



# HUMAN TRAFFICKING AND INDIAN COUNTRY



Office for Victims of Crime  
**OVC**  
"Putting Victims First"

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## PRESENTED BY:



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# Session Agenda

- General overview of human trafficking
- Current efforts by the Office for Victims of Crime (OVC) and the Bureau of Justice Assistance (BJA)
- Findings and recommendations from an August 2010 OVC focus group on Human Trafficking of American Indian and Alaska Native Women and Children
- Available training and technical assistance resources

# Human Trafficking: General Overview

What is human trafficking?

- “Human trafficking” is the obtaining or maintaining of another person in a condition of compelled labor or service through means of **force, fraud, or coercion**
- Often referred to as “modern-day slavery,” human trafficking occurs globally in both cities and small towns
- Fueled by economically desperate victims and demand for cheap labor and commercial sex

# Human Trafficking vs. Smuggling

## Trafficking:

- Crime against individual – movement is not needed
- Element of coercion – cannot consent to enslavement
- Ongoing exploitation
- Trafficked persons considered victims

## Smuggling:

- Crime against the state – illegal border crossing
- No coercion
- Ends after border crossing – can become trafficking
- Smuggled persons considered criminals

# Human Trafficking: General Overview

## Trafficking Victims Protection Act:

- Signed into law in October 2000
- Made human trafficking a federal crime
- Provided immigration relief for “victims of a severe form of trafficking” who are foreign nationals
- Reauthorizations in 2003, 2005, and 2008 added further protections and expanded the budget to combat trafficking domestically

# Human Trafficking: General Overview

## TVPA Goals:

- Increase the prosecution of human traffickers in the U.S.
- Protect victims and provide federal and state assistance to victims

## State Statutes:

- 42 states currently have laws criminalizing human trafficking

# Human Trafficking: General Overview



Sex or Labor  
*(brothels, farms,  
factories, restaurants,  
truck stops, casinos,  
private homes)*



Force, Fraud, Coercion  
*(physical violence,  
threats, false promises,  
physical or psychological  
control)*



Human Trafficking  
*Where may trafficking be  
occurring in your  
community?*





# Human Trafficking: General Overview

## ■ Victims:

- ❖ Men, women, two-spirited, transgender
- ❖ Adults, youth, children
- ❖ Various educational backgrounds
- ❖ U.S. citizens and foreign nationals
- ❖ Involuntary or voluntary migrants
- ❖ Diverse national origins and cultures

## ■ Characteristics of Victims:

- ❖ May not identify themselves as victims
- ❖ Often blame self for the situation
- ❖ Unaware of their rights



# Human Trafficking: General Overview

## ■ Perpetrators:

- ❖ Prey upon vulnerable
- ❖ Often recruit victims through promises of a better life
- ❖ Often hidden behind guise of legitimate business or service
- ❖ May be opportunistic individuals, organized crime, gangs, business owners, family or tribal members, romantic partners, diplomats – anyone



# OVC Services to Victims of Human Trafficking

## Background and Timeline:

- 2000: Passage of Trafficking Victims Protection Act (TVPA)
- 2003: First OVC awards for services to foreign national victims
- 2004: Anti-Human Trafficking Law Enforcement Task Force Model created by Bureau of Justice Assistance
- 2009: Domestic minor victims of human trafficking
- 2010: All victims of human trafficking – including domestic adults

# OVC Services to Victims of Human Trafficking

- Multidisciplinary task force model in partnership with BJA
- 34 programs focused on foreign national victims
  - ❖ Comprehensive services
- 6 programs focused on domestic minor victims
  - ❖ 3 funded to provide comprehensive services
  - ❖ 2 funded to provide case management
  - ❖ 1 funded to provide T/TA specific to domestic minor victims

# OVC Services to Victims of Human Trafficking

- 3 “enhanced model” programs focused on all victims of human trafficking
  - ❖ Comprehensive victim services
- OVC’s Training and Technical Assistance Center (OVC TTAC)

# OVC Services to Victims of Human Trafficking

- Services for male and female victims of sex and/or labor trafficking
- “Wrap around services” that meet victims where they are and support them in making informed decisions about the support they need to work through the impact of the crime
  - ❖ Domestic minor victim living in foster care, group home, detention facility, or with family
  - ❖ Adult victim living independently, in shelter, or an inpatient substance abuse treatment center

# OVC Services to Victims of Human Trafficking

- Support and advocacy during interactions with law enforcement
- Emergency and ongoing assistance
- Culturally competent services
- Intensive case management
- Shelter and sustenance: emergency, transitional, and long-term housing for females, males, and minors

# OVC Services to Victims of Human Trafficking

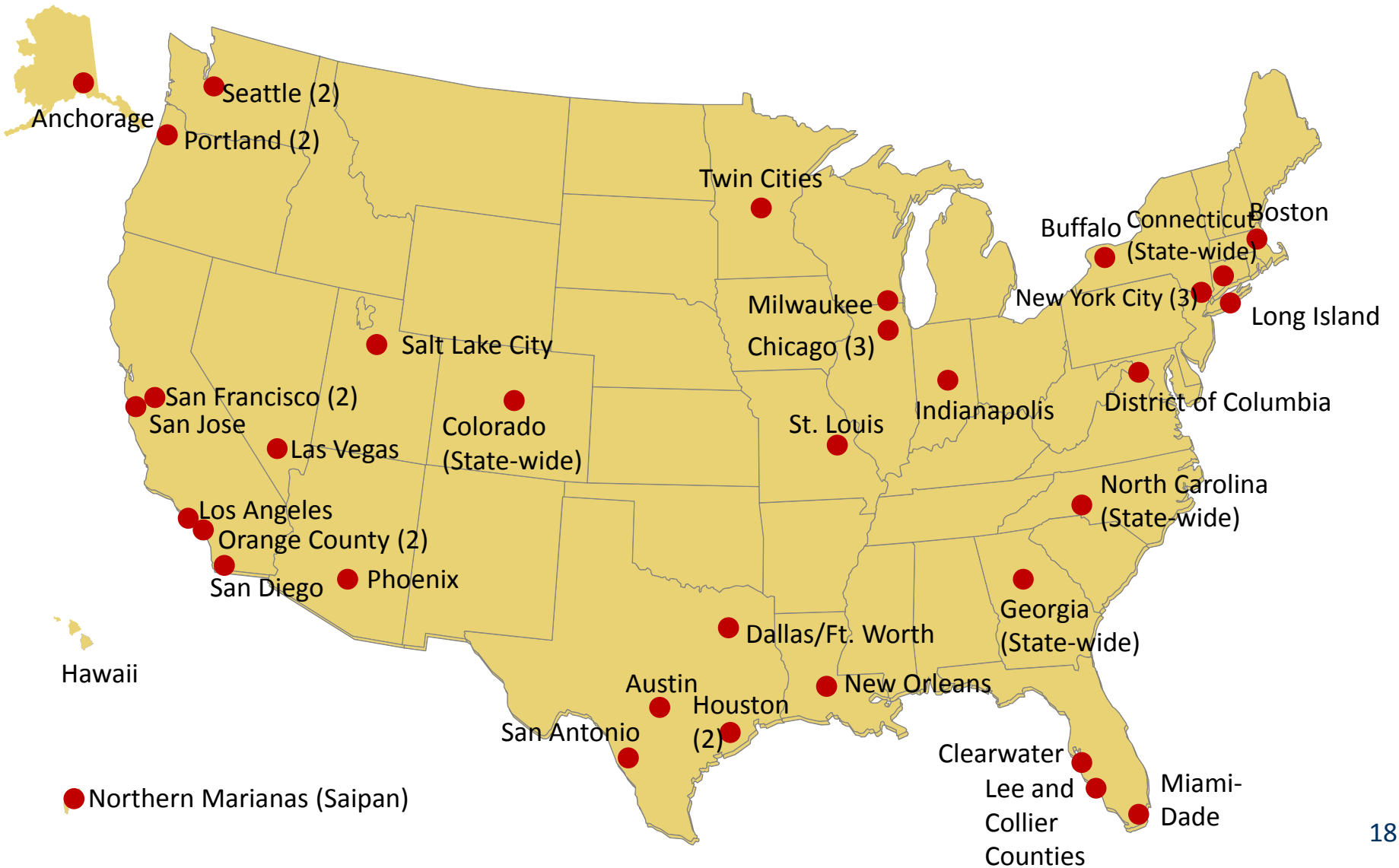
- Medical and dental care
- Mental health treatment: emergency assessments, ongoing individual and/or group counseling
- Legal immigration services
  - ❖ Explanation of legal rights and protections
- Victim advocacy and information about crime victims' rights and services
  - ❖ Coordination with federal/state/local law enforcement, prosecution, and system-based victim advocates



# OVC Services to Victims of Human Trafficking

- Literacy education and job training
- Life skills to help clients achieve self sufficiency
- Transportation
- 24-hour evening and weekend response to client emergencies and emergency calls from law enforcement

# OVC Services to Victims of Human Trafficking



# 2010 Tribal Consultation

## Focus Group on Human Trafficking of American Indian and Alaska Native Women and Children

- August 25-26, 2010
- Smithsonian National Museum of the American Indian
- 44 participants representing tribal service providers, anti-human trafficking service providers, universities, and tribal, local and federal law enforcement from:

Alaska

New Mexico

Arizona

Washington

Colorado

Wisconsin

Minnesota

# 2010 Tribal Consultation

- Selected based on knowledge and experience in the areas of human trafficking and AI/AN populations
- Facilitator: Tribal judge
- U.S. Department of Justice
  - ❖ Office of Justice Programs
    - Office for Victims of Crime
    - Office of the Assistant Attorney General
    - National Institute of Justice
    - Bureau of Justice Statistics
    - Office of Juvenile Justice and Delinquency Prevention
  - ❖ Office on Violence Against Women
  - ❖ National Advocacy Center

# 2010 Tribal Consultation

- Exploratory exercise
- Small and large group discussions
- Current knowledge base
  - ❖ Anecdotal
  - ❖ Research
- Who are victims?
- Types of human trafficking
- “Push” and “pull” factors
- Action plans
- Recommendations

# 2010 Tribal Consultation – Findings

- Labor trafficking
  - ❖ Do not know if, where, or how it occurs on reservations
- Sex trafficking
  - ❖ May be occurring in urban, suburban, small town, and reservation settings
  - ❖ Anecdotal information
  - ❖ Lack of quantitative research
- Many AI/AN communities on reservations, in villages, or in urban areas are not always aware trafficking is occurring
  - ❖ Not identified as human trafficking and little public awareness

# 2010 Tribal Consultation – Findings

- Traffickers' methods to force, defraud, coerce, or otherwise obtain victims are not well understood
  - ❖ Lure of gifts, money, and luxury items
  - ❖ Capitalize on desire for more prosperous or “glamorous” lifestyle
- AI/AN human trafficking victims are not often identified
  - ❖ Cited or arrested for crimes related to trafficking
    - Solicitation, prostitution, public drunkenness, petty theft
  - ❖ Lack of trafficking-specific laws
  - ❖ Victims do not self-identify as such
- There is a shortage of available services to assist AI/AN human trafficking victims

# 2010 Tribal Consultation – Findings

## ■ Housing

- ❖ Reservations and villages have culturally appropriate services, but lack knowledge about human trafficking
- ❖ Service providers in metropolitan areas may not offer culturally appropriate services
- ❖ No specific housing for AI/AN trafficking victims on or off reservation
- ❖ Emergency or transitional shelters may not afford needed protection from traffickers or others

## ■ Law enforcement agencies lack resources and capacity to respond

- ❖ Lack of trafficking laws may impact tribal law enforcement's level of awareness and authority to arrest specifically for human trafficking offenses
- ❖ Lack of tribal law enforcement and Bureau of Indian Affairs personnel dedicated to investigating trafficking proactively



# 2010 Tribal Consultation – Recommendations

## Training, Awareness, and Capacity Building

- Focus on raising awareness and understanding of human trafficking among local tribal leaders and elders
- Provide training to law enforcement on the basics of human trafficking and cultural competency to work with AI/AN victims
  - ❖ Tribal law enforcement and BIA special agents
  - ❖ Parameters of human trafficking
  - ❖ Indicators of human trafficking
  - ❖ Investigative techniques
  - ❖ Cultural competency training in metropolitan areas
- Provide opportunities to share intelligence and information across law enforcement agencies

# 2010 Tribal Consultation – Recommendations

## Training, Awareness, and Capacity Building

- Provide training opportunities for tribal law enforcement and judges on the dynamics of human trafficking
  - ❖ Support participation at national and regional trainings
  - ❖ National tribal conferences should include human trafficking workshops
- Offer cultural competency training for DOJ-funded Anti-Human Trafficking Task Forces
  - ❖ Regional training forums
  - ❖ Peer-to-peer trainings to foster information exchange and enhance communication
- Provide assistance to tribal communities to develop relevant laws, statutes, ordinances, or codes on human trafficking

# 2010 Tribal Consultation – Recommendations

## Victim Services

- Develop culturally appropriate services for AI/AN victims in metropolitan areas
  - ❖ Within anti-human trafficking coalitions, networks, and task forces
  - ❖ Partnerships between native and non-native service providers
- Ensure that any service delivery model is flexible to meet the needs of AI/AN victims regardless of where they live
  - ❖ Reservations/tribal lands
  - ❖ Urban/metropolitan
  - ❖ Suburban/small town

# 2010 Tribal Consultation – Recommendations

## Victim Services

- Provide safe and culturally appropriate housing for AI/AN trafficking victims
- Provide transportation services
  - ❖ Connect metropolitan areas and reservations
  - ❖ Access culturally appropriate services
  - ❖ Access support system
  - ❖ Make a part of a comprehensive service delivery model for AI/AN trafficking victims

# 2010 Tribal Consultation – Recommendations

## Research

- Understand victim demographics
  - ❖ Age
  - ❖ Gender
  - ❖ Types of trafficking
  - ❖ Settings
  - ❖ Contributory factors
  
- Identify positive or protective factors in AI/AN communities to prevent trafficking or to reintegrate victims

# 2010 Tribal Consultation – Recommendations

## Research

- Explore trafficker demographics and methodologies
  - ❖ Routes of transportation
  - ❖ Types of exploitation
  - ❖ Methods used to force, defraud, coerce, or otherwise obtain victims
  
- Survey tribal criminal codes
  - ❖ Known model codes or statutes addressing human trafficking
  - ❖ How often trafficking cases are prosecuted under related statutes
    - Promoting prostitution
    - Money laundering
    - Labor exploitation

# Training and Technical Assistance

Through OVC TTAC: [www.ovcttac.gov](http://www.ovcttac.gov)

- OVC/BJA Anti-Human Trafficking Task Force Strategy and Operations e-Guide :
  - ❖ Direction for new and existing Task Forces
  - ❖ Links to trainings, tools, legal resources

[www.ovcttac.gov/taskforceguide](http://www.ovcttac.gov/taskforceguide)



- Field Requests: OVC TTAC can send a trainer to you
- Piloting a new onsite consultation in 2011 to help community groups who want to start an Anti-Trafficking Task Force

# Training and Technical Assistance

## Other TTA Resources:

- Freedom Network
  - ❖ Human Trafficking 101 Training Institute:  
[www.freedomnetworkusa.org/training/index.php](http://www.freedomnetworkusa.org/training/index.php)
  - ❖ Annual Conference: March 2011, Washington, DC
  
- Bureau of Justice Assistance
  - ❖ HT 101 Training and Advanced Investigators Training



# Thank You

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