

JOURNEY TO SAFETY

The Battered Immigrant Woman's Experience

Video and Facilitator's Guide

Published by



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Battered Women's Justice Project

The mission of the Battered Women's Justice Project is to promote change within the civil and criminal justice systems to improve their response to domestic violence and more effectively provide safety, security and justice for battered women and their families. As the national resource center that addresses all areas of law related to domestic violence, BWJP provides technical assistance and training to advocates, batterers intervention program staff; civil attorneys, judges and related court personnel, law enforcement officers, the defense bar, prosecutors, probation officers, policymakers, victims of domestic violence, including incarcerated battered women, and their families and friends. BWJP also responds to requests from tribal and military practitioners who fulfill equivalent functions in their respective responses to domestic violence.

Staff attorneys and advocates provide information and analyses on criminal justice issues related to domestic violence, such as effective policing, prosecuting, sentencing, and monitoring of domestic violence offenders; and on civil legal issues, such as custody, visitation, housing, employment, economic assistance, and protection orders. Our partner, the National Clearinghouse for the Defense of Battered Women, addresses all issues related to battered women charged with crimes and provides consultation to attorneys handling these cases. BWJP also manages the National Center on Full Faith and Credit which provides technical assistance to concerned professionals and the public on issues related to the issuance and inter-jurisdictional enforcement of protection orders.

Since its establishment in 1993, BWJP has produced a number of articles on best practices for responding to domestic violence cases and on emerging issues or controversies in the field. As a Technical Assistance Provider for the Office on Violence Against Women, BWJP conducts a variety of professional trainings and multi-disciplinary events each year for jurisdictions awarded OVW grants.



Minnesota Advocates for Human Rights

The mission of Minnesota Advocates for Human Rights is to implement international human rights standards to promote civil society and reinforce the rule of law. By involving volunteers in research, education, and advocacy, we build broad constituencies in the United States and selected global communities.

Minnesota Advocates:

- Investigates and exposes human rights violations internationally and in the United States.
- Trains and assists groups that protect human rights.
- Works through education and advocacy to engage the public, policymakers and children about human rights and cultural understanding.

Minnesota Advocates was founded in 1983 by a group of Minnesota lawyers who recognized the community's unique spirit of social justice as an opportunity to promote and protect human rights in the United States and around the world. The organization has produced more than 50 reports documenting human rights practices in more than 25 countries, and works with partners overseas and in the United States to restore and protect human rights. Minnesota Advocates for Human Rights hold Special Consultative Status with the United Nations.



Pangea World Theater

Pangea World Theater begins from the fundamental paradigm of diversity in the world. Our work expresses this reality and our organization advances this possibility consciously. Since its inception in 1995, Pangea's goals have included creating a new literature with stories from different communities for theater, changing our methods of auditioning in order to include artists from diverse communities who are not trained in the traditional western methods of the audition process, and creating new possibilities and new aesthetic realities for a more diverse audience. As the community of the Twin Cities has become increasingly diverse with the influx of new immigrants, Pangea has actively sought individuals from these communities to be part of our artistic and advisory team.

Pangea World Theater is a progressive space for transformation in which conversations about race, gender, ethnicity, human rights, politics and social justice form an important backbone for our work. We collaborate with award-winning international artists and companies to create plays and performances that speak across geography and culture. Our ensemble is experimenting with form and content to create new processes for a new aesthetic. As we begin our tenth year in the Twin Cities, we are in a position to reflect, assess and evaluate our artistic practice and body of work. This body of work as well as the connections, alliances and dialogues that arise out of the work has arisen as a direct response and consequence of the demographic shift in this community.

JOURNEY TO SAFETY

The Battered Immigrant
Woman's Experience

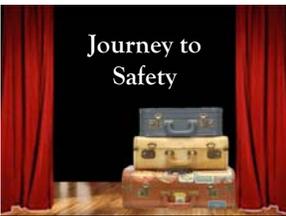
Video and Facilitator's Guide

Presented By:

Minnesota Advocates for Human Rights

Pangea World Theater

Battered Women's Justice Project



ACKNOWLEDGEMENTS

Minnesota Advocates for Human Rights would like to thank the many people who contributed to this video and facilitator's guide.

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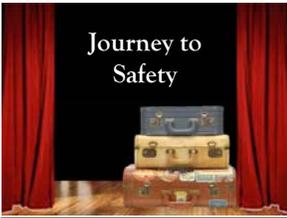


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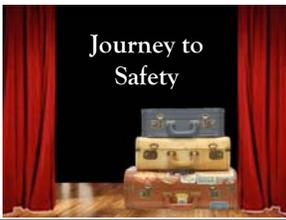
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JOURNEY TO SAFETY

Introduction



THE JOURNEY TO SAFETY PROJECT

In December of 2004, Minnesota Advocates for Human Rights released *The Government Response to Domestic Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report* (“the Report”). This Report was the culmination of an 18-month project involving research and the interviewing of over 150 community members, including judges, prosecutors, public defenders, interpreters, child protection employees, immigration officials, and immigrant community leaders about the accessibility of government services and protection for battered immigrant and refugee women and their families. The findings of the Report indicate that while domestic violence is a serious problem for women of all backgrounds, refugee and immigrant women face unique problems in gaining protection from violence. As Leslye Orloff, a national expert in legal advocacy for refugee and immigrant women, noted, “language, culture, and immigration status exacerbate the level of violence, block victims from access to information about legal remedies, and complicate their efforts to obtain the relief they need to end violence.”

The goal of the project has been to use the findings of the Report to raise awareness of the needs and challenges facing refugee and immigrant victims of violence and to generate discussion on strategies to eliminate the barriers and address family violence issues. To further that goal, Minnesota Advocates partnered with Pangea World Theater to create **Journey to Safety**, a unique multi-lingual stage presentation that portrays several representative stories from the report. The vignettes in the stage presentation powerfully capture the obstacles faced by immigrant victims of domestic violence, such as language barriers, fear of legal systems and community pressures, as well as the challenges faced by all families experiencing domestic violence. A cast of six multi-lingual women representing different ethnicities communicate the frustration, confusion, and isolation frequently experienced by immigrant survivors of domestic abuse. The performance not only reflects the common dilemmas that immigrant victims of domestic violence confront, but also illustrates potential prevention and intervention possibilities.

Minnesota Advocates for Human Rights and Pangea World Theater created this Journey to Safety Video and Facilitator’s Guide to allow a wider audience access to this important and effective learning tool, the goals of which are: 1) to raise awareness of the barriers to services faced by immigrant victims of domestic violence; 2) to stimulate the creation of strategies to overcome these barriers to safety, and 3) to provide resources and materials to assist individuals and organizations in implementing effective change.

The original report, *The Government Response to Domestic Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report* can be downloaded at Minnesota Advocates for Human Rights’ website, www.mnadvocates.org.

Minnesota Advocates for Human Rights wishes to thank the following organizations for generously providing the financial support necessary to conduct the research and draft the Report: The Jay and Rose Phillips Family Foundation, The Saint Paul Foundation, the Minnesota State Bar Foundation, the Minneapolis Foundation, and Women’s Foundation of Minnesota.



VIDEO AND FACILITATOR'S GUIDE

The Journey to Safety Video and Facilitator's Guide is designed to put participants in the shoes of an immigrant victim of domestic violence as she tries to negotiate the legal, medical and government systems. Through the video and accompanying activities, participants will feel more connected and engaged in the experience of victims of domestic violence and hopefully more motivated to work for change.

The Journey to Safety Video contains the 40-minute Journey to Safety performance as well as three case studies and interviews with policemen, policymakers, prosecutors, judges, medical professionals, and other legal advocates. These interviews serve as further testimonials to the obstacles to safety that immigrant victims of domestic violence face, as well as to the groundbreaking work being done to overcome these obstacles.

The six activities included in this Facilitator's Guide are designed to complement the information being presented in the performance and allow participants to 1) identify the barriers, 2) research and understand the complexity of the issues, and 3) develop strategies to address the problem. The activities are written specifically for adult audiences and are suitable for both beginners and for those who already have significant experience working on immigration and domestic violence issues.

The time required for each activity is flexible but suggested times have been given. Facilitators may pick and choose which activities they would like to include in their training, depending on time constraints and how in-depth they would like to go with the participants. There are three suggested agendas in the "Facilitation Tools" section of this manual as well as basic guidelines to follow for developing a workshop. Some of the activities have supplemental case studies, discussion questions, or handouts designed for specific professionals such as law enforcement, judges, prosecutors, advocates, and service providers. Because the activities are designed for a broad audience, facilitators should feel free to change, add or further tailor these activities as they see fit.

This Facilitator's Guide also provides a wide range of information and tools for professionals working with immigrant victims of domestic violence, such as fact sheets, referral lists, case studies, and domestic violence resources.

This Facilitator's Guide is intended to educate, facilitate discussion and motivate action to address the barriers for immigrant victims of domestic violence. It is not designed to provide legal advice. We hope that it will be an effective tool in promoting better public awareness and targeted education to help communities overcome the obstacles to safety for immigrant victims of domestic violence.

PROJECT GOALS

- 1. Raise Awareness:** By clearly articulating the circumstances of immigrant victims of domestic violence and by identifying obstacles they face as they seek services, medical care, safety and justice, we hope to increase understanding and raise awareness in the community and to have a significant impact on societal attitudes and behavior, resulting in substantial systemic change.
- 2. Promote Action:** Through the performance and guided activities, participants are challenged to look critically at the systems where these obstacles are found and devise strategies to overcome these barriers to safety for immigrant victims of domestic violence.
- 3. Provide Resources:** Additional materials and resources are provided to assist individuals and organizations in implementing effective systemic change.



HOW THIS GUIDE IS ORGANIZED

The Journey to Safety Video and Facilitator's Guide is divided into three sections:

- **Facilitation Tools**
- **Understanding the Barriers to Safety**
- **Strategies for Change: A Positive Path Forward**

Facilitation Tools:

This section offers useful, practical tips for presenting and using the video as a discussion tool, including techniques for stimulating an effective discussion, setting ground rules to keep the discussion on track, and troubleshooting if participants begin to lose focus. Sample agendas, workshop scenarios, and a facilitator's checklist are also provided.

Understanding the Barriers to Safety

This section provides two opening activities which are useful for groups that don't know each other to get acquainted and build trust among participants. Activity 1: "The Language Barrier" provides an introduction to the barriers that immigrants face when trying to navigate the system. This activity sets the stage for the Journey to Safety video. Activity 2: "Get acquainted" allows group members to introduce themselves to one another while at the same time sharing facts and quotes on immigration and domestic violence issues. Activity 3: "Journey to Safety Video and Discussion" is the most essential component of any Journey to Safety workshop. If you have time to do only one activity, choose this one. Make sure to leave adequate time for discussion after viewing the video. The discussion questions are geared to not only allow participants to react and relate what they saw in the video to their own experience, but to also begin to strategize on how they might address the barriers that immigrant victims of domestic violence face.

Strategies for Change: A Positive Path Forward

In this section, participants will focus on how they can best assist immigrant victims of domestic violence both personally as well as organizationally. In Activity 4: "Case Studies," participants will examine case studies based on the real-life experiences of immigrant victims of domestic violence and discuss potential responses. Activity 5: "Organizational Change" goes beyond the individual to help participants analyze ways to create a better response both within their own organization as well as between systems. For your convenience, the case studies and handouts in this section have been broken down by profession: law enforcement officers, judges, prosecutors, and advocates/service providers. One short activity is also given in this section to wrap-up the workshop. Activity 6: "Next Steps and Feedback" allows participants to comment on what they learned from the Journey to Safety workshop and challenges them to specify a particular action they will take to better assist immigrant victims of domestic violence. In addition, two sample evaluation forms are provided for the facilitator if feedback from the participants is desired.

JOURNEY TO SAFETY

Facilitation Tools



WORKSHOP AGENDAS

JOURNEY TO SAFETY WORKSHOP AGENDA I

Total Workshop Time: 3 hours

Feel free to customize this schedule to meet the time available

THE LANGUAGE BARRIER	10 minutes	p. 15-16
GET ACQUAINTED	10 minutes	p. 17-20
VIDEO AND DISCUSSION	80 minutes	p.21-22
BREAK	15 minutes	
CASE STUDIES	25 minutes	p. 27-30
ORGANIZATIONAL ASSESSMENT	30 minutes	p. 36-38
NEXT STEPS	10 Minutes	p. 41-43

JOURNEY TO SAFETY WORKSHOP AGENDA II

Total Workshop Time: 2 hours

Feel free to customize this schedule to meet the time available

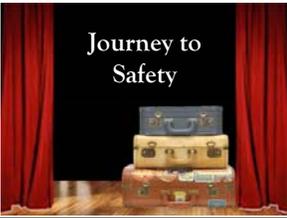
GET ACQUAINTED	10 minutes	p. 17-20
VIDEO AND DISCUSSION	70 minutes	p. 21-22
BREAK	10 minutes	
ORGANIZATIONAL ASSESSMENT	20 minutes	p. 36-38
NEXT STEPS	10 Minutes	p. 41-43

JOURNEY TO SAFETY WORKSHOP AGENDA III

Total Workshop Time: 1.5 hours

Feel free to customize this schedule to meet the time available

GET ACQUAINTED	10 Minutes	p. 17-20
VIDEO AND DISCUSSION	70 minutes	p. 21-22
NEXT STEPS	10 minutes	p. 41-43

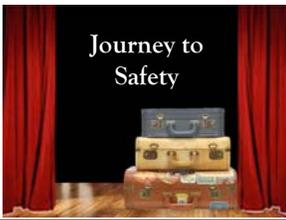


SAMPLE AGENDA HANDOUT

**Journey to Safety: The Battered Immigrant Woman’s Experience
Video and Discussion
April 9th, 2007
9:00-12:00**

AGENDA

TIME	TOPIC
9:00-9:20	Introduction Activity 1: The Language Barrier Activity 2: Get Acquainted
9:20-10:40	Video and Discussion Activity 3: Journey to Safety Video and Discussion
10:40-10:55	Break
10:55-11:45	Strategies for Change Activity 4: Case Studies Activity 5: Organizational Change
11:45-12:00	Moving Forward Activity 6: Next Steps



FACILITATOR'S CHECKLIST

- Preview Video**
Note content and length of film, preview interviews and note which excerpts may be informative for your group. Practice pausing and restarting the DVD.
- Preview Facilitator's Guide**
Review structure and content.
- Choose an agenda**
Depending on time, audience, and goals, create an agenda for the workshop choosing from the activities in this guide (see suggested agendas).
- Arrange a meeting space**
Look for a convenient space large enough for your group to meet comfortably and suitable for the activities you have chosen.
- Gather equipment**
 - Journey to Safety Video/DVD
 - VCR/DVD player and monitor or large screen projector and screen with remote for operating
 - Materials and copies of handouts as needed for each activity
 - This **Journey to Safety Facilitator's Guide** is available for downloading at www.mnadvocates.org
 - Copies of agendas for each participant
 - Flip chart and markers
 - Participant sign-up sheet or participant list
 - Name tags
 - Blank paper and pencils
 - Evaluation forms
- Welcome participants**
Review agenda for session
- Conduct workshop**
Make sure everyone has a chance to offer their opinions
- Review and reflect**
Discuss next steps for the group and evaluate workshop



WORKSHOP SCENARIOS

The impact of Journey to Safety is most effective when viewed in its entirety. We recommend showing the full feature video, with a total running time of 40 minutes. The suggested agendas on page seven provide three possible lengths for a workshop. Choose the agenda that best fits your time constraints as well as the needs of the participants. As the facilitator be sure to give yourself time to go over each of the activities you have chosen to do before the workshop. You may need to choose which questions, role plays, or handouts you will want to use depending on who is in your group.

The video-based discussions typically use one of the following scenarios:

Option 1: Large Groups

Numbers will vary, but 25 people can usually watch a video presentation on a standard monitor in a classroom environment. Any group larger than 25 will probably require an audience-style environment with more sophisticated equipment such as microphones, projection systems, and perhaps a different facilitation strategy.

Consider the following if you are facilitating a group of over 25 people:

- Consider whether you want to try and facilitate any discussion with the entire viewing group or whether to break out into smaller groups for discussion. Designate one person in each group as a facilitator if you do decide to break into smaller groups.

Option 2: Small Groups

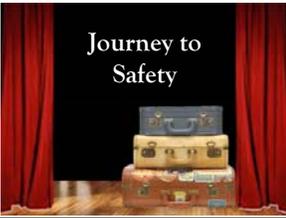
A small group is probably the ideal presentation environment, offering both easy interaction and intimacy. A gathering of 6-12 participants around a conference table, in a discussion circle, or even in a living room can create an ideal environment for viewing and discussion. In this scenario, a standard video monitor or TV is perfectly appropriate.

Consider the following if you are facilitating a group of less than 25 people:

- For groups of 12 to 25, you may wish to set up three or four tables in an “in the round” configuration where everyone can see the monitor and it is easy to do both large group and small group break out discussions.

Tips for both large and small groups

- Share objectives and time frame with the group ahead of time. Keep people on track and on schedule.
- Both the Video and Facilitator’s Guide can be distributed to interested parties for their own use and background information.
- Inform participants that the report on which Journey to Safety is based *The Government Response to Domestic Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report*, is available to download for free at www.mnadvocates.org.



CREATING AN EFFECTIVE DISCUSSION

Those participating in the discussion will be judging the relevance of the material you are introducing. Most adult participants tend to:

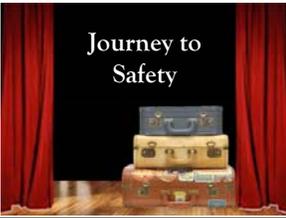
- Validate information based on their beliefs and experiences
- Have past experiences on which to draw
- Contribute knowledge and information to the group at large
- Be problem-centered
- Like to share in the planning and facilitation process itself

You can succeed in facilitating a group discussion even if you have little experience in doing so. The following are some tips on how to create a better discussion. Keep these guiding principles in mind as you are facilitating.

Tips for Creating an Effective Discussion

- Encourage participants to collaborate. Encourage them to ask questions, compare experiences, and share solutions with one another.
- Never put anyone on the spot. Interaction should be voluntary and supported by positive reinforcement. You should avoid criticism or judgement. Encourage everyone to participate without cajoling or embarrassing them.
- Take nothing at face value. Notice the words and phrases people use, and probe by asking “what do you mean?” or “could you elaborate on that?”
- Ask people to reconcile their contradictions. Illuminate what people are struggling with. Ask, “how do these two things fit together?”
- Periodically summarize for the group what you think people are saying. Say, “this is what I’m hearing, do I have it right?”
- Watch out for your own pre-conceptions and views. It’s easy to interject your own opinions and views without realizing it.
- Highlight contrasting views and concerns. Pointing out contrasts will help people articulate what they really believe and give you a deeper understanding of what they think

Source: The Harvard Institute for KnowledgeWorks Foundation, *Public Engagement and School Facilities Conversation Workbook*, Cincinnati Ohio, 2004.



GROUND RULES

It helps to include everyone in your planning and facilitation processes. Let people know the timing of the session, what they can expect in terms of breaks, refreshments, and other amenities, and ask for their buy in” with a set of ground rules for your workshop.

Here is a suggested set of ground rules to share with your group:

Discussion Ground Rules

Have a “kitchen table” conversation in which everyone participates, no one dominates.

There are no “right” answers. Draw on your own experiences, views and beliefs; you do not need to be an expert.

Keep an open mind. Listen carefully and try to understand the views of those you disagree with.

Help keep the discussion on track. Stick to the agenda and the goals of the workshop; try not to ramble.

It is okay to disagree, but don’t be disagreeable. Respond to others with courtesy and respect, even when you disagree.

Source: The Harvard Institute for KnowledgeWorks Foundation, *Public Engagement and School Facilities Conversation Workbook*, Cincinnati Ohio, 2004.

TIPS AND TROUBLESHOOTING

Arguments: Arguments can be constructive if they aren’t mean-spirited or angry. Find out what’s behind the argument. Ask why people are disagreeing and get to the bottom of it. Break the tension if necessary with a joke or light remark, and steer conversation back to the agenda.

Extreme Politeness: Sometimes groups are so courteous that they fail to generate any significant discussion or debate on, for example, possible solutions to the issue they are discussing. This can be harmful to group productivity as much as a hostile argument. Play devil’s advocate in this situation and bring up different ideas or use the supplemental interviews in the video to stimulate discussion.

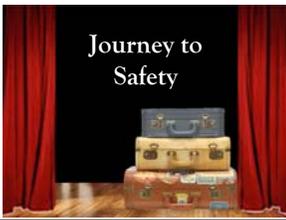
Boredom: If people begin to look distracted, tired, or lost, ask them a direct question to bring them back into the conversation. Take a quick break if necessary.

Preoccupation: Occasionally one group member will have an issue that they continue to bring up but is not something the whole group wants to discuss. If this is the case, politely acknowledge the speaker and move on: “I understand where you are coming from, but we need to move on.”

Rambling: Some people simply cannot say what they wish to say in a concise way, and this can dominate the discussion. Keep participants focused by asking them to relate their point to the question.

JOURNEY TO SAFETY

Understanding the Barriers
to Safety



ACTIVITY I: THE LANGUAGE BARRIER

<p>CONTEXT</p> <p>OBJECTIVES</p> <p>RESOURCES</p> <p>TIME</p>	<p>An introduction to the barriers that immigrants face when trying to navigate the system</p> <p>Participants will experience and empathize with the discrimination, frustration and emotion immigrants go through when trying to overcome a language barrier</p> <ul style="list-style-type: none"> • Handout I: Application • Pens for each participant <p>10-15 minutes</p>
<p>SET-UP</p> <p>ROLE PLAY</p>	<p>Arrange the room so you can sit behind a desk and role-play the formality of a bureaucratic official.</p> <p>As the facilitator, follow the role play as laid out in the steps 1-7 below. It is important for the facilitator to remain "strong" in his/her role and appear serious and bureaucratic. It might be helpful to remind yourself that in this role, immigrants are not your concern; you are only here to do your job!</p> <p>Role Play Instructions</p> <ol style="list-style-type: none"> 1. Let participants arrive but do not greet anyone or acknowledge their presence. Don't say anything about what is going to happen. 2. Wait a few minutes after the scheduled start time and then hand out the copies of the "Application" and the pens, one to each participant. 3. Tell participants that they have five minutes to complete the form, but don't say anything else. Ignore all questions and protests. If you have to communicate, speak another language (or a made-up language) and use gestures. Keep all communication to a minimum. Remember that the immigrants' problems are not your concern; your job is only to hand out the forms and collect them! 4. After five minutes are up, collect the forms. 5. Call a name from the completed forms and tell that person to come forward. Look at the form and make up something about how they have filled in the form, for instance, "you didn't answer question 8" or "I see you answered 'no' to question 6. We cannot help you." Do not enter into any discussion. Call the next person to come forward. 6. Repeat this process several times. It is not necessary to review all the applications; only continue for as long as necessary for the participants to understand what is happening. 7. Finally break out of your role, introduce yourself and tell the group why they are here: "We are here to learn about and develop solutions for the barriers or obstacles to safety that battered immigrant women face when trying to access services. This activity just demonstrated one of those barriers—the Journey to Safety video we are about to watch will go into greater depth."
<p>DISCUSS</p>	<p>As a large group discuss the following questions:</p> <ul style="list-style-type: none"> • How did the participants feel when they were filling out an unintelligible form? • Have any the participants ever been in a situation where they could not speak the language and were confronted by an official, for instance, a police officer or a ticket controller? How did it feel? • What could be the consequences for someone who is unable to get the help they need because of a language barrier?

Department of Homeland Security
 Handbook 53-12-A
FORMS CONTROL OFFICER INFORMATION REQUEST

1. TYPE OF REQUEST: ADD (NEW FCO) (adfEXISTING F
 CHdfA(EXISTIN'S) adfkljgi

FORMS CONTROL OFFICER INFORMATION

2. Type of fco: primary fco altnerate Port diector signature name

3. Rfaf CO: 5. name: (llast name)

4. rtme

6. complete address:

7. reccod of custody of bgh jk (dljg) #4 " dfkjgkjkd (*if yes) Yes No

8. WILthis be the first time you have entered the Uninited State? **place an e X in the approo column.** Yes No

9. Is this aco a form of superivor 10. will this fco be bringing you the forms? Yes No

10. **what did you think you could do when you reach the block 12?** does tehhis fco authoris or train or dis-
 tribute what you need in the rgon and skp block? Yes No
 Yes No

11. will this be authorized to distribute to teh entire district?
 Yes, if yes enter teh tree digit code ___ ___ ___
 No

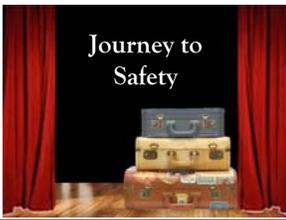
13. **Do not complete this block if you have anwered yes to block 11.** if the fco is willign to take up your case then please call us
 back when you recieve the notification letter in teh mail in 2 to 3 buinssess days.

14. port director name: signature: _____

ate signed _____

Telephone number _____





ACTIVITY 2: GETTING ACQUAINTED

<p>CONTEXT</p> <p>OBJECTIVES</p> <p>RESOURCES</p> <p>TIME</p>	<p>An introduction to each other and to selected facts on immigrant victims of domestic violence</p> <p>Participants will introduce themselves to the group and at the same time share facts and statistics regarding immigrant victims of domestic violence.</p> <ul style="list-style-type: none"> • Handout 2: Immigrant Victims of Domestic Violence Fact Sheet <p>10-15 minutes</p>
<p>SET-UP</p> <p>INTRODUCTIONS</p>	<p>For this exercise, make a copy of all the facts, statistics and quotes in <u>Handout 2: Immigrant Victims of Domestic Violence Fact Sheet</u>. Cut them into strips so that each participant is able to take one of the facts/quotes. Place the strips in a box or hat and pass it around to the group, asking everyone to take one strip.</p> <p>Facilitator: <i>“The following exercise will give us a chance to get acquainted with each other as well as acquainted with the issue that we are going to be discussing today—the experience of immigrant victims of domestic violence. Everyone please say your name and a tell us few words about what you do. After you have introduced yourself, read the quote from the film and the fact from your strip of paper.”</i></p> <p>As the facilitator, you can go first.</p> <p>Note: For a cited version of the handout, please see the appendix.</p>

Journey to Safety Film Quote: “Please come soon. He has a knife. He’s trying to kill me!”

A recent study in New York City found that 51% of intimate partner homicide victims were foreign-born, while 45% were born in the United States.

Journey to Safety Film Quote: “There’s screams coming out of there, the children are crying and I know he is hitting her. It always happens when she goes to learn English.”

48% of Latinas in one study reported that their partner’s violence against them had increased since they immigrated to the United States.

Journey to Safety Film Quote: “Then he started hitting me harder and harder each time. Maybe he’s right, I remember I promised to be his wife forever.”

Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women, 59.5% compared to 49.8%

Journey to Safety Film Quote: “You don’t even speak English, who do you think they are going to believe?”

Immigrant women do have protections under the U.S. legal system; however one of the barriers to getting assistance is that both immigrant batterers and victims may believe that any protections under U.S. legal system do not apply to them.

Journey to Safety Film Quote: “He promised to stop this time if I tell a lie. If I tell a lie, he’ll stop. But even if he doesn’t, where would I go?”

A survey of immigrant Korean women found that 60% had been battered by their husbands.

Journey to Safety Film Quote: “What do you think will happen at the shelter? No one will talk to you or do anything with you because you can’t speak English.”

Immigrant victims of domestic violence who attempt to flee may not have access to bilingual shelters, financial assistance, or food. It is also unlikely that they will have the assistance of a certified interpreter when reporting complaints to the police or a 911 operator, or even in acquiring information about their rights and the legal system.

Journey to Safety Film Quote: “What do you mean what do I want to do...All I want is help for me and my children.”

Language, culture and immigration status exacerbate the level of violence, block victims from access to information about legal remedies, and complicate their efforts to obtain the relief they need to end the violence.

Journey to Safety Film Quote: “My brother tried to help me when my husband assaulted me. They deported him.”

Fear of removal (deportation) has a powerful effect on some victims of violence. One advocate reported that a battered immigrant woman provided the following explanation, “The worst day with [my abuser] is still better than my life in [my home country.]”

Journey to Safety Film Quote: “If I tell them the truth, they will call the police, the police will break up the family. No, I cannot break up my family.”

General fear of law enforcement is also a major barrier that prevents immigrant victims of domestic violence from seeking help. As one advocate explained, “the whole process, court officials, sheriffs in uniforms, is very scary to many women. Their history may involve abuse or corruption in political systems in their home country.”

Journey to Safety Film Quote: “A neighbor reported some screaming and loud banging sounds.”

A 2002 survey demonstrated that domestic violence victims in Minnesota accounted for 26% of all violent crime victims.

Journey to Safety Film Quote: “I don’t have money for this...How much will it cost? Will they send me back if I can’t pay?”

A recent study found that more than two-thirds of immigrant victims of domestic violence trapped in abusive relationships cited lack of money as the biggest obstacle to leaving.

Journey to Safety Film Quote: “He’s going to kill me. He almost choked me to death!”

Strangulation is one of the most dangerous forms of domestic violence and is frequently a precursor to domestic homicide. On August 1, 2005, strangulation during a domestic assault became a felony in Minnesota.

Journey to Safety Film Quote: “He grabbed her, threw her against the wall, choked her, tried to throw her down the stairs, and this is not the first time he has been violent with her.”

Domestic abuse often escalates. In a 1997 study, 88 percent of the victims in domestic violence fatalities had a documented history of physical abuse.

Journey to Safety Film Quote: “My children are all that I have left, I can’t lose them.”

The ability of Child Protection Services to evaluate fairly and effectively the safety and well-being of the children of immigrant women is hampered by inadequate interpretation services. As a result, CPS workers often do not receive complete information about a family’s situation, jeopardizing immigrant women’s rights to custody of their children.

Journey to Safety Film Quote: “Do you have insurance?”

Under Federal and State law, eligibility for general medical assistance has been eliminated altogether for undocumented immigrants.

Journey to Safety Film Quote: “Oh, good, your child is here, she can help you with the translation.”

Inadequate interpretation compromises the accuracy of the police report, an important part of the judicial system. Without a full and accurate police report, prosecutors and courts cannot adequately prosecute offenders. Also, using children as interpreters is not in the best interests of the child.

Journey to Safety Film Quote: “Ma’am, is someone close to you causing you physical harm?”

Medical institutions are frequently not conducting adequate screening for domestic violence due to confidentiality concerns or the lack of interpreters or the lack of cultural sensitivity on the part of some medical staff.

Journey to Safety Film Quote: “This would go much faster if we had prior records. Tell her if she gets worse she should come back here to this hospital. And we can try to get some better records this time!”

Many battered women do not receive the consistency of care that facilitates disclosure of domestic violence and preserves documentation of a pattern of injuries, which may be essential for immigration relief or criminal prosecution.

Journey to Safety Film Quote: “We solve our problems from within.”

If a woman objects to the violence and seeks help, there may be significant community pressure to seek resolution of the domestic violence situation within the clan or community-based justice system.

Journey to Safety Film Quote: “In my country the police were never up to any good.”

Treatment by police in her home country can be a significant barrier to a woman seeking help. The traumatic experiences of refugee women in their home countries may have made them more vulnerable to exploitation and less likely to feel that they can improve their circumstances.

Journey to Safety Film Quote: “What if you go to immigration and deport my husband?”

It is common knowledge in immigrant communities that those convicted of domestic violence offenses are subject to removal.

Journey to Safety Film Quote: “This is not in my training manual.”

Despite the Minnesota law and policies that require financial workers to screen financial assistance applicants for domestic violence, the provisions that should benefit victims of violence are not being consistently applied.

Journey to Safety Film Quote: “Well, it was your choice. You’re the one who made your private business known. You’re the one who called the police. You started this, now you have to see it through to the end.”

Interpreter misconduct occurs when an interpreter steps out of the interpreter role to counsel or shame the victim. The interpreter may communicate a bias that the victim of abuse is at fault.



ACTIVITY 3: JOURNEY TO SAFETY VIDEO AND DISCUSSION

<p>CONTEXT</p> <p>OBJECTIVES</p> <p>RESOURCES</p> <p>TIME</p>	<p>Viewing and discussing the Journey to Safety Video</p> <p>Participants will gain a deeper understanding of the complex web of barriers that immigrant victims of domestic violence face when seeking help.</p> <ul style="list-style-type: none"> ● Handout 3: Journey to Safety Discussion Questions ● Handout 4: Obstacles to Safety ● Handout 5: Power and Control Wheel ● Handout 6: Tips to Keep in Mind <p>70-90 minutes</p>
<p>INTRODUCE</p>	<p>Introduce the video and reiterate the purpose of the training: Facilitator: <i>“The video we are about to watch presents situations and stories of real immigrant women. The video is based on a fact-finding study done by Minnesota Advocates for Human Rights which examined the severe challenges that immigrant and refugee women affected by domestic violence in the Minneapolis and St. Paul community face when accessing social and legal services. This video provides a theatrical portrayal of these ‘obstacles to safety.’ We are here today to learn about these barriers and generate ideas on how we can overcome them.”</i></p>
<p>WATCH VIDEO</p>	<p>Play the Journey to Safety Video. (40 minutes).</p>
<p>GET REACTIONS</p>	<p>After watching the video, take a few moments to let participants gather their thoughts. If time allows, ask participants to write down their thoughts and immediate reactions. Then ask a few very broad and open-ended questions such as: <i>“Reactions? What did people think? How do you feel about what you saw?”</i> <i>“Do you see these types of experiences in your work?”</i> Let people respond. Depending on time constraints, you may choose to take a break at this point, before beginning the small group discussion.</p>
<p>HAND OUT INFORMATION</p>	<p>Give each person <u>Handout 4: Obstacles to Safety</u> and <u>Handout 5: Power and Control Wheel</u>. Facilitator: <i>“Both of these handouts summarize the barriers that immigrant women face in seeking help due to fear, control, language, community pressures, and more. Handout 4 provides specific examples for each barrier. The wheel provides a visual representation of the different forms of power, control, and violence that surround an immigrant victim of domestic violence.</i></p>
<p>SMALL GROUP DISCUSSION</p>	<p>Provide participants with <u>Handout 3: Journey to Safety Discussion Questions</u>. Break participants up into groups of 3-4 people. Ask them to go over the questions and handouts together. Give the small groups 30 minutes to discuss. (You can shorten or lengthen this discussion depending on how much time you have for the workshop.) After 20 minutes or so ask the groups if they have had time to come up with some action ideas, if they have not, ask them to do that now.</p> <ul style="list-style-type: none"> ● Did you find the representation of the experience of immigrant victims of domestic violence in the video to be accurate? Why or why not? ● Can you think of any other barriers that might occur that were not represented in the video? ● How do institutions reinforce some of these barriers? ● Do you have any examples or personal experiences where you have witnessed or can verify the truth of these obstacles to safety for immigrant victims of domestic violence? ● What do you think needs to be done to address these barriers? ● How does the system you work in attempt to address these barriers? ● Are there ways the system you work in could improve services to address some of these barriers? Are there things you could do personally? Write these action ideas down as a group. ● What other institutions, organizations, or individuals do you think it would be helpful to collaborate with to achieve these goals? ● What barriers prevent you from addressing these issues and how can you overcome them?
<p>LARGE GROUP DISCUSSION</p>	<p>Ask each group to report back/summarize for the large group what they discussed and share their action ideas. After the groups have finished reporting, give them <u>Handout 6: Tips to Keep in Mind</u>.</p> <p>HINT: <i>If your workshop is a shorter version that does not include activities 4 or 5 you can give the handouts from those activities to the participants during or directly after their small group discussions.</i></p>

- What were the barriers to safety represented in the play?
- Can you think of any other barriers that might occur that were not represented in the video?
- How do institutions reinforce some of these barriers?
- Do you have any examples or personal experiences where you have witnessed these obstacles to safety for immigrant victims of domestic violence?
- What do you think needs to be done to address these barriers?
- How does the system you work in attempt to address these barriers?
- Are there ways the system you work in could improve services to address some of these barriers? Are there things you could do personally?

Decide on action ideas as a group

- What other institutions, organizations, or individuals do you think it would be helpful to collaborate with to achieve these goals?
- What barriers prevent you from addressing these issues and how can you overcome them?



OBSTACLES TO SAFETY

1. Language Barriers. Language barriers and lack of interpretation services at all levels of government and government-funded agencies, including the justice system, public benefits offices, medical institutions and shelters, impede access to services and affect the quality of services.

Examples:

- Court personnel do not speak her language.
- Inappropriate interpreters are used: family members or interpreters who display bias

2. Fear. Immigrant victims of domestic violence's fear of deportation and of government and legal systems makes them less likely to access services such as 911, shelters, and emergency medical care when they are seriously injured or in danger.

Examples:

A victim may fear the deportation of her abuser because:

- the abuser will take the children with him
- the abuser will stop providing for the family
- she or her children may lose status or become ineligible for immigration status if the abuser is deported
- relatives and community members may retaliate against her or her family
- the abuser may become more dangerous if he returns to the U.S. after being deported

3. Community Pressure. Cultural and community pressures within immigrant groups silence women and isolate them from help and services.

Examples:

- A victim's culture or religion may disapprove of challenging domestic violence or male domination.
- A victim's culture or religion may prohibit dissolving a marriage. Divorce or separation may violate social mores or bring shame to family or community.
- The victim's family and community may ostracize or isolate her if she leaves the marriage or makes public the domestic violence.
- Shelters and domestic violence programs do not provide culturally and linguistically appropriate services.

4. Legal Obstacles. Obstacles in the law and its implementation present needless barriers to immigrants women's access to safety for themselves and their children.

Examples:

- If an abuser faces trial, he may retaliate against the victim even if she does not have any control over whether the prosecution goes forward or not. This retaliation may include reporting her to Immigration and Customs Enforcement (ICE).
- If an undocumented battered noncitizen is reported to ICE, the ICE may deport her without notifying her of her right to apply for status. Few ICE agents view educating noncitizens about their rights to immigration status as part of their job.
- If a battered noncitizen is deported, she will lose custody of her children, who will be left in the hands of their abusive parent.
- If the abuser is a noncitizen, he may be deported if he is convicted (see fear of abuser's deportation above)
- Many noncitizens' immigration status is tied to their abusers' status. If the abuser is deported, his family members may automatically lose their immigration status, too.

5. Lack of Funds. Lack of adequate funding for services for domestic violence victims has a disproportionate impact on immigrant women.

Examples:

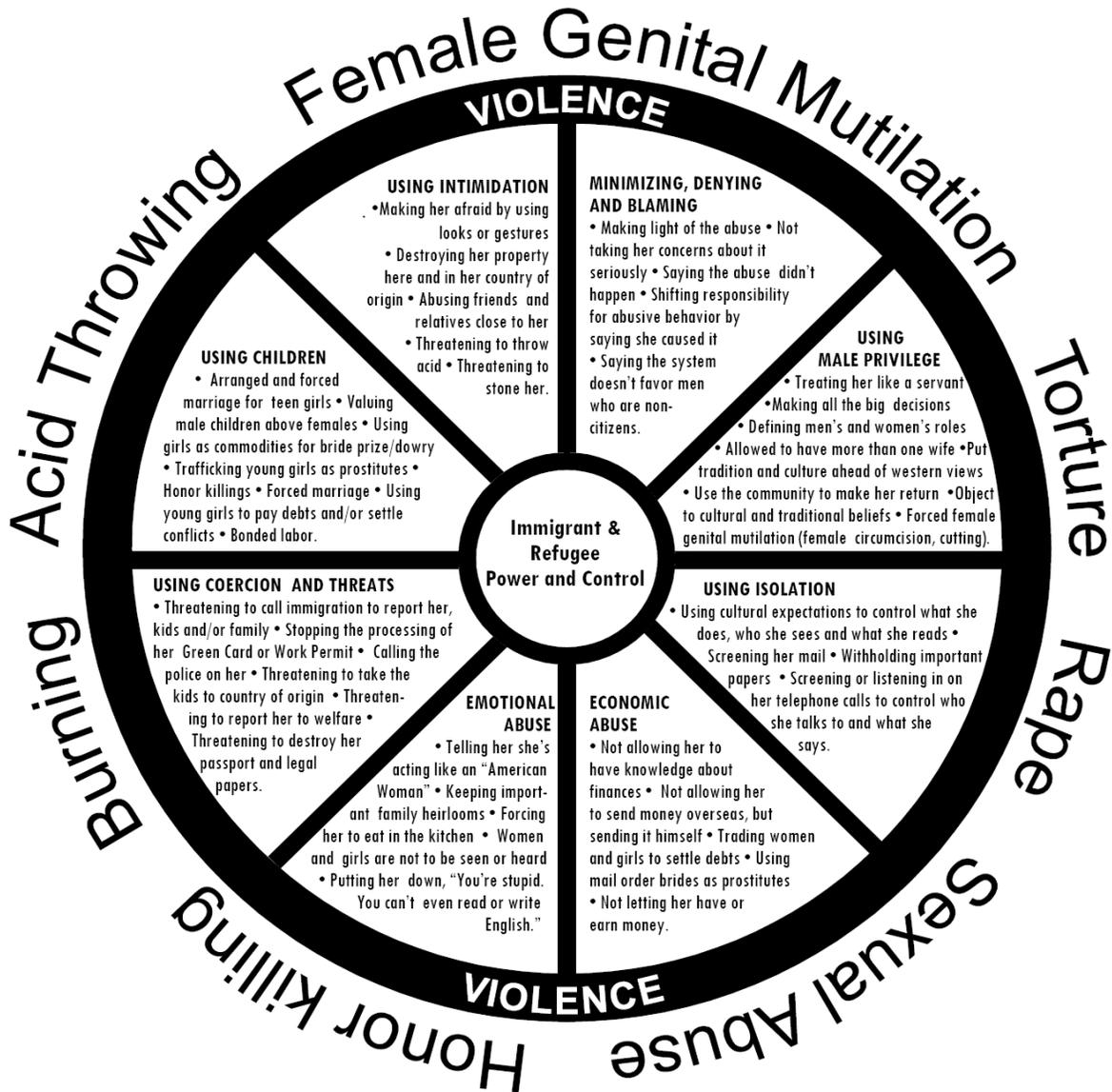
- Due to lack of funding, public benefits administrators often lack adequate training on the rights of noncitizens and are ignorant of the laws authorizing noncitizens to receive benefits or are antagonistic to noncitizens.
- Shelters, medical institutions, and government institutions are unable to provide adequate and appropriate services to battered immigrant women due to lack of funding.

* **Source:** Examples taken from "Barriers Faced by Noncitizen Survivors of Domestic Violence," by Gail Pendleton of the National Immigration Project of the National Lawyers Guild. <http://www.nationalimmigrationproject.org/domestic-violence/barriers1.doc>.

IMMIGRANT AND REFUGEE POWER AND CONTROL WHEEL

Throughout the world, women are victims of domestic violence just as there are battered women in the United States. Immigrant and refugee women know that in their countries of origin, women have been tortured with sexual abuse by the army/rebels, kidnapped into prostitution, forced into marriages, killed in honor killings, used for sexual slavery, stoned to death and often experience other gender related abuses. There is a male tendency in some parts of the world to devalue women and view them as property. This has led to the creation of cruel practices against women including femicide, infanticide, rape, battery, torture, widow burning, veiling, foot-binding, witch-burning, chastity belts, cliterectomies, and infibulations. These examples of violence are real threats that immigrant and refugee women face if forced to return home.

In addition to these threats, immigrant and refugee battered women in the U.S. have many difficulties accessing legal and social services in a country which is not their own. They face cultural differences and barriers which abusers may use to their advantage. Immigrant and refugee battered women are an underrepresented population because many of the incidents are undocumented. The women believe they have no rights, no way out, and no help. Violence against women is the most basic example of gender discrimination and oppression. It is the most powerful tool of male domination and control all over the world.



Home Free 2002; Bri Chomilo.



* Source: Used with permission from the Domestic Abuse Intervention Project in Duluth, Minnesota

TIPS TO KEEP IN MIND

Undocumented, not "illegal." Using the term illegal may alienate clients or cause others to further victimize them. Many undocumented people may have come to the United States on a tourist, student, or work visa and stayed past the expiration date of their visa. It is not a crime not to have appropriate documentation.

The stress of the immigration (for immigrants and refugees) experience - rebuilding your life, not knowing the language, assimilating into a new culture - is a unique aggravator in family dynamics. However, stress is not the cause of abuse.

To walk with the women, dialoguing every step of the way, so that we can obtain details about their culture, their community, their family, and their needs from the experts - the women themselves.

Beware of ethnocentricity in your agency. Ethnocentricity is the belief that your own ethnic group is superior or normal and that other groups are abnormal. It is helpful to identify your own beliefs to a point where we can understand how other groups differ, and respect those differences. Ethnocentricity leads to individuals making judgmental statements that may alienate the woman. Are there posters and materials that represent people from different cultures in your agency? Domestic violence occurs in all cultures.

The trauma, torture, and persecution women may have experienced in their home country.

Avoid stereotyping. Even women who speak the same language may practice different religions, follow different customs, and their families may be conservative or more liberal than the other families you have worked with.

Lack of trust women may have of individuals not in their community or family. Refugee and immigrant women may have been taught that it is not acceptable to talk about problems with people who are not members of their community.

Women may not know options and laws. Lack of proficiency in the language can aggravate the situation.

Don't assume someone does not speak English because they have an accent. Don't assume that they don't understand you either. Many individuals understand but are hesitant to speak for fear of not being understood. Take the time to listen carefully.

Dietary habits. Many women cannot eat certain meats or food that have touched cer-

tain meat products. During certain holidays, many cultures fast in observance of their holidays.

Make sure there are interpreters available for protection order hearings for both sides. Bi-lingual advocates should not have to interpret for both sides in temporary protective order hearings, divorces, or criminal hearings. Encourage courts to have a budget for interpreters and have them scheduled before the court date to avoid rescheduling for an interpreter.

Ensure the victim understands what is happening. Ensure interpreters are not only interpreting information for the victim but that she is also understanding the defendant's testimony, and the lawyers and judges' comments and questions.

Use a commercial language line when in doubt about a language. Law enforcement agencies in bigger cities usually have access to one, such as AT&T language line. It's quicker than finding a bilingual advocate in emergency situations and you can find out what the victim needs quickly. You can also use babelfish at the website www.altavista.com to translate information into Spanish, French, German and a few other languages. This is only useful if the individual you are working with can read.

Be aware that working with victims takes time, patience, and resources. Make allowances for the time and resources needed to provide appropriate services for the victim.

Victims must still live in their community. Many victims won't prosecute because the perpetrator may be from their own community and may have made threats to come back or hurt family members if they call the police.

Build your capacity as an agency to provide services to the multi-cultural victims in your community. Take time to find out what communities are out there and find ways to have individuals who speak those languages and understand culture are on staff or somehow a part of your agency (board, volunteers). Make budget allocations for interpretation and translation.

Make sure other needs are met first. Many victims may need food, housing, medical assistance, mental health needs or counseling for the trauma before they can feel comfortable addressing whether or not they will prosecute.

The first point of contact is crucial. If the victim feels intimidated or disrespected with the first interaction, you may not have any other interactions with that individual. Individuals can sense when you are being condescending, manipulative, and insincere. They can also tell when you are showing genuine concern even if you don't speak the language.

Get to know the community before there is a crime. They are more likely to seek your help if they know you personally and have already built that trust.

Being undocumented can make individuals more vulnerable to being victimized. The fear/threat of deportation may keep individuals from reporting labor violations, crimes, and unsanitary conditions.

Make sure you have ways to reach and communicate with individuals who may not read or write in their own language.

There are new laws under VAWA 2000 which created new visas (T,U) for a limited group of crime victims who suffered substantial physical and mental injury as a result of the crime. The crimes include but are not limited to rape, sexual assault, torture, trafficking, domestic violence, prostitution, sexual exploitation, female genital mutilation, involuntary servitude, abduction, kidnapping, and being held hostage. In order to be eligible, law enforcement/prosecution (depending on what visa) must certify that the applicant has or will cooperate with the investigation.

Deportation of a perpetrator does not always keep victim safe. Many perpetrators came into this country with false documents and can re-enter with the right connections.

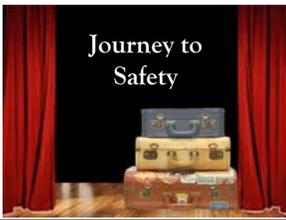
Divorced women can still apply for a VAWA spousal abuse waiver even after she has been divorced, as long as she applies within 2 years of her divorce and there is evidence/connection of domestic violence with the divorce.

Women married to bigamists are eligible for the VAWA spousal abuse waiver as long as she participated in the marriage ceremony believing her marriage would be valid.

Battered spouses convicted of crimes may be able to receive relief and not be deported if they can show the conviction was related to the domestic violence.

JOURNEY TO SAFETY

Strategies for Change:
A Positive Path Forward



ACTIVITY 4: CASE STUDIES

CONTEXT	Case studies of battered immigrant women in different systems settings
OBJECTIVES	To give participants a chance to examine case studies of immigrant victims of domestic violence and brainstorm how they, as individuals within the system, can best respond to their situation.
RESOURCES	<ul style="list-style-type: none"> ● Handout 7: Case Studies ● Handout 8: Immigration Guide ● Handout 9: Law Enforcement Guide ● Handout 10: Prosecutor Guide ● Handout 11: Advocate/Service Provider Guide ● Handout 12: Judicial Officer Guide
TIME	20-35 minutes

SET-UP	In this section participants will read short case studies and discuss the best response to the situation. The case studies have been broken down into categories: law enforcement, judges, prosecutors, and advocates. It is helpful to read these case studies before you conduct the workshop so you are aware of the content and can choose which case studies are the best fit for your group to examine and discuss. The last three, “Police Video Case Studies,” are based on video interviews done with law enforcement officers which you can find in the “Case Studies” section of the Journey to Safety video. Make copies of the discussion questions and written handouts as necessary for each participant. Please feel free to add case studies to discuss as necessary.
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REVIEW CASE STUDY	Split up the participants into small groups of 3-4 people. Give each group one of the case studies. Let the participants know they are based on the true stories of immigrant victims of domestic violence. If using the video case studies, have participants discuss their responses after viewing the interviews.
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DISCUSS	<p>In small groups: Ask each group to carefully go over the case study and ask themselves “what do I do?”.</p> <p>For assistance, provide each participant with <u>Handout 8: Immigration Guide</u> and as well as the appropriate <u>Guide to Assisting Immigrant Victims of Domestic Violence (Handouts 9-12)</u> which has been broken down into categories: law enforcement, judges, prosecutors, and advocates/service providers. Give each group 10-15 minutes to discuss how they might respond. Check on the groups as they work and provide support and clarification if necessary.</p> <p>As a large group: Ask each group to report back to the large group on its response. Ask each small group to read their case study to the large group first. Provide time after each group presents for questions or comments from the large group. If using the “Police Video Case Studies” go to the Three Case Studies section of the Journey to Safety video, and show each interview, asking the group to respond to the questions on Handout 7 after each one.</p>
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CASE STUDIES

Police Case Study 1

You are dispatched to a residence after a neighbor calls 911 reporting screaming and loud banging noises. You and your partner arrive on scene and find a couple. The woman has red marks on her face and neck and the man has long scratches on his forearms. Neither speaks English and you don't recognize the language they are speaking. The man gestures at his injuries and at the woman while speaking loudly and forcefully. The woman says nothing and seems to shy away from the man and you and your partner.

What do you do?

Judge/Prosecutor Case Study 4

You are presiding over a criminal trial for misdemeanor domestic violence. The defendant is an immigrant man with limited English. The victim is from the same community and speaks no English. There is an interpreter who provides language assistance to both the victim and the defendant. Several members of the community attend the trial sitting behind the defendant and glaring at the victim. The interpreter talks to the attendees during every break.

What do you do?

Police Case Study 2

You are dispatched to a residence after a neighbor calls 911 reporting yelling and loud banging noises. You and your partner arrive on scene, the apartment is in disarray. You find a woman and her three small children there. The woman has red marks on her neck and her voice is raspy. She speaks very limited English. She tells you her husband has left and that nothing happened, everything is ok.

What do you do?

Judge/Prosecutor Case Study 5

You are presiding over a civil protection order hearing in a domestic violence case. The respondent and petitioner are both immigrants but speak some English. No interpreter was ordered for the case. As you explain the options to the respondent, it is clear he is having difficulty understanding. A bilingual member of the same immigrant community is in the courtroom observing.

What do you do?

Police Case Study 3

A woman calls the police from a neighbor's apartment to report domestic violence. She is a recent refugee and knows little English. She has been living with her boyfriend and reports that he was never abusive in their country. He came here first and then she did after one year. He started drinking and smoking, and started pushing her. He doesn't let her leave the house and she had no phone. Because of her lack of language skills, she hasn't been able to get a job. He has begun to constantly hit and assault her. She has tried to get out several times but he has convinced her to come back, saying no one would help her. After she files a complaint regarding the most recent assault, he tells her that if she left him, he would call immigration and have her deported because he was her sponsor. She turns to you to retract her story and tells you "I don't need your help anymore"

What do you do?

Judge/Prosecutor Case Study 6

You are presiding over a criminal trial for felony domestic violence. The defendant is an immigrant man with limited English. The victim is from the same community and speaks no English. The community is relatively new in the city and finding an interpreter is difficult. The trial lasts several days and the same interpreter is assigned for the whole trial. You notice he repeatedly looks at the defendant and smiles and/or nods. When the victim is testifying, you notice that although she seems to talk in long phrases and appears emotional, the interpreted responses are quite short and impassive.

What do you do?

CASE STUDIES

Judge/Police/Prosecutor Case Study 7

The police are called to an apartment on a violation of an order for protection. When they arrive they find the couple. There is no apparent evidence of any current violence but the woman appears upset. The couple are recent immigrants and have limited English. The police verify that there is a valid order for protection in place and that the man is not allowed to be in the apartment or to have any contact with the woman. The police show him the order and inform him that he has broken the law. He protests, saying that he was not aware what the order, which was in English, said.

For police, what do you do? Do you arrest him?

In court on the violation of the order for protection, the defendant argues that he did not have proper notice of the order because it wasn't explained to him or written in a language he could understand. He repeatedly states that had he known he wasn't allowed, he would never have been there and points to the fact that there was no violence when the police arrived.

For the courts, what do you do?

Advocate Case Study 8

The police bring a woman to your shelter. She is badly bruised. She does not speak English and you have no one on staff or staying at the shelter who speaks her language. She seems fearful and as you wait for an interpreter she appears to be scanning the room for escape options.

What do you do?

Advocate Case Study 11

A woman calls your shelter. She is concerned about her neighbor who is being abused. The neighbor does not speak English. The woman asks what programming you can provide for the victim. She also asks about your ability to accommodate the victim's dietary and religious observation needs.

What do you say?

Advocate Case Study 9

A woman comes into the emergency room accompanied by another woman. The patient speaks no English and the other woman fills out the forms and answers for her. The patient has two broken ribs and facial bruising. The other woman reports that she was cleaning the house, got her foot tangled in the vacuum cord and fell down the stairs. The woman is fully-veiled and is uncomfortable being examined by a male doctor.

What do you do?

Advocate Case Study 12

A woman from a new immigrant community is brought to the ER by the paramedic. They inform the admitting nurse that the police were called by a neighbor to a disturbance in an apartment and found her unconscious and alone. She regained consciousness during the ride to the hospital and had limited English. The woman tries to communicate, but it is clear her English is not proficient enough. After an extended wait, an interpreter for her language is located. When he enters the room, she looks frightened and becomes silent.

What do you do?

Advocate Case Study 10

You live in an apartment complex with a diverse population. A young couple with two small children moved in across the hall last month. The man speaks English fluently and is often talking to neighbors in the community room. The woman does not appear to speak English, does not work outside of the home and is rarely seen out of their apartment without her husband. Other neighbors have told you that they are concerned about her and have heard yelling coming from the apartment. You run into her one morning in the laundry room and see that she has a black eye.

What do you do?

Advocate Case Study 13

You often hear your neighbors fighting. You know that they are both undocumented immigrants. Last week you saw the woman and her two small children getting into the elevator; her face was bruised and she winced as she shifted her bag across her body. You asked if she was ok, if she needed any help and, fighting back tears, she said that she was fine. Tonight, as you begin to get ready for bed, you hear loud voices and the sound of glass breaking.

What do you do?

Police Video Case Study 1

The police are flagged down on the street by a young immigrant woman with one broken arm in a cast and another in a soft bandage. Just released from the hospital after being assaulted by her husband, she asks for help getting her baby out of their apartment and away from her husband. She states she does not want assault charges brought against her husband.

Having seen how the officer handled the case, what did she do well? What would you have done differently?

What would you include in a police report about this incident? Would you refer the matter for charging/prosecution? Why or why not?

The officer instructed the man to speak only in English; was this effective?

The officer told the woman to drive to the police department if she was being followed. What else could you do to safeguard the woman?

Police Video Case Study 2

The police arrive at a domestic violence call. The home is in disarray. There is a man with limited English, a woman who speaks no English and an infant in the home. The woman is obviously upset and gestures at the television and that someone hit her. The man tells the police that they had an argument, it happens all the time and that it was not physical. The officers attempt to get an account from the woman through various methods of interpretation that will provide them with the required factual basis to make a legal arrest.

Having seen how the officer handled the case, what did she do well? What would you have done differently?

The officer used a teenage neighbor to attempt to translate. What are the advantages and disadvantages of using a bystander? Does your department have a policy about who to use for interpretation?

Is the language line a useful resource in your jurisdiction? What other resources might you use?

What was the result of the officer's persistence in obtaining adequate interpretation in order to understand what happened?

Police Video Case Study 3

The police are called to a home by an immigrant woman with facial injuries who is obviously scared. Her husband had been arrested the night before for assault and had been ordered to have no contact with her by the judge at arraignment. The husband is in the shower when the police arrive. When he gets out of the shower, he sees the police and tells them to get out of the house. The police arrest the man. After being handcuffed, the man turns to the woman and says "you are going to pay for this." After the man is arrested and taken from the scene, the woman expresses her fear of his retaliation and her community's disapproval of her actions.

How should the officer respond to this woman's concerns about her safety and her community?

What are the possible actions that this woman could take next? What are the possible risks or unintended negative consequences of each of these actions?

Having seen how the officer handled the case, what did she do well? What would you have done differently?

What would you include in a police report about this incident? Would you refer the matter for charging/prosecution? Why or why not?

Was it appropriate for the officer to promise the woman that her husband would not come back?

IMMIGRATION GUIDE

FOR ASSISTING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

1 Common Immigration Terms

- **Alien** A legal term for a person who is not a citizen of the country in which he or she lives.
- **Asylum** Legal permission to live in a country given by the government to people fleeing persecution in their country of origin.
- **DHS (Department of Homeland Security)** The U.S. government entity whose branches have taken over the responsibilities of the former INS. The agency is headed by the Secretary of Homeland Security, responsible for aspects of law enforcement related to homeland security, including immigration. DHS's immigration functions are divided primarily into three components: **USCIS (U.S. Citizenship and Immigration Services)**, responsible for benefits and adjudications; **USICE (U.S. Immigration and Customs Enforcement)**, responsible for interior enforcement of immigration and customs matters (detention, prosecution, deportation); **USCBP (U.S. Customs and Border Protection)**, responsible for border controls of agriculture and customs, including border patrol and inspection.
- **Fiancée Visa** The K-1 visa, commonly referred to as the Fiancée Visa, is a way for a U.S. citizen to bring his/her prospective spouse into the United States with the intention of getting married. There is a 90-day period in which the marriage must occur. After the marriage takes place, the fiancée may apply for conditional legal permanent resident status. Until the marriage occurs, the fiancée is considered a non-immigrant and may not obtain an extension of the visa or change to any other immigration status. If the marriage does not occur, the status terminates and the fiancée must depart the US.
- **Green card** A slang term describing the legal document that indicates that a person who is not a citizen has been granted lawful permanent resident (LPR) status in the United States. An LPR can permanently live and work in the U.S. unless he or she commits certain acts that would cause removal, such as committing certain crimes or abandoning his or her residency by living outside of the U.S.
- **Lawful Permanent Resident (LPR)** Status allows a non-citizen to remain in the U.S. permanently and, under certain conditions, to eventually apply to become a U.S. citizen if he or she so chooses. LPR status is not the same as citizenship; LPRs may be deported from the U.S. and may abandon their status if they remain outside the U.S. for an extended period of time.
- **Refugee** A person who leaves his or her country of origin because of a "well-founded fear of persecution" for reasons of race, religion, nationality, membership in a particular social group or political opinion.
- **Removal** Formerly called "deportation," removal is the process by which the USICE expels non-citizens from the U.S.
- **Undocumented Immigrant** A person who enters or stays in a country without legal permission. Also called illegal alien.
- **Visa** A permit granted to immigrants and non-immigrants that allows them to enter the United States. There are two basic kinds of visas: temporary visas (like those used by tourists visiting the United States) and permanent or immigrant visas (for those who are applying to stay in the United States on a long-term basis).

2 Immigration Relief Available to Immigrant Victims of Crimes

Immigrant victims of domestic violence may be eligible for various forms of immigration relief:

- **VAWA Self-Petitioning**
Immigrant victims of domestic violence married (or recently divorced) to U.S. citizens or lawful permanent residents can file their own petition for lawful permanent residency without cooperation from their abusers. The woman must show that she is a victim of domestic violence, a good faith marriage, where they reside, and evidence of good moral character.
- **Battered Spouse Waivers**
Immigrant victims with conditional residency that was obtained through their abusive partners can petition to have the conditions removed without participation of their abusers.
- **Cancellation of Removal/Suspension of Deportation under VAWA**
Battered spouses and children of U.S. citizens or lawful permanent residents who are in deportation or removal proceedings can move to close the proceedings and gain lawful permanent residency without participation of their abusers. This may be a possibility for parents of abused children who may or may not have been married to the abuser, adult victims of childhood abuse or incest, child abuse cases without shared residency, abused ex-spouses, abused widowed spouses and children, spouses or children whose abuser has given up citizenship or status.
- **U Visa**
Immigrant victims of specific crimes who have certification from law enforcement that they have been helpful to an investigation or prosecution of criminal activity (a conviction is not required) can receive a U visa, which may lead to lawful permanent residency.

Often accessing these remedies will require the victim to show battery or extreme cruelty. Police records and court orders are often the best proof, so it is important to provide copies of reports to victims when appropriate. Also, encourage and assist victims to obtain other necessary documents such as the children's birth certificates, immigration papers, passports, marriage licenses, tax returns, and family photos. Often perpetrators control the documents, which are critical to obtaining immigration relief, as part of the abuse.

This guide does not constitute legal advice. If you believe a victim you are working with may have immigration-related questions or problems, always refer her to an immigration attorney.

LAW ENFORCEMENT GUIDE

ASSISTING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

1 Understand Your Department's Policy with Regard to Sharing Information About Immigration Status with ICE.

Federal law does not require law enforcement officers to ask about the immigration status of crime victims, with the exception of a limited number of police officers in Florida and Alabama who are under contract with the U.S. Attorney General to act as immigration officers. Based on departmental policy, officers may voluntarily communicate or cooperate with ICE regarding enforcement of immigration laws, but when officers ask immigration status questions of crime victims, they risk losing the trust and cooperation of the individual witnesses and potentially the assistance of the immigrant communities they serve.

2 Know the Services Available for Immigrant Victims and Build Relationships with Community Service Providers.

To effectively serve immigrant communities, state and local law enforcement officers need the ability to affirmatively address key barriers that prevent immigrant crime victims from accessing the justice system and victim services: fear of immigration consequences, language barriers, and lack of knowledge about available services. Officers can do this by taking the following steps:

- Secure appropriate language services to ensure communication. In cases involving limited English proficient individuals, seek a qualified neutral interpreter; do not rely on friends, family, children or others at the scene to interpret for the victim or the perpetrator.
- Communicate that they are there to provide assistance and not to deport the victim.
- Explain that victims have the right to access the justice system.
- Understand, explain, and refer victims to programs and services available to both documented and undocumented crime victims.

Immigrant Crime Victim Services Include:

- Emergency medical care
- Police assistance
- Criminal prosecution of perpetrators
- Crime victims' services
- Community services necessary to protect life and safety
- Domestic violence services
- VOCA funds
- Protection orders
- Child custody and support
- Public benefits for their U.S. citizen children

3 Explain Services Available to Immigrant Crime Victims and Make Referrals

Inform victims who may be immigrants that you do not report immigrants to ICE and that all victims have access to the justice system, can get a protection order, shelter, and social services assistance regardless of immigration status. Explain that the victim has options to address the violence in her life and may have remedies available to her under immigration laws. Refer victims to community-based organizations with expertise in serving immigrants.

4 Understand the Impact of Arrests and Criminal Convictions on Immigration Status

Immigrant victims and witnesses applying for relief under VAWA (VAWA self-petition and VAWA cancellation of removal) must demonstrate good moral character. An arrest or criminal conviction could negatively affect an immigration case. Be aware that criminal convictions can also cause lawful permanent residents to lose their green cards or be denied naturalization. Therefore, it is especially important to determine if an immigrant victim acted in self-defense during an incident in order to avoid an improper arrest that could harm her immigration case.

Identifying the primary aggressor in a domestic violence case is always important. When only one of the parties speaks English, be sure to use a neutral interpreter to conduct a thorough interview with both parties and all witnesses. Do not assume that the person at the scene who volunteers to translate is an appropriate interpreter; s/he may be a party to the abuse. If no impartial interpreter is available, use language telephone line to obtain an interpreter. Never use children as translators.

5 Avoid Asking About Immigration Status of Crime Victims or Witnesses

Crime victims and witnesses are entitled to receive police protection and criminal justice services regardless of their immigration status. Asking the immigration status of crime victims and witnesses may inadvertently intimidate them and is likely to make victims and witnesses afraid to seek help or report the crime in the future.

6 Document Your Response to the Scene Carefully

The more effectively the incident is documented, the easier it is for the prosecutor to proceed with the criminal case and for the immigrant victim to pursue the immigration relief available. To access immigration remedies, immigrant victims will need to show battery or extreme cruelty. The best proof is often the police report. If requested, provide copies of the report.

7 Encourage and Assist Immigrant Victims to Obtain Necessary Documents

Because a victim's immigration status is often used against her by her abuser, it is important that the victim obtains whatever documentation she can, including: children's birth certificates, immigration papers filed for the victim or their children, identification cards, passports, children's passports, marriage license, tax returns, utility bills, bank statements, family photos, and love letters.

Often the abusive partner or perpetrator holds these documents. Assisting victims to collect these safely is critical for the victim's ability to access services and obtain whatever immigration relief is available to her and her children. Therefore, officers should encourage and assist victims to obtain these documents.

* Source: Adapted from "Assisting Immigrant Victims of Domestic Violence: Law Enforcement Guide," Battered Women's Justice Project



PROSECUTOR GUIDE

ASSISTING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

1 Build Relationships with Community-Based Service Providers

- Identify the various population groups in the community.
- Locate community agencies and organizations that serve these population groups and identify groups with whom to collaborate.
- Find immigrant organizations in the area that immigrant victims of domestic violence may contact.

2 Working with Interpreters

- Qualified, neutral interpreters should be used at every step of the criminal justice process. Do not assume that because someone is bilingual and bicultural they will not be biased or that they are necessarily good interpreters. All interpreters should be trained on domestic violence issues. Make sure the woman is comfortable with the chosen interpreter.
- Children should never be used as interpreters. This is an undue burden on a child and can compound the impact of the violence on the child.
- Do not assume that a person accompanying the victim is an appropriate interpreter. Assess whether they pose any safety risk to the victim or witness and determine their relationship with the victim and abuser.
- Assess volunteers from the community; check for connections to the abuser. In cases where there are no local interpreters, establish phone interpretation through a commercial service or an organization outside the area.

3 Explain Services Available to Immigrant Victims of Crimes and Make Referrals

Inform victims who may be immigrants that you do not report to Immigration and Customs Enforcement, and that all victims have access to the justice system and can obtain a protection order and other services. Refer victims to community-based organizations with culturally appropriate programming and to immigration attorneys when appropriate. Immigrant victims of domestic violence may be eligible for various forms of immigration relief:

- VAWA Self-Petitioning

Immigrant victims of domestic violence married (or recently divorced) to U.S. citizens or lawful permanent residents can file their own petition for lawful permanent residency without cooperation from their abusers. The woman must show that she is a victim of domestic violence, a good faith marriage, where they reside, and evidence of good moral character

- Battered Spouse Waivers

Immigrant victims with conditional residency that was obtained through their abusive partners can petition to have the conditions removed without participation of their abusers.

- Cancellation of Removal/Suspension of Deportation under VAWA

Battered spouses and children of U.S. citizens or lawful permanent residents who are in deportation or removal proceedings can move to close the proceedings and gain lawful permanent residency without participation of their abusers. This may be a possibility for parents of abused children who may or may not have been married to the abuser, adult victims of childhood abuse or incest, child abuse cases without shared residency, abused ex-spouses, abused widowed spouses and children, spouses or children whose abuser has given up citizenship or status.

- U Visa

Immigrant victims of specific crimes who have certification from law enforcement that they have been helpful to an investigation or prosecution of criminal activity (a conviction is not required) can receive a U visa, which may lead to lawful permanent residency.

Often accessing these remedies will require the victim to show battery or extreme cruelty. Police records and court orders are often the best proof, so it is important to provide copies of reports to victims when appropriate. Also, encourage and assist victims to obtain other necessary documents such as the children's birth certificates, immigration papers, passports, marriage licenses, tax returns, and family photos. Often perpetrators control the documents, which are critical to obtaining immigration relief, as part of the abuse.

4 Carefully Investigate Arrests of Battered Immigrant Women for Crimes Against Their Abusers

Indications that an immigrant victim was acting in self-defense should be carefully investigated. Identifying the primary aggressor in a domestic violence case is always important, but it is especially critical in cases involving immigrants.

5 Understand the Impact of Criminal Convictions

Immigrant victims applying for immigration relief under VAWA must demonstrate good moral character. A criminal conviction could negatively affect an immigration case. Criminal convictions can also cause lawful permanent residents to lose their green cards or be denied citizenship. There are cases when the victim's risk of harm will actually increase if the abusive partner is convicted. A conviction for domestic violence may make the partner deportable and when deported, the victim will no longer have knowledge of his whereabouts. In many situations, abusive partners are able to reenter the U.S. undetected and seek out the victim for retaliation.

6 Pursue Evidence-Based Prosecution

Continue efforts to prosecute domestic violence cases without the cooperation of the victims using police reports, medical reports, emergency call transcripts, and witnesses.

* Source: Adapted from "Assisting Immigrant Victims of Domestic Violence: Prosecutor Guide," Battered Women's Justice Project

ADVOCATE/SERVICE PROVIDER GUIDE

ASSISTING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

1 Identify Immigration Status

Immigrant victims may be reluctant to discuss their immigration status for fear of deportation for themselves, their children or their batterer. Many immigrant victims who have legal immigration status do not understand that their batterer cannot take that status away. Abusers often lie or manipulate immigration information to control their partner. Do not call Immigration to verify her status. When discussing immigration status with the victim,

- Inform her that the information will be confidential.
- Reassure her that the information will assist you in helping her make a safety plan and determine what legal relief might be available.
- Reassure her that your services are available regardless of her immigration status.
- Be sensitive in your approach. Ask questions such as “Do you know your immigration status?” or “Do you have any fear of being deported?”
- Always give her the option of not telling you if she is not comfortable doing so.

2 Explain Her Options

Explain that regardless of her immigration status, services available to victims include:

- Emergency medical care
- Police assistance
- Criminal prosecution of perpetrators
- Crime victims’ services
- Community services necessary to protect life and safety
- Domestic violence services
- VOCA funds
- Protection orders
- Child custody and support
- Public benefits for their U.S. citizen children
- Immigration Relief:
 - VAWA Self-Petitioning
 - Battered Spouse Waivers
 - Cancellation of Removal/ Suspension of Deportation Under VAWA
 - U Visas

3 Refer Her to an Attorney

If you believe that a victim may be eligible for immigration relief or if you are working with a victim with immigration concerns, a referral should be made to an immigration attorney. Clients should see an attorney immediately if they are served with divorce or annulment papers. Advocates should accompany their clients to the attorney and prepare them for the meeting and assist clients in gathering important documents that may be helpful in an immigration application. Advocates should consult the attorney to determine if the advocate should be in the room during the client’s meeting with the attorney.

For assistance in finding immigration attorneys, contact the National Network to End Violence Against Immigrant Women at www.immigrantwomennetwork.org

4 Working with Interpreters

- Qualified, neutral interpreters should be used at every step of the advocacy process. Do not assume that because someone is bilingual and bicultural they will not be biased or that they are necessarily good interpreters. All interpreters should be trained on domestic violence issues. Make sure the woman is comfortable with the chosen interpreter.
- Children should never be used as interpreters. This is an undue burden on a child and can compound the impact of the violence on the child.
- Do not assume that a person accompanying the victim is an appropriate interpreter. Assess whether they pose any safety risk to the victim or witness and determine their relationship with the victim and abuser.
- Assess volunteers from the community; check for connections to the abuser. In cases where there are no local interpreters, establish phone interpretation through a commercial service or an organization outside the area.
- Shelters should have clear policies on when to call for interpretation services and should develop a list of qualified interpreters together with other area shelters.

5 Cultural Issues

Programs that seek to serve immigrant communities without the input of immigrant and ethnic community agencies often fall short of providing culturally competent assistance. Working together with these organizations will help advocates establish a culturally appropriate environment. Having information in various languages, making accommodations for women who may not read or write, and decorating with articles of various cultures are all positive steps. In shelter settings, providing food familiar to immigrant women and developing policies that address the potential for racial and cultural tension between residents is also important.

To begin the work of initiating partnerships, advocates should:

- Identify the populations in your area that are not being served.
- Locate agencies/organizations that serve these populations and explore ways to collaborate.
- Find immigrant organizations in the area that immigrant victims of domestic violence may contact which may help in providing support and combating feelings of isolation.

* Source: Adapted from “Assisting Immigrant Victims of Domestic Violence: Advocates Guide,” Battered Women’s Justice Project

JUDICIAL OFFICER GUIDE

ASSISTING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

1 Judicial Statement of Domestic Violence as Crime

During court appearances, judges should reinforce that domestic violence is a crime and stress the serious nature of the offense.

2 Awareness of Potential Community Pressures

Judges should be aware that immigrant victims of domestic violence may be targets of shaming or pressure from community members not to pursue criminal cases of domestic violence. This pressure or shaming may occur during courtroom proceedings.

3 Using Interpreters

- During court appearances where interpreters are present, judges should begin proceedings with a statement of the interpreter's proper role in the courtroom. This statement should be addressed to all parties, attorneys and criminal justice personnel.
- Judges should take steps to be aware of possible interpreter bias in domestic violence cases and to ensure that any bias does not interfere with the administration of justice. Judges should use all available resources to evaluate the performance of an interpreter, including the opinion of bilingual advocates for victims who attend the proceedings. If bias is detected, judges should immediately disqualify the interpreter for the proceeding.
- Judges should use female interpreters whenever possible in domestic violence cases.
- Where either the victim or the defendant has limited English proficiency, judges should request that information regarding interpretation services be made available to both the offender and the victim at the time of arrest, during the investigation and throughout the pretrial proceedings. To the extent they are relying on information gathered at those stages for their decisions regarding risk analysis, bail evaluation, no contact orders and release of offenders, judges should consider the adequacy of interpretation services at those stages.

4 Translation of Documents

In cases involving limited English proficient individuals, judges should take steps to ensure that all documents sent to victims and perpetrators are translated into the appropriate language. When receiving written documents from limited English proficient individuals, such as plea petitions or settlement agreements, judges should require the parties to file an Affidavit of Translation. The Affidavit of Translation should attest to the fact that the document filed with the court was translated from English to the party by someone fluent in both English and the party's native language.

5 Risk Assessment

Judges should require a risk assessment be performed as part of the pre-trial proceedings in all domestic violence cases, including cases involving parties with limited English proficiency. Risk assessments administered in cases involving immigrant abusers might consider the different forms of abuse or threats that arise in the immigration context. The meaning and context of questions should be easy to comprehend.

6 No Contact Orders

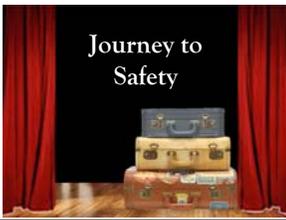
Victims may request the court to drop a No Contact Order from a pretrial order or condition of sentence because they are being pressured or intimidated by the abusers or others in their communities. Some victims might request that the court drop the No Contact Order because it interferes with their own ability to secure safety for themselves or their children. Victims can make more informed decisions about the order if they can consult with advocates. Courts must balance the need to place controls on perpetrators with the importance of not placing additional burdens on victims. Judges should not lift no contact orders without consultation with prosecutors and probation officers.

7 Sentencing

Judges should go to extra lengths to ensure that battered immigrant women understand the sentencing conditions issued against their abusers, the full context and meaning of those conditions, what to do and who to contact if these conditions are violated, and what they should expect upon reporting any violations.

Formal restorative justice programs do not appear to have been well tested in immigrant communities. There is concern that community based justice systems compromise women's safety in cases involving violence against immigrant women. At a minimum, courts should carefully examine any proposed diversion program, whether a formal restorative justice approach or an informal community-based effort of leaders in the immigrant community, to evaluate their ability to provide victims with an equal voice in the process, to respond to their expressed needs, and to protect them from the ongoing risk of further violence.





ACTIVITY 5: ORGANIZATIONAL ASSESSMENT

CONTEXT

Assessment of an agency's ability to provide effective assistance to immigrant victims of domestic violence

OBJECTIVES

Participants will evaluate their own organization's effectiveness at providing assistance to immigrant victims of domestic violence and develop action plans to implement and improve their response on a systematic level

RESOURCES

- Handout 13: Organizational Assessment
- Handout 14: Key Points Cards

TIME

20-30 minutes

SET-UP

Make copies of [Handout 13: Organizational Assessment](#) for each participant. Prepare for the discussion by creating a 1-4 rating scale on a chalkboard or poster board as follows:

RATING SCALE: 1 - no/never 2 - rarely/a little 3 - often/considerably 4 - yes/always

TAKE ASSESSMENT

Have each participant complete [Handout 13: Organizational Assessment](#). (Directions are provided on the handout which you can read out loud). Once the assessments are completed, read each statement to the group and have the participants call out their answers. **IMPORTANT:** Participants might not wish to make their own responses public. Consider collecting the questionnaires and redistributing them so that participant anonymity can be assured. The questions relate to four issue areas: **cultural awareness, language, hiring, and cross-agency coordination**. A separate "organizational assessment" handout, provided for the facilitator, explains which issue area each question refers to. If possible, keep tabs on what challenges the participants identify for their organization, as this will help you choose which Journey to Safety Interviews to watch following the discussion.

DISCUSS

Facilitator: *The results of this assessment provide a general sense of the areas where your organization needs improvement in providing assistance to battered immigrant women in four different issue areas: cultural awareness, language, hiring, and cross-agency coordination. Now we are going to discuss possible steps we can take organizationally to provide a better response for battered immigrant women.*

As a large group (if 10-12 people) or in small groups of 3-4 people, discuss the questions provided at the bottom of the handout. For the last question, ask participants to brainstorm potential actions their organization can take. If participants are from different organizations, it may be more helpful to split them up by profession into smaller groups for this part of the activity. Give participants 20 minutes to discuss. For the last 10 minutes of this exercise ask participants to choose one person from each group to present on the ideas they came up with and as the facilitator, ask the group: "To what extent were the group propositions realistic?"

WATCH INTERVIEWS

For inspiration and ideas on how to overcome the challenges identified by the group, turn to the Journey to Safety Interviews on the video. The interviews have been grouped into the same four issue areas: **cultural awareness, language, hiring, and cross-agency coordination**. Each section is about 5 minutes long. In the interviews, systems professionals speak to their own organizational challenges and what strategies they implemented to overcome them. You can show all of the interviews to provide a general overview of strategies and solutions for implementing change, or you can pick and choose which interviews to show based on the challenges revealed in the assessment.

SAMPLE TOOL

After the discussion give each participant [Handout 14: Key Points Cards](#) as an example of one tool that could be used and adapted for staff as a reminder of what you learned today and as a quick referral list (see back of card) for when they need help.

NOTE TO FACILITATOR

In the Appendix are copies of the documents referred to in the Journey to Safety interviews.

ORGANIZATIONAL ASSESSMENT

Directions: Evaluate your agency's effectiveness at ensuring an appropriate response to immigrant victims of domestic violence. Read each statement and rate how accurately it describes your agency in the blank next to it. (Remember to keep in mind all segments of your organization.) At the end, total up your score to determine the overall score for your agency.

RATING SCALE

1 - no/never 2 - rarely/a little 3 - often/considerably 4 - yes/always

- ____ 1. Our agency trains staff on the different cultures of immigrants in the community.
- ____ 2. Our agency maintains relationships with linguistic and legal resources in the community and can access them when needed to respond to victims.
- ____ 3. Staff at our agency reflect the cultural and linguistic diversity of the community and the clients we serve.
- ____ 4. A commitment to cultural and linguistic competency is embedded in our agency's mission, vision, policies and procedures.
- ____ 5. Human and financial resources are dedicated to working collaboratively with other agencies to make assistance more accessible.
- ____ 6. Programming and protocols for interpretation and cultural access are in place.
- ____ 7. Our agency develops collaborative partnerships with immigrant community-based organizations and takes part in initiatives for mutual assistance.
- ____ 8. Our agency maintains and publicizes a policy of confidentiality of information.
- ____ 9. Our agency's response to victims of violence is driven by the woman's need. Service plans are tailored to these needs.
- ____ 10. My organization takes responsibility for "doing no harm" by ensuring the safety of battered immigrant women and preventing negative outcomes.

_____ TOTAL SCORE (Total points possible = 40)

DISCUSSING CHANGE

- In which areas does your organization appear to be implementing some of the strategies necessary to ensure an effective response?
- In which areas do there seem to be problems? Which of these are of particular concern to you? Elaborate on the areas of concern, providing examples and highlighting areas where improvement is needed.
- How do you explain the existence of these organizational challenges?
- What needs to be done to address these challenges? What action(s) can you and your organization take to engender culturally competent and effective responses for immigrant victims of domestic violence that are driven by the woman's need? What tools can be provided to staff or to victims that would address some of these barriers?
- What organizations do you need to collaborate with to address the challenges faced by battered immigrant women? Why would you invite their help and what would you expect of them?
- Do you believe it is important to develop a coalition of organizations to address this issue? Why or why not? Who would be part of that coalition? What advantages will be achieved by the organizations joining the coalition?



ORGANIZATIONAL ASSESSMENT (FACILITATOR VERSION)

Directions: Evaluate your agency's effectiveness at ensuring an appropriate response to immigrant victims of domestic violence. Read each statement and rate how accurately it describes your agency in the blank next to it. (Remember to keep in mind all segments of your organization.) At the end, total up your score to determine the overall score for your agency.

Facilitator: The questions below relate to four issue areas: **cultural awareness, language, hiring, and cross-agency coordination**. The corresponding issue area for each question is listed in bold.

RATING SCALE

1 - no/never 2 - rarely/a little 3 - often/considerably 4 - yes/always

- _____ 1. Our agency trains staff on the different cultures of immigrants in the community. **(cultural awareness)**
- _____ 2. Our agency maintains relationships with linguistic and legal resources in the community and can access them when needed to respond to victims. **(language, cross-agency coordination)**
- _____ 3. Staff at our agency reflect the cultural and linguistic diversity of the community and the clients we serve. **(hiring, cultural awareness)**
- _____ 4. A commitment to cultural and linguistic competency is embedded in our agency's mission, vision, policies and procedures. **(cultural awareness, language, hiring)**
- _____ 5. Human and financial resources are allocated to working collaboratively with other agencies to make assistance more accessible. **(cross-agency coordination)**
- _____ 6. Programming and protocols for interpretation and cultural access are in place. **(language, cultural awareness, cross-agency coordination)**
- _____ 7. Our agency develops collaborative partnerships with immigrant community-based organizations and takes part in initiatives for mutual assistance. **(cross-agency coordination, cultural awareness)**
- _____ 8. Our agency maintains and publicizes a policy of confidentiality of information. **(cultural awareness)**
- _____ 9. Our agency's response to victims of violence is driven by the woman's need. Service plans are tailored to these needs. **(cultural awareness, language, hiring, cross-agency collaboration)**
- _____ 10. My organization takes responsibility for "doing no harm" by ensuring the safety of battered immigrant women and preventing negative outcomes. **(cultural awareness, language, hiring, cross-agency collaboration)**

_____ TOTAL SCORE (Total points possible = 40)



KEY POINTS CARDS

REFERRAL LIST

ASSISTING IMMIGRANT VICTIMS

National Domestic Violence Hotline

Interpreters for various languages are available
1-800-799-SAFE or 1-800-799-7233

National Immigration Project

For help locating an immigration lawyer
1-617-227-9727 ext. 2

Commercial Language Line

Local Services for Victims

REFERRAL LIST

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Local Services for Victims

REFERRAL LIST

ASSISTING IMMIGRANT VICTIMS

National Domestic Violence Hotline

Interpreters for various languages are available
1-800-799-SAFE or 1-800-799-7233

National Immigration Project

For help locating an immigration lawyer
1-617-227-9727 ext. 2

Commercial Language Line

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ACTIVITY 6: NEXT STEPS

CONTEXT

To summarize the workshop and allow participants to leave feeling empowered and inspired to take action

OBJECTIVES

Participants will reflect on what they learned from the workshop, name an action step they will take to better respond to immigrant victims of domestic violence, and evaluate the Journey to Safety workshop.

RESOURCES

- Box or basket
- Handout 15: Journey to Safety Workshop Evaluation Form

TIME

10 minutes

SET-UP

Facilitator: Now let us sum up our joint experience. On small pieces of paper, please write down the most important and relevant information you received during the workshop today and one action item you intend to talk about following this workshop. What new knowledge and ideas do you feel have enriched your understanding and influenced your opinions regarding the experience of immigrant victims of domestic violence and what action can you take to overcome the challenges they face? Give participants 7 minutes to write down their answers.

SHARE WISDOM

Ask everyone to form a circle in the room. Put a basket or box (or ask people to imagine a box) and tell everyone that this is our “vision box” within which we will put our wisdom and action steps. Ask each person to share the thoughts they wrote on their sheet of paper and add it to the box. Once everyone has shared, tell them “within this box you have created a vision for the change you would like to see in our response to assisting immigrant victims of domestic violence.”

Facilitator: Let’s make sure those ideas don’t stay in this box but are used to help us move forward in creating positive change for immigrant victims of domestic violence.

You could also volunteer to type up all the responses in the box to share with the group.

THANK GROUP

Facilitator thanks all the participants for their cooperation and participation in the training workshop, wishes them success in their work in addressing violence against immigrant victims of domestic violence.

EVALUATION

After the workshop has concluded, the facilitator may also ask the participants to fill out the training evaluation form, [Handout 15: Journey to Safety Workshop Evaluation Form](#). There are two versions of the evaluation form to choose from.

JOURNEY TO SAFETY EVALUATION FORM I

1. **How did the training session change your attitude towards the subject of immigrant victims of domestic violence's experience? Please be specific in your response.**
2. **What workshop exercises were most effective in helping you understand the subject? Why?**
3. **To what extent did the content of the workshop correspond to your professional needs? What information obtained during the workshop will be most useful in your practical activities?**
4. **What questions are still unanswered after completing the workshop? What additional exercises/issues would you like to discuss?**
5. **Suggestions, wish list, comments**

Thank you!



JOURNEY TO SAFETY

Appendix



OPTIONAL EXTENSION ACTIVITY: SEEKING SAFETY

CONTEXT

An interactive role-play that puts participants in the shoes of an immigrant victim of domestic violence seeking shelter

OBJECTIVES

To help participants understand why some women stay, why some women leave relationships at various times and why some leave and then return to their abuser.

RESOURCES

- Handout 15: Identity Cards and Posters
- Handout 16: The Script
- Yellow “money” index cards (random amount)
- Pink “assistance” index cards (random amount)
- Four boxes or baskets to collect cards
- 6 posters with statements (see below) and tape

TIME

90 minutes

SET-UP

Before running this exercise, create 6 posters, one for each location (see Handout 14: Identity Cards and Posters). Hang the posters up throughout the room, spread far enough apart so people can gather in front of them. Place a box or basket under each poster for the participants to pay cards into. Make enough copies of the identity cards so that each participant can have one of the four identities.

Pass around the yellow and pink cards and have each participant take a random amount of each. Pass out one identity card to each participant. People will be playing one of four different roles at the same time and multiple participants can have the same identity.

INTRODUCE

Explain to the participants that this is an interactive exercise that will help us understand why some women stay, why some women leave relationships at various times and why some leave and then return to their abuser.

ROLE PLAY

Everyone starts at the poster marked HOME. Then a series of situations will be described. At the end of each situation, participants must decide what they will do. Deciding to leave may cost them either financially and/or will take an emotional toll. At the end of each situation, participants will be told if there’s a cost (the costs of their choices are written on the posters). Yellow cards represent financial costs. Pink cards represent the emotional and mental toll it takes on you to seek out an alternative to an abusive relationship. Both are often taken into consideration by victims when deciding whether to leave or return. If you decide to leave, put your cards in the box by the location you go to. It is always free to stay home. If you run out of yellow or pink cards, you must return home.

DISCUSS

Note where everyone who is participating ends up. Have volunteers read each of the four roles out loud. Discuss the experience with participants using the following questions:

- How did you feel? What did you experience?
- Did anyone stay home the entire exercise? Are you willing to share why?
- Did anyone leave? Are you willing to share when you left and why you decided to?
- Did anyone leave and then go back home? Are you willing to share your decision-making process?
- Who ended up at home? Are you willing to share why?
- Who ended up out of the home? Are you willing to share why?
- What factors most significantly affected your decisions?
- Did your choices surprise you? Are you willing to share how?
- Did your colleagues’ choices surprise you? Are you willing to share how?
- How do cultural values play a role in the choices victims make?

* **Source:** Adapted from “Chutes and Ladders Exercise,” Wisconsin Coalition Against Domestic Violence/National Clearinghouse on Abuse in Later Life (NCALL).

Role #1

You are a 45-year old woman who has been married for 30 years. You have an adult son you are estranged from and twin 12 year-olds. You and your husband came to the United States because of his job. He came five years ago and you and the twins joined him a year later. You do not speak English but your husband does. You have no other family here. With the exception of the small tight-knit community of other immigrants from your home country, you haven't made any friends or connections here.

Role #2

You are 33 years old and newly married. Your husband is a U.S. citizen; he has started the application process for your permanent residency but it is not completed. You have a chronic nerve condition that is occasionally painful and sometimes requires you to use a wheelchair. You and your husband have a two year old daughter and you have two other children from a previous relationship.

Role #3

You are 36 years old. You have been with your partner for 3 years. You are both refugees. No one in your family or at work knows you are a lesbian. You fear one day being "outed" and losing your job and the support of your family. You have an 11 year-old little dog whom you love very much.

Role #4

You are a 23 year-old undocumented immigrant woman. You have two children, ages 5 and 4, who are also undocumented. The father of your children was killed in a car accident two years ago. You have never learned to drive and don't have a license. Last year, you and your children moved in with a man who is a U.S. citizen whom you met through community gatherings. Your four-year-old is emotionally bonded to your new partner and fears he will leave her like her dad did.

THE POSTERS

1. HOME

(you, your partner, your kids and your dog)
Free

2. HOTEL

(you, your kids and sneak your dog in with you)
Pets aren't allowed so you have to hide your dog. Costs 2 yellow money cards for lodging per use

3. RELATIVE'S HOME

(you, your children, your relatives, and your dog) The home of relatives you aren't close to
Costs 1 pink assistance card per use

4. DOMESTIC VIOLENCE SHELTER

(you, your children, but not your dog)
There is no one that speaks your native language.
The house is full of noisy children.
If you can't climb stairs, you must sleep on the sofa.)
Costs one pink assistance card per use

5. APARTMENT

(you, your kids and your dog)
Run-down building in an unsafe neighborhood
Costs 2 yellow money cards for rent per use
If you're disabled, costs one pink assistance card for help with daily activities

6. YOUR CAR

(you, your kids and your dog)
Free



* Source: Adapted from "Chutes and Ladders Exercise," Wisconsin Coalition Against Domestic Violence/National Clearinghouse on Abuse in Later Life (NCALL).

THE CHUTES AND LADDERS SCRIPT

TO EVERYONE

#1 Every Tuesday you go to a women's prayer group at your community center. This Tuesday as you prepare to leave, your partner gets upset and starts yelling at you. Your partner is so upset you cancel your plans. You are concerned about your partner's increasingly controlling behavior. Do you leave or stay? (remember: going somewhere else will cost you)

TO THOSE AT HOME

#2 A few months later you go shopping with your partner. Your partner is angry because you spent money on an air purifier that the doctor recommended to help with your child's asthma. Your partner continues to argue heatedly with you when you get home. You tell him that you are going to call the police and he shoves you and threatens to call immigration. You are not able to call 911 before he yanks the phone from the wall, but a neighbor, hearing the shouting, calls the police. The police arrive, without an interpreter, and minimize the situation. They tell your partner to "take a walk" and "cool off." Do you leave or stay? (remember: going somewhere else will cost you)

TO THOSE AT HOME

#3 A few weeks later you have plans to go visit your best friend. Your partner is not feeling well but you decide to go anyway. Your partner becomes angry, grabs you by the arm and pushes you hard into the living room wall. Your partner has badly bruised your arm. The next day at work a co-worker notices the bruise and asks you if you need to talk. You tell her that everything is fine and that you are just clumsy. Your co-worker gives you a tear-off sheet with the 1-800 number on it. Do you leave or stay? (remember: going somewhere else will cost you)

TO THOSE NOT AT HOME

#4 You left home quickly, so you need to buy some new clothes. You find that your partner has canceled your ATM and credit cards and all you have is the cash you left with. If you want new clothes, it will cost you 1 yellow money card. If you are at a shelter, it will cost one pink assistance card to take something from the clothes closet. Do you buy new/used clothes or wear what you have and hope no one notices?

TO THOSE AT HOME

#5 Several months later, your partner is angry that dinner is not ready. Your partner pushes you and you fall down the stairs and break two ribs. He takes you to the hospital and remains with you throughout the examination, acting as an interpreter when necessary. You are asked if you are a victim of domestic violence but you say no. The doctor prescribes medicine for your injuries. The health insurance policy is in your partner's name. If you chose to leave, you will have to pay for your meds out of your own pocket and your partner will cancel your health insurance. This will cost you one additional yellow card. Do you leave or stay? (remember: going somewhere else will cost you)

TO THOSE AT HOME

#6 A neighbor, having heard the shouting earlier, sees him bringing you home bandaged and calls the police. When the police arrive your partner is gone. They take your statement and photograph your injuries. The officers secure a warrant and arrest your partner. You go to your best friend for support. By the time you get home, your partner has already bonded out of jail. He is very apologetic and has brought you two dozen red roses. He tells you that it will never happen again and that he cannot live without you. Do you leave or stay? (remember: going somewhere else will cost you)

For those with non-citizen partners:

After giving you the flowers he tells you to call the police and recant your story. He tells you that if he is convicted he will be deported and then you and the children will be alone on the street because there will be no one to take care of you and the community will blame you. Do you recant?

TO EVERYONE

#7 This stress of what you're going through is making you feel like you might lose control. You think you may need counseling to help cope with the anxiety and fear you feel. You are told that there are no resources for free help in your native language and counseling is not covered by your insurance (if you still have insurance). Seeing a counselor costs 1 yellow card. Do seek counseling or just try to hang in there?

TO THOSE NOT AT HOME

#8 You decide to talk to your religious leader for help in deciding whether to return to your partner and home. Your religious leader reminds you that God does not give us more than we can bear. The pastor suggests that regular religious attendance and prayer might improve your life and encourages you to give your relationship another chance. Do you stay where you are, go somewhere else or return home? (remember: staying where you are or going somewhere else will cost you)

TO THOSE NOT AT HOME

#9 You think your partner is now stalking you. You see your partner's car when you are shopping and find notes on your car windshield begging you to come home. You see your partner hanging around near your work and your place of worship. You call a community elder and tell him about the stalking. He tells you to go home and ask for forgiveness; that this is your responsibility to bear and that this is just a sign that your partner misses you and loves you. Do you stay where you are, go somewhere else or return home? (remember: staying where you are or going somewhere else will cost you)

TO THOSE NOT AT HOME

#10 The stalking continues and finally you call the police to report the stalking. They tell you that they cannot do anything unless you have an order for protection. Do you stay where you are, go somewhere else or return home? (remember: staying where you are or going somewhere else will cost you)

* Source: Adapted from "Chutes and Ladders Exercise," Wisconsin Coalition Against Domestic Violence/National Clearinghouse on Abuse in Later Life (NCALL).

THE CHUTES AND LADDERS SCRIPT (continued)

TO THOSE NOT AT HOME

#11 One minute your partner is threatening and scaring you and the next is begging you to come back. Your hours at work have been cut because you've had to miss shifts to go to court to get an order for protection. You can't make your car payment and the used car lot has repossessed your car. You must get to and from work. Arranging transportation costs you 1 yellow assistance card.

TO THOSE NOT AT HOME

#12 For those of you staying at your relative's: One night you overhear your relative's husband talking about their status in the community and wondering if they should ask you to leave. Do you stay where you are, go somewhere else or return home? (remember: staying where you are or going somewhere else will cost you)

TO THOSE AT HOME

#13 A long time friend expresses concern about you and asks if you are OK. You reluctantly tell her about what's happening and ask her if she can help. Your fear that your partner will find out you told someone about the abuse and your embarrassment at having to ask for help costs you a pink assistance card. Do you stay or leave?

TO THOSE NOT AT HOME

#14 For those of you with children: You are served with divorce papers and the batterer, with the help of his attorney, is seeking full custody of your child/children. You will need to find an attorney or the batterer may succeed in taking your child/children. The local shelters tell you they don't know any attorneys who will represent you for free. Hiring an attorney will cost you 2 yellow money cards. Do you hire an attorney or try to represent yourself?

TO EVERYONE

#15 The abuse you've experienced has you in constant crisis. To help cope, you begin drinking heavily. A couple of times you've blacked out and can't remember what happened. Getting help for your drinking problem will cost two pink assistance cards. Do you get counseling or try to cope on your own?

For the women in the shelter:

You've been barred due to coming back to the shelter drunk. Do you go somewhere else or return home?

TO THOSE AT HOME

#16 Your partner is angry that you visited your best friend. Your partner takes the shotgun out of the closet, lays it on the kitchen table, starts drinking and talks about killing you. Do you stay or leave?

#17 You hide your partner's gun. Your partner finds it, loads it and comes after you. You call 911. The police come, confiscate the gun and arrest the batterer. The batterer tells you that he/she will bail out in a couple of hours just like last time and next time you are going to be in a body bag. Do you stay or leave?

TO THOSE NOT AT HOME

#18 Your family member says you can no longer stay with them. The shelter says your time is up and you must leave. Do you go somewhere else or return home?

TO THOSE AT HOME

#19 At breakfast, you can't find your dog. Your partner laughs but says nothing. You fear the worst when your dog remains missing for the rest of the week. Do you stay or leave?

TO THOSE NOT AT HOME

#20 (different endings for each scene)

For the person who speaks no English:

You have not been able to find a shelter with programming in your language. The community has shunned you for bringing shame to the community by going to the police. You do not have a work permit. Your husband has threatened that you are only in the U.S. because of him and will be deported without your children if you do not come home. What do you do?

For the person with disabilities:

The stress of the abuse has taken its toll. Your disability has progressed and you now require daily medical assistance. The shelter is no longer an option. If you have resources, you can go to the hotel or the apartment and pay one yellow money card for professional assistance in addition to the cost of the hotel or the apartment. You can also go to your relative's home if you have pink assistance cards left. Or you can return home and have your partner provide medical care and assistance to you. What do you do?

For undocumented immigrant women:

Your partner shows up at your job and makes a scene. You are told to come home or else your partner will get you fired. Following this incident, your boss tells you that he needs to talk to you tomorrow first thing. This job is under-the-table and you need to keep it since it's hard finding work as an undocumented woman. What do you do?

For lesbians:

Your partner has given you 24 hours to return home or she will tell your employer and your family and everyone you else you know that you are a lesbian and that she is afraid of you. What do you do?

* Source: Adapted from "Chutes and Ladders Exercise," Wisconsin Coalition Against Domestic Violence/National Clearinghouse on Abuse in Later Life (NCALL).

BATTERED IMMIGRANT WOMEN FACT SHEET (CITED VERSION)

Journey to Safety Film Quote: “Please come soon. He has a knife. He’s trying to kill me!”
A recent study in New York City found that 51% of intimate partner homicide victims were foreign-born, while 45% were born in the United States.

Femicide in New York City: 1995-2002. New York City Department of Health and Mental Hygiene, October 2004. <http://www.ci.nyc.ny.us/html/doh/html/public/press04/pr145-1022.html>

Journey to Safety Film Quote: “There’s screams coming out of there, the children are crying and I know he is hitting her. It always happens when she goes to learn English.”
48% of Latinas in one study reported that their partner’s violence against them had increased since they immigrated to the United States.

Dutton, Mary; Leslye Orloff, and Giselle Aguilar Hass. 2000. “Characteristics of Help-Seeking Behaviors, Resources, and Services Needs of Battered Immigrant Latinas: Legal and Policy Implications.” *Georgetown Journal on Poverty Law and Policy*. 7(2).

Journey to Safety Film Quote: “Then he started hitting me harder and harder each time. Maybe he’s right, I remember I promised to be his wife forever.”
Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women, 59.5% compared to 49.8%

Dutton, Mary; Leslye Orloff, and Giselle Aguilar Hass. 2000. “Characteristics of Help-Seeking Behaviors, Resources, and Services Needs of Battered Immigrant Latinas: Legal and Policy Implications.” *Georgetown Journal on Poverty Law and Policy*. 7(2).

Journey to Safety Film Quote: “You don’t even speak English, who do you think they are going to believe?”
Immigrant women do have protections under the U.S. legal system; however one of the barriers to getting assistance is that both immigrant batterers and victims may believe that any protections under U.S. legal system do not apply to them.

Orloff et al., 1995. “With No Place to Turn: Improving Advocacy for Battered Immigrant Women.” *Family Law Quarterly*. 29(2):313.

Journey to Safety Film Quote: “He promised to stop this time if I tell a lie. If I tell a lie, he’ll stop. But even if he doesn’t, where would I go?”
A survey of immigrant Korean women found that 60% had been battered by their husbands.

Jaden, Patricia and Nancy Thoennes. 2000. *Extent, Nature and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey*. The National Institute of Justice and the Centers

Journey to Safety Film Quote: “What do you think will happen at the shelter? No one will talk to you or do anything with you because you can’t speak English.”
Immigrant victims of domestic violence who attempt to flee may not have access to bilingual shelters, financial assistance, or food. It is also unlikely that they will have the assistance of a certified interpreter when reporting complaints to the police or a 911 operator, or even in acquiring information about their rights and the legal system.

Orloff et al., 1995. “With No Place to Turn: Improving Advocacy for Battered Immigrant Women.” *Family Law Quarterly*. 29(2):313.

Journey to Safety Film Quote: “What do you mean what do I want to do...All I want is help for me and my children.”
Language, culture and immigration status exacerbate the level of violence, block victims from access to information about legal remedies, and complicate their efforts to obtain the relief they need to end the violence.”

Leslye E. Orloff and Rachel Little, “Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Immigrant Women” (1999).

Journey to Safety Film Quote: “My brother tried to help me when my husband assaulted me. They deported him.”

Fear of removal (deportation) has a powerful effect on some victims of violence. One advocate reported that an immigrant victim of domestic violence provided the following explanation, “The worst day with [my abuser] is still better than my life in [my home country.]”

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “If I tell them the truth, they will call the police, the police will break up the family. No, I cannot break up my family.”

General fear of law enforcement is also a major barrier that prevents battered immigrant women from seeking help. As one advocate explained, “the whole process, court officials, sheriffs in uniforms, is very scary to many women. Their history may involve abuse or corruption in political systems in their home country.”

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “A neighbor reported some screaming and loud banging sounds.”

A 2002 survey demonstrated that domestic violence victims in Minnesota accounted for 26% of all violent crime victims.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report” citing Minnesota Department of Public Safety, Office of Justice Programs, Safe at Home: 2002 Minnesota Crime Survey 7 (December 2003), available at http://www.ojp.state.mn.us/cj/publications/crimesurveys/2002_Safe_at_Home.pdf.

Journey to Safety Film Quote: “I don’t have money for this...How much will it cost? Will they send me back if I can’t pay?”

A recent study found that more than two-thirds of immigrant victims of domestic violence trapped in abusive relationships cited lack of money as the biggest obstacle to leaving.

National Immigration Law Center. “Facts About the Women Immigrants Safe Harbor Act (WISH).”

Journey to Safety Film Quote: “He’s going to kill me. He almost choked me to death!”

Strangulation is one of the most dangerous forms of domestic violence and is frequently a precursor to domestic homicide. On August 1, 2005, strangulation during a domestic assault became a felony in Minnesota.

* Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “He grabbed her, threw her against the wall, choked her, tried to throw her down the stairs, and this is not the first time he has been violent with her.”

Domestic abuse often escalates. In a 1997 study, 88 percent of the victims in domestic violence fatalities had a documented history of physical abuse.

The Florida Governor's Task Force on Domestic and Sexual Violence, Florida Mortality Review Project.

Journey to Safety Film Quote: “My children are all that I have left, I can’t lose them.”

The ability of Child Protection Services to evaluate fairly and effectively the safety and well-being of the children of immigrant women is hampered by inadequate interpretation services... As a result, CPS workers often do not receive complete information about a family’s situation, jeopardizing immigrant women’s rights to custody of their children.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “Do you have insurance?”

Under Federal and State law, eligibility for general medical assistance has been eliminated altogether for undocumented immigrants.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “Oh, good, your child is here, she can help you with the translation.”

Inadequate interpretation compromises the accuracy of the police report, an important part of the judicial system. Without a full and accurate police report, prosecutors and courts cannot adequately prosecute offenders. Also, using children as interpreters is not in the best interest of the child.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “Ma’am, is someone close to you causing you physical harm?”

Medical institutions are frequently not conducting adequate screening for domestic violence due to confidentiality concerns, the lack of interpreters or the lack of cultural sensitivity on the part of some medical staff.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “This would go much faster if we had prior records. Tell her if she gets worse she should come back here to this hospital. And we can try to get some better records this time!”

Many battered women do not receive the consistency of care that facilitates disclosure of domestic violence and preserves documentation of a pattern of injuries, which may be essential for immigration relief or criminal prosecution.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “We solve our problems from within.”

If a woman objects to the violence and seeks help, there may be significant community pressure to seek resolution of the domestic violence situation within the clan or community-based justice system.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “In my country the police were never up to any good.”

Treatment by police in her home country can be a significant barrier to a woman seeking help. The traumatic experiences of refugee women in their home countries may have made them more vulnerable to exploitation and less likely to feel that they can improve their circumstances.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “What if you go to immigration and deport my husband?”

It is common knowledge in immigrant communities that those convicted of domestic violence offenses are subject to removal.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “This is not in my training manual.”

Despite the Minnesota law and policies that require financial workers to screen financial assistance applicants for domestic violence, the provisions that should benefit victims of violence are not being consistently applied.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

Journey to Safety Film Quote: “Well, it was your choice. You’re the one who made your private business known. You’re the one who called the police. You started this, now you have to see it through to the end.”

Interpreter misconduct occurs when an interpreter steps out of the interpreter role to counsel or shame the victim. The interpreter may communicate a bias that the victim of abuse is at fault.

Minnesota Advocates for Human Rights, 2004. “The Government Response to Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report”.

INTERNET RESOURCES

Barriers Faced by Immigrant Communities in Accessing the Criminal Justice System: (Various articles).

www.nationalimmigrationproject.org/DVPage/

Battered Immigrant Women Toolbox (various resources), Family Violence Prevention Fund.

www.fvpf.org

Breaking the Barriers, (Manual for advocates) Legal Momentum Immigrant Women Program.

www.legalmomentum.org/legalmomentum/progrmas/iwp/2007/01/breaking_barriers_2.php

Breaking the Silence: A Training Manual for Activists, Advocates, and Latina Organizers, (manual) Family Violence Prevention Fund.

www.endabuse.org/prgrams/immigrant

Building Bridges to Stop Violence against Immigrant Women: Effective Strategies & Promising Models for Reaching and Serving Immigrant Women (guide), Voices for Change: Immigrant Women & State Policy Center for Women In Government & Civil Society University at Albany, New York.

<http://www.cwig.albany.edu/BuildingBridges.pdf>

Developing Leadership and Improving Services Within the Battered Rural Immigrant Women's Community (manual) Family Violence Prevention Fund.

www.endabuse.org/programs/immigrant/files/Rhythm.pdf

Culture Handbook, Understanding the impact of cultural factors when working with victims (handbook) Family Violence Prevention Fund.

www.fvpfstore.stores.yahoo.net/culturalhandbook.

Ensuring Fairness and Justice for Noncitizen Survivors of Domestic Violence (article) Gail Pendleton.

www.nationalimmigrationproject.org/DV_page/GAILncfj_article.pdf

Get the Facts – Domestic Violence and Asian Pacific Islander Communities

(Facts sheet) Family Violence Prevention Fund.

www.endabuse.org/resources/facts/Immigrant.pdf

I Speak...Language Identification Guide (tool for law enforcement), Summit County Sheriff's Office Drew Alexander, The National Association of Judiciary Interpreters and Translation, American Translators Association.

www.ocjs.state.oh.us/Publications/Pocket%20Card.pdf

Immigrant Victims of Domestic Violence: Cultural Challenges and Available Legal Protections (article) Sudha Shetty and Janice Kaguyutan.

www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR_immigrant.pdf

Immigration Benchbook for Juvenile and Family Court Judges, Sally Kinoshita and Katherine Brady.

www.asistaonline.org/forjudges.html

Improving Access for Persons with Limited English

<http://usdoj.gov/crt/cor/13166> website links to information,

tools, and technical assistance regarding limited English proficiency and language access for federal agencies.

Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance

www.ojp.gov/ocr/docs/selfassesstool.pdf

The self-assessment tool document is intended to assist organizations that receive Federal financial assistance in their strategic planning efforts to ensure that program goals and objectives address meaningful access for all of the people they serve or encounter, including those who are limited-English proficient.

Learning from the Experiences of Battered Immigrant, Refugee and Indigenous Women Involved with Child Protective Services to Inform a Dialogue among Domestic Violence Activists and Advocates (report), Asian & Pacific Islander Institute on Domestic Violence, Institute on Race and Justice at Northeastern University.

www.apiahf.org/apidvinstitute/PDF/EnosReport

Legal Protections for Immigrant Stalking Victims, Stalking Resource Center.

www.ncvc.org/

Local Police Enforcement of Immigration Laws and its Effects on Victims of Domestic Violence (article), Gail Pendleton.

www.asistaonline.org/forPolice.html

Model Protocol On Services for Limited English Proficient Immigrant and Refugee Victims of Domestic Violence, Washington State Coalition Against Domestic Violence.

www.wscadv.or/Resources/protocol

Realities for Immigrant Populations: How They Experience the System (article),

Gail Pendleton.

www.asistaonline.org/forPolice.html

Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Women's Advocates and Service Providers, Leslye Orloff and Rachel Little.

www.vawnet.org/DomesticViolence/ServicesAndProgramDev/ServiceProvAndProg/BIW99summ.php

Stop Violence Against Women Website, Minnesota Advocates for Human Rights.

www.mnadvocates.org/Issues_Affecting_Women.html

Summary of the CLEAR Law Enforcement for Criminal Alien Removal Act of 2003

Lutheran Immigration and Refugee Services. www.vawnet.org/DomesticViolence/PublicPolicy/Immigration/CLEARSummary.pdf

The Government Responses to Domestic Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Right Rights Report, Minnesota Advocates for Human Rights, 2004.

www.mnadvocates.org/Publications_by_Date.html

Use and Outcomes of Protection Orders by Battered Immigrant Women, (report), Mary Ann Dutton, Nawal Ammar, Leslye Orloff, Darci Terrell.

www.ncjrs.gov/pdffiles/nij/grants/218255.pdf

PRINT RESOURCES

Migrant Women's Human Rights in G7 Counties: Organizing Strategies, Mallika Dutt, Leni Marin and Helen Zia. Family Violence Prevention Fund, 1997. To order email: Immigration@endabuse.org

Speaking the Unspeakable: Marital Violence Among South Asian Immigrants in the United States, Margaret Abraham, Piscataway, New Jersey; Rutgers University Press, 2000.

Untold Stories: Cases Documenting Abuse by U.S. Citizens and Lawful Residents on Immigrant Spouses, Family Violence Prevention Fund, 1993. To obtain a copy of this report call the FVPF at (415) 252-8900. www.endabuse.org/programs/display.php3?DocID=100100



ORGANIZATIONS

American Immigration Lawyers Association

www.aila.org

National network of immigration lawyers provides referral to immigration lawyers. Lawyers can get a half hour consultation for no more than \$100. Information regarding immigration rights included on website.

Asian and Pacific Islander Institute on Domestic Violence

www.apiahf.org

Provides information, research, resources and critical issues about violence against women in Asian and Pacific Islander communities.

Asista

www.asistaonline.org

Provides technical assistance to advocates and attorneys on legal issues facing immigrant survivors of domestic violence and sexual assault.

Battered Women's Justice Project

www.bwjp.org

Provides technical assistance and training on civil and criminal justice responses to domestic violence.

Casa de Esperanza

www.casadeesperanza.org

Mobilizes Latinas and Latino communities to end domestic violence, and provides direct services and shelter.

Center for Human Rights and Constitutional Law

www.centerforhumanrights.org

The Center is a non-profit, public interest legal foundation dedicated to furthering and protecting the civil, constitutional, and human rights of immigrants, refugees, children, and the poor.

Family Violence Prevention Fund Immigrant and Refugee Women's Rights Project

www.fvpf.org

The program educates immigrant and refugee women about their rights and develops their leadership so that they can become involved in changing policies that affect them. Educational resources can be download that are valuable for advocates and the women they are working with.

Immigrant Legal Resource Center

www.ilrc.org

The ILRC is a national resource center that provides technical assistance, trainings, materials and advocacy to advance immigrant rights.

Legal Momentum Immigrant Women Program

www.legalmomentum.org

Advocates for legal protections, social services and economic justice for immigrant women. Online resource guide searchable by location and services offered available online.

Minnesota Advocates for Human Rights Women's Program

www.mnadvocates.org/Women_s_Program.html

Provides legal and advocacy services to immigrant, refugee, and women seeking asylum living in Minnesota.

National Network to End Domestic Violence Against Immigrant Women

www.immigrantwomennetwork.org

The National Network to End Violence Against Immigrant Women offers technical assistance to advocates, attorneys, social services and health care providers, justice system personnel and other professionals who encounter immigrant survivors of domestic violence, sexual assault, trafficking and other crimes.

National Network for Immigration and Refugee Rights

www.nnirr.org

Serves as a forum to share information and analysis, to educate communities and the general public, and to develop and coordinate plans of action on important immigrant and refugee issues.

National Immigration Project of Lawyers Guild, Inc.

www.nationalimmigrationproject.org

Provides technical assistance to attorneys and resources for non-attorneys. Website has immigration attorney listings by state.

Tapestri, Inc.

www.tapestri.org

Immigrant and Refugee Coalition Challenging Gender Based Oppression, is dedicated to ending violence and oppression in immigrant and refugee communities, using culturally competent and appropriate methods.

Violence Against Women Office, U.S. Department of Justice

www.usdoj.gov/ovw

OVW administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.

Meaningful Access for People Who are Limited English Proficient. Federal Agencies, Recipients of Federal Funds, Community, Individuals and Organizations

<http://lep.gov>

This site acts as a clearinghouse, providing and linking to information, tools, and technical assistance regarding Limited English Proficiency and language services for federal agencies, recipients of federal funds, users of federal programs and federally assisted programs, and other stakeholders.



Crime Victim Cards for Police

DERECHOS DE VICTIMAS DE CRIMENES

1. Usted tiene el derecho de aplicar para ayuda monetaria para recuperar una perdida causada por algún crimen. Esta asistencia no es para una perdida de propiedad. para una aplicación e información llame (651) 282-6256. Si usted piensa que sus derechos como víctima fueron violados, llame a la oficina de "Crime Victims Ombudsman's Office" al (651) 282-6258. Fuera de las ciudades gemelas llame al 1-800-247-0390; TDD: 1-651-282-6258.
2. Usted tiene el derecho de pedir que la agencia que impone la ley que retenga cualquier información de su persona, la misma agencia decidirá si esto será posible.
3. Usted tiene el derecho de obtener información de, y participar con, el proceso de prosecución de la persona quien cometió el crimen contra usted, esto incluye el derecho de pedir resitución (dinero que la corte ordenará que el criminal pague a la victima).

Lineas de Crisis Abiertas 24 Horas Al Día:

Consejo Sobre Crimen y Justicia (para cualquier victima)	673-2467	340-5400
Intervención a Crisis—Referencia para Suicidio o emergencia		347-2222
Cuidado Infantil en Caso de Emergencias	(763) 591-0100	
Centro de Violencia Sexual (TDD solamente durante horas de trabajo 871-2193)	871-5111	
Conexión en Caso de Crisis 379-6377		379-6363
Centro de Violación y Abuso Sexual (TDD durante horas de trabajo)		825-4357
OutFront MN (GLBT crímenes generales)		822-0127
Crímenes de Prejuicio u Odio		673-2276

Todos los números son del código 612, excepto donde anotado

INFORMACION SOBRE LA VIOLENCIA DOMESTICA

SI USTED ES UNA VICTIMA DE VIOLENCIA DOMESTICA, un procurador de la ciudad o el condado puede presentar una queja. Usted tiene el derecho de obtener información sobre esta queja, si la prosecución fue negada o si los cargos criminales fueron rechazados. Usted tiene el derecho de presentarse en las corte y pedir una "Orden de Protección". Esta orden podría incluir:

1. Restringir al abusador de cometer más daños.
2. Ordenar que el abusador deje vivienda.
3. Prevenir que el abusador entre en su vivienda, colegio, negocio, or local de trabajo.
4. Conceder custodia o visitación de sus niños menores.
5. Ordenar que el abusador pague pensión a usted y sus niños si el abusador tiene obligación legal de hacerlo.

Para más información, para obtener una "Orden de Protección," o hablar con un investigador policial, abogado de la corte, or intermediaria, llame al centro de condado, "Hennepin County Domestic Abuse Service Center" al 348-5073. Centro de Gobernación del Condado de Hennepin, Nivel A.

ASISTENCIA PARA VICTIMAS DE ABUSO DOMESTICO

Línea de Crisis Para Mujeres Golpeadas/Información Sobre Refugios 24 Horas al Día	(651) 646-0994
Refugio Harriet Tubman (Línea de Crisis 24 Horas al Día) TDD 821-4757	825-0000
Mujeres Asiáticas Unidas de Minnesota, Refugio Casa de Paz (Línea de Crisis 24 Horas al Día)	(612) 724-8823
Proyecto de Abuso Domestico con Intermediarias Legales	673-3526
Intermediarias que hablan Español	673-3398 y 673-3289
Casa de Esperanza (Línea de Crisis para Latinas 24 Horas al Día)	(651) 772-1611
OutFront MN (Abuso Domestico GLBT- 24 Horas al Día)	824-8434

(expidido conforme a M.S. 629.341)

SERVICES FOR VICTIMS

Asian Women United of Minnesota	646-2118
Casa de Esperanza (shelter)	772-1611
Centro Legal, Incl.	642-1890
City Attorney's Office	266-8740
County Attorney's Office	266-3222
Crime Victim Center	(612) 340-5400
Crime Victim Reparations Board	282-6256
Cross Streets Mobile Team	771-0076
Father's Resource Center	290-4709
Family & Sexual Violence Unit	266-5676
Gay & Lesbian Community Action Council (Legal Advocacy)	(612)822-0127
Gay & Lesbian Domestic Violence Crisis Line (24 hr shelter)	(612)824-8434
Harassment	266-5130
Regions Hospital	254-3456
Emergency	254-5000
Saint Paul Intervention (24hr Legal Advocacy)	645-2824
Sexual Offense Services (24hr Crisis Line)	643-3006
Statewide Referral Service/Crime Victim Ombudsman (24hr toll free)	(800)657-3506
Victim Intervention Program, Inc.	266-5674
Women's Advocates (shelter)	227-8284

RIGHTS AND SERVICES FOR ALL CRIME VICTIMS

1. You have the right to apply for financial help for losses resulting from a violent crime. This assistance does not cover property losses. For application and information, call 651-282-6256.
2. You have the right to request that the law enforcement agency withhold public access to data revealing your identity. The law enforcement agency will decide if this is possible.
3. You have the right, if an offender is charged, to be informed of and participate in the prosecution process, including the right to request restitution (money court ordered from the offender and paid to the victim).

If you feel your rights as victim have been violated, call the Crime Victims Ombudsman's Office at 651-28206256.

If you do not understand your rights or anything on this card, call one of the phone numbers listed above. someone will help you.

TOOLKIT

VOIR DIRE FOR INTERPRETERS

The following are suggested questions for determining whether an interpreter is qualified to interpret at a given hearing. These questions are found in the *Best Practices Manual on Interpreters*.

Communication Needs

1. Have you communicated with the party/witness/defendant in need of your services?
2. Can you communicate clearly with one another?
3. Are you able to interpret simultaneously without leaving out or changing anything that is said?

Sign Language Interpreter

- What communication mode does this person prefer? (i.e. American Sign Language, Tactile Communication, Signed English)
- Does this person require the use of a deaf relay interpreter?
- Does this person require the court to provide any special equipment to aid in the understanding of this proceeding? (Amplification, Real Time Captioning)

Foreign Language Interpreter

- Are you familiar with any dialect or idiomatic peculiarities of the language used by the person in this case?
- Are you able to communicate despite these idiosyncrasies?

Interpreter Qualifications

1. Are you court certified by the Minnesota Court Interpreter Program in the _____ Language? (If yes, skip to "Conflicts of Interest.")
2. Are you on the Statewide Roster of Court Interpreters?
3. How long have you been communicating in English and _____?
4. What formal language training have you received in these two languages?
5. Do you possess interpreter certification status from a group of organization other than the Minnesota Court Interpreter Program?
6. In what settings have you interpreted?

Conflicts of Interest

1. Have you ever interpreted for any of the parties or witnesses in this case?
2. Have you interpreted in any incident related to this case?
3. Are you able to remain fair and impartial in relationship to the parties and witnesses in this case?
4. Will you remain objective based upon the subject matter of this case?

Ethics

1. Have you read the *Code of Professional Responsibility for Interpreters in the Minnesota State Court System*?
2. Do you understand your duties with respect to the *Code of Professional Responsibility*?
3. Do you promise to adhere to the *Code of Professional Responsibility* during these proceedings?

Other

1. Have you ever been disqualified from interpreting in any court or administrative proceeding? Why?
2. **To the Parties:** Does either party have any questions for the interpreter?
3. **To the Client/Witness/Defendant:** Can you effectively communicate through this interpreter?

TOOLKIT

STATE OF MINNESOTA
COUNTY OF _____

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CASE TYPE: _____

In re the Marriage of:

Petitioner

AFFIDAVIT OF TRANSLATION

and

Court File No. _____

Respondent

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

I, Jane Doe, being duly sworn, state the following:

1. I hereby attest to my fluency in (e.g. English and Spanish)_____.
2. On _____ [date] I translated (verbally or in writing) from (e.g. Spanish)_____ to (e.g. English)_____ the following documents: _____
_____ to/for [name of party or person]_____.
3. I certify that the preceding translation was a true and accurate translation of the (e.g., Spanish or English)_____ original to the best of my ability.

Jane Doe
Attorney at Law (MN License # 01111111)
ABC Law Firm, L.L.P.
123 Elm Street, Suite 100
Saint Paul, MN 55114
(651) 555-5555

Subscribed and sworn to before me

this _____ day of _____ 2007.

NOTARY PUBLIC

JURY TRIALS WITH INTERPRETERS

BEFORE THE TRIAL

- Are there any doubts as to who is responsible for the interpreter costs?
- Has court administration hired a team of two interpreters for the anticipated duration of the trial?
- Do their qualifications meet the requirements of Rule 8 of the General Rules of District Courts? (If Spanish, Russian, Sign Lang., Vietnamese, and Hmong: Are the interpreters certified? If other languages, are the interpreters on the Court Interpreter Roster?)
- Have the attorneys provided information to the interpreters to familiarize them with the relevant technical vocabulary? (Complaint, police reports, expert witness reports, etc.)
- Is the interpreting equipment available for trial days? (*Each district owns multiple sets of interpreting equipment which makes trials flow smoother.*)
- Should a tape recording be made of the trial, to better preserve interpreter issues for appeal?

AT THE START OF THE TRIAL

- Check the seating arrangement, test equipment, and assure that the interpreters have water.
- Before the jury arrives do the following on the record
 1. Voir dire the interpreters so that a record is made of their qualifications;
 2. Administer the interpreters' oath;
 3. Read the statement on the back of this sheet;
 4. Verify that the interpreters and the litigant/defendant/witness can communicate effectively with one another.
 5. Confirm with interpreters their availability. (*If interpreters were hired for a one-day assignment, don't presume that they'll be available for an extra day if the trial runs over.*)
- When giving preliminary instructions to the jury, read the civil or criminal JIGS regarding the use of interpreters at trial. (Crim JIG 2.05 and Civ JIG 10.15)

DURING THE TRIAL

- Monitor the pace of the speakers, and assure that only one person is speaking at a time.
- During breaks, check in with the interpreters to see if they have any concerns. Make accommodations for those concerns (seating, equipment, frequency of breaks, rate of speech, etc.).
- If there is a debate as to the accuracy of an interpretation, discuss in a brief sidebar conference. If the situation requires more discussion, recess and remove the jury. Typically resolution can be reached. If not, a hearing should be conducted to hear the opinion of the second court interpreter, who in this case acts as an expert witness.

Hearings with Interpreters

Before we proceed ant further, I would like to make a few comments regarding the interpreter’s role in today’s proceedings.

The interpreter can only interpret for one person at a time. Therefore, please do not speak or interrupt while someone else is testifying or speaking. The interpreter can only interpret testimony that is spoken. All responses given here must be verbal. You are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures, or highly technical vocabulary.

As for the interpreter(s), you are bound by the Code of Professional Responsibility for Interpreters in the Minnesota State Court System, and you are expected to follow its canons. You must interpret everything that is said in this courtroom, including this information. You are not allowed to give any legal advice, or express personal opinions about this matter to the litigant/defendant/witness. You are expected to maintain confidentiality and not publicly discuss this case. If for some reason you need to pause the proceedings so that you can refer to a dictionary, please raise your hand and speak up.

Are there any questions or concerns?