New language, old problem: sex trafficking of American Indian women and children

The selling of North America’s indigenous women and children for sexual purposes has been an ongoing practice since the pre-colonial era. “Generational trauma” resulting from a long history of genocide and oppression has been recognized as the major contributor to the high rates of poverty, substance abuse, child abuse, violence, and mental illness in Native communities (Evans-Campbell, 2008; Kingsley & Mark, 2000; Yellow Horse Brave Heart & Debruyn, 1998). Generational trauma has been implicated in generational prostitution and child trafficking in Native families (Lynn, 1998; Pierce, 2009). The following summarizes findings of existing research and other documents on sex trafficking of Native women and girls in the U.S. and Canada.

In the U.S., research on sex trafficking of Native women and girls is limited but findings suggest that Native women and girls are over-represented among trafficking victims.

* In 2000, Native women’s rate for sexual assault and rape was 7.7 per 1,000 women versus 1.1 for White women, 1.5 for African American women, 0.2 for Asian women, and 0.6 for Hispanic women (Tjaden & Thoennes, 2006).
* An analysis of 2007 prostitution arrest data in the county encompassing Minneapolis found 24% of arrests to be of Native women, more than twelve times their representation in the county’s population (Martin & Rud, 2007).
* Traffickers may be Native or non-Native, but both groups use two primary methods to “recruit” Native women and youth.
* The first is “finesse” pimping, posing as a boyfriend or woman friend, treating the victim with great kindness, offering a free place to stay, and when the victim feels obligated, insisting that she/he “help out” by prostituting (Pierce, 2009; Sethi, 2007).
* The second is “guerilla” pimping (often by gang members), using violence against the victim (including gang rape) and/or threatening violence against the victim’s family (Native Women’s Association of Canada, 2007; Nimmo, 2001; Pierce, 2009).
* Traffickers focus on particularly vulnerable Native women and youth, including those with limited ability to recognize exploitation because of mental illness, substance abuse, and/or fetal alcohol spectrum disorder/FASD (Benoit & Millar, 2001; Boland & Durwyn, 1999; Farley & Lynne, 2000; Pierce, 2009).
* Legal protections and services to victims are limited in general, and even less available to American Indian women and youth.
* While domestically trafficked minors are automatically considered victims under the U.S. Trafficking Victims Protection Act (TVPA), adults must prove that they were induced to cooperate through force, fraud, or coercion (see 22 U.S.C. § 7102(8), 2000; 22 U.S. C. § 7105 (b)(1)(a).
* Federally-funded adult victim services are restricted to international victims, and organizations currently receiving federal Office for Victims of Crime funding for services to domestically-trafficked minors are limited to Chicago, New York, and San Francisco (OVC, n.d.).
* Sex trafficking investigations involving American Indian reservations incur complex jurisdictional questions due to wide variation in federal, state, and tribal roles (Bureau of Indian Affairs, 2011; Goldberg & Valdez Singleton, 2005; Tatum, 2003). This complexity has a tremendous impact on effective identification and protection of Native victims (Deer, 2010).

This review suggests that tribes and urban Indian service providers should be involved in collaborative planning to better identify and protect Native victims There must be stronger agreement between federal and state trafficking laws, and equal protection and services for all victims, regardless of age or country of origin. Current research is also extremely limited, and there is a critical need for culturally-responsive, systematic investigations.

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