

Navajo Girl Exploited, Sex Trafficked for Years

SEARCHLIGHT NEW MEXICO

By Nick Pachelli
Searchlight New Mexico

Eva was found at dusk one Tuesday in late December 2016, standing in a parking lot in northeast Albuquerque. The 15-year-old Navajo girl had been missing more than two weeks when her grandmother got a call from the Bernalillo County Sheriff's office — saying her silver Ford truck had been recovered.

"I don't care about the truck, what about my granddaughter?" Heidi demanded.

She drove three hours, from her house outside Gallup to Albuquerque, and arrived a few minutes after 1 a.m. to see Eva emerge from the juvenile holding area, quiet and hunched, her dark brown eyes fixed on the floor. She weighed 94 pounds. Her cheeks and neck looked skeletal. She kept her answers short, and when an officer asked her to sign a release document, she rolled her eyes. A familiar pattern was unfolding.

Back in the car, Heidi locked the doors. The cold fabric of the seats smelled of cigarettes and pine. Give me my phone, Eva said.

For going on two years, Eva recognized that horrific actions were being forced upon her, but she didn't have a name for them. She didn't know she was a part of something larger, something the state and the nation has yet to fully reckon with or measure. Eva was among the thousands of human trafficking victims targeted and exploited in the U.S. every year, of whom only 10 percent or so are ever identified. In New Mexico, only 160 cases have been opened since 2016 — Eva's among them. And while Native Americans make up about 11 percent of the state's population, they account for nearly a quarter of trafficking victims, according to data compiled from organizations that provide services to trafficking victims.

A 16-month investigation by Searchlight New Mexico has found that when it comes to human trafficking, indigenous women and girls are the least recognized and least protected population in a state that has long struggled to address the issue. An almost total lack of protocols, mandated training, and coordination between law enforcement systems as well as medical institutions have ensnared victims in cycles of exploitation.

That includes Eva, who, according to her own recounting in addition to notes from medical personnel, caseworkers, and therapists, was systematically lured, coerced and threatened by a man who amassed hundreds of pornographic images and videos of her, raped her more times than she can estimate and traded sex with her to others for money, drugs and favors. Her name, along with those of her family members, have been changed for reasons of safety and privacy.

Throughout those two years, Eva showed many of the warning signs of someone who's been trafficked. She was anxious, depressed, absent-minded, mute, and had little sense of time. She was frequently reported missing, labeled a runaway, appeared malnourished

and was occasionally bruised. Time and again, she was cast aside by the very authorities sworn to protect her. She was given few referrals for care from licensed professionals, who responded to her trauma by dispensing psychotropic medication to her on numerous occasions, while not asking questions or consulting other agencies. When she tried to take her own life, the hands-off responses persisted. Despite dozens of brushes with five law enforcement agencies (Zuni tribal police, Gallup police, McKinley County sheriffs, Bernalillo County sheriffs, and Albuquerque police) and seven health-care institutions (in Gallup, Zuni, Black Rock, Las Cruces, Albuquerque, and Taos), she was not once questioned or screened for human trafficking. "Nobody saw me," she says. "Not until the very end."

Growing up on the Zuni and Navajo reservations of western New Mexico, Eva moved continuously between her mother's two-bedroom house in Nakaibito to the residences of her grandparents, aunts, uncles and cousins — all in small communities north and south of Gallup with fewer than 2,000 people, connected by roads flanked by spruce trees. The only constant in her life was Haley, her sister 4½ years her junior.

Eva was the outgoing one, admitted by her sister for her lanky limbs, her long eyelashes and her gift for sketching. When her cousins came for sleepovers, they marveled at her drawings of butterflies floating among trees. Eva was the one to initiate games of basketball in the driveway, scolding her cousins when they didn't pass the ball to Haley.

The girls' mother, Lea, worked multiple jobs as a nurse's aide, and the family had a comfortable life in an area where the median household income hovers at about \$27,000 a year. Lea entered her daughters in child beauty pageants in Gallup, Albuquerque and Las Cruces, and Eva relished in the two times she placed first. Lea was the kind of mother who on a whim would take the family on a road trip to White Sands National Monument or the redwood forests of northern California, where the girls twirled and laid silent under the trees at night. Eva remembers those times as her happiest ones.

They ended the year she turned 11. Lea had long struggled with alcoholism, and as the disease worsened she increasingly left her daughters in the care of others or alone at home. Eva was made to mature far beyond her years while enduring the advances of an abusive stepfather. When her mother was too intoxicated to drive, she propped Eva on a pile of blankets to see over the steering wheel of the family's 1999 Honda Civic. Eva began skipping school, and while there she got in trouble for smoking. Finally, in her seventh grade year, she was expelled for fighting and never went back. Her grandmother described her as "12 going on 25."

Reports from McKinley County sheriffs and Zuni police officers, who responded to disturbance and residential battery



Sisters Eva and Haley, a survivor of child abuse, grew up on the Zuni and Navajo reservations, living with their mother and other relatives. They were ultimately raised by their grandmother near Gallup.

calls, chronicled a home life with frank, check-box detachment. Daughter, 12, seemed OK.

Alcohol abuse by biological mother... Said she [leaves] kids with stepfather.

Younger one said they are alone a lot.

Daughter, 12, asked to go to grandmother's house.

Only later would Eva and Haley confide in their grandmother that their stepfather physically, sexually, and emotionally abused them. "Don't you tell Grandma what happens in this house," he often said.

The girls' grandmother says she kept as close a watch as she could, and when she saw them, she would give her granddaughters almost anything they wanted. For Eva's 12th birthday, she bought her an iPhone, so Eva could call whenever they were left alone at home.

"Buying her that phone was the worst thing I ever did," Heidi says now.

On Dec. 8, 2015, Eva looked at her phone and saw a Facebook message from a young man with a thick brow, chalky brown hair, and a round jawline. I remember you from middle school, he wrote. Eva, then 13, didn't recognize him, but she assumed she knew him. "Everyone on the reservation knows everyone. Or they pretend they do," she says.

D, as she came to call him, enthused about her large brown eyes, her dimples, and the way she wore her hair in French braids. He asked for photos and she sent him intimate selfies, soon followed by more explicit pictures. She drove to his house in her mother's car — still propped up on blankets and often hitting trash bins along the way — where he shared beer and marijuana with her. She thought he looked older than he did in his pictures on Facebook, but told herself that he was probably in high school when she was still in middle school.

They drove to a Conoco gas station near the waterless Red Lake north of Gallup, where D — so confident, so approachable — told her he loved her. Eva felt needed and exultant,

unmoored from the problems at home.

As the months went by, D took more photos and recorded videos — usually of Eva performing oral sex and having intercourse with him. His affectionate ways were soon supplanted by forceful sex, violence and threats. He promised to share her photos and videos on Facebook and hurt her little sister if she were to say anything.

Then, he invited other men — he said they were his brother and cousin — to the house, where they molested and raped Eva. She remembers initially resisting, punching one of them, and hearing the words "Just do it," before feeling a weight fall on her.

Her grandmother reported Eva missing that night when she failed to return her texts and calls. When Eva returned the following morning looking "totally out of it," a police dispatcher urged Heidi to take her to Para Los Niños, an abuse crisis center for children and adolescents in Albuquerque. After an examination that lasted several hours, clinicians concluded that Eva showed signs of rape, "petechial bruising" and "penetrative trauma," according to medical records.

A nurse gave Heidi brochures, while Eva was presented with new clothes and stuffed animals and referred to tribal social services for counseling. No follow-up was ever made. No one at the center asked any of the questions developed to help identify human trafficking victims. Questions like: Sometimes people are hurt or threatened, forced to do things by someone else who is getting something in exchange. Are you in a situation where you think this could happen? Indeed, according to Searchlight's research, no major healthcare center in the state mandates trafficking screenings for minors presenting signs of sexual violence.

As they drove home on I-40, Eva heard a high-pitched noise, like someone yelling, in her head. The only sound her grandmother remembers hearing was the buzz of Eva's phone.

Sex trafficking is defined (federally and by the state) as

the exploitation of individuals through threat or use of force, coercion, and/or fraud to induce a "commercial sex act" — a technical definition that blunts the trauma and spectrum of exploitation. It is a growing crime that's estimated to generate \$99 billion in illegal profits a year globally, and in the U.S., people of color — mostly black and indigenous women — are victimized at the highest rates.

But the widely cited mainstream definitions need to be expanded and reshaped when considering the ways indigenous women and minors are victimized, says Maureen Lomahapeteva, a Hopi woman and caseworker at The Life Link, a Santa Fe-based nonprofit that shelters and serves trafficking victims and other vulnerable populations. Caseworkers there say there's a lack of understanding about the ways indigenous women, especially those from rural areas, are trafficked — and how the police, legal and medical systems fail them. These women are, according to experts, the most underserved of the underserved.

The Navajo Department of Family Services, which operates in Arizona and New Mexico, says that sex trafficking is often overlooked or misidentified among child abuse, sexual abuse, and domestic violence cases. Domestic violence accounts for one-third of the nearly 300,000 calls made to Navajo police every year, and the NDFS reported a 23 percent increase in child sexual abuse cases over the past two years, with 442 intakes in 2018.

The agency is currently reviewing formerly closed cases and has in the past year opened three new trafficking investigations. Its efforts have been spurred in part by Navajo Nation Council Delegate Amber Kanabzah Crotty, who spearheaded an as yet unpublished white paper on trafficking in the Navajo Nation. The paper functions as a warning to policymakers and those who deny the prevalence of the issue. It com-

piles the few existing research studies and data sets on trafficking of indigenous peoples, and calls for extensive research and assessments that go beyond simple statistics — such as the 2016 National Institute of Justice finding that four in five indigenous women will experience violence in their lifetimes. A landmark national needs assessment was slated to begin in 2018, but the Department of Justice eliminated its funding.

Not all tribal leaders regard the issue with the same urgency. Navajo Nation Police Chief Philip Francisco, for one, says he does not see sex trafficking as a problem in his jurisdiction. "It's more of a border issue," he says.

Of course, trafficking and exploitation are hardly a new phenomenon in indigenous communities. For centuries, sexual violence has been a cornerstone of the treatment of indigenous populations, integral to colonization and displacement, which to this day reverberates generational trauma. Sex trafficking of contemporary indigenous women is "almost indistinguishable from the colonial tactics of enslavement, exploitation, exportation, and relocation," writes Sarah Deer, professor of law at Kansas University and author of *The Beginning and End of Rape: Confronting Sexual Violence in Native America* (University of Minnesota Press, 2015).

Today, high rates of chemical dependency, abuse, involvement in the foster care system and a lack of resources exacerbate vulnerability to predators, the vast majority of whom are non-Native. As noted in Crotty's white paper (produced in partnership with Casey Family Programs and the University of Colorado's American Indian Law Clinic), female minors, homeless youth and transgender or two-spirit/LGBTQ people are most vulnerable to trafficking. Trafficking cases uncovered by NDFS show that the criminal activity is not solely conducted through organized crime. Individual exploiters from metropolitan areas often target rural communities. And, as tribal leaders have found in NDFS cases, family members have been known to exchange younger children for money, drugs or basic needs. "We've seen our children trafficked by their own family, and most don't even know they were trafficked. ... Ultimately addressing this is about going back to the stories of these individuals who have been trafficked in each way. We need to stop erasing the experience of survivors," says Crotty.

In August 2017, Crotty and Council Delegate Nathaniel Brown co-sponsored a law designating human trafficking as a criminal offense in the Navajo Nation. "Our Navajo children are being picked up through social media and trafficked at truck stops or other areas across the United States," Brown says. "And for a long time we didn't have a word to describe sex trafficking."

See 'Abusive' on page B5

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Cats PG	4:35 7:10 9:50 PM	1:50 4:35 7:10 9:50 PM	4:35 PM 7:10 PM
Uncut Gems R	4:30 7:20 10:10 PM	1:40 4:30 7:20 10:10 PM	4:30 PM 7:20 PM
Black Christmas PG-13	5:00 7:35 10:05 PM	2:15 5:00 7:35 10:05 PM	5:00 PM 7:35 PM
The Grudge PG-13	4:55 7:30 10:05 PM	2:10 4:55 7:30 10:05 PM	4:55 PM 7:30 PM
Jumanji: The Next Level PG-13	4:30 7:20 10:00 PM	1:45 4:30 7:20 10:00 PM	4:30 PM 7:20 PM
Knives Out PG-13	4:25 7:10 9:50 PM	1:40 4:25 7:10 9:50 PM	4:25 PM 7:10 PM
Little Women PG	4:25 7:15 10:10 PM	1:35 4:25 7:15 10:10 PM	4:25 PM 7:15 PM
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Abusive Partner Leads Teen into Sex Trafficking

Continued from B4

ficking in our communities.” The new law grants tribal courts jurisdiction over Native and non-Native victims in cases that fall outside federal jurisdiction or that federal authorities decline to pursue. The law calls for coordination among government and civil institutions to fight illegal “transporting, trading or dealing” of people. Should a case arise, it would challenge the 1978 U.S. Supreme Court ruling *Oliphant v. Suquamish Indian Tribe*, in which tribes lost the authority to prosecute non-Natives in Indian Country.

McKinley County, New Mexico

In the fall of 2016, Heidi doubled his threats against Eva. If she spoke out, he would escalate. In addition to sharing the photos and videos, he promised to harm Heidi and abduct Haley. Isolated and cornered, Eva felt a heaviness to her every step.

If anyone could have helped Eva, it would have been her mother. Lea knew, or at least suspected, what was happening; she had seen the nude photos of her daughter and did nothing. Eva expected her mother to act or at least say something. But in November 2016, Lea died after an incident near Shiprock.

Her death left Eva terrified. For weeks after the funeral she lay on the floor of her grandmother's house, her body squirming in the dark, while her phones buzzed with messages.

By now, she had four Samsung cellphones, all supplied by D, who within several weeks of her mother's death was texting daily, demanding more photos, threatening her with violence unless she pick herself off the ground and meet him. Which she did, as if pulled by a wire tethered to her feet — driving or being driven to faraway towns and switching between cars with strange men.

Heidi, who now had full custody of both granddaughters, coped by writing notes in her planner (Eva snuck out of room in morning, 2-3 a.m.... Eva gone... Eva still gone) and calling tribal and county police. She called so many times that they recognized her voice. Her despair had, in her words, become something of a joke to them. “Eva up and gone again?” they would ask. She cut back her hours as a pharmacy assistant to look for Eva, driving across the Zuni Pueblo and southern Navajo Reservation to Gamerao, north of Gallup, knocking on doors to ask total strangers if they'd seen her granddaughter.

All this time, D kept tightening his grip. On Sept. 8, 2017, he sent a text demanding she send naked photos of her 10-year-old sister. Eva tried, first taking lighthearted pictures and then pulling at Haley's clothes and screaming at her. When Haley began to screech and cry, Eva stopped as Heidi entered their room.

That night, Eva tried to kill herself by swallowing a bottle of Tylenol and cutting her forearms. Heidi drove her to a local emergency room, but with fewer than 20 adolescent psychiatric beds then available in the entire state, Eva was flown to Mesilla Valley Hospital in Las Cruces, 300 miles away.

Heidi followed by car, laying out every detail she thought relevant to hospital staff: her granddaughter's deepening depression, her history of sexual violence, her disappearances. It would prove yet another opportunity missed. When Eva was discharged seven days later, she came home with little more than prescriptions for three psychotropic medications.

“She was a zombie when she came out of there,” Heidi recalls. “And then she started texting all the time again and taking off with my truck.”

• • •

After conducting more than 75 interviews and gathering data from 18 agencies, Searchlight shared Eva's story with nine tribal police officers, four tribal officials, and two former clinicians for the Indian Health Services. No one expressed surprise.

“Tribal agencies are understaffed, underfunded, and undertrained in this type of response,” says Ramah Navajo Police Chief Darren Soland, who employs six officers to cover more than 250 square miles in McKinley and Cibola counties. A 2018 report from the Bureau of Indian Affairs found that, nationwide, tribal law enforcement received a mere 22 percent of necessary funding in 2016. The result, says Soland, is a growing culture of lawlessness. “Once someone who is being victimized goes from tribal to state land or to a municipality and maybe comes back, it's hard to get the agencies to reach out and communicate with each other to identify someone or further a case,” he says.

Traffickers exploit these legal technicalities. Research has shown that police and health-care workers are most likely to encounter sex trafficking victims as they respond to calls and receive patients. A July 2019 study in the journal *Criminology & Public Policy* explored the reasons why law enforcement officers rarely recognize trafficking victims and found that many say they are either unaware that this is a crime over which they have jurisdiction or that they don't believe it is an issue present in their communities. Many also cite the reluctance of victims to come forward to explain the low number of identifications and cases.

“All these different players and systems, they don't talk to each other when they need to, when someone is in potential crisis,” says Meredith Dank, a trafficking researcher at John Jay College of Criminal Justice and a co-author of the 2019 study. “So often [the victims] fall right back to their traffickers.”

The study built on a 2017 report by the Government Accountability Office, which documented little-to-no coordination between law enforcement agencies and poor record keeping by the FBI — the principal authority, with BIA, on major criminal investigations in Indian Country.

The majority of states, including New Mexico, require no law enforcement basic training on human trafficking. No law enforcement agency in the state makes mention of the crime as it pertains to U.S. citi-



Sisters Eva, a survivor of abuse and sex trafficking, and Haley, a survivor of child abuse, maintain a close bond. They both have many triggers, continual reminders of the horrors they've faced.

Adria Malcolm / Searchlight New Mexico

zens in a standard operating manual.

And while lawmakers have proposed legislation, their efforts have largely stalled. The renewal of the Violence Against Women Act, which includes amendments from Rep. Deb Haaland (D-N.M., Laguna Pueblo) to better assist Native victims of sexual violence and increase communication between law enforcement agencies, is stalled in the U.S. Senate. “Public safety in Indian Country should be a top priority, because Native women are experiencing violence at alarming rates — this is a national crisis,” Haaland wrote in a statement. At the state level, New Mexico Human Trafficking Task Force members are lobbying for shelter funding, more statewide resources that reach rural areas, and stricter penalties for traffickers. Currently, trafficking offenders are not placed on the state's Sex Offender Registry.

In major crime cases, trafficking included, justice is most effective when federal authorities — the FBI, BIA, and U.S. Attorneys — track the issue, investigate and prosecute. The latest national figures, however, show that federal prosecutors declined nearly half of all cases in Indian Country in 2017 — many of them cases of sexual violence. Since 2015, the District of New Mexico U.S. Attorney's office, the third busiest district in the country for Indian Country cases, has declined 69% of cases that fall under the “Offenses committed within Indian Country” statute and 80% of cases falling under child abuse in Indian Country, according to data from the TRAC research center at Syracuse University.

“What we've seen is Indian victims, but ones that end up in urban areas like Albuquerque,” says New Mexico U.S. Attorney John C. Anderson. “We have not seen, to date, a human trafficking prosecution referral that has its central situs in Indian country or that has been premised in Indian Country jurisdiction.”

Tribal police chiefs and case-workers said they believe most cases stall or are deprioritized, remaining open but in “inactive status.” In state-level human trafficking statistics, the FBI does not publish the county or victim's ethnicity. In a written response to questions, a spokesperson from the FBI's New

Mexico headquarters wrote, “The FBI is committed to fulfilling our mandate to investigate the most serious crimes in Indian Country. ... The FBI aggressively investigates any reports of human trafficking, using force-multiplying Human Trafficking Task Forces.” The FBI did not provide figures on the number of inactive-status trafficking cases.

“We're letting the FBI off the hook way too easily,” says Mary Kathryn Nagle, a Cherokee Nation lawyer and counsel to the National Indigenous Women's Resource Center. “And I wish more senators would call them to account for how few investigations go anywhere. They need to have an oversight hearing on why the FBI is abdicating its duties.”

McKinley County, New Mexico

Eva this is grandma!! Where are you. Please call me... You are precious to us.

Eva had been missing a week when Heidi sent her frantic messages and posted a round of pleas on Facebook. Every hour, she sent another one. Eva where are you! I'm scared for your life! Are you warm?

Please call and I can pick you up no questions asked! When the responses came, they were from an account under the name “Devon” — photos of Eva being assaulted, along with the words Do not call the police. At no point did Facebook flag or intervene in the sharing of these images of sexual abuse and child exploitation on its platform.

The 70-year-old grandmother ignored the threat and called New Mexico State Police, reporting that her granddaughter had stolen her silver Ford truck. “I figured I'd rather her be locked in jail than not know where she was.”

Eleven days later, Eva was handcuffed outside a Dollar Store in northeast Albuquerque. She was standing near the truck with an older man, who walked away without questioning from officers after denying that he knew Eva. The following morning, Heidi brought her granddaughter to the children's psychiatric unit at the University of New Mexico, where blood work revealed she had a sexually transmitted disease. A doctor's case notes described a “15 [year-old] patient crying in ER, mute, and unable to talk coher-

ently.”

Eva was prescribed antibiotics and antidepressants and put under suicide watch. “It is unclear if the numerous high risk activities in which [Eva] has been engaging recently are indicative of dysfunctional grieving, desire to harm self, or defiance of guardian,” the doctor noted. Two weeks later, she was transferred by ambulance to a 90-day program at Butterfly Healing Center, a co-ed treatment center for Native American teens in Taos.

Managed by the Eight Northern Indian Pueblos Council, Butterfly Healing Center helps indigenous youth stabilize and recover from substance abuse and mental health issues. Many kids who have been pushed out from other agencies are, for the first time, given time and space to heal.

“I just felt calm when I got to Butterfly,” Eva says. “And needed.” Heidi and Haley relocated to Santa Fe to be closer to Eva, and for the first time in years, Eva says, she began to think with a level of clarity. The piercing noises in her head subsided. She watched movies and played board games and basketball with other teens.

Most important, she bonded with a therapist and a female staff member, whom she credits with returning meaning to her life. A month into her stay, she began to talk.

“All that stuff that my grandma thought was going on was true,” Eva says. In one pivotal conversation, she laid everything out — being groomed and exchanged for sex, her own life and that of her family members threatened. Her disclosure set in motion a string of reports that reverberated across agencies, including the child protective services, the FBI, The Life Link and others. It culminated with a three-hour interview with the FBI during which her phone was turned over to the agency.

“I'd never heard the word ‘trafficked’ until that day,” says Eva. “When I heard it, I thought it was just like a word for trapped.”

Home

In the last 14 months since departing a safe house, Eva, now 17, and Haley, 13, have each enrolled in new schools twice and changed apartments three times. Eva has gone missing once after she ran away in the middle of a panic attack.

She has also been arrested and spent a night in jail for kicking and punching Heidi. Despite the occasional outburst, the family maintains a bond — albeit one that's limited to the three of them. Though aunts and uncles and cousins live in western New Mexico, Eva, Haley and Heidi do not visit. There are many places Eva won't return to.

To date, no charges have been filed. Every few months, Heidi calls the assigned FBI agent for an update, but there rarely is anything to report. Several individuals familiar with the case believe it has been relegated, like so many others under the FBI's purview, to inactive status.

Eva, meanwhile, has grown out her bangs and wears large puffer and fake-fur coats that obscure her slender body, no matter the season. She frets about being recognized in public and says illicit photos and videos of her can still be found in the dark corners of the internet. Recalling those photos is one among many triggers for her, along with the smell of marijuana and abrupt movements. Sometimes at the peak of a panic attack, she faints — a somewhat rare occurrence among trauma victims, one that's more often experienced by refugees who survive war, torture and genocide. She deconstructs these episodes and her past in biweekly therapy sessions.

The family subsidizes on victim assistance funds that will change and decrease as Eva grows older. Heidi will apply for food stamps and public housing in the coming years. Eva says she and Heidi will soon start looking for jobs. For now, though, she tries to stay focused on finishing the 10th grade. While she sometimes struggles in school, in her creative writing class [1] she has an A+.

Sometimes, Eva has a sense that things will improve, but she also likes to point out that to believe rests on an assumption that believing will work. Many nights, she resists sleep. Nightmares ensue, and the sensation of near-sleep reminds her of the feeling she experienced when she was being trafficked — weightless and contorted underwater.

“I want to make it not real. But I was living there. And sometimes, I'm still living there.”

Searchlight New Mexico is investigating human trafficking in urban and rural New Mexico. Here's how you can stay in touch:

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