best allocating resources to combat it. Yet both the federal government and non-governmental organizations have historically struggled to produce verifiable statistics on the nature of the problem.

In the State Department's annual Trafficking in Persons report for 2012, the Department said one problem with the U.S., state, and local governments' efforts to combat human trafficking was that for Fiscal Year ("FY") 2011, enforcement efforts focused on prosecuting sex traffickers more than labor trafficking, even though there were "significantly more" victims of labor trafficking that year.

Why did investigators and prosecutors put fewer resources into prosecuting labor traffickers than sex traffickers, when the former is "significantly more" common?

Response: While U.S. Immigration and Customs Enforcement (ICE) cannot comment about the basis for the Department of State's (DOS) statement that enforcement efforts focused on prosecuting sex traffickers versus labor traffickers, we do note that there is a debate among governmental agencies and non-governmental organizations (NGOs), which are dedicated to eradicating human trafficking, regarding the scope and prevalence of the various types of trafficking. ICE Homeland Security Investigations' (HSI) resources are dedicated to aggressively investigate all types of human trafficking, and ICE does not differentiate between labor trafficking and sex trafficking when allocating such resources.

Question: What has the Department of Homeland Security ("DHS") done to focus resources for combating human trafficking on the most prevalent forms of human trafficking?

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Response: Given the hidden nature of the crime of human trafficking, the Department of Homeland Security (DHS) ensures that resources focus on a comprehensive model that addresses all forms of human trafficking, including involuntary domestic servitude, forced labor, and sex trafficking. Through the Blue Campaign, DHS components conduct trainings, produce informational videos, develop informational materials, provide victim assistance, conduct investigative efforts, and conduct outreach.

DHS will continue to prioritize the investigation of human trafficking, as well as the provision of services to victims through victim assistance programs and appropriate immigration relief. DHS will continue to hold trainings, conduct outreach, and build relationships with domestic, foreign, NGOs, financial institutions, and international organizations.

Awareness and Engagement

Everyone has a role to play in combating human trafficking, and DHS continues to build partnerships to enhance awareness and coordination. To that end, the Blue Campaign created a variety of resources for individuals, partners, and stakeholders across government, law enforcement, first responders, prosecutors, judges, NGOs, and the private sector to inform people of potential "red flags" or indicators of human trafficking. In addition, DHS created informational human trafficking materials for potential victims about their rights and refers victims to assistance services to support their recovery. Some examples of Blue Campaign awareness and outreach efforts include:

- The Blue Campaign developed a series of posters that depict different forms of human trafficking and produced a public service announcement (PSA) titled "Out of the Shadows." The posters and PSA emphasize that victims can be many types of people, such as young children, women, men, U.S. citizens, new immigrants, and that they come from all socioeconomic groups.

- The Blue Campaign developed handout materials with tailored messages for NGOs, faith-based organizations, law enforcement, judges and lawyers, first responders, and healthcare professionals to educate them about how to identify victims, how to report crimes, the case investigation process, and available resources for victim support.

- The Blue Campaign produced an informational video to help first responders, including firefighters and emergency medical technicians, identify possible

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victims of human trafficking and created indicator cards and posters geared to those professionals.

- DHS collaborated with DOS and other federal agencies to create a 15-minute general awareness training to educate the public about the indicators of human trafficking and how to report it.

- The Blue Campaign meets individually with its federal partners, non-governmental and community organizations, first responders, and private sector partners to receive stakeholder feedback about its anti-trafficking programs and to help shape future initiatives. These meetings give the Blue Campaign a clear picture about what enhancements need to be made to our training courses and awareness materials to make them more effective.

- The DHS Office of Faith-Based and Neighborhood Partnerships conducts outreach to the faith-based community, including meeting with stakeholders and providing presentations at conferences. This Office distributes hundreds of informational pamphlets about combating human trafficking customized to the specific needs and interests of faith-based constituencies.

- The Office of Health Affairs, the Federal Emergency Management Agency, and the U.S. Fire Administration conduct webinars and presentations for first responders, federal agencies, NGOs, the private sector industry associations, and state and local government entities.

- U.S. Citizenship and Immigration Services (USCIS) developed for the public a poster about the immigration relief options available to victims of human trafficking and domestic violence. The "Don't Be Afraid to Ask for Help" poster includes hotline phone numbers to request assistance, along with other government sources of information, and is available in English and Spanish.

- HSI produced and aired advertisements for the 2010, 2011, and 2012 "Hidden In Plain Sight" campaign, which was featured in 64 different newspapers in languages including English, Chinese, Korean, Spanish, and Thai.

- U.S. Customs and Border Protection (CBP) developed the "No Te Engañes"/"Don't be Fooled" campaign, which ran in Guatemala, El Salvador, and Mexico in 2010, and in several cities in the United States in 2011. The awareness

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campaign informs migrants of the dangers of human trafficking and encourages the public and victims to call a hotline and get help.

- DHS's Office for Civil Rights and Civil Liberties (CRCL), through its Community Engagement Section, coordinated a number of human trafficking outreach presentations as part of quarterly community engagement roundtable meetings in Chicago, Houston, Atlanta, Los Angeles, St. Paul, and Denver. These presentations, facilitated by HSI, focused on providing basic information about the topic, best practices for vulnerable populations, and reassurances about the protections afforded to victims through the work of HSI victim assistance coordinators. Other participating agencies that were available to address community questions during these sessions include the U.S. Attorney's Offices and the Federal Bureau of Investigation (FBI). CRCL has provided significant support to the Blue Campaign in the past, and continues to engage and direct important aspects of this DHS initiative.

Partnerships

Building partnerships is necessary to bring more resources and awareness to the issue of human trafficking. Increased awareness helps DHS identify, assist, and provide services to victims as well as prosecute the traffickers. Some examples include:

- DHS, with the Department of Justice (DOJ) and the Department of Health and Human Services, has led the interagency effort to develop the first-ever federal strategic action plan for services for victims of human trafficking that coordinates and complements federal efforts, enhances resources, increases awareness, and strengthens the reach and effectiveness of available services.

- CBP, together with the Department of Transportation (DOT), launched the Blue Lightning Initiative, a training program to educate airline employees to identify human trafficking in airports or during flights and notify law enforcement. This voluntary, advanced reporting allows CBP to research and formulate an appropriate response to suspected human trafficking incidents, including coordination with other federal agencies as needed.

- DHS, DOT, and Amtrak are partnering to train all 20,000 Amtrak employees and police officers to identify and recognize indicators of human trafficking, as well as how to report suspected cases of human trafficking.

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- In 2013, the Blue Campaign partnered with Western Union. Western Union agents are in a unique position to recognize human trafficking and other illicit activity of criminal organizations and businesses that use alternative financing mechanisms to move and store money. Through this alliance, Western Union will provide the Blue Campaign's multilingual training and awareness materials to select agent locations in the Southwest Border region of the United States and certain other high-risk locations.

- DHS and DOS are partnering to translate the Wilberforce "Know Your Rights" pamphlet mandated by the TVPRA of 2008, and the newly created Wilberforce "Know Your Rights" video presentation, mandated by the TVPRA of 2013, into nearly two dozen languages. These materials will be available to education and employment-based visa applicants to ensure they understand their rights and have a number to call if they are at risk of or are being trafficked, dramatically expanding global efforts to prevent human trafficking and protect victims.

- The Blue Campaign is pursuing partnerships with national associations representing state, local, tribal, and territorial elected and appointed officials. In July 2013, DHS entered into a partnership agreement with the National Association of Counties (NACo) to promote awareness of human trafficking through the Blue Campaign. NACo is the only national organization that represents county governments in the United States and provides essential services to the nation's 3,069 counties. Through this partnership, DHS will deliver webinar training, share resources to bring awareness about human trafficking, and co-brand public awareness materials with both Blue Campaign and NACo logos.

Training

Recognizing the signs of human trafficking is the first step to identifying a victim. DHS works to train those likely to encounter any form of human trafficking about how to report the crime. This is intended to increase victim identification, bring traffickers to justice, and raise understanding of the assistance available to victims. More than 100,000 people likely to come in contact with victims have been trained to spot potential human trafficking and report it, including lawyers, judges, first responders, private industry, faith-based organizations, the general public, international organizations, NGOs, service providers, and state and local law enforcement. Blue Campaign and DHS agencies have been extremely effective in allocating training resources that cover all forms of human trafficking to these groups. Here are some examples:

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Federal Workforce Training

- The Federal Law Enforcement Training Center (FLETC), with support from CRCL and the other DHS operational components, developed an hour-long web-based training course designed for DHS employees. The training defines human trafficking and shows how seven DHS operational components might encounter victims of human trafficking. DHS has mandated training for DHS employees who are likely to encounter victims of human trafficking, using a specialized DHS web-based human trafficking awareness training.

- DHS's contracting professionals participate in a jointly developed DHS/DOS training on the human trafficking provisions of the Federal Acquisition Regulation. DHS made the training on the human trafficking provisions of the Federal Acquisition Regulation mandatory for all DHS contracting professionals. As of July 2013, DHS has trained 100 percent of its contracting professionals.

- The U.S. Coast Guard increased awareness of human trafficking across its service. The Coast Guard Investigative Service has incorporated training on recognition of human trafficking, and the Coast Guard Intelligence Directorate created a standing intelligence requirement and an indicators list to ensure field personnel can identify human trafficking.

- DHS, in collaboration with DOJ and the Department of Labor (DOL), created an advanced human trafficking training course for the anti-trafficking coordination teams. These teams consist of Assistant U.S. Attorneys, FBI Special Agents, HSI Special Agents, DOL Wage and Hour Inspectors, and Criminal Investigators from DOL's Office of the Inspector General, and federal victim assistance personnel. These specialized teams are in six districts around the country and receive support from subject matter experts on human trafficking investigations, prosecutions, and victim assistance.

- CBP trains its officers to screen all unaccompanied alien children encountered to determine whether they have been victims of trafficking, are at risk of being trafficked, or have a fear of persecution if they are returned to their home countries.

- DHS provided DOT with Blue Campaign awareness training to its workforce and, as a result, nearly all 55,000 of DOT's employees have taken the course.

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- DHS provided the Department of Defense with Blue Campaign-produced human trafficking training.

Law Enforcement Training

- DHS developed a web-based human trafficking training course that teaches law enforcement officers how to recognize human trafficking encountered during routine duties, how to protect victims, and how to initiate human trafficking investigations. DHS worked with law enforcement associations, state police academies, and state attorneys general offices to make the training widely available.

- In September 2013, DHS representatives attended the National Native American Law Enforcement Association's 21st Annual Conference to speak about the Blue Campaign's efforts to combat human trafficking and to cultivate partnerships with tribal and territorial law enforcement agencies to more effectively address human trafficking within Native American communities nationwide. DHS distributed its computer-based State and Local Law Enforcement Training and human trafficking awareness materials, and encouraged representatives to use the Blue Campaign's resources to supplement their efforts.

- DHS conducted numerous in-person trainings about identifying indicators of human trafficking, case-studies of trafficking investigations, and immigration relief options available to trafficked victims as part of its State and Local Law Enforcement Training Symposiums. FLETC has trained more than 1,600 officers who attended these symposiums in Akron, Ohio; Glynco, Georgia; Gulf Shores, Alabama; Hampton, Virginia; Laredo, Texas; Maui, Hawaii; Miami, Florida; and Traverse City, Michigan.

- DHS and DOT provided human trafficking training to approximately 6,000 state and local law enforcement, including investigators at the Federal Motor Carrier Safety Administration, about the best ways to detect human trafficking on trucks and buses, and these trainings will continue.

- DHS sponsored a human trafficking seminar for approximately 50 state and major urban area fusion center analysts about the indicators, trends, and tactics of human trafficking, as well as the anti-human trafficking resources available to support state and local analysts. ICE conducts trainings and distributes materials nation and worldwide to raise awareness among law enforcement and the public about how to identify human trafficking and provide tips to law enforcement. In FY

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2012, ICE trained or provided anti-human trafficking materials to more than 40,000 people.

- In FY 2013, USCIS trained approximately 770 federal, state, and local law enforcement officials using co-training presentations that it developed for the purpose of teaching state and local law enforcement the indicators of human trafficking and victim assistance programs that the federal government has implemented.

Question#:	11
Topic:	domestic human trafficking
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: Human trafficking is a heinous crime and it is inexcusable that it occurs in the United States at all. Yet, the most recent official estimate of domestic human trafficking is almost eight years old, released for FY 2005. Considering the importance of fighting human trafficking, why has there been no estimate of the prevalence of human trafficking since then?

Response: It is difficult to estimate the number of trafficking victims because of the often hidden nature of these populations. Human trafficking victims tend not to report their condition out of fear. Also, traffickers may take steps to control and limit their actions or freedom of movement. Some may not self-identify as trafficking victims, and/or regard law enforcement personnel with caution or distrust. Victims may be counted as victims of other crimes (such as domestic violence) or even perpetrators (e.g., of prostitution), and therefore not appear in trafficking statistics.

U.S. Immigration and Customs Enforcement's (ICE) Victim Assistance Program primarily provides statistics regarding victims that have been identified through ICE investigations. Many of these victims were lured from their homes and then forced or coerced into prostitution, domestic servitude, farm or factory labor, or other types of forced labor. In fiscal year 2013, ICE identified 306 human trafficking victims during the course of our investigations of sexual and labor exploitation.

Question#:	12
Topic:	estimate
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: The data on human trafficking appear to vary wildly. For example, in late 1999, the Central Intelligence Agency estimated that there were 45,000–50,000 women and children victims of human trafficking in the United States alone. Then, just three years later, the Department of State estimated there were 18,000–20,000 victims of human trafficking total in the U.S.

Does the DHS have any estimate of the current, total number of victims of human trafficking in the United States? What is that estimate and how was it calculated?

What are the challenges to accurately estimating the incidence of domestic human trafficking?

Response: As indicated in response to QFR 11, it is difficult to estimate the number of trafficking victims with certainty because of the often hidden nature of these populations. The U.S. Department of State (DOS) does publish a Trafficking in Persons Report on the DOS website at (http://www.state.gov/j/tip/rls/tiprpt/2013/) that includes an annual global estimate of the approximate number of persons trafficked for the labor or sex trades.

U.S. Immigration and Customs Enforcement's (ICE) Victim Assistance Program primarily provides statistics regarding victims that have been identified through ICE investigations. Many of these victims were lured from their homes and then forced or coerced into prostitution, domestic servitude, farm or factory labor, or other types of forced labor. In fiscal year 2013, ICE identified 306 human trafficking victims during the course of our investigations of sexual and labor exploitation.

Question#:	13
Topic:	metrics
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: Metrics in general are a problem for the campaign against human trafficking. Federal departments and agencies appear to maintain little useful data on the effectiveness of their campaigns. This problem is particularly pronounced in public awareness campaigns, where several federal agencies (including DHS) continue to engage in extensive public awareness campaigns without clear metrics that they are decreasing human trafficking or improving investigation and prosecution of human trafficking.

What metrics does DHS have on the impact of its public awareness campaigns generally?

Response: As a result of the Blue Campaign and its partners' collaborative and comprehensive awareness and training efforts, the U.S. Department of Homeland Security (DHS) has recognized an increase in reporting human trafficking occurrences and investigations of these crimes.

Increase in tips to U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI)

Since 2009, the number of human trafficking tips reported to ICE has increased by nearly two-thirds.

- In fiscal year (FY) 2012, the ICE Tip Line (1-866-347-2423) received 588 tips—an increase from 384 in FY 2011 and 231 in FY 2010.

- DHS and the U.S. Department of Transportation (DOT) coordinated with the ICE Tip Line to identify human trafficking reports associated with domestic and international flights prior to the rollout of the Blue Lightning Initiative (BLI). Since the commitment of airlines to participate in BLI, U.S. Customs and Border Protection (CBP) identifies and categorizes human trafficking tips received through BLI reporting mechanisms. These measurements enable DHS and DOT to evaluate the BLI reporting mechanisms, training, materials, and law enforcement response.

- DHS and DOT coordinate with the ICE Tip Line to identify human trafficking reports associated with Amtrak or trains. As a result, DHS can identify the human trafficking tips received through this reporting mechanism. Amtrak began training all 20,000 Amtrak employees and Amtrak Police Department officers to

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identify and recognize indicators of human trafficking, as well as how to report suspected cases of human trafficking.

Increase in the number of new ICE investigations

Since 2009, the number of human trafficking investigations initiated by ICE-HSI has increased by more than two-thirds. In FY 2012, HSI initiated nearly 900 human trafficking investigations resulting in more than 950 criminal arrests, which were the largest numbers of human trafficking cases and criminal arrests ever recorded.

Question: During Labor Day weekend, DHS aired a 60-second public service announcement, *Out of the Shadows*, in airports across the country. What metrics does DHS have on the effectiveness of its *Out of the Shadows* campaign?

Response: The CNN Airport Network began running the "Out of the Shadows" Blue Campaign public service announcement (PSA) over the Labor Day weekend in September 2013 and plans to continue running the PSA periodically over the next year. The CNN Airport Network broadcasts 24 hours per day, 7 days per week in public waiting areas in 48 U.S. airports covering more than 2,000 gates.

Question: For each of DHS's public awareness campaigns released since 2012 (including print, audio, and video production and publication costs) related to human trafficking, *including Out of the Shadows*, *Birdcage*, *Masquerade*, and *Hidden in Plain Sight*, what has been the total cost of the campaign?

Response:

"Out of the Shadows" PSA—Total cost: $244,000

"Out of the Shadows" is a poignant PSA, available in both 60-second and 30-second versions in English and Spanish, as well as three 15-second versions, that provides information encouraging members of the public to educate themselves about how to recognize and report human trafficking. The PSA, a product of DHS's Blue Campaign, highlights the fact that the general public walks among victims of human trafficking every day, and it's time to "open our eyes."

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Blue Campaign Posters—Total cost: $61,000

In FY 2013, the Blue Campaign developed three new general awareness posters depicting three different types of human trafficking: the sex trade, forced labor, and domestic servitude.

"Dangers of the Journey to Cross the Border" International campaign—Total cost: $500,000

Children who migrate to the United States without the protections of their parents or legal guardians face a myriad of dangers. Recent statistics show that the number of unaccompanied children from Central American countries being apprehended at the United States – Mexico border has sharply increased. To address this issue, CBP developed an unbranded public awareness campaign called the "Dangers of the Journey to Cross the Border" in cooperation with the Blue Campaign. The goal of the campaign is to dissuade potential undocumented migrants—particularly 12- to 17-year-olds from El Salvador, Guatemala, and Honduras—from embarking on the dangerous trek north to attempt to enter the United States illegally via Mexico. The intended audience includes the children themselves and their parents or guardians.

The campaign materials for radio, television, and print media have been placed with popular media outlets in all three countries. The creative concepts developed ran from February to April 2013 and included the following:

- Two television spots (PSAs)–60 seconds;
- Two radio spots;
- Print media (postcard, posters, billboards); and
- Online media in prime locations in the three countries.

"No Te Engañes" (NTE) (Don't Be Fooled)–International campaign—Total cost: $1,351,000 (No current placement since 2012–no active paid or earned media at this time)

NTE is a humanitarian campaign in the fight against human trafficking. The goal of the campaign is to raise awareness among potential human trafficking victims about the perils, risks, and tragic realities that are often encountered with many misguided efforts to migrate to the United States illegally (or legally).

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In early 2010, the NTE campaign launched in Guatemala, El Salvador, and Mexico (in the southern states). The messages and imagery used in the campaign presented a strong, powerful, and intuitive depiction of the realities of the crime. The creative concepts developed included:

Two television spots with two versions each (30 seconds and 60 seconds);
Two radio spots were also produced in two lengths each (30 and 60 second versions); and
Four billboards were created and also served as posters.

NTE–U.S. campaign—Total cost: $410,000 (No current placement since 2012–no active paid or earned media at this time)

Due to the success of the NTE campaign in Central America, CBP evolved the campaign into English and launched it in 2011 in key U.S. markets—Florida, Georgia, and Washington, D.C. The positioning within the English iteration of NTE became "Don't Be Fooled–Give Victims a Voice by Using Yours."

All of the Spanish language pieces, including television, print, and radio were effectively edited with strong awareness messages and a "call to action," which included a toll-free hot line phone number that was developed in partnership with the Polaris group. The creative concepts developed included:

Two television spots with two versions each (30 seconds and 60 seconds);
Two radio spots were also produced in two lengths each (30 and 60 second versions); and
Two billboards that also served as posters were placed in transit locations such as bus stations.

Question#:	14
Topic:	calling 911
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: According to a DHS briefing provided to staff, some 95% of human trafficking victims have cell phones, yet they do not call 911 out of fear of retribution by their captors or because of the pressure of other forms of coercion.

Given that victims are reluctant to report human trafficking by calling 911 with their own cell phones, what data does DHS have to suggest that its public awareness campaigns will succeed in getting victims to report human trafficking to DHS?

Response: Victims rarely come forward to seek help for many reasons, including fear of their trafficker or law enforcement, language barriers, or not self-identifying as a victim. In July 2013, through the Blue Campaign, the U.S. Department of Homeland Security (DHS) enhanced its efforts to identify victims of human trafficking by raising awareness among teachers, nurses, social workers, faith-based leaders, law enforcement, first responders, federal employees, and non-governmental organizations employees, who are in the position to identify and help victims.

The Blue Campaign's increased efforts to distribute its awareness materials nationwide and abroad have yielded positive results. The U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Tip Line received more human trafficking tips than ever before, receiving 588 tips in fiscal year (FY) 2012—up from 384 in FY 2011 and 231 in FY 2010. Some examples of Blue Campaign awareness efforts are as follows:

- The Blue Campaign developed a series of posters that depict different forms of human trafficking, informational brochures, and produced a public service announcement (PSA) titled, "Out of the Shadows." The posters and PSA emphasize that victims can be many types of people, such as young children, women, men, U.S. citizens, immigrants, and they come from all socioeconomic groups. As victims do not readily self-identify, it is important for the public to identify potential victims and report to law enforcement through the HSI Tip Line or online form.

- U.S. Customs and Border Protection (CBP) officers and agents distribute informational human trafficking "tear cards" to select individuals at ports of entry and Border Patrol stations. The cards provide the 24-hour phone number for the National Human Trafficking Resource Center, list four human trafficking

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indicator questions, and explain that victims have rights in the United States regardless of visa status.

- CBP created informational human trafficking "shoe cards" that are designed to give potential trafficking victims portable and discreet access to the 24-hour phone number for the National Human Trafficking Resource Center. "Shoe cards" are distributed via victim service providers and faith-based organizations.

- CBP created a poster that informs potential human trafficking victims and the general public of the rights that every individual has in the United States, regardless of immigration status, and how to connect with help. DHS displays this poster at ports of entry and in the processing areas of Border Patrol stations.

- ICE HSI created a pamphlet that provides information to victims about the ICE Victim Assistance Program, how to know if someone is a victim of human trafficking, and the legal rights of trafficked persons in the United States.

- Through the Blue Campaign and the Office for Civil Rights and Civil Liberties, DHS continues to provide language identification tools (known as I-Speak materials)—modified to the human trafficking context— to DHS and law enforcement for use in identifying the language of victims with whom they are interacting. The tools are also available to the public on the DHS Blue Campaign website, and DHS distributed hard copies to the ICE Victim Assistant Program. The purpose of the tools is to enhance communication with potential victims of human trafficking by identifying the appropriate language for interpretation services.

- The Blue Campaign produced an informational video to help first responders, including firefighters and emergency medical technicians, identify possible victims of human trafficking, and created indicator cards and posters geared to those professionals.

- The DHS Office of Faith-Based and Neighborhood Partnerships conducts outreach to the faith-based community, including meeting with stakeholders and providing presentations at conferences. The office distributes hundreds of informational pamphlets about combating human trafficking customized to the specific needs and interests of faith-based constituencies.

Question#:	14
Topic:	calling 911
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

- U.S. Citizenship and Immigration Services developed a poster for the public on the immigration benefit options available to victims of human trafficking and domestic violence. The "Don't Be Afraid to Ask for Help" poster includes hotline phone numbers to request assistance, along with other government sources of information, and is available in English and Spanish.

- ICE HSI produced and aired advertisements for the 2010, 2011, and 2012 "Hidden In Plain Sight" campaign, which was featured in 64 different newspapers in English, Chinese, Korean, Spanish, and Thai.

- CBP developed the "No Te Engañes"/"Don't be Fooled" campaign, which ran in Guatemala, El Salvador, and Mexico in 2010 and in several cities in the United States in 2011. The awareness campaign informs migrants of the dangers of human trafficking and encourages the public and victims to call a hotline to get help.

Question#:	15
Topic:	coordination
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: How does DHS coordinate all of its varied efforts to combat and raise awareness about human trafficking with other federal departments and agencies involved with similar efforts, (including the State Department, the Department of Justice, and USAID)? Is there overlap or duplication in any of those efforts?

Response: Building partnerships is necessary to bring more resources and awareness to the issue of human trafficking. Increased partnership and awareness enhances the U.S. Department of Homeland Security's (DHS) ability to identify, assist, and provide services to victims, as well as to investigate human trafficking. Through the Blue Campaign, DHS component efforts are unified, which enhances DHS's ability to effectively and efficiently coordinate and collaborate within the federal government. Some examples include:

Interagency Working Groups

- DHS, through the Blue Campaign, works in collaboration with law enforcement, government and non-governmental, and private organizations to protect the basic right of freedom and bring traffickers to justice.

- DHS participates in the President's Interagency Task Force (PITF) to Monitor and Combat Trafficking in Persons, chaired by the Secretary of State. The PITF brings together federal departments and agencies to ensure a whole-of-government approach that addresses all aspects of human trafficking, including enforcement of criminal and labor law, victim identification and protection, education and public awareness, international trade and development, enhanced partnerships and research opportunities, and international engagement and diplomacy.

- The DHS Chair of the Blue Campaign participates in the Senior Policy Operating Group (SPOG), chaired by the State Department's Office to Monitor and Combat Trafficking in Persons, a cross-departmental group and subordinate body to the PITF that coordinates interagency policy, grants, research, planning, and the implementation of the TVPA across the federal government. The SPOG convenes quarterly.

- DHS, along with the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS), co-chair the SPOG Victims Assistance

Question#:	15
Topic:	coordination
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
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Working Group. The Working Group drafted a Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States. This plan, developed collaboratively with federal partners, including DOJ and HHS, will promote enhanced coordination across the federal government to identify, rescue, and support victims who have suffered to begin the recovery process.

- In 2011, DHS played a valuable role helping formulate Anti-Trafficking Coordination Teams (ACTeams). This initiative brings together federal law enforcement personnel from HSI, the FBI, DOL and the DOJ to develop significant federal human trafficking investigations and prosecutions. Through ACTeams, federal agencies coordinate their investigatory activities to minimize overlap and/or duplication of efforts.

- DHS participates in the Human Smuggling and Trafficking Center (HSTC), a collaboration between DHS, the U.S. Department of State (DOS), and DOJ to ensure a holistic approach to data and intelligence collection efforts.

- In March 2013, DHS also created the Council on Combating Violence Against Women, which works within DHS to ensure that policies and practices for combating violence against women and children are consistent Department-wide. By identifying opportunities to share best practices and coordinate efforts, the Council will support the Department's missions of effectively administering the laws to prevent violence against women and children. The Council is working to enhance the support that DHS provides to the general public, state, local, and tribal law enforcement officers, first responders, non-government organizations, faith-based groups, and members of the judicial system.

Interagency Partnerships

DHS embraces collaboration with other federal agencies, understanding that combating trafficking requires joint efforts.

- DHS partnered with the U.S. Department of Transportation (DOT) to enhance awareness of trafficking and victim identification to employees in the transportation industry. DOT adopted the Blue Campaign's awareness training to its workforce and, in 2012, trained nearly all 55,000 of its employees.

Question#:	15
Topic:	coordination
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
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- This initial partnership with DOT led to further progress and partnerships with other transportation industries, including Amtrak, the Federal Motor Carrier Safety Administration, and the operators within the airline industry.

- DHS collaborated with DOS and other federal agencies to create a 15-minute general awareness training to educate the public on the indicators of human trafficking and how to report it.

- DHS partnered with DOJ and the U.S. Department of Labor (DOL) to create an advanced human trafficking training course. The course brings together agents and prosecutors who investigate and prosecute these crimes.

- As part of the Blue Campaign, DHS provided the U.S. Department of Defense (DOD) human trafficking training.

- DHS's Federal Protective Service and the General Services Administration (GSA) collaborate to display Blue Campaign human trafficking awareness materials in GSA-owned facilities. Through the Blue Campaign, both entities are now involved in a pilot-program to display informational materials.

- DHS and the U.S. Department of Education are collaborating through the Blue Campaign to develop a Human Trafficking 101 course to educate school administrators and staff on the issue of human trafficking, potential indicators that they may encounter, and how to report cases of suspected human trafficking. This process also involves the development and institution of a permanent Memorandum of Understanding.

- In accordance with a TVPA requirement, HHS regularly consults with DHS regarding potential foreign child victims of human trafficking, and DHS cooperates with HHS in the protection of foreign child trafficking victims. DHS refers child victims for placement in the HHS' Unaccompanied Alien Children (UAC) Program. DHS and HHS cooperation also occurs through DHS notifications to HHS about Continued Presence and T nonimmigrant status granted to adult victims of trafficking, who are then able to gain access to certain federal and state benefits and services through HHS certification.

International Collaboration

DHS collaborates closely with DOS to coordinate anti-human trafficking engagement with our international partners.

Question#:	15
Topic:	coordination
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

- DHS signed an agreement with INTERPOL to distribute Blue Campaign materials to each of its 190 member countries. DHS and INTERPOL will work together to share training and awareness materials and best practices, strengthen support for victims, increase regional partnerships, and enhance cooperation on combating human trafficking.

- Former Secretary of Homeland Security Napolitano and Attorney General Holder signed a memorandum of understanding with the Canadian Minister of Public Safety to allow the sharing of critical human trafficking-related information between the HSTC and its Canadian counterpart, the Human Trafficking National Coordination Centre.

- DHS signed statements of intent on combating trafficking in persons with the governments of Guatemala, Panama, New Zealand, Brazil, and the Dominican Republic, in which the countries reaffirmed their commitment to combating human trafficking and pledged to share resources and increase partnerships to more effectively combat the illicit organizations and individuals involved in the crime.

Question#:	16
Topic:	funds
Hearing:	Combating Human Trafficking: Federal, State, and Local Perspectives
Primary:	The Honorable Tom A. Coburn
Committee:	HOMELAND SECURITY (SENATE)

Question: Only 16% of the funds in the 2013 reauthorization of the Trafficking Victims Protection Act go to domestic investigation and prosecution. Do you think that is an appropriate balance?

Response: U.S. Immigration and Customs Enforcement (ICE) takes the issue of human trafficking very seriously and it is a significant function of our mission. ICE appreciates Congress's continued support of human trafficking-related investigations and programs. With the funding appropriated to ICE (as opposed to other government agencies) to combat human trafficking, ICE has made a significant impact on investigations and prosecutions. For example, in FY 2012, ICE initiated 894 human trafficking investigations, which resulted in more than 967 criminal arrests, 559 indictments and 381 convictions, all records for ICE. ICE will continue to prioritize human trafficking efforts in accordance with congressional guidance and Presidential priorities.

As with any transnational and evolving criminal threat, ICE looks forward to working with Congress and others to ensure Federal law enforcement has the tools it needs to appropriately address these challenges.

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

August 22, 2014

The Honorable Thomas R. Carper
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed please find responses to questions for the record arising from the appearance of Anne Gannon, National Coordinator for Child Exploitation Prevention and Interdiction, Office of the Deputy Attorney General, and Joseph Campbell, Deputy Assistant Director, Criminal Investigative Unit, Federal Bureau of Investigation, before the Committee on September 23, 2013, at a hearing entitled: "Combating Human Trafficking: Federal, State, and Local Perspectives."

We apologize for our delay in responding to this request. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter. The Office of Management and Budget has advised us that from the perspective of the Administration's program there is no objection to submission of this letter.

Sincerely,

Peter J. Kadzik
Assistant Attorney General

Enclosure

cc: The Honorable Tom Coburn
Ranking Minority Member

Post-Hearing Questions for the Record
Submitted to Ms. Anne C. Gannon and Mr. Joseph S. Campbell
From Senator Tom Coburn

"Combating Human Trafficking: Federal, State, and Local Perspectives"
September 23, 2013

Statistics on Human Trafficking

1. **Having verifiable, quantitative evidence of the prevalence of human trafficking is essential to both understanding the problem, and best allocating resources to combat it. Yet both the federal government and non-governmental organizations have historically struggled to produce verifiable statistics on the nature of the problem. In the State Department's annual *Trafficking in Persons* report for 2012, the Department said one problem with the federal, state, and local governments' efforts to combat human trafficking was that for Fiscal Year ("FY") 2011, enforcement efforts focused on prosecuting sex traffickers more than labor trafficking, even though there were "significantly more" victims of labor trafficking.**

   a. **Why did investigators and prosecutors put fewer resources into prosecuting labor traffickers than sex traffickers, when the former was "significantly more" common?**

   b. **What has the Department of Justice ("DOJ") (which includes the Federal Bureau of Investigation and the offices of the United States Attorneys) done to focus resources for combating human trafficking on the most prevalent forms of human trafficking?**

   Response:

The Department should clarify that the 2012 Trafficking in Persons (TIP) Report reads, in relevant part, "Available data from state and local law enforcement agencies involved in human trafficking task forces indicate that, on the state and local levels, sex trafficking investigations and prosecutions outnumber labor trafficking investigations and prosecutions. During FY 2011, the majority of victim service providers associated with those task forces were funded specifically to serve foreign national victims of human trafficking. According to these service providers, they served more victims of labor trafficking than sex trafficking. Other programs funded the provision of services to U.S. citizen victims. Of these victims served with federal funding in 2011, most were victims of sex trafficking (p. 362). This summarily highlights that focusing on a single victim services program can result in an incorrect conclusion regarding the prevalence of a form of trafficking and the allocation of resources.

It should be noted that each of the Human Trafficking Task Forces funded under the Department's Bureau of Justice Assistance/Office for Victims of Crime "Enhanced Collaborative Model to Combat Human Trafficking" program are required to focus on all forms of human trafficking and all categories of victims.

The Department's Civil Rights Division, the FBI, DHS, DOL, and the Executive Office for U.S. Attorneys currently work with six anti-trafficking coordination teams (ACTeams) around the country, each led by a U.S. Attorney's office. The ACTeams bring together federal agents and investigators in the local area to develop complex human trafficking cases. The ACTeams are encouraged to develop proactive investigative methods that assist in developing labor trafficking cases—for example, utilizing information from DOL's Wage and Hour Division and from the DOS's worker visa program. The ACTeams have developed significant labor trafficking cases since their inception in 2011 and continue to be active. In addition to these specialized teams, the Department provides training materials and legal support on labor trafficking to each of the 94 U,S, Attorney's offices.

2. **Human trafficking is a heinous crime and it is inexcusable that it occurs in the United States at all. Yet, the most recent official estimate of domestic human trafficking is almost eight years old, released for FY 2005. Considering the importance of fighting human trafficking, why has there been no estimate of the prevalence and nature of human trafficking since then?**

Human trafficking is a crime that occurs in the shadows, in the margins of our country and around the world. The efforts of the Department and its partners have been and will continue to be to shine a light on trafficking and seek justice for the victims. The Department has been working with the Human Smuggling and Trafficking Center (HSTC) by providing data and analytical support to complete a National Human Trafficking Assessment. Although this assessment is not intended as a prevalence estimate, it can help shed light on where the Federal Government is encountering the crime. The assessment is scheduled to be completed in mid-2014.

The Federal Bureau of Investigation (FBI), and three bureau and program offices within the Department's Office of Justice Programs (OJP) are collecting data and increasing research on domestic minor human trafficking victims. These bureau and program offices are the Bureau of Justice Statistics (BJS), National Institute of Justice (NIJ), and Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The FBI's Uniform Crime Reporting (UCR) Program began collecting data in 2013 on human trafficking, as mandated by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA 2008). Law enforcement agencies participating in the UCR Program can submit offense and arrest data for human trafficking in two new categories: 1) commercial sex acts; and 2) involuntary servitude. The UCR Program defines these offenses as follows:

- Human trafficking/commercial sex acts — Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age.

- Human trafficking/involuntary servitude — The obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

In addition to adding these offenses, the UCR Program has made distinctions between assisting or promoting prostitution, purchasing prostitution, and prostitution, as required by the TVPRA 2008.

Law enforcement agencies can submit their data about human trafficking and prostitution through the UCR Program's National Incident-Based Reporting System (NIBRS). Human trafficking/commercial sex acts and human trafficking/involuntary servitude are Group A offenses in NIBRS. The crimes of assisting or promoting prostitution, purchasing prostitution, and prostitution are also Group A offenses in NIBRS. The reporting of Group A crimes in NIBRS includes detailed data on the incident (such as the date of the incident and victim demographics) and on all related arrests (including dates of arrest and offender demographics).

Currently about 6,000 of the approximately 19,000 law enforcement agencies in the U.S. report NIBRS data to the FBI. The relatively small number of agencies reporting data to NIBRS does not provide enough data to generate national estimates of human trafficking crimes known to law enforcement since the reported data may not adequately reflect the significant variations in the prevalence of trafficking crimes in local law enforcement jurisdictions throughout the United States. To remedy this situation, BJS, in cooperation with the FBI and other national organizations, has initiated an effort called the National Crime Statistics Exchange (or NCS-X). The goal of NCS-X is to recruit a representative sample of 400 law enforcement agencies that currently do not report NIBRS data. When these 400 agencies become NIBRS reporters, their data along with those of the other 6,000 reporting agencies will be capable of generating sound national estimates of crime known to law enforcement, including the crime of human trafficking. It is expected that the 400 will not be NIBRS reporters for several years due to the need to modify existing record systems and implement appropriate procedures. Until then, NIBRS will not be a viable source of national statistics on human trafficking.

A recent report issued by the Institute of Medicine (IOM), *Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States* (released September 2013), outlines the difficulties inherent in measuring crime related to human trafficking and commercial sexual exploitation of children. NIJ is supporting efforts to address these challenges through innovative research on the scope, scale, and prevalence of human trafficking in the United States (including the prevalence of domestic sex trafficking of minors). The data traditionally used to measure the prevalence of human trafficking in the United States are limited in scope and quality at all levels of government. NIJ is therefore

continuing its support for research projects that leverage innovative methodologies to overcome data limitations. In March 2014, NIJ published a study conducted by the Urban Institute to measure the size of the unlawful commercial sex economy (UCSE) in the U.S. and explore the extent to which the UCSE and other commercial sex activities are related. Though the study examines the unlawful commercial sex economy broadly and does not distinguish sex trafficking from other forms of sexual exploitation, it provides considerable insight as to the scope and scale of the nation's UCSE. This report is available online at: https://www.ncjrs.gov/pdffiles1/nij/grants/245295.pdf.

In 2012, NIJ awarded funding to the Research Triangle Institute to examine the underreporting of victims of sex trafficking under the age of 18 in Illinois. This study will address the apparent underreporting of these trafficking victims by exploring the two systems most likely to encounter them: child welfare and law enforcement. Researchers will describe the number and characteristics of trafficked minors, statistically assess the potential underreporting of these victims in child welfare wards, and describe the perspectives of leaders and organizations as the systems' processes evolve. Results are expected in 2015. NIJ also hosted an expert working group of distinguished researchers and criminal justice practitioners to explore barriers to human trafficking research and responses in April of 2014. Developing innovative and cost-effective methods of determining human trafficking prevalence in the U.S. was a primary focus of the discussion. NIJ will use insights and lessons learned from the meeting to shape future research priorities and support cutting-edge projects to determine the scale and scope of human trafficking in the U.S.

OJJDP is contributing to another aspect of the ongoing national effort to address this issue by supporting research efforts aimed at improving programs and policies addressing the complex issues surrounding domestic sex trafficking of minors. In response to the recommendations of the IOM report cited above, OJJDP released a new solicitation in FY 2014, Commercial Sexual Exploitation of Children: Field-Initiated Research and Evaluation Program. Awards made under this solicitation will support innovative research and program evaluations to inform policy, program, and legislative responses to the urgent and extensive needs of minors sexually exploited for commercial purposes. This solicitation is available online at: http://www.ojjdp.gov/grants/solicitations/FY2014/CSECFIRE.pdf

3. **The data on human trafficking appear to vary wildly. For example, in late 1999, the Central Intelligence Agency estimated that there were 45,000–50,000 women and children victims of human trafficking in the United States alone. Then, just three years later, the Department of State estimated there were 18,000–20,000 victims of human trafficking total in the U.S.**

   a. **Does the DOJ have any estimate of the current, total number of victims of human trafficking in the United States? What is that estimate and how was it calculated?**

b. What are the challenges to accurately estimating the incidence of domestic human trafficking?

Due to the current challenges in identifying victims and generating an accurate estimate, the Department does not have a current estimate of trafficking victims in the U.S. (see above). However, recent and ongoing NIJ studies are starting to develop a better picture of trafficking at the local, state and national levels. For example, a recent study in San Diego that examined labor trafficking among undocumented migrants arrived at an estimate of 38,458 potential labor trafficking victims of human trafficking in San Diego County (https://www.ncjrs.gov/pdffiles1/nij/grants/240223.pdf). While important caveats attach to these estimates (e.g., a trafficking victim requires certification and the study counts instances of severe labor exploitation that may not technically rise to the level of labor trafficking), the study has laid the groundwork for future efforts to estimate human trafficking.

In addition, the Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsored a report by the National Academies' Institute of Medicine (IOM) and the National Research Council (NRC), "Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States," (http://www.nap.edu/catalog.php?record_id=18358). It includes a chapter discussing incidence and prevalence estimates of CSEC in the U.S (Chapter 2). It highlights the best current data and challenges, including issues of sampling, definitions, measurement, and other methodological issues.

4. Despite the estimate of 18,000–50,000 human trafficking victims in the United States, you testified that in FY 2012, DOJ prosecuted a total of 128 human trafficking cases. Why has DOJ prosecuted so few human trafficking cases?

The Department aggressively prosecutes human trafficking cases whenever and wherever such cases are supported by sufficient evidence. First, a human trafficking crime must be discovered and the victim must be identified. Once that initial challenge is overcome, investigators then must gather enough evidence to prove the case. In some cases, the physical and emotional trauma suffered by the victim makes the victim unwilling or unable to assist with a prosecution, which means the prosecution must obtain enough evidence to convict the defendant without the victim's testimony. The Department has worked with its community and law enforcement partners to increase reporting and identification and to provide services to stabilize and support victims, in order to both facilitate victims' recovery and prosecute the offenders. Some cases might be referred to state or local authorities for prosecution. In others, the case might result in the defendant being convicted of a criminal offense other than trafficking.

Metrics on Efforts to Combat Human Trafficking

5. **Metrics in general are a problem for the campaign against human trafficking. Federal departments and agencies appear to maintain little useful data on the effectiveness of their campaigns. This problem is particularly pronounced in public awareness campaigns, where several federal agencies (including DOJ) continue to engage in extensive public awareness campaigns without clear metrics that they are decreasing human trafficking or improving investigation and prosecution of human trafficking.**

   a. **What metrics does DOJ have on the impact of its public awareness campaigns generally?**

   b. **Earlier this year, the FBI mounted a week-long, nationwide public service announcement (PSA) and billboard campaign about human trafficking, listing an FBI hotline. In a staff briefing provided by DOJ (main) and FBI, FBI officials told my staff that this campaign resulted in over 200 tips to the hotline, though they were unable to say what kind of increase that was, if any. What metrics does DOJ have on whether those tips represented an actual increase in the number of reports, as opposed to tips diverted from other federal agencies or local law enforcement agencies?**

   c. **For each of DOJ's public awareness campaigns released since 2012 (including print, audio, and video production and publication costs) related to human trafficking, including the campaign described above, what was the total cost of the campaign?**

   In order to prevent and increase the reporting of human trafficking, the Department's Executive Office for United States Attorneys developed a public awareness campaign with the cooperation of Polaris Project, a nongovernmental organization dedicated to combating human trafficking. The campaign's advertisements targeted ethnic groups from countries associated with human trafficking in the U.S. An advertisement was developed, translated, and placed in selected newspapers in 18 cities for a period of two to three months during the fall of 2012. The advertisements defined human trafficking, explained that trafficking violates state and federal laws, and encouraged readers who considered themselves to be victims of, or witnesses to, human trafficking to call the National Human Trafficking Hotline, which is operated by Polaris with a grant from the federal government. Polaris provided statistics that showed a significant increase in calls to the hotline from cities where the ads were placed during the periods of time that the ads were running in those cities.

6. **How can DOJ improve metrics assessing the Department's success both in their public awareness campaigns, and in nationwide prosecution of human traffickers?**

The Department remains committed to using evidence-based programs to fight human trafficking, which includes our efforts to improve awareness campaigns in support of identifying and prosecuting trafficking cases. Recently, NIJ commissioned a study that is conducting two related assessments. As prosecutors decide on how to proceed with trafficking cases, it is critical for them to know what types of evidence and legal tools are most effective for different types of trafficking cases, defendants and victims. To do so, the

study is cataloguing the legal and extra-legal characteristics of human trafficking prosecutions to ascertain what legal processes have led to successful prosecutions. Second, the researchers are exploring public opinion on human trafficking through a nationally representative survey identifying strategies to effectively bolster public awareness of and interest in combatting human trafficking.

7. What changes to data collected from state and local law enforcement agencies and prosecutors could improve the information we have on human trafficking and the effort to combat it?

The FBI recently implemented several changes to the Uniform Crime Reporting (UCR) Program, allowing the collection of information related to commercial sex acts and involuntary servitude. Although this information does not directly assist the FBI in combating human trafficking, this information assists our efforts indirectly by contributing to intelligence products such as domain assessments and intelligence assessments, which allow us to adjust our priorities appropriately and to allocate our resources efficiently.

One of the most important aspects to improving detection, investigation, and prosecution of human trafficking is information sharing. While Federal investigators and prosecutors play a central role in coordinating anti- trafficking efforts, the Department recognizes that the thoughtful sharing of investigative information among federal, state, local, and tribal criminal justice agencies is essential to protecting the victims and prosecuting the perpetrators. As such, the Department developed and deployed the National Data Exchange (N-DEx), an information sharing system which provides criminal justice agencies a mechanism to share, search, link, and analyze information across jurisdictional boundaries. N-DEx supplies the criminal justice community free, secure, and immediate access to relevant information, enhances that community's ability to share that information in a timely manner, and provides analysis and collaboration tools to assist investigators working cases cooperatively with other agencies. Importantly, N-DEx contains records from the entire criminal justice lifecycle, which includes incidents, arrests, missing persons, service calls, bookings, holdings, incarcerations, pre-trial/pre-sentence information, warrants, supervised release data, citations/tickets, and field/contact interviews. Thousands of law enforcement and criminal justice agencies currently use N-DEx to share information, and its utility to combat human trafficking is demonstrated by the fact that the Georgia Bureau of Investigation recently elected to use N-DEx as its primary tool for sharing human trafficking information derived from a cooperative anti-trafficking effort it is leading as part of a 14-state effort under the Southern Shield initiative.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsored a report by the National Academies' Institute of Medicine (IOM) and the National Research Council (NRC), "Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States," (http://www.nap.edu/catalog.php?record_id=18358). It includes a chapter

discussing incidence and prevalence estimates of CSEC in the U.S (Chapter 2). It highlights the best current data and challenges. It concludes that: *"Focusing on better prevalence and incidence estimates is challenging and expensive. Devoting additional resources exclusively to further national-level counting efforts may not be the best strategy to advance work on commercial sexual exploitation and sex trafficking of minors in the United States. An alternative strategy is to shift focus and resources from national-level counting to more targeted counting (e.g., regional or subpopulation estimation). In this scenario, there are a number of possible benchmark measures that can be used to better understand commercial sexual exploitation and sex trafficking of minors in the United States, including counting*

- *survivors from a specified region or subpopulation receiving*

  services,

- *charges brought forth by prosecutors, and*

- *successful convictions of exploiters and traffickers."*

8. According to a briefing provided to staff by the Department of Homeland Security, some 95% of human trafficking victims have cell phones, yet they do not call 911 out of fear of retribution by their captors or because of the pressure of other forms of coercion. Given that victims are reluctant to report human trafficking by calling 911 with their own cell phones, what data does DOJ have to suggest that its public awareness campaigns will succeed in getting victims to report human trafficking to DOJ?

As noted in the response to Question 5, following advertisements targeted at ethnic groups from countries associated with human trafficking in the U.S., there was a significant increase in calls to the National Human Trafficking Hotline from cities where the ads were placed during the periods of time that the ads were running in those cities.

Coordination of Efforts to Combat Human Trafficking

9. How does DOJ coordinate all of its varied efforts to combat and raise awareness about human trafficking with other federal departments and agencies involved with similar efforts, (including the State Department, the Department of Justice, and USAID)? Is there overlap or duplication in any of those efforts?

The Department coordinates its efforts to combat and raise awareness about human trafficking through the cabinet-level President's Interagency Task Force (PITF) and the staff-level Senior Policy Operating Group (SPOG). In addition, the Department leads or participates with inter-agency task forces aimed at enforcement. Consistent with the Consolidated and Further Continuing Appropriations Act, 2012, all U.S. Attorney's Offices (USAOs) established or participate in human trafficking task forces. The Department's Civil

Rights Division, Executive Office for U.S. Attorneys, and multiple USAOs have continued to work with the FBI, DHS, and the Department of Labor through the six anti-trafficking coordination teams (ACTeams). The ACTeams, through increased coordination among investigators and prosecutors, have developed significant human trafficking cases. During FY 2012-2013, the Office for Victims of Crime represented the Department by serving as a co-chair, along with DHS and the Department of Health and Human Services, in the development of the first-ever federal strategic action plan to strengthen services for trafficking victims. The White House announced the release of this plan on January 14, 2014. The plan identifies concrete steps that federal agencies will take over the next four years to ensure that the response to victims of human trafficking is more coordinated, comprehensive, and effective.

Member agencies of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (including the Departments of State, Defense, Labor, Transportation and Education, as well as the US Agency for International Development, the US Equal Employment Opportunity Commission) and other federal organizations are included within the Plan.

10. Only 16% of the funds in the 2013 reauthorization of the Trafficking Victims Protection Act go to domestic investigation and prosecution. Do you think that is an appropriate balance?

The Department is not able to comment on what the correct balance of funding should be within the 2013 reauthorization of the Trafficking Victims Protection Act. However, the Department's FY 2014 President's Budget request includes $10 million for a new Victims of Trafficking Grants Program, which would be focused on domestic victims and will support specialized services to victims of human trafficking. This funding would also be used to provide training and technical assistance to victim service providers, law enforcement agencies, prosecutorial agencies, faith-based organizations, and medical and mental health professionals.

Investigating and prosecuting human trafficking offenses have been, and continue to be, a significant priority within the Department. The Attorney General has four priority goals, one of which is to improve the federal response to the needs of vulnerable populations, including victims of human trafficking. The Department exceeded its FY 2012-2013 priority goal target for achieving a 5% increase in open investigations concerning human trafficking (192 investigations) by 22 investigations, for a total of 214. The Department exceeded its FY 2012-2013 priority goal target for achieving a 5% increase in matters/investigations resolved concerning human trafficking (85 matters/investigations) by 32 matters/investigations resolved for a total of 117.

The Departments of Justice, Homeland Security, and Labor collaborated to initiate the Anti-Trafficking Coordination Team (ACTeam) Pilot Program. While the ACTeams are focused on greater efficiencies in coordination, the concept also allows agencies to leverage

investigative resources in developing and implementing a coordinated, comprehensive anti-trafficking strategy that is designed to: proactively identify and assist human trafficking victims; develop victim-centered, multi-disciplinary human trafficking investigations; and produce high-impact human trafficking prosecutions resulting in the conviction of traffickers, the dismantling of trafficking organizations, and the forfeiture of proceeds and instrumentalities of trafficking offenses.

Post-Hearing Questions for the Record
Submitted to Ms. Anne C. Gannon and Mr. Joseph S. Campbell
From Senator Thomas R. Carper

"Combating Human Trafficking: Federal, State, and Local Perspectives"
September 23, 2013

1. **Lack of Awareness / Hiding in Plain Sight**

It has been reported that an estimated 100,000 U.S. citizens annually fall victim to human trafficking, defying the myth that this only occurs in other parts of the world. A general lack of awareness has contributed to its characterization as a problem that is "hiding in plain sight".

- **Please describe factors that have suppressed identification of victims and perpetrators of human trafficking in the U.S.**

Response:

Despite increased awareness and understanding of human trafficking, identification of victims and perpetrators of human trafficking in the U.S. remains a tremendous challenge. Human trafficking is a crime that occurs in the shadows, in the margins of our country and around the world. Traffickers prey on vulnerable populations, including runaway children, marginalized ethnic minorities, undocumented immigrants, the indigenous, the poor, and persons with disabilities, who often are reluctant to report their victimization and seek help. In addition, individuals who have been trafficked often do not identify as victims due to the emotional manipulation perpetrated by the traffickers.

Human trafficking takes a variety of forms, and perpetrators use different techniques to control their victims and evade detection. No single investigative method is capable of eradicating this crime and identifying victims. As a result, law enforcement must continuously adapt and apply what it has learned in order to maximize its effectiveness.

- **Please describe in detail efforts made by your agency to raise awareness of human trafficking in the U.S. and identify victims.**

Response:

Public outreach and law enforcement training are critical elements to raising awareness of human trafficking in the U.S. and identifying victims. The FBI and its partners execute Operation Cross Country — a three-day nationwide enforcement action focusing on underage victims of prostitution. The most recent operation, conducted in June 2014 — the eighth and largest such operation, occurring in 106 cities — concluded with the recovery of 169

commercially sexually exploited children and the arrests of 281 pimps and other individuals. The operation has included advertisements, including a billboard in Times Square, encouraging the public to report incidents of suspected trafficking to an FBI hotline. Local law enforcement frequently are the first to contact a potential trafficking victim, and the FBI has trained over 1,300 law enforcement officers across the country through the Protecting Victims of Child Prostitution Course at the National Center for Missing and Exploited Children (NCMEC).

In order to prevent and increase the reporting of human trafficking, the Department's Executive Office for United States Attorneys developed a public awareness campaign with the cooperation of the Polaris Project, a nongovernmental organization (NGO) dedicated to combating human trafficking. The campaign's advertisements targeted ethnic groups from countries associated with human trafficking in the U.S. An advertisement was developed, translated, and placed in selected newspapers in 18 cities for a period of two to three months during the fall of 2012. The advertisements defined human trafficking, explained that trafficking violates state and federal laws, and encouraged readers who considered themselves to be victims of, or witnesses to, human trafficking to call the National Human Trafficking Hotline, which is operated by Polaris with a grant from the federal government. Polaris provided statistics that showed a significant increase in calls to the hotline from cities where the ads were placed during the periods of time that the ads were running in those cities.

Consistent with the Consolidated and Further Continuing Appropriations Act, 2012, all U.S. Attorney's Offices (USAOs) established or participate in human trafficking task forces (HTTF) and collaborate with private partners in several ways. Eighty percent of the HTTFs in which USAOs are involved include members from NGOs. Participating private organizations include community groups, faith-based organizations, victim advocacy groups, academic organizations, medical professionals, and legal aid offices. These private organizations are critical partners in raising awareness, providing referrals to law enforcement of individuals who may have been trafficked, and providing services for victims and training for law enforcement.

In addition to providing direct services, the Department's Office for Victims of Crime (OVC) trafficking victim-service grantees work to enhance the community's capacity to identify and respond appropriately to victims of trafficking. From July 1, 2011 to June 30, 2012, grantees trained 28,462 professionals, representing schools and educational institutions, faith-based organizations and religious institutions, victim service providers, civic and business community organizations, and state, tribal, and local law enforcement. The top five topics covered by grantees were: the definition of human trafficking; identification of human trafficking victims; procedures for reporting human trafficking; services available to victims; and legal assistance for victims of human trafficking.

In FY 2012, the Department's Bureau of Justice Assistance (BJA) solicited proposals to address the issue of human trafficking on Tribal Lands by developing and providing training to build awareness of the existence of human trafficking in Indian Country and providing law

enforcement and community stakeholders with the tools necessary to begin the process of victim identification, rescue and restoration, while providing appropriate consequences for perpetrators in a consistently applied manner. BJA received four applications through a competitive process and awarded $305,000 to the Upper Midwest Community Policing Institute to develop and pilot the training. BJA will design and plan the delivery of Human Trafficking Training to Tribal Law Enforcement, which will begin a pilot phase of training by the end of 2013. BJA is planning to seek additional funding to expand the number of sites which can be trained moving forward.

In addition, each of the Human Trafficking Task Forces funded under the BJA/OVC "Enhanced Collaborative Model to Combat Human Trafficking" program is required to conduct training and public awareness activities. This is part of the grantees' effort to build community capacity in support of a comprehensive approach to combating all forms of human trafficking.

The Department's Office of Juvenile Justice and Delinquency Prevention has funded three mentoring projects for child victims of commercial sexual exploitation and sex trafficking. As part of their projects, the grantees work to enhance awareness of child sexual exploitation and domestic minor sex trafficking through providing training to a variety of organizations and professionals. In fiscal years 2012 and 2013, grantees have trained over 3,700 professionals.

Prosecutors from the Civil Rights and Criminal Divisions and the USAOs participate in a wide range of domestic and international awareness and training events. These presentations have included community events, in-person trainings as part of the Federal Law Enforcement Training Center State and Local Law Enforcement Training Symposiums, and meetings where they present best practices for identifying victims and successfully prosecuting the offenders.

- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

The Trafficking Victims Protection Act of 2000 was recently reauthorized. The criminal statutes were amended in the TVPRA of 2008 to give prosecutors an even more powerful set of tools to prosecute human traffickers. The current statutory framework is working well and is being robustly enforced by our prosecutors. Agencies across the Administration will continue to collaborate and coordinate efforts in order to develop new strategies to identify victims and prosecute the offenders. This cooperation will also maximize the effectiveness of existing programs and prevent duplication of efforts.

2. **Targeting the Illicit Funds of Human Trafficking**

It is reported that human trafficking generates a staggering $32 billion dollars annually worldwide. Written testimony for this hearing described partnerships such as one between the Blue Campaign and Western Union that have facilitated identification of human traffickers and the movement of illicit funds linked to trafficking.

- **Please describe typical human trafficking enterprises and the rising financial potential of these enterprises.**

Response:

Human trafficking enterprises take a variety of forms and use a multitude of techniques to lure and control their victims. As a result, it is difficult to pinpoint and describe a typical enterprise. The Department recognizes that criminal organizations, such as street gangs, are opportunistic and are increasingly engaging in human trafficking as a means to fund their operations. Unlike narcotics which can be sold once to the user, trafficking victims can be sold repeatedly and present an ongoing capital stream. As a result, there is enormous financial potential for these organizations.

- **Please describe efforts made by your agency to assist financial establishments in the identification and reporting of illicit funds related to human trafficking?**

Response:

The FBI is working with FinCEN to identify human trafficking indicators which could assist law enforcement and the financial industry to identify those accounts utilized by criminals engaging in trafficking. Additionally, local FBI offices around the country have met with our private banking partners to discuss how the illicit funds of human traffickers can be identified as early as possible.

- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

This is a priority area for the Department and we stand ready to work with Congress to ensure that law enforcement has all the tools needed to combat this threat. The Administration's Strategy to Combat Transnational Organized Crime has set forth several policy objectives, including the need to deprive criminal syndicates of their operating capital, including by exposing criminal activities hidden behind legitimate fronts.

3. Nexus to Organized Crime and Terrorism

Human traffickers often form part of a broader criminal network that involves different illegal activities. For these criminal networks, human trafficking may be a funding source for their other criminal activities. Of particular concern, the President's Strategy to Combat Transnational Organized Crime points out that these broader criminal networks and terrorists are becoming increasingly connected.

- **Please describe in detail any convergence that your agency has observed between human trafficking and other forms of organized crime.**

- **Please describe in detail any links that your agency has seen between these broader transnational criminal networks and terrorists.**

Response:

Transnational criminal organizations, drug trafficking organizations and other criminal groups function for the purpose of making money, often in ways that threaten our national security, including by committing violence or threatening our economic system through intellectual property theft or corruption of strategic markets. These groups are driven by money and are opportunistic. The Administration's Strategy to Combat Transnational Organized Crime has identified human trafficking as one activity that transnational organized criminal syndicates employ to enrich themselves. One of the top law enforcement goals is to deprive these organizations of the operating capital they need to survive, which may be accomplished through identification and prosecution of their human trafficking activities.

The Department frequently re-assesses how traffickers operate, including the role criminal organizations play in trafficking. The Department's National Institute of Justice (NIJ) has a number of research projects:

- Compiling data from the pre-sentencing reports of convicted traffickers to better understand their backgrounds and how they operate. Examining the role gangs play in sex trafficking in the San Diego area.
- Cataloguing organized crime's involvement in all forms of human trafficking.
- A study examining the potential for trafficking and domestic radicalization to violent extremism among American Somalis in various communities across the United States.

- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

This is a priority area for the Department and we stand ready to work with Congress to ensure that law enforcement has all the tools needed to combat organized and transnational crime and the threat it poses.

4. **Victim Intimidation**

According to briefings provided to Committee staff, as many as 95 percent of trafficking victims have a cellphone which could be used to solicit help from law enforcement or others, yet most victims do not do so.

- **Please explain factors contributing to this phenomenon.**

Response:

In order to gain and facilitate control over their victims, traffickers isolate their victims and make them emotionally dependent. Often, traffickers lure victims with promises of love and a supportive family dynamic. Once victims are under the control of a trafficker, the proceeds of their forced labor or commercial sex acts are controlled by the trafficker, and attempts by the victims to distance themselves or escape from the trafficker often result in deprivation of food, brutal beatings or even death. The traffickers extend threats of physical violence to the victim's family, including children. Victims may also be reluctant to contact law enforcement because they have engaged in illegal conduct or may lack legal immigration status in the U.S. Traffickers also maintain control over victims by supplying them with illegal drugs.

5. **Cellphones and the Internet**

Recent news stories about human trafficking have suggested that modern technology and social media may increase the ability of traffickers to recruit new victims and to exploit them.

- **Please discuss whether the experience of your agency supports or negates these reports.**
- **Have any strategies been discussed to use social media or other technologies to help establish evidence against traffickers?**
- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

Traffickers are increasingly using technology to facilitate their criminal activity. The Department has investigated and prosecuted sex trafficking cases involving minors where traffickers and their female recruiters, known as bottom girls, use the internet, including social media, to identify potential victims. Some traffickers develop a rapport with a victim by cultivating a romantic relationship online. Traffickers can also obtain embarrassing or incriminating information about a victim and extort sexual services by threatening to expose the information via the internet. In forced labor cases, traffickers use the internet to post employment opportunities detailing compensation they never intend to honor.

Technology is also used by law enforcement to combat trafficking. The Department avails itself of technology and various investigative techniques to expose trafficking, identify victims and perpetrators, and obtain evidence. Technology is also a tool for raising public awareness and providing victims a means of reporting and obtaining services.

6. **Gangs and Human Trafficking**

Disturbing trends of increased gang involvement in human trafficking, such as one reported in Fairfax County, Virginia in recent years, have uncovered cases of the MS 13 drug gang recruiting young girls for prostitution. ICE was involved in some of those cases, and one agent told reporters about a victim as young as 12 years old. According to the agent, the girl was a runaway and approached some gang members at a party for a place to stay. Within hours, they were forcing her to work as a prostitute.

- **Please describe your agency's findings in terms of increased gang involvement and some of the implications for victims and for law enforcement and others trying to combat trafficking.**

Response:

Federal gang investigators and prosecutors emphasize that criminal gangs are not limited to activities traditionally associated with gang activity, such as drug trafficking. Indeed, gangs are becoming more profit-oriented. Human trafficking and related sex trafficking crimes are relatively low-risk, compared to drug-dealing, but still provide for high profit margins. Criminal gangs routinely use violent tactics to control the victims of human trafficking and the low-income neighborhoods in which these gangs typically operate. Runaways and vulnerable juveniles are frequent targets of predatory gang practices. The investigation and prosecution of criminal gang members requires well-trained prosecutors and law enforcement officers who are able to identify and apprehend these predators.

The FBI is aware of MS-13's emerging role in human trafficking. Other gangs, such as the Gangster Disciples and Bloods, have also demonstrated an interest in the financial benefits of human trafficking. Typically, these gangs become involved in human trafficking in order to increase their participation in the prostitution industry. Although the FBI has not observed a high level of sophistication among these criminal enterprises, their role in human trafficking is being monitored closely to determine how it is evolving and how it can most effectively be disrupted. As this involvement increases, the need for coordination among all levels of law enforcement will become increasingly critical.

United States v. Jose Ciro Juarez-Santamaria, the case referenced in the question, involved the prosecution of the leader of the Pino Locos clique of the MS-13 gang, who was convicted of sex trafficking of a minor and related offenses in the Eastern District of Virginia. The victim, a 12-year-old girl, encountered the defendant at a Halloween party and informed him that she had run away from home and needed help. The defendant and his associates took the victim in, and they began prostituting her the very next day. In addition to prostituting the victim for cash, the defendant and co-conspirators allowed other MS-13 members to engage in sex acts with the victim, free of charge. Throughout the course of the conspiracy, the defendant and his co-conspirators plied the 12-year-old with marijuana and alcohol prior to sex acts. The defendant was convicted at trial and sentenced to life imprisonment on October 28, 2011.

The United States Attorney for the Eastern District of Virginia (EDVA) that includes Fairfax County has prosecuted numerous MS-13 gang members for their involvement in the trafficking of under-aged victims. Examples include: United States v. Rances Ulice Amaya (MS-13 gang member assisted another gang member in the operation of a juvenile prostitution business that trafficked at least 8 juvenile victims, ages 12 to 16; the defendant was sentenced to 50 years in prison on June 1, 2012); United States v. Alonso Bruno Cornejo Ormeno (MS-13 gang member recruited 4 juvenile runaways, ages 15 to 17, with the promise of money and narcotics, for prostitution; defendant was sentenced to 292 months in prison on November 4, 2011); United States v. Yimmy Anthony Pineda Penado (MS-13 gang member and former clique leader prostituted at least one teenage girl; the defendant was sentenced to 210 months in prison on December 14, 2012); United States v. Alexander Rivas (MS-13 gang member recruited 2 female juvenile runaways to serve as prostitutes; he admitted that on a given Friday or Saturday night, he would have approximately 100 clients lined up for his prostitution service; defendant was sentenced to 10 years in prison on July 1, 2011); United States v. Jonathan Adonay Fuentes (MS-13 gang member participated in a child sex trafficking ring in which at least 3 teenage girls were trafficked for several months; one of the runaway juveniles was subjected to multiple prostitution appointments every day, seven days a week, during a four-week period; the defendant was sentenced to 10 years in prison on May 1, 2013); United States v. Rene Ulises Quintero Gaitan and Jose Eduardo Morales Aguilar (Gaitan was an MS-13 gang member; the defendants transported a 16-year-old female between Maryland and Virginia for the purpose of prostituting her, mainly to other MS-13 gang members; Gaitan was sentenced on November 11,

2013, to 10 years in prison; Aguilar was sentenced on December 13, 2013 to 6 years in prison); United States v. Valdemar Ramirez (the defendant was an MS-13 gang member who allowed his vehicle to be used to transport a juvenile female as part of a sex trafficking scheme; Ramirez was sentenced on January 31, 2014, to 3 years in prison).

Much of the success in prosecuting gang-related sex trafficking cases in EDVA can be attributed to the Northern Virginia Human Trafficking Task Force (NVHTTF), a collaboration of federal, state, and local law enforcement agencies dedicated to: (1) investigating and prosecuting those engaged in sex trafficking, forced labor and closely related crime; (2) identifying, rescuing, and providing services to victims of human trafficking; and (3) conducting training, community outreach, and public awareness efforts. In October 2012, the Task Force was awarded a $1 million grant over two years from the Department of Justice's Bureau of Justice Assistance and the Office for Victims of Crime. Half of the funding was used to support a full-time detective and a crime analyst to work in a newly formed Human Trafficking Unit at the Fairfax County Police Department and to fund law enforcement training, investigative travel, equipment, and related efforts to combat human trafficking. The remaining $500,000 supported a nongovernmental organization (NGO) to serve victims of human trafficking and to make referrals to other NGOs engaged in similar efforts in northern Virginia, as well as to support initiatives to increase training, community outreach, and public awareness related to human trafficking.

There have been several Racketeer Influenced and Corrupt Organizations (RICO) Act prosecutions involving gangs and prostitution/human trafficking that have been approved by the Criminal Division. For example, on January 8, 2014, an indictment against members of the BMS enterprise was unsealed in San Diego, California. Members of the enterprise are alleged to have recruited juveniles and adults to engage in prostitution, using social media to lure girls and women. The indictment alleges that many of the victims were forced through threats and violence to engage in prostitution. Members allegedly branded them with tattoos of gang monikers, bar codes, or a pimp's name. Of the 60 sex trafficking victims, 11 were juveniles at the time of the criminal activity.

In September 2013, twenty-four members of the Nine Trey Gangster Bloods were indicted for RICO violations in the Eastern District of Virginia. The indictment alleges racketeering activity that included the transportation and prostitution of women using force and coercion in Virginia, Maryland, North Carolina, New York and elsewhere. In 2011, members of the Oceanside Crips in San Diego, California, were indicted on RICO conspiracy charges. Among their criminal activities, members of the enterprise recruited juvenile and adult females to work as prostitutes, primarily in low-cost motels in North County. Their recruitment efforts focused on juvenile females who were runaways or from broken homes, and they conducted extensive online recruitment via social networking websites. There have also been several other RICO prosecutions involving prostitution by more localized gangs.

The U.S. Attorney's Office in the Central District of California and the Child Exploitation and Obscenity Section, U.S. Department of Justice, recently obtained convictions against eight gang members who were forcing children and women to engage in prostitution. A local task force identified a child prostitution ring involving eight defendants who are members or associates of the Rolling 60s Crips gang out of Compton, California. Several pimps used young women as "bottom girls" to recruit students at local high schools in Riverside. Those victims were then taken to hotels in Compton and were forced to engage in prostitution for the gang. The victims were held hostage, locked in a residence, and were slapped, pepper-sprayed, and threatened with guns to ensure they did not escape. Eight victims were identified and rescued. By January 14, 2014, all eight defendants pleaded guilty; three of those defendants agreed to cooperate with the government. One defendant has been sentenced to two years in prison, and another who played a minor role in the conspiracy has been sentenced to six years in prison.

The Department's Office of Juvenile Justice and Delinquency Prevention sponsored a report by the National Academies Institute of Medicine and National Research Council, "Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States" (http://www.nap.edu/catalog.php?record_id=18358). It identifies gang involvement as a risk factor for CSEC involvement (page 96). In addition it highlights that "*a recent review of cases prosecuted in the United States and of existing literature focused on traffickers revealed that some traffickers participate in activities that can contribute to becoming a trafficker, such as gang and/or organized crime activities that may include sex trafficking (Busch-Armendariz et al., 2009 a,b). However, no studies have examined whether the risk factors associated with becoming a trafficker are similar to those associated with becoming a gang or organized crime member*" (page 109).

In addition, NIJ has a study of MS-13 that will examine how it engages in transnational organized crime, including human trafficking. Researchers from American University and Arizona State University will collect data on MS-13 in Washington, DC, Los Angeles, and El Salvador.

- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

As the Attorney General has stated, combatting violent crime – the trade of street gangs – and protecting victims of human trafficking are among the top priorities of the Department of Justice. The involvement of street gangs in sex trafficking in particular implicates both these priorities and is a serious concern of prosecutors and the law-enforcement community. Recent prosecutions by USAOs in the Central District of California and the Eastern District of Virginia

resulted in the conviction of gang members who have engaged in human trafficking. The Department stands ready to work with Congress to ensure that law enforcement has all the tools needed to combat gang crime and the threat it poses to public safety, including whether additional resources for investigation, prosecution, and training are needed.

As a general matter, the USAO community is committed to implementing the decade-old strategy – under Project Safe Neighborhoods and the Attorney General's Anti-violence Strategy – of combining vigorous enforcement with efforts aimed at outreach, prevention, and expanding reentry opportunities for prior offenders, many of whom are former gang members. Prosecutors, law enforcement coordinators, and communityoutreach specialists all play an active role in these efforts. Due in part to federal prosecutors' holistic approach of both prosecuting the worst offenders, gangs, and criminal enterprises and addressing the roots of crime, national crime data indicate a significant downward trend in nationwide violentcrime rates during the last decade.

In addition, USAOs' victim-witness staffs play an important role in addressing the special needs of human trafficking victims. These staffs work tirelessly to ensure victim security and assist victims in preparing for testimony. They play a vital role with USAOs in attempting to make victims whole.

The most recent National Gang Threat Assessment found a nationwide overall increase in gang membership and that gangs are increasingly engaging in non-traditional gang activities, such as human trafficking.

The aforementioned report, "Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States (http://www.nap.edu/catalog.php?record_id=18358), recommends that *"given that some traffickers are involved in gangs and/or organized crime networks, examining the risk factors associated with individuals becoming involved in those activities might reveal information about risk factors for trafficking*" (pg. 109).

7. Agency Coordination and Collaboration

Human trafficking has become a higher priority across the federal government, which brings the question and concern whether agencies are complementing rather than duplicating efforts.

- **Please describe in detail how your agency divides responsibility for this issue – first between your respective agencies, DHS and DOJ, and then more broadly within the federal government.**

- **Please describe the model, your agency's experience with, and the effectiveness of six new regional taskforces set up to address human trafficking.**

Response:

The FBI's efforts to investigate human trafficking are coordinated by its Civil Rights Unit (CRU) and the Violent Crimes Against Children Section (VCACS). The CRU investigates forced labor, sex trafficking by force, fraud or coercion and the sexual exploitation of foreign minors while the VCACS focuses on the commercial sexual exploitation of domestic children under the age of 18.

The Department's prosecution efforts are led by two specialized Units, the Civil Rights Division's Human Trafficking Prosecution Unit and the Criminal Division's Child Exploitation and Obscenity Section, which provide subject matter expertise and partner with our 94 United States Attorney's Offices (USAOs) on prosecutions nationwide.

A collaborative model is essential to effectively leverage existing resources to combat human trafficking. The Department works with DHS and other federal agencies in several ways. The Department's Civil Rights Division, Executive Office for U.S. Attorneys, and multiple USAOs have continued to work with the FBI, DHS, and the Department of Labor through the six anti-trafficking coordination teams (ACTeams). The ACTeams, through increased coordination among investigators and prosecutors, have developed significant human trafficking cases, including the first multi-district, multi-defendant combined sex trafficking and forced labor case in the Western District of Texas, the first domestic servitude prosecution in the Western District of Missouri, and the first Eastern European forced labor case initiated in the Northern District of Georgia. Subject to available resources, the Department is moving forward to discussing options for phase II of the ACTeam project.

During FYs 2012-2013, the Office for Victims of Crime represented the Department by serving as a co-chair, along with DHS and the Department of Health and Human Services, in the development of the first-ever federal strategic action plan to strengthen services for trafficking victims. The White House announced the release of this plan on January 14, 2014. The plan identifies concrete steps that federal agencies will take over the next four years to ensure that the response to victims of human trafficking is more coordinated, comprehensive and effective.

8. Forced Labor

Not all human trafficking involves forced sex. There are also cases in this country of modern slavery or forced labor.

- **Please describe some of the forced labor cases you have come across. What type of victims do you see and how are they coerced?**
- **What more should Congress, or the executive branch, be doing to address this issue?**

Response:

United States v. Campbell (Northern District of Illinois): In December 2010, a federal grand jury indicted Alex Campbell on several charges of forced labor, sex trafficking, and other crimes related to his coercion of four foreign women to work in his massage parlor in suburban Chicago. In January 2012, Campbell was convicted after trial on charges of forced labor, harboring illegal aliens for financial gain, confiscating passports and other immigration documents to force the victims to work, sex trafficking by force, and extortion. Campbell used violence and threats of violence to force three women from Ukraine and one from Belarus to work for him without pay and, at times, little to no subsistence. Campbell targeted young, vulnerable women without immigration status and with few opportunities, promising them jobs, immigration papers, shelter, protection, and companionship. He recruited and groomed the victims to become part of his "Family," which he claimed was an international organization that would provide them with support. He offered them jobs in his massage parlor, a place to live, assistance with immigration and lured each of them to enter into a romantic relationship with him. After gaining their trust, and inducing them to enter into romantic relationships with him, he forced the victims to get tattooed with his moniker, "Daddy," which he said made them his property and allowed him to stop paying them. At the same time, he acquired the women's passports and visas. Campbell then forced the women to work long hours every day and to do as he instructed them. He beat them and severely punished them if they disobeyed him. He also extorted one of his victims to pay him more than $25,000 to leave the "Family" by forcing her to engage in videotaped sex acts and then threatening to send the video recording to her parents in Belarus. Co-defendant Danielle John pleaded guilty before trial to related charges and was sentenced to three years' probation. Campbell was sentenced to life in prison.

United States v. Botsvynyuk (Eastern District of Pennsylvania): On July 16, 2012, defendant Omelyan Botsvynyuk was sentenced to life in prison plus 20 years, the longest sentence ever imposed in a forced labor case. The defendant was convicted in October 2011, following a lengthy trial, for his role in a transnational organized criminal network that lured Ukrainian men and women into the United States on false promises, then compelled them into forced labor on commercial cleaning crews at large chain stores, using physical violence, threats of physical violence, and confiscation of the workers' identification documents. Co-defendant Stephan Botsvynyuk was sentenced on July 17, 2012, to 20 years in prison. The Botsvynyuk brothers recruited workers from Ukraine, promising them jobs making $500 per month and another $200 or $300 extra for expenses. The workers were told that room and board would be provided to them and that the defendants would handle all of the travel expenses, with each worker expected to earn $10,000 after two or three years of working in the United States. Rather than arranging for the workers to travel to the United States legally, however, the brothers organized their smuggling and illegal entry into the United States from Mexico. The Botsvynyuk Organization transported the workers to Philadelphia, Pennsylvania, where they confiscated the workers' identification and immigration documents. The workers were put to work on custodial

crews performing janitorial services for large commercial properties, including well-known retail stores, at night. Throughout their exploitation by the defendants, the workers lived up to five people in one room, slept on dirty mattresses on the floor, and were never paid. They were told that they had to work for the defendants until their debts, ranging from $10,000 to $50,000, were paid. The defendants used physical force, threats of force, sexual assault, and debt bondage to keep the victims in involuntary servitude. The defendants also threatened violence to the workers' families still residing in Ukraine.

United States v. Toviave (Eastern District of Michigan): In October 2012, Jean-Claude Toviave, a native of Togo, was found guilty of four counts of forced labor and in February 2012 pleaded guilty to visa fraud, mail fraud and harboring aliens. Toviave used force and threats of force to obtain the domestic labor of four minors from Togo from January 2006 to January 2011. Toviave brought the four minors into the United States by giving them passports with false names and dates of birth. The defendant represented on these immigration documents that the four individuals were his biological children. The four victims testified at trial that Toviave regularly beat them with broomsticks, a toilet plunger, sticks, ice scrapers and phone chargers if they failed to obey Toviave's orders to complete household labor. Each of the victims' testimony during trial detailed the work that they were forced to do on a weekly and sometimes daily basis, spanning nearly five years. This domestic work included all of the cooking and cleaning in the house, hand-washing laundry, ironing Toviave's suits, shining his shoes, washing and vacuuming his car, baby-sitting the children of his friends and cleaning his friend's home. In addition to force and threats of force, Toviave used food and sleep deprivation as punishment for the minors. In March 2013, Toviave was sentenced to 11 years and 3 months in prison and was ordered to pay his victims more than $130,000 in restitution.

United States v. Song Ja Cha (Guam): On September 20, 2012, defendant Song Ja Cha was sentenced to life in prison and ordered to pay $200,000 in restitution following her conviction for compelling young, uneducated Micronesian women and girls into prostitution in a bar she operated in Guam, confiscating their identification documents, and using physical violence and threats to maintain control.

United States v. Kizzy Kalu (Colorado): On July 1, 2013, defendant Kizzy Kalu was convicted, following a four-week long trial, of 89 counts of forced labor, visa fraud, and related charges, arising from a scheme to hold H-1B workers, primarily from the Philippines, in forced labor in Kalu's home healthcare operation, using false promises, manipulation of debts, and threats of deportation. On February 11, 2014, Kalu was sentenced to 10 years and 10 months in prison.

9. Human Trafficking and Amtrak

The Blue Campaign has formed a partnership with Amtrak, U.S. airlines, and other transportation industries to train employees about human trafficking.

- **Please describe these partnerships and their effectiveness.**
- **Please describe any similar partnerships with other businesses and/or industries.**

Response:

The FBI frequently meets with members of the transportation industry and with nongovernmental organizations that work to combat or prevent human trafficking. These interactions are used to ensure that information regarding emerging trends, warning signs, and changing threats are shared among stakeholders and to encourage further exchanges of valuable information. For example, the FBI works with the Polaris Project to establish protocols. Among other things, the Polaris Project operates the National Human Trafficking Resource Center (NHTRC), which is a victim-focused organization that frequently provides leads to law enforcement authorities. While the FBI recognizes the value of partnering with our private sector partners, the vast majority of FBI resources available in the fight against human trafficking have been directed towards investigations directly targeting criminals or efforts to recover victims.

The Office of Juvenile Justice and Delinquency Prevention sponsored a report by the National Academies Institute of Medicine and National Research Council, "Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States." It includes a chapter on the Commercial Sector. The chapter highlights two promising roles for the commercial sector: applying industry innovation to identify commercial sexual exploitation and sex trafficking of minors and adopting policies that reduce the occurrence of these crimes. Some specific examples included in the report were:

- JPMorgan Chase has worked with law enforcement and prosecutors to develop a set of indicators of financial transactions that can be used to help identify traffickers (Koch, 2012).

- LexisNexis supports several antitrafficking nongovernmental organizations and educates its customers about the issues surrounding human trafficking (Goswami, 2012). It developed a secure online database that allows law enforcement to compile and share information about suspected trafficking cases within and across jurisdictions.

- Various components of the transportation industry have a role to play in responding to commercial sexual exploitation and sex trafficking of minors. For example, Truckers Against Human Trafficking, a nonprofit organization, edueates truckers and truck stop employees about the dangers and warning signs of human trafficking through training, posters, and wallet cards (Truckers Against Human Trafficking, 2012).

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