

CENTER	
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	<h1>Responding to the Sexual Exploitation of Native Women & Children</h1> <p>Kathryn Ford Center for Court Innovation Keahi Kimo Souza Jemez Behavioral Health Director</p>

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	<h2>Overview: Part I</h2> <ul style="list-style-type: none">• Defining terms• Prevalence• Survivors' experience• What we know about exploiters• Unique dynamics in Native communities

C E N T E R	<h2>Definitions</h2>
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	<ul style="list-style-type: none"> • <u>Prostitution</u> → Exchange of a sexual act for something of value • <u>Sex trafficking</u> → Commercial sex act via force, fraud or coercion, or using a minor • <u>Commercial sexual exploitation of children (CSEC)</u> → Sexual use of a minor resulting in financial benefit for an adult

C E N T E R	<h2>Smuggling vs. Trafficking</h2>	
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	<u>Smuggling</u>	<u>Trafficking</u>
	1. Crime is against sovereignty / border of country	1. Crime is against human rights of the victim
	2. Person moved is complicit	2. Initial consent of victim to migrate is not determinative
	3. Generally a one time interaction	3. Person is held for service by coercion, usually over time
	4. Focus is on transportation	4. Focus is on denial of liberty

CENTER FOR COURT INNOVATION	<h2>What do we know?</h2> <ul style="list-style-type: none"> • Anecdotal evidence • Historical perspective • Canadian research • Very little research in U.S. <ul style="list-style-type: none"> – Local studies in Minnesota – Small samples – Sexual exploitation not usually considered in studies on victimization of Native women • Barriers to research
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CENTER FOR COURT INNOVATION	<h2>Prevalence of Exploitation</h2> <ul style="list-style-type: none"> • Native youth & adults severely <u>overrepresented</u> <ul style="list-style-type: none"> – In research studies – Among arrested, incarcerated, probationers • Native women often report sexual exploitation experiences of self or others
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CENTER	<h2>Is Your Community A/An...</h2> <ul style="list-style-type: none"> • Origin Community • Transit Community • Destination Community?
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CENTER	<h2>Push Factors</h2> <ul style="list-style-type: none"> • Poverty & homelessness • Child abuse & DV, especially sexual abuse <ul style="list-style-type: none"> – “If it’s taken from me at home for free, I may as well get paid” – Child welfare system involvement • Disconnection from community • Lack of recreational, educational & job opportunities • Substance abuse
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CENTER FOR COURT INNOVATION	<h2 style="text-align: center;">Pull Factors</h2> <ul style="list-style-type: none"> • Big city life, “glamour” • Desire for independence, empowerment, financial stability • Promises of a good life, basic needs being met, protection • Relationship with a “boyfriend,” re-creation of family system • 3 stages of involvement → Drift, transition, professional
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CENTER FOR COURT INNOVATION	<h2 style="text-align: center;">Recruitment</h2> <ul style="list-style-type: none"> • “Guerilla tactics” → Using threats and/or force, abduction, confinement, drugging • “Finesse tactics” → Using manipulation & relationships • Target those who are <u>vulnerable</u> • May use female recruiters and/or friends & family • Running away/being thrown away as key entry point → <u>Survival sex</u>
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CENTER FOR COURT INNOVATION	<h2>Age of Sex Trade Entry</h2>		
	N=33		
	Age at Entry	Number	Percent
	8 - 12	7	21%
	13 - 15	7	21%
	16 - 17	7	21%
	18 - 23	5	5%
	27 - 38	6	6%
	39 - 55	1	1%
	Shattered Hearts, 2009		

CENTER FOR COURT INNOVATION	<h2>Recruitment, cont.</h2>
	<ul style="list-style-type: none"> • Exploiters may be <u>gang-involved</u> • <u>Recruitment locations</u>: Schools, youth centers, group homes, homeless shelters, malls, Native events, bus stations, Internet • <u>Movement</u> → Tribal land to urban area, between tribal lands (inc. casinos), on boats, strip or dance circuits

CENTER FOR COURT INNOVATION	<h2>Who Does the Recruiting?</h2>
	<ul style="list-style-type: none"> ▶ Friends 52% ▶ Boyfriends 19% ▶ Family members 19% ▶ Pimps 3% ▶ Gangs 3% ▶ Landlord 3% <p style="text-align: right;">Shattered Hearts, 2009</p>

CENTER FOR COURT INNOVATION	<p>“My dad was very abusive to my mother & I ended up running away to Chicago. When I was 17 I went to a party, there were lots of drugs, I got left there. A pimp was nice to me, he gave me this, he gave me that. Then he took me to someone’s place & said this guy—age 40—he’s interested in you. Then he started hitting me after I said no. I was so scared I just did it. After that I kept doing it because I was afraid to get hit.”</p>
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CENTER FOR COURT INNOVATION	<h2>“The Life”: Trauma & Health</h2> <ul style="list-style-type: none"> • Severe, ongoing <u>trauma/violence</u> • High rates of PTSD, dissociation, depression, anxiety disorders & suicide • Severe physical health problems, inc. traumatic brain injury, STIs • <u>Substance abuse</u> → Pre-existing, use of substances to cope, forced addiction by pimps
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CENTER FOR COURT INNOVATION	<h2>Emotional Impact</h2> <p>“In this last year I’ve learned that two of our youth have committed suicide rather than continue to be paid to be raped. They jumped off balconies to escape from the violence of prostitution.”</p> <p>Dirty Sad Lonely Scared Used Disgusted Angry Numb Ashamed Guilty Nasty Ugly Depressed</p> <p>“If you’re having sex with someone you don’t want to, you ‘leave.’”</p>
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CENTER FOR COURT INNOVATION	<h2 style="text-align: center;">“The Life,” cont.</h2> <ul style="list-style-type: none"> • Homelessness, poverty • Severe social stigma, isolation <ul style="list-style-type: none"> – May feel unable to return home • Loss of custody of children • Criminalization <ul style="list-style-type: none"> – Repeated arrests – Threat of arrest as coercion tactic, barrier to exiting • Almost all <u>want to get out</u>
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CENTER FOR COURT INNOVATION	<h2 style="text-align: center;">Why Sexually Exploit?</h2> <ul style="list-style-type: none"> • It is <u>extremely profitable</u> • Low risk → High profit • Easy to secure and maintain control over victims • Victims can be exploited for many years
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CENTER FOR COURT INNOVATION	<h2>Methods of Ongoing Control</h2> <ul style="list-style-type: none"> • Confiscate ID & legal documents • Misrepresent laws & consequences, threaten with arrest • Threaten to harm or kill family members • Dictate or restrict movement • Use debt to create "peonage" • Constantly move victims • Create dependency via psychological abuse • Rape & beatings
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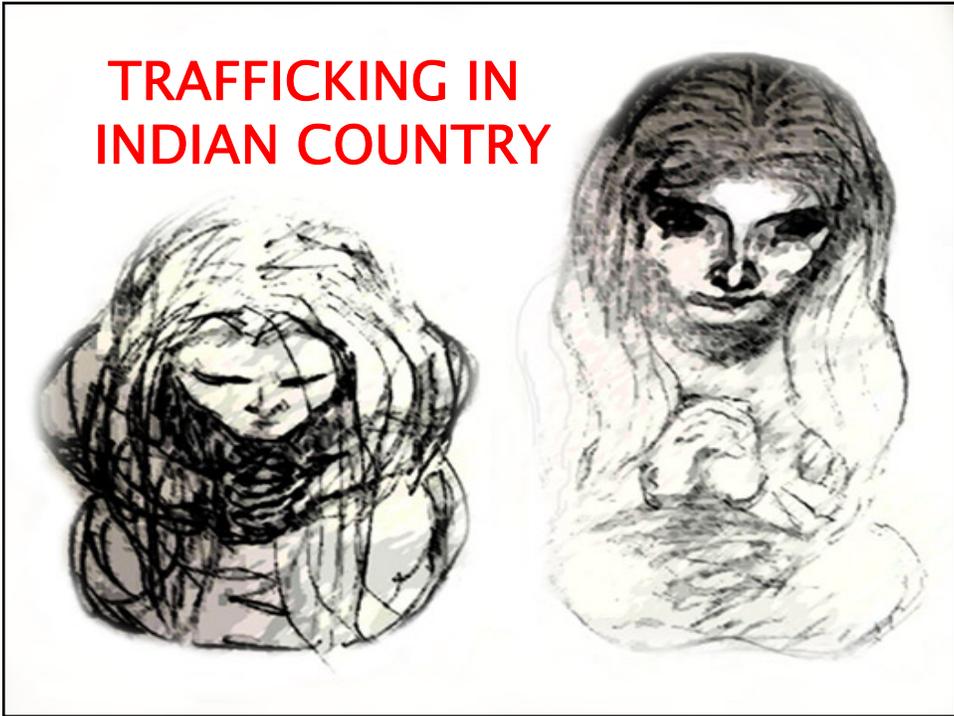
CENTER FOR COURT INNOVATION	<h2>Rules of "the Life"</h2> <ul style="list-style-type: none"> • Do not talk about your pimp • Do not talk to or look at other pimps • Do not talk to other women who are not your wife-in-laws • Snitches get stitches • Pimps up, hos down • Love your daddy
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CENTER FOR COURT INNOVATION	<h2>Barriers to Exiting</h2> <ul style="list-style-type: none"> • Fear of violence toward self or loved ones • Logistical → Housing, education, career, treatment needs, ID, criminal record, lack of services • Sense of belonging / family / community, traumatic bonding • Isolation from helping people & systems → Mistrust of CJ system • Trauma & normalization
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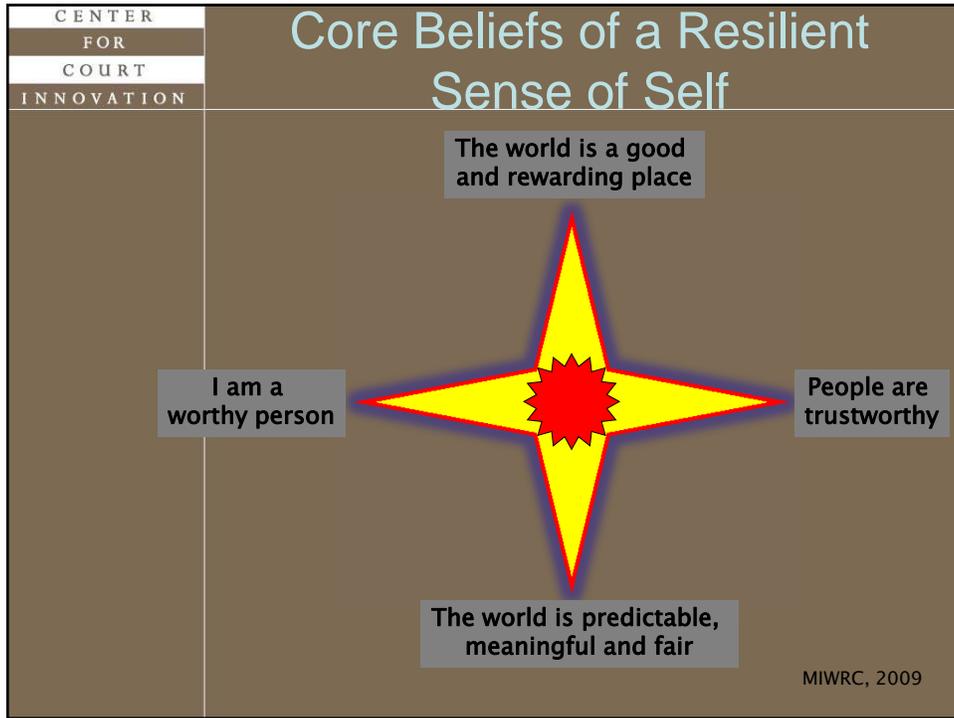
CENTER FOR COURT INNOVATION	<h2>Stockholm Syndrome</h2> <p>Four Necessary Conditions →</p> <ol style="list-style-type: none"> 1. Perceived threat & follow-through 2. Perceived kindness from abuser 3. Isolation from other perspectives 4. Perceived inability to escape 
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CENTER	<h2>Stockholm Syndrome Indicators</h2> <ul style="list-style-type: none"> • Positive feelings toward trafficker • Negative feelings towards family, friends, authorities trying to help • Support of trafficker's reasoning and behaviors • Perceived positive feelings from the trafficker • Supporting / helping the trafficker • Unwillingness to engage in behaviors that may result in release / detachment
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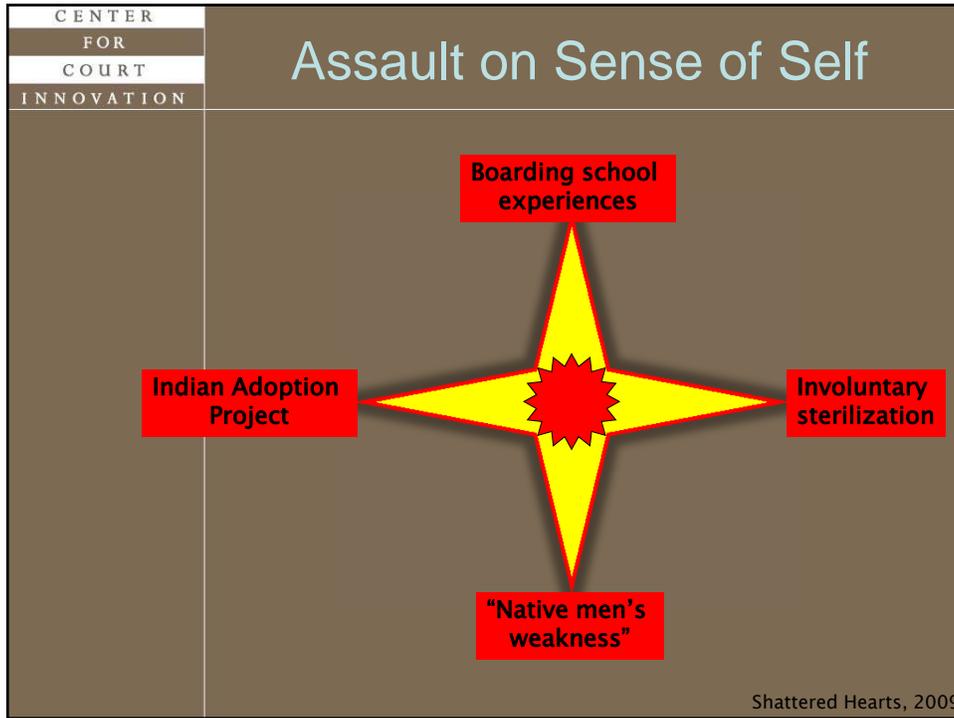
CENTER	<p>“I’m such an embarrassment to my race. A lot of people know what I do, so I stay away.”</p> <p>“Back then I was not connected to my cultural identity. I thought prostitution was normal living.”</p>
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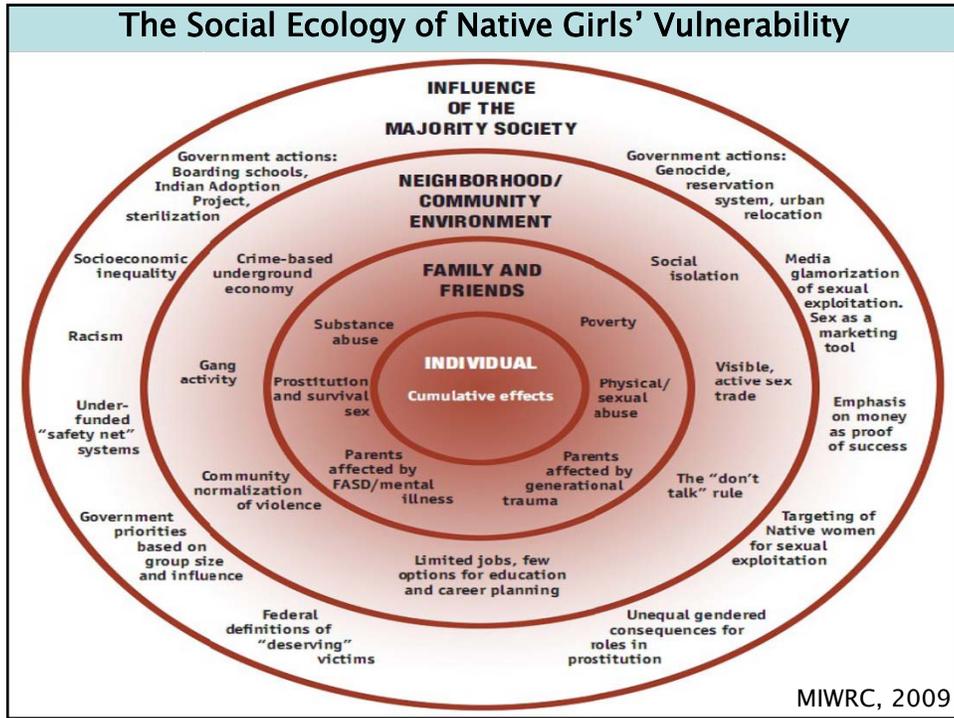
CENTER FOR COURT INNOVATION	<h2>Historical Context</h2>
	<ul style="list-style-type: none">• Misinterpretation of Native women's gender & sexual expression → Dehumanization• Use of sexual violence & enslavement as tactics of war & colonization<ul style="list-style-type: none">– By westward settlers– During forced migration• Boarding schools & relocation further increased vulnerability



CENTER FOR COURT INNOVATION	<p>“When a man looks at a prostitute and a Native woman, he looks at them the same: ‘dirty’.”</p> <p>“A john said to me, ‘I thought we killed all of you’.”</p> <p>picstordesign.com</p>
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R | <h2 style="color: #ADD8E6;">Current Realities</h2> <ul style="list-style-type: none"> • High prevalence of risk & vulnerability factors, inc. <u>intergenerational trauma</u> • Targeting due to 'marketability' & tribal law enforcement limitations • Racism by pimps & clients <ul style="list-style-type: none"> – Many exploiters are non-Native – Lowest in the hierarchy • Multigenerational exploitation |
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CENTER FOR COURT INNOVATION	<h2>Overview: Part II</h2> <ul style="list-style-type: none"> • Current systems response • Federal, state & tribal laws • Screening & assessment • Specialized victim services • Interventions with exploiters, inc. criminal justice sanctions • Prevention & public awareness
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	How do your agency & community respond to sexual exploitation?

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	<h2>System Limitations & Barriers</h2> <ul style="list-style-type: none">• Lack of professional training• Attitudes & reluctance to change• Inability to identify victims• Limitations of current statutes• Lack of specialized & culturally-appropriate services• Jurisdictional complications• Limited tribal law enforcement resources• Prosecution of exploiters is RARE

CENTER FOR COURT INNOVATION	<h2 style="text-align: center;">Current Laws</h2> <ul style="list-style-type: none"> • International Protocols • Federal Trafficking Victims Protection Act (TVPA) <ul style="list-style-type: none"> – Prosecution, protection, prevention • 42 states have trafficking laws → NYS Safe Harbor Act, Trafficking Law, Criminal Records Law • Unknown if any tribal nations have sex trafficking laws
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CENTER FOR COURT INNOVATION	<p><i>The core experiences of trauma are disempowerment and disconnection from others. Recovery, therefore, is based on the empowerment of the survivor (regaining control) and the creation of new connections.”</i></p> <p style="text-align: right;">Judith Herman</p>
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CENTER	<h2>Guidelines for Interviewing</h2> <ul style="list-style-type: none"> • Understanding of their experiences • Understanding reasons they may not talk about the exploitation • Reprisal sensitivity • Initial interview by social worker • Understanding fear of authorities • Sensitivity w/o accusatory or negatively worded questions • Try to not “reinforce the guilt”
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CENTER	<h2>Screening & Assessment</h2> <ul style="list-style-type: none"> • Arrest as an <u>opportunity</u> • Challenge of building rapport, trust • “Have you ever run away? How did you survive?” • “Do you know anyone who’s in the life/ the game?” • “Have you ever done something sexual in exchange for something you needed or wanted?” • Assessment of safety, health needs, service needs
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CENTER	<h2>Red Flags for Pimp Control</h2> <ul style="list-style-type: none"> • Constantly checking in w/ someone, having a ride waiting • Night existence • Neck tattoos of names • Use of language of “the life” • Inconsistent statements re. identity • History of prostitution arrests • Not in control of money or ID • Frequent travel • Severe trauma reactions
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CENTER	<h2>Trafficking Screening</h2> <ul style="list-style-type: none"> • Are your working conditions different from what you expected/were promised? • Does anyone take the money you earn? • Is anyone making it hard for you to leave? • Can you choose your clients? If not, why? • Were told you have to pay back a debt? • If you work for someone, are you afraid of him or her? • Has anyone ever threatened or hurt you, or done something else, to make you do something sexual?
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	<p>“Women who have the fewest real choices available to them are those who are in prostitution. The critical question...is not, ‘Did she consent?’ but ‘Has she been offered the real choice to exist <i>without</i> prostituting?”</p> <p>Farley et al. 2011</p>

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	<p>Healing Phases of Trafficking Victims</p>

CENTER FOR COURT INNOVATION	<h2>Acute Phase (Right after rescue)</h2> <ul style="list-style-type: none"> • Don't know who to trust • Afraid of disclosing information • Afraid of retaliation • Afraid of systems and providers • Confused and anxious • May be bonded with abuser • Physical injury & illness • Able to provide testimony to others but not themselves
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CENTER FOR COURT INNOVATION	<h2>Intermediate Phase (1st wks./mos.)</h2> <ul style="list-style-type: none"> • Apprehensive & cautious • Safety understood, but still afraid • Experiencing sleeping disorders • Somatic symptoms: <ul style="list-style-type: none"> ✓Autonomic hyperactivity ✓Skeletal muscle tension ✓Gastrointestinal irritability ✓Genitourinary disturbance ✓Other psychosomatic reactions
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CENTER FOR COURT INNOVATION	<h2>Reorganization Phase (up to 6 mos.)</h2> <ul style="list-style-type: none">• Anxiety and fear continue• Eating & sleeping disturbances still present• Impaired social functioning• Intimacy difficulties• Victimization guilt• Guilt for contributing to trafficker's life• Shame for sexual behavior
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CENTER FOR COURT INNOVATION	<h2>Intermediate Phase (up to 1 yr.)</h2> <ul style="list-style-type: none">• Anxiety and fear decreasing but still present• Hyper-awareness• PTSD symptoms active• Difficulty in relationships expressed in isolation, mistrust, codependence and/or acting out• "Damaged goods syndrome"
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CENTER FOR COURT INNOVATION	<h2>Long-Term Effects (1 yr. & beyond)</h2> <ul style="list-style-type: none"> • Anger towards, and fear of, traffickers • Diminished capacity to enjoy life • Hypervigilance to danger • Fear of risks • Interpersonal skill deficits • Continued sexual dysfunction • Prolonged PTSD symptoms
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CENTER FOR COURT INNOVATION	<h2>Victim Services: Tier I</h2> <ul style="list-style-type: none"> • Street outreach & referral • Safety planning • Harm reduction services • Emergency shelter w/ clothing, showers • Substance abuse treatment, especially detox & inpatient • Medical & mental health care • Legal advocacy
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	<p>“Ultimately what you need to do [as the service provider] is replace the pimp. The pimp is acting like family. You need to replace that with positive family.”</p> <p>ECPAT Int’l</p>

CENTER	<h2>Victim Services: Tier II</h2> <ul style="list-style-type: none">• Long term housing• Educational opportunities• Jobs, career development• Legal advocacy• Trauma-focused mental health services<ul style="list-style-type: none">– Individual & group/peer support• <u>Role of culture in healing</u>
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CENTER FOR COURT INNOVATION	<h2>Re-Entry Considerations</h2> <ul style="list-style-type: none">• Perception of not being able to reintegrate into society• Powerful sense of shame & embarrassment• Need for non-judgmental acceptance• Lack of social skills• Structure difficulties• Program/treatment plan sabotage
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CENTER FOR COURT INNOVATION	<h2>Goals for Healing</h2> <ul style="list-style-type: none">▶ Healthier, safer lifestyle▶ Re-establish social connections and support▶ Increased self-reliance▶ Increased self-esteem▶ Improved body image
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	<p>“As Native people, we think of healing using the medicine wheel, the physical, emotional, mental and spiritual. Prostitution affects all those areas and takes many years to mend afterward. After many years I still cry for that child that lost her innocence.”</p>

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	<h2 style="text-align: center;">W.I.S.E. Program</h2> <ul style="list-style-type: none"> • Located at Midtown Community Court → Used as alternative to detention • Serves women ages 21 & up • Individualized needs assessment, inc. screening for trafficking • 10-session psychoeducational group model • Case management & aftercare plan w/ victim advocate

CENTER FOR COURT INNOVATION	<h2>S.T.A.R.S. Program</h2> <ul style="list-style-type: none"> • Part of Bronx Community Solutions, Bronx Criminal Court • Conducts street outreach • DV, sexual violence & trafficking screening w/ arrestees • Provides referrals for trauma-specific services as alternative to incarceration • Specialized case manager & mental health clinician
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CENTER FOR COURT INNOVATION	<h2>Criminal Justice Response</h2> <ul style="list-style-type: none"> • Training for professional responders → Improve identification of trafficking • <u>The Swedish model</u> <ul style="list-style-type: none"> – Reframing prostitution as violence against women – Decriminalizing victims – Enhancing prosecution & penalties for exploiters • Cross-jurisdiction collaboration
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CENTER FOR COURT INNOVATION	<h2>Specialized Court Models</h2> <ul style="list-style-type: none"> • Brooklyn D.A.'s Prostitution Initiative → ATI programs for youth and adults, peer psychoeducation • Queens Criminal Court Diversion Part → w/ GEMS Court Advocacy • Project Dawn Court, Philadelphia → Modified Drug Court, indiv. assessment, residential TX • Baltimore → Pre-plea, case manager, MH & SA referrals
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CENTER FOR COURT INNOVATION	<h2>Prevention/Public Awareness</h2> <ul style="list-style-type: none"> • Changing attitudes • Countering vulnerability factors • Education about red flags <ul style="list-style-type: none"> – On reservations, at group homes, at homeless services, in schools, etc. • Examples → Assembly of Manitoba Chiefs' campaign; AWAN petition • Critical role of survivors in message & program development
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CENTER FOR COURT INNOVATION	 <p>I'm not for sale</p> <p>Royal Canadian Mounted Police <small>Service de police de Gendarmes à cheval du Canada</small> Canada</p>
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CENTER FOR COURT INNOVATION	 <p>DEAR DIARY, I NEEDED A PLACE TO STAY. I DIDN'T KNOW IT WOULD BE THAT BAD. I FEEL WORTHLESS.</p> <p>why doesn't anyone see me?</p> <p>IT'S CHILD ABUSE <small>STOP SEX WITH KIDS</small> www.stopsexwithkids.ca CALL: 1-800-532-9135 <small>Child Abuse Prevention Center</small> </p>
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C E N T E R	<h2 style="margin: 0;">Other Responses</h2> <ul style="list-style-type: none"> • Collaboration → Developing strategy, protocols, training, practice guidelines • With exploiters → John Schools; Sex offender treatment? Registries? Batterers programs? • Tribal code revision • Legislative advocacy re. funding & improvements to laws • Data collection & research
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CENTER	<h2>Written Resources</h2> <p>Deer, S. (2010). Relocation revisited: Sex trafficking of Native women in the U.S. <i>William Mitchell Law Review</i>.</p> <p>Farley, M. et al. (2011) <i>Garden of truth: The prostitution and trafficking of Native women in Minnesota</i>.</p> <p>Pierce, A. (2009). <i>Shattered hearts: The commercial sexual exploitation of American Indian women and girls in Minnesota</i>. MIWRC.</p>
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CENTER	<h2>Questions? Next steps?</h2>
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	<p>Thank you!</p> <p>(646)386-4181 fordk@courtinnovation.org (505)879-5112 keahisouza@yahoo.com</p>