



Tennessee Cultural Competency Resource Manual

**Produced by the Tennessee Coalition Against Domestic and Sexual
Violence
Author: Emily Hall**

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Cultural Competency Resource Manual

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“These converging systems structure the experiences of battered women of color in ways that require intervention strategies to be responsive to these intersections. Strategies based solely on the experiences of women who do not share the same class or race backgrounds will be of limited utility for those whose lives are shaped by a different set of obstacles.”

-Kimberly Williams Crenshaw, *“Mapping the Margins; Intersectionality, Identity Politics, and Violence Against Women of Color”*

Introduction: What's Culture Got to do with Our Services?

The importance of cultural competency runs deeper than providing a translated brochure or serving foods that are typical to an immigrant woman's country of origin. It is not achieved by memorizing generalized information about every major world culture. Rather, it can be understood as the capacity of an organization or individual to value and accommodate diversity; recognize and address issues of cultural dominance, privilege, and access; and overcome barriers to services, safety and empowerment faced by any individual, regardless of cultural background.

We must start by understanding what "culture" means in this context. Culture cannot be easily defined. It is not a stagnant set of norms and customs, as it is often seen. Knowing a person's nation of origin, religion, or ethnicity does not signify having knowledge of their cultural background. For the purposes of this manual, culture will be understood as: *a dynamic set of norms, behaviors, or social constructs based on shared experiences or commonalities; culture is fluid and changes with time, place, social/political contexts, and individual experiences; it is an intersection of individual experience and group dynamics.*

Additionally, we must recognize that gender based violence does not occur isolated from other forms of oppression. Battered women do not experience gender based violence in a vacuum, but rather as one of many factors that intersect to form each individual's complex reality. The way that a woman experiences and deals with domestic violence or sexual assault is inextricably linked with other factors that intersect to shape her reality. This includes other forms of oppression she may experience (such as racism, classism, discrimination based on national origin), as well as family, customs, traditions, religious beliefs, education, societal dynamics, and many other elements that may form an individual's culture.¹

From this perspective, culture is both collective and individual. It is made up of many intersecting factors. Therefore, an individual is the only one who can define her culture because it has been created by her unique experiences. This means that we should never assume that we understand an individual because we have generalized information about other people that seem to belong to the same cultural group. Battered women's self-reported definition of culture, experiences of oppression, and needs must inform advocacy and service provision. This understanding is fundamental to cultural competency, and is imperative to effective cross-cultural work. Integrating this concept into philosophical foundations and approaches to advocacy will enhance programs' work with all women.

Service providers must address individual women's experiences and the multiple factors that impact their lives. As such, gender based violence and oppression cannot be addressed as an isolated issue, but rather as being inextricably linked to other forms of oppression². Programs must also acknowledge and confront issues such as racism,

classism, homophobia, ageism, and xenophobia, both on a societal level, and as they may occur within the program itself. Addressing violence against women as a single issue, separate from other forms of oppression and discrimination will lead to inadequate services and ineffective attempts at social change.

Barriers to Seeking and Accessing Services

Victims of domestic violence or sexual assault face a variety of complex legal and personal issues. For immigrant and refugee victims, these issues can be compounded with confusing immigration and cultural matters that may not be understood by mainstream programs. There are a myriad of culturally-influenced ways in which victims and their communities interpret and address violence, yet many times they are presented with limited options for relief from service providers. Cultural and linguistic differences, especially when they are not addressed by service providers, impede immigrant and refugee victims from seeking and accessing appropriate services and relief. In general, existing services for individuals experiencing family violence do not adequately address the concerns and needs of diverse populations. An understanding of the dynamics and impact of culture and the need to create culturally appropriate services must be incorporated into our discourse on ending Violence Against Women.

A. Social Implications, Isolation, and Cultural Imperialism

Immigrant victims may face serious cultural or social implications when dealing with domestic or sexual violence. They may be part of a culturally isolated group and fear being ostracized by their community if they disclose or leave a violent situation. This could leave them utterly alone in an unknown place. Additionally, a victim that belongs to a close-knit cultural group may fear betraying her community or even her personal identity by seeking help from law enforcement or service providers that are part of an intrusive dominant culture. The safety of the community may outweigh the danger posed by an abuser.

Additionally, there may be fear of external systems, such as the police or judicial system. This fear may stem from a variety of sources. For example, the victim and her community may be the target of discrimination in the United States and thus mistrust service providers that are part of dominant U.S. culture. Victims may have had traumatic experiences with law enforcement, military, or government either in the U.S. or in their home country. As service providers, domestic violence or sexual assault programs must keep in mind that they may fall into this category of “external systems”, and may have to work to prove their trustworthiness to marginalized communities.

The social isolation that can occur with immigrant, refugee, or other marginalized groups can lead to a lack of awareness about services that exist to aide victims and how to access

them. Very few outreach programs in the state of Tennessee have been developed specifically for immigrant or refugee communities. Simple translation of existing materials won't create sufficient dissemination of information. If outreach efforts have no pertinence to the realities of a particular community and do not involve its members in a meaningful way, they will probably not be effective. Creative methods must be employed to bridge cultural gaps, address diverse perceptions of violence, and create solutions based on victims' realities.

B. Racism, Ethnocentrism, and Discrimination

Currently in the United States, anti-immigrant sentiment is extremely high. This is a current mask of racism and ethnocentrism. Many immigrants face discrimination and hostility on a daily basis. This does not just discourage many immigrant victims from seeking service because of a distrust of mainstream systems, but it is part of the reason why services are not more accessible to immigrant and refugee victims even when they are sought. Racist attitudes are held by law enforcement, judges, and even service providers. Even though it may not be conscious discrimination, programs are participating in racism when they fail to challenge lack of privilege and access faced by many immigrant communities.

C. Language Access

Limited English Proficient (LEP) victims face not only cultural, but also linguistic isolation. Upon calling a crisis line or arriving at a shelter, they often find that no one speaks their native language. Besides being a hindrance to the flow of information between advocates and victims, this creates an unwelcoming and uncomfortable situation for victims. In Tennessee, language accessibility of services is lagging behind the needs of the state's growing immigrant populations. Additionally, *failure to provide language access violates Title VI of the Civil Rights Act.*³ While awareness of the need to address language barriers exists amongst service providers, appropriate measures are not yet being implemented and, as a result, many LEP clients are left by the wayside. Translating documents and providing interpreters does not mean a program is culturally competent, but it is a key component to providing appropriate services.

D. Cultural Implications

Once a victim has engaged in services, regardless of the language(s) they speak, they may experience barriers that mainstream providers may not foresee. This is greatly due to service provider's lack of knowledge of victims' cultures, or lack of understanding of the dynamics of differences as they play out in client/service provider relationships. Things that may seem insignificant, such as food or clothing items, may drastically affect a woman's experience of our services. Child rearing and religious practices also need to be taken into account. Requiring victims to conform to the norms of mainstream US culture

by providing limited lifestyle choices or adhering to inflexible protocol may be threatening or demeaning. Victims are not likely to engage in services in a setting that doesn't pertain to their life or validate them.

Case Study

Imagine Hamideh, an LEP immigrant woman who enters shelter with her two children, ages 7 and 9. Her intake is done utilizing Language Line, as there is no one in the shelter who speaks Farsi, her native language. Because of religious reasons, she home schools her children. The program, however, has a policy requiring residents to enroll children in school within three days of entering shelter. The staff make little effort to explain to her why the shelter has this policy nor do they attempt to understand why she does not wish to send her children to school. They consider the language barrier too time consuming to deal with. Hamideh doesn't comply with this policy, and is issued a warning. She feels that she and her culture in general are being attacked by shelter staff, and that if she stays, she will be forced to assimilate to a way of life she does not agree with. As a result, Hamideh returns to her abuser, and tells all of her friends that the shelter is a frightening, uncomfortable place.

E. Legal Concerns

In addition to cultural and linguistic barriers, a primary need of many immigrant and refugee victims is legal advocacy that addresses immigration issues. However, it is common that both service providers and victims lack information regarding legal issues that concern immigrants. Programs are unfamiliar with the legal concerns of non-citizen victims. Meanwhile, victims may have little knowledge of rights and protections they are guaranteed by United States law, and special relief that may be available to them. Batterers may make threats against battered immigrants based on their immigration status. Threats to report undocumented status or withdraw a spousal petition are frequent. Batterers may also make false claims about legal issues such as child custody. Due to the lack of dissemination of accurate information about U.S. law, such threats are often very effective in controlling victims. Victims of human trafficking that are physically and/or sexually abused are frequently held captive by such exploitation of immigration status. Addressing immigration issues is essential when assisting immigrant victims, and it must happen before other steps to empowerment and self-sufficiency can be taken.

Addressing Barriers, Enhancing Access

Awareness about the complicated realities of immigrant victims is growing, and the desire to enhance service accordingly exists. However, we are only at the beginning of a long journey. Simply translating existing materials into Spanish does not constitute

cultural competency. The process must be well planned and taken on with patience and flexibility. Cultural competency will not happen overnight. It must be created by ongoing and constantly evolving efforts. Additionally, it must be integrated into the foundation of the organization to be truly effective and sustainable. To programs whose human and fiscal resources are already stretched, the work may seem like a formidable task.

However, we will only be successful in ending domestic violence and sexual assault if our advocacy and services are equally and adequately accessible to all. Additionally, if differences are seen as beautiful and beneficial instead of problematic, efforts to create cultural competency in service provision will be extremely rewarding. Truly ending Violence Against Women requires empowering all victims, not just those that fit into a mainstream service model or who are easy to work with. Family violence extends across all ethnic, cultural, and socio-economic groups and so must our services.

Becoming culturally competent and making appropriate services available for all victims cannot be an afterthought, side project, or optional addition to our work; it IS the work!

Purpose of the Standards

This project was funded by the Federal Department of Health and Human Services, Grant No. 90EV0314. The standards were developed by a committee comprised of representatives of domestic violence programs, sexual assault centers, organizations that serve immigrants, the Tennessee Office of Criminal Justice Programs (OCJP), and the Tennessee Coalition Against Domestic and Sexual Violence (the Coalition). The standards were developed to establish requirements that must be met by programs that seek certain State and Federal funding OCJP. They require programs to meet already existing Title VI requirements, as well as provide comprehensive, appropriate services to immigrants and refugees. The implementation of the standards will be facilitated by OCJP over the next several years.

The initiative for this project stems from the Coalition's mission to end domestic and sexual violence in the lives of Tennesseans and to change societal attitudes and institutions that promote and condone violence. This commitment, which is based on our core values of inclusiveness, safety, integrity, empowerment, and constant improvement, requires that we advocate on behalf of all people residing in Tennessee, not just those that are easy to serve. Yet for many marginalized communities, access to culturally appropriate services and safety does not exist. Failure to challenge unequal access is a form of corroborating with discrimination. To successfully end domestic violence and sexual assault, we must not passively watch as hard to reach communities are excluded; rather, we must actively work to ensure that all victims, regardless of who they are or where they come from, have comprehensive access to services that truly meet their needs.

Along with the standards, a resource manual has been developed to support programs as they work to implement these standards and improve services for immigrant and refugee victims of domestic violence or sexual assault. These materials can serve as a guide to any program that wants to work more effectively to provide consistent, effective services to all victims, regardless of their cultural background. The manual has been divided into sections that expound upon the standards. In some sections, checklists have been provided to assist in step by step planning. Each checklist is followed by in depth explanations of the suggested steps. Additional resource materials have been included on a disk that accompanies the manual.

The Coalition is available to provide training, technical assistance, and support for any aspect of the development or implementation of cultural competency planning.

Definitions

Culture- *There are many definitions of culture, and no consensus about which one is correct. These standards are based on the understanding of culture as:*

A dynamic set of norms, behaviors, or social constructs based on shared experiences or commonalities; culture is fluid and changes with time, place, social/political contexts, and individual experiences; it is an intersection of individual experience and group dynamics.

Cultural Competency – The capacity of an organization or individual to value and accommodate diversity; recognize and address issues of cultural dominance, privilege, and access; and overcome barriers to services, safety and empowerment faced by any victim, regardless of cultural background.

Domestic Violence- Any behavior that attempts to control an intimate partner or family member through the use of fear, manipulation, isolation, intimidation, physical abuse, sexual abuse and/or verbal abuse. Domestic violence may also include emotional or economic abuse.

- Domestic abuse is a pattern of abusive behaviors. Its sole purpose is to establish power and control over another person.
- Typically, this control starts slowly and increases over time. By the time physical abuse is present, verbal, emotional, and sexual abuse have probably already been used.
- Domestic violence knows NO barriers. It occurs in every type of relationship, regardless of age, income, race, religion, education, sexual preference, and geographic location.

Ethnicity- Like “culture”, ethnicity is a very fluid form of categorization. It refers to individuals who identify themselves as a group, or who are identified as such by others, based on characteristics that distinguish them from other perceived groups. Such characteristics may include: nationality, ancestry, language, history, religion, or any number of other social or cultural features.

It is important to be aware that immigrants in the United States that come from similar regions, speak the same language, or seem culturally similar are often labeled as “ethnic groups”. This categorization may be internally adopted by the group; it may also be externally imposed by dominant cultural groups, even if the individuals being categorized do not, themselves, identify as a group. For example, many people in the United States would refer to an individual from Mexico and an individual from Paraguay as “Latino” or “Hispanic”. However, these terms were created in the United States, and the individuals in question probably identify themselves as belonging to very different groups.

Ethnocentrism- Belief in the inherent superiority of one ethnicity or culture over all others; results in discriminatory or abusive behavior towards members of ethnic or cultural groups that are different than the group that is perceived to be superior.

Heterosexism- Attitudes, conditions, behaviors, institutions, and structures that promote social, political, and economic inequality of lesbian, gay, bisexual, or transgendered people. The belief that sexual orientation accounts for differences in human character or ability and that heterosexuality is superior to other sexual orientations. It is the prejudice that members with heterosexual orientation are intrinsically superior to members of other sexual orientations and results in discriminatory or abusive behaviors toward members of lesbian, gay, bisexual, or transgender sexual orientation.

Human Trafficking- All acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons.

The Trafficking Victims Protection Act of 2000 (TVPA) defines trafficking as:

- **Sex Trafficking:** the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act , in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of 18 years; or
- **Labor Trafficking:** the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.

Mainstream or Dominant Culture- Group(s) made up of individuals who possess attributes most valued by societal or cultural norms. Such groups often times are privileged and thus have the ability to exert power over (or dominate) sub-groups.

In all cultures, certain norms are held as acceptable or ideal, and all other sub-groups are compared against these norms. Additionally, in a single society, there are multiple cultures interacting, yet some will dominate over others due to power differentials and privilege. In the United States, characteristics such as “white”, “Christian”, or “English-speaking” may be the norms against which individuals are measured. Anyone possessing such characteristics are often privileged because of it. Privilege leads to access to resources, as well as not having to recognize one’s own culture as dominant. Privileges for one group can create power differentials and the dynamics domination.

Prejudice- Belief that certain groups are superior and others inferior.

Privilege- A special advantage, immunity, permission, right, or benefit granted to or enjoyed by an individual or group that is exercised to the exclusion or detriment of others. Privilege entails greater access to resources, power, and social status.

Race- Typically, categorization that attempts to group people by physical or hereditary characteristics. Science has proven that race is not a biological reality. However, race still exists as a social construct, and it is important to understand how such concepts influence social interactions.

Racism- Attitudes, conditions, behaviors, institutions and structures that promote social, political, and economic inequality of people of color. The belief that race accounts for differences in human character or ability and that a particular race is superior to others. The prejudice that members of one race are intrinsically superior to members of other races and results in discriminatory or abusive behavior towards members of another race.

Sexism- Attitudes, conditions, behaviors, institutions and structures that promote social, political, and economic inequality of women. The belief that gender accounts for differences in human character or ability and that a particular gender is superior to others. The prejudice that members of one gender are intrinsically superior to members of other genders and results in discriminatory or abusive behavior towards members of another gender.

Sexual Assault- is any act of violence, either physical or verbal, in which sex is used as a weapon. It refers to any form of nonconsensual sexual encounter that is against the victim's will and without his or her consent.

Target Population/Community- Refers to the communities with which an agency is attempting to enhance its work.

Legal Terminology, ⁴

Visa- A U.S. visa allows the bearer to apply for entry to the U.S. in a certain classification (e.g., student (F), visitor (B), temporary worker (H)). A visa does not grant the bearer the right to enter the United States. The Department of State (DOS) is responsible for visa adjudication at U.S. Embassies and Consulates outside of the U.S., under the guidance and ultimate authority of the Department of Homeland Security (DHS). Immigration inspectors, agents of Customs and Border Protection (CBP) determine admission into, length of stay conditions of stay in, the U.S. at a port of entry.

Nonimmigrant Visa- A visa properly issues to an alien as an eligible nonimmigrant by a competent officer as provided by the Immigration & Nationality Act (INA).

Immigrant Visa- An immigrant visa permits an alien to be admitted to the United States for permanent residence.

Immigrant- An immigrant is what every alien seeking entry to the United States is presumed to be, except an alien who can prove that he or she is within one of the 23 basic classes of nonimmigrant aliens or nonimmigrants under NAFTA.

Refugee- An individual who has left their country of origin or residence because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; this status is applied for in another country *before* entry into the United States.

Asylee- A person granted asylum.

Asylum- A status sought by a person physically present in the U.S. or requesting admission at a U.S. port of entry who has a well-founded fear of persecution if forced to return to country of origin because of race, religion, nationality, social membership or political opinion.

Lawful Permanent Resident (LPR)- A “green card” holder; one who has attained “the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws.”

Documented- Individual who is in the United States with a current non-immigrant or immigrant visa.

Undocumented- Refers to an individual who is out of status, meaning that they either came to the United States without a visa, or they originally came with a visa, but that visa has since expired. Advocates should use this term instead of “illegal immigrant”.

VAWA self petition- The Violence Against Women Act (VAWA) created a new “self-petitioning” process allowing the abused spouse or child of a lawful permanent resident or a U.S. citizen, or the parent of an abused child, to file a family preference visa petition on his or her own behalf without the participation of the abusive spouse or parent.

An approved self-petition gives access to deferred action status, employment authorization, public benefits and the possibility of adjusting status to LPR.

U visa- A new form of non-immigrant visa for victims of serious crime who are helpful in the investigation or prosecution of the crime; gives authorized stay and employment authorization; after three years, possibility of adjusting status to Legal Permanent Resident. **NOTE: No requirement of relationship to United States Citizen or Legal Permanent Resident abuser.**

T visa- A new form of non-immigrant visas for victims of severe forms of trafficking in persons who have complied with requests for assistance in the investigation or prosecution of trafficking and who would suffer extreme hardship involving unusual and severe harm upon removal. Gives authorized stay and employment authorization; after three years, possibility of adjusting status to Legal Permanent Resident.

NOTE: No requirement of relationship to United States Citizen or Legal Permanent Resident abuser.

Department of Homeland Security- Government agency charged with protecting the U.S. borders and securing the country. Also responsible for immigration and naturalization.

Immigration and Naturalization Services (INS)- A branch of the Department of Justice that formerly existed and had responsibility for immigration and naturalization. INS was renamed and became part of Department of Homeland Security (DHS) on March 1, 2003.

U.S. Citizenship and Immigration Service (USCIS)- Division of the Department of Homeland Security charged with handling immigration benefits.

Language

Bilingual Advocate- The role of a bilingual advocate is different than that of an interpreter. A bilingual advocate will typically communicate directly with their client, rather than facilitating communication between a client and another advocate. If a bilingual advocate acts as an interpreter, they should adhere to the role of an interpreter rather than that of an advocate.

Consecutive Interpreting- The source language speaker and the interpreter take alternate turns speaking.

Limited English Proficient (LEP) - Describes individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. Recipients of federal funds and federal agencies are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons

Linguistic Competency - The capacity of an organization and its personnel to communicate effectively, and convey information in a manner that is easily understood by diverse audiences including persons of limited English proficiency, those who have low literacy skills or are not literate, and individuals with disabilities.

Interpreter- An interpreter VERBALLY communicates a message between speaker(s) and listener(s). A trained interpreter is one who has been instructed on the skills and ethics of interpreting.

An interpreter's role is simply to act as a neutral conduit for information. Think of an interpreter as a telephone being used by advocate and client. The interpreter should repeat only what is said, without giving opinions or explanations. Interpreters should not act as advocates.

Simultaneous Interpreting- Interpreter interprets at the same time that the source language is being spoken. The interpreter listens to what is spoken in the source language, while at the same time interpreting into the target language.

Source language- Original language in which a statement, document, etc, is written or spoken, which will be interpreted or translated to the target language (see below).

Target language- Language into which a statement will be interpreted or translated. It is the language that is output when a source language is translated or interpreted

Title VI and Executive Order 13166- Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", identified failure to provide language access to LEP individuals as a form of national origin discrimination.

Translator- A translator works only with WRITTEN materials, transposing documents from a source language to a target language.

¹ Warriar, Sujata. "'It's in their Culture': Culture, Competency, Outreach and Violence Against Immigrant Women". *Workshop, TCADSV Annual Conference, 2005*.

² Crenshaw, Kimberlé Williams (1994). "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color". *The Public Nature of Private Violence*, p. 93-118. New York: Routledge.

³ "Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency". White House, Office of the Press Secretary.

⁴ American Immigration Lawyers Association, "Immigration and Nationality Law Handbook- Volume 1". 2004-05 Edition.

Cultural Competency Standards **for Tennessee Domestic Violence and Sexual Assault Programs**

I. Organizational Commitment / Agency Requirements

- 1.1) Commitment to cultural competency shall be established as part of the organizational foundation; it will be incorporated into organizational values and goals. A written statement of commitment to cultural competency will be created.
- 1.2) The organization shall develop and implement clear goals, policies, and operational plans, supporting the organizational commitment to provide culturally and linguistically competent services.
- 1.3) The organization shall be diverse in composition, reflecting the makeup of communities the program serves. This should be apparent in the composition of the board, staff, volunteers, and any advisory committee or community task force.
- 1.4) The organization will have in place a structure to support a culturally competent organization that includes procedures monitoring management and staff accountability.
- 1.5) A diverse Cultural Competency Steering Committee shall be established to oversee the creation, implementation, and sustainability of the cultural competency plan. The steering committee doesn't have to be part of the board, but it shall be governed by the board.
- 1.6) The organization shall continually assess the demographics of the communities it works in and adapt practices, governance, policy, and outreach activities accordingly.
 - a. An initial community assessment of the service area should be conducted to determine target populations for future culturally competent planning.
- 1.7) Allocate sufficient funds for training, language services (translated materials, interpreters, etc), and anything else that is deemed imperative for developing cultural competency.
- 1.8) The agency shall adhere to be in compliance with Titles VI and VII of the Civil Rights Act of 1964, as amended; the Age Discrimination Act of 1975; Section 504 of the Rehabilitation Act of 1973; and the Pro-Children's Act of 1994 (Public Law 103-227, Part C, Environmental Tobacco Smoke).
- 1.9) If the program is part of an umbrella agency, these standards apply specifically to domestic violence or sexual assault services.

II. Staff

- 2.1) Staff diversity shall be incorporated into the organization's strategic plans, goals, policies and procedures.
 - a. A documented process that ensures commitment to diverse organizational composition shall be clearly outlined and implemented.

- b. Staff and board diversity should reflect community demographics.
- c. Bilingual, bicultural staff should be hired whenever possible and appropriate.

2.2) All staff, crisis line operators, and volunteers shall receive training on cultural and linguistic competency as part of their initial orientation and on an ongoing basis. This shall be adopted as part of existing written program personnel policies and staff development and training plans.

- a. All direct service staff and volunteers shall receive 15 hours of cultural competency training their first year with the agency, and 7.5 hours of cultural competency training each subsequent year.
- b. All administrative and support staff shall receive 7.5 hours of cultural competency training their first year with the agency, and 3 hours of cultural competency training each subsequent year.
- c. Staff and volunteer cultural competency training shall include (but not be limited to):
 - Language access
 - Working with an interpreter
 - Appropriate referrals for immigrant victims
 - Legal advocacy for immigrants, including current, applicable immigration relief available to immigrant victims
 - Specific issues that advocates need to be sensitive to when working with immigrant, LEP, or other culturally diverse clients
- d. Independent interpreters, translators, and bilingual staff contracted by the agency shall be trained on interpreting skills and ethics.
- e. An established interpreting or translating service that has already trained its employees meets the training standard for interpreters or translators.

III. Data Collection and Evaluation

3.1) The program must have a basic, standardized method for collecting data on the effectiveness of the program services, including the efficacy of the cultural competency strategic plan.

- a. The program must conduct initial and ongoing assessments of its cultural and linguistic competence.
- b. Cultural Competency should be incorporated into other organizational evaluations, such as internal audits, client satisfaction assessments, and outcomes-based evaluation.

3.2) The agency shall use performance measures determined by the Office of Criminal Justice Programs.

IV. Safety and Confidentiality

4.1) The agency shall establish a procedure for informing all clients in a linguistically and culturally appropriate manner of the program's confidentiality policies and limitations, as well as grievance procedures, at intake.

- a. Clarify that the agency will not report information regarding immigration status.

b. Be aware that the concepts of grievance procedures and confidentiality policies may be unknown to some clients and make sure they are adequately explained.

4.2) The agency will inform all clients at intake in a linguistically and culturally appropriate manner that the agency is a mandatory reporter of child abuse.

4.3) A policy shall be created for securing confidentiality with interpreters and translators. Interpreters and translators independently hired by the program must sign a confidentiality contract based on said policy.

a. The policy shall include a clause requiring dismissal of any interpreter or translator that violates client confidentiality.

b. The policy shall prohibit an interpreter hired by the program from engaging in professional relationships that would create a conflict of interest (such as providing services to both a victim and her batterer).

4.4) A grievance procedure specifically for reporting problems with interpreters or translators shall be created and implemented in addition to existing grievance procedures for reporting problems with the agency.

4.5) Clients will be allowed to write or present complaints (through the use of a qualified translator or interpreter, if needed) in the language they feel most comfortable using, in accordance with Title VI guidelines.

4.6) Each agency shall provide an annual report to the Office of Criminal Justice Programs on the number of grievances filed related to cultural competency and the resolution of said grievances.

V. Language Access

5.1) Linguistic access shall be assured for all victims in accordance with Title VI guidelines.

a. A plan for the development of policies and procedures that ensure meaningful language access shall be created. The plan must include a clear timeframe for creation and implementation.

5.2) Specific procedures shall be developed regarding working in person with Limited English Proficiency (LEP) victims; said procedures shall be clearly communicated to staff and volunteers.

a. A list of trained interpreters and interpreting services should be developed.

b. All staff and volunteers must know how to access a trained interpreter as needed.

c. Delineate a step by step procedure for providing language access that addresses initial contact, case planning and management, referrals, and any needed follow up.

d. A clear timeframe within which an interpreter will be found and other language access services will be provided must be clearly stated to clients and adhered to.

e. Develop a list of other area agencies that provide linguistically appropriate services and create referral protocol.

- f. Staff will work with the client to examine safety and confidentiality issues with regard to interpreting; an individualized language access plan will then be developed.
- g. Children shall never be used as interpreters during case management, advocacy, court proceedings, therapy, or anything else related to a victim's case, as it endangers their wellbeing and the wellbeing of the victim.
- h. Unless absolutely necessary, do not use the victim's companions, friends, relatives, etc. as interpreters.
- i. Be certain that the victim is comfortable with her interpreter before there is contact between the two; if needed, utilize telephonic interpreting services to do so.

5.3) Programs shall give specific descriptions of language appropriate/bilingual services provided and said descriptions shall be available in languages spoken by target communities in accordance with Title VI guidelines.

5.4) Agency documents and information available to English-speaking clients shall be translated into all languages spoken by target *communities in accordance with Title VI guidelines*.

- a. All agency rules, regulations, policies, intake forms, information about clients' rights, or any other pertinent document or information, shall be available in all languages spoken by target communities.
- b. If said documents or information are not already translated to a victim's native language, they shall be translated or verbally explained via a trained interpreter as needed.

5.5) Independent interpreters and translators shall be provided with guidelines regarding ethics, expectations, and confidentiality.

5.6) LEP clients shall be informed of their rights under Title VI, as well as of their rights in an client/interpreter or client/translator relationship.

VI. Service Delivery and Advocacy

6.1) All core services outlined in Family Violence and Sexual Assault Standards shall be provided in a culturally and linguistically competent manner to all victims.

6.2) The agency shall produce a written plan on how it intends to advocate for culturally diverse communities (a plan written as a grant narrative will suffice).

- a. Clearly identify the types of advocacy the agency will provide.
- b. The plan shall clearly identify how legal advocacy will be provided to immigrant and refugee clients regarding immigration cases and other pertinent legal issues.

6.3) Appropriate referrals for immigrant, refugee, LEP, and other culturally diverse victims as well as their children and other dependants will be identified; protocol regarding said referrals will be clearly communicated to all staff and volunteers.

6.4) Efforts shall be made to ensure that the setting and manner in which services are provided is sensitive to all clients.

- a. Physical setting should be inclusive, displaying culturally and linguistically diverse materials and decorations that are relevant to target populations.*
- b. Advocates should be instructed not to ask questions that may intimidate or create fear, such as “are you illegal?”*

6.5) Intake procedures should be sensitive to fear immigrant women may have in disclosing identifying information, including name, immigration status, or social security number. Services should not be denied because of non-disclosure.

VII. Legal Advocacy

7.1) The program shall provide legal advocacy specific to immigrant victims, including for immigration cases.

- a. A specific referral protocol shall be developed for legal representation for immigration cases. This may include a list of pro bono immigration attorneys with experience representing victims of domestic violence, sexual assault, and/or trafficking.

7.2) All staff or volunteers that have contact with victims shall be provided with clear protocol for determining the legal referral needs of immigrant victims. This shall include:

- 1. a legal needs assessment form;
- 2. information about relevant immigration legal relief for immigrant and refugee victims; and
- 3. instructions for appropriate referrals.

7.3) The program will have a written policy that clearly states that it will offer legal advocacy, and not legal advice, concerning immigration issues.

7.4) Clients shall be provided with information on how to report an attorney who they feel has not represented them well in their immigration case to the TBA.

VIII. Hotline/Crisis Line Protocol

8.1) Clear protocol will be created for answering hotline or crisis line calls from LEP callers. All staff and volunteers shall be trained on this protocol.

- a. The protocol will include a language identification process.
- b. A clear response/referral process will be developed and used when bilingual operators are not available; this may include the use of language line, on-call interpreters, or other over-the-phone interpreting service.
- c. Written prompts should be created to assist operators who are not bilingual in communicating with LEP callers. This could include key phrases in languages commonly spoken by target communities.
- d. Every effort must be made to find an interpreter when an LEP client calls. For times when this is not possible, the program must have a written policy for actions to be taken if no interpreter is accessible.

8.2) Appropriate referrals for immigrant, refugee, LEP, and other culturally diverse callers will be identified; protocol regarding said referrals will be clearly established and communicated to all operators.

IX. Shelter Protocol

This section is for programs that provide shelter services. These standards are to be adhered to in addition to FVSP, STOP, VOCA, and Sexual Assault Standards.

9.1) The shelter program shall evaluate itself to identify any policy, protocol, or procedure that may discourage immigrant, refugee, or other culturally diverse clients from accessing services, tools, or inhibit their right to self-determination.

- a. Evaluation should take into consideration shelter stay limitations, food preparation, rules on child rearing practices, and any other policy that may impede the rights of victims to carry out religious or cultural practices.
- b. Necessary changes to existing policy and protocol shall be made as appropriate based on the findings of the evaluation.

9.2) Policy shall be reviewed and revised as needed and appropriate on an ongoing basis.

X. Therapy Services

This service must be provided by agencies that offer therapy as a service component. If an agency does not offer therapeutic services, then a referral to a mental health agency providing therapy services that meet the linguistic and cultural needs of the client should be made. If funding is only through FVSP, therapy services must be referred out. If other federal funding is received, corresponding federal guidelines shall be adhered to.

10.1) The agency shall ensure that appropriate therapeutic services are arranged within 7 days of the request.

10.2) Agencies providing therapeutic services will offer short term and long term therapeutic interventions to individuals and families. Therapy length and time should not be shortened because of language or cultural barriers.

XI. Outreach

11.1) The program shall develop culturally appropriate outreach plans geared towards target immigrant, refugee, or other culturally diverse populations. This may be done in collaboration with other service providers, organizations, or task forces when appropriate.

- a. Plans must be based on community input and feedback. Direct translation of existing outreach materials is insufficient; outreach must be linguistically and culturally relevant.
- b. The Cultural Competency Steering Committee shall have input into the needs assessment and design of strategies.

- c. Conduct a needs and assets assessment with culturally and linguistically diverse populations in service area. Strategies should be based on community identified needs and realities.
- d. Outreach must connect immigrant communities with relevant information and services.

11.2) Educational outreach regarding immigrants and refugees will be conducted with mainstream communities, law enforcement, legislators, and other service providers as a form of systems advocacy.

XII. Community Engagement and Collaboration

12.1) The Program shall develop collaborative relationships with community members, community groups that work with or are led by immigrants or refugees, and other service providers.

- a. Engage existing support systems or helping networks within communities.
- b. Gather feedback for culturally competent service provision.

12.2) Establish protocol for collaborative relationships.

- a. Clearly identify and communicate strengths and objectives of each group.
- b. Clearly establish the specific responsibilities of all participants.
- c. Evaluate collaborations on a yearly basis with all partners.

12.3) Interagency training shall be arranged and carried out between the program and collaborative partners.

12.4) Immigrants and refugees will be included in collaborations whenever possible.

Creating Organizational Foundations for Cultural Competency

Cultural competency refers to the capacity of an organization or individual to value and accommodate diversity; recognize and address issues of cultural dominance, privilege, and access; and overcome barriers to services, safety and empowerment faced by any victim, regardless of cultural background. It occurs along a continuum, and is an evolving process, not a quick fix. Culturally competent organizations must have structures, goals, policies, protocol, and a stated commitment supporting this process in order to create cohesion and sustainability. Cultural competency must be founded in and supported by the organization and all its parts (management, board, staff, etc). Efforts to work with diverse communities must be based in attitudes that are conducive to not only “cultural sensitivity” or “tolerance”, but to true acceptance and dialogue across cultures.

Characteristics of Culturally Competent Organizations:

- Cultural competency is part of all policy making, administration, and service delivery; it is a continuous and evolving process that is integrated into the foundation of the organization.
- Board members, staff, and volunteers are aware of and involved in the process.
- The organization has defined organizational values, commitment, policy, and practices that create the capacity to be flexible and accommodate differences.
- Service provision is adapted to cultural contexts of clients, based on self-identified needs and realities rather than on generalized cultural stereotypes.
- The organization will involve and collaborate with communities they serve or wish to serve.

Basic Values¹

Cultural competency must begin with articulated agency commitment and values. It is important that an organization clearly articulate its commitment to cultural competency, as well as the values that this commitment is based on. This will help create a basis from which subsequent plans, policy, and protocol can be developed.

The following are examples of basic culturally competent values that your agency can adopt and/or modify:

- All people have the right to live free from violence.

2: Creating Organizational Foundations for Cultural Competency

- Victims have the right to safety and self-determination, which might include staying with the perpetrator, family and community or leaving the relationship.
- The batterer is responsible for the violence.
- Domestic violence cuts across race, ethnicity, class, sexual identity, and religious affiliation, but we know that there may be serious institutionalized disparities in the response that survivors face especially if they are from a marginalized group.
- All cultures are contradictory in that they both allow violence against women to exist as part of society, and are infused with traditions of resistance to said violence.
- Culture and social structures are not fixed; all characteristics and relationships are social constructions that change over time.
- Each victim is not only a member of her/his community, but a unique individual with their own responses. Each client is influenced not only by their cultural group, but also by their individual experiences. The complexity of a person's response to violence against women is shaped by multiple factors.
- Each individual comes into any encounter with cultural experiences and perspectives that might differ from those present in the system.
- All institutions have to develop specific policies and procedures to systematically build cultural competence in order to accommodate differing perspectives.
- Flexibility is an essential quality in culturally competent service provision.
- Dominant groups have to accommodate different perspectives.
- The goal is to STOP the violence and protect the victim(s).
 - Effective intervention involves interagency and community efforts to centralize victim(s) safety, improve offender accountability and change the community climate of tolerance to one of zero tolerance.
- Cultural Competency begins with:
 - Being aware of one's biases, prejudices and knowledge about a victim.
 - Recognizing professional power and avoiding the imposition of those values.
 - Listening to the victim and gathering information about the victim's interpretation of her culture, rather than making assumptions based on generalized information and stereotypes.
 - Ensuring victim safety and self-determination.

Agency Buy-in

Cultural competency can not be based solely on the efforts of a few dedicated individuals. All parts of an organization must be aware and dedicated to expanding the organization's capacity to serve diverse communities. That means board members, administrators, staff, and volunteers must be informed and involved at every step. Agency buy-in is crucial. Before beginning your efforts, make sure that the organization as a whole is knowledgeable about the need to improve access for immigrant and refugee victims, and dedicated to doing so.

Organizational Assessment^{2 3}

In addition to conducting a community assessment, the organization must assess its own cultural environment, and determine how it overcomes or contributes to barriers, gaps in services, and oppression of marginalized communities. Agencies must look at themselves critically.

Examine how your agency interacts with other agencies. Do you work with immigrant and refugee led organizations? Do you ask for input from these organizations as you develop your program and outreach? Do you compete for money with these agencies, or do you support their efforts to work with their own communities?

Also, look at your brochures and printed materials. Carefully consider the impact that actions, words, and images can have. If you only have pictures of mainstream cultures on printed materials or only have a Christmas tree up during the winter holidays, how accessible is the program to victims from cultural or ethnic backgrounds that differ from yours?

It is very important to be open and honest about ways in which the agency allows or even perpetrates racism, ethnocentrism, heterosexism, or other forms of discrimination. Such forms of discrimination may be inadvertently supported by simply ignoring a societal status quo that doesn't allow access to non-dominant groups. It may, however, be more obvious, and appear in staff member's attitudes towards individuals of different cultural backgrounds. For this reason, the agency must help staff look at their own attitudes, racism, and prejudices in a non-judgmental manner. You must determine how the agency can best support staff through this process of change and growth. You must also find out how willing the staff is to support the program. All parties have to be open and honest. Remember that change is a process. It may be uncomfortable, but when it is mindful and well planned out, great social change can occur.

Be Realistic: Clarifying Goals and Motives

As the organization prepares itself to provide culturally appropriate services and improved access for immigrant and refugee clients, it is important to keep the following questions in mind⁴:

1. Who are you developing services for?
2. Are you considered a trusted resource by the target community?
3. Are you seen as part of the community or are you thought of as an outsider?
4. Who is providing input on the design of such services?
5. What are you intending to provide for the community?
6. What will the community gain?
7. What do you expect in return from the community?

Doing so will help you clarify your goals and be realistic when planning specific activities. Constantly keeping these questions in mind will help the organization be honest about its motives and avoid acting in a way that is more beneficial to the program than to the communities you are working in. Ultimately, this will help the agency be able to create plans that better meet victims' needs.

Community Assessment

Working with culturally diverse communities requires that agencies learn about the communities that reside in the service area. Don't let the obvious limit your thinking about who needs your services! You may be surprised by what a study of demographics reveals about your service area. Programs must conduct initial and ongoing community assessments of to identify culturally diverse underserved groups, and based on these findings, determine which communities will be targeted by program activities and services. At first, this should take the form a demographic survey regarding immigrant, refugee, LEP, or other underserved culturally diverse communities in the service area, as well as predominant languages spoken by LEP individuals. It should also include an analysis of gaps in services to diverse communities. From this initial analysis, a program can identify target communities to work with. Further investigation, however, should be focused on "getting to know" target communities, learning about their histories and current realities. This will create a basis for many other components of culturally competent planning and service provision.

Cultural Competency refers to being able to work cross-culturally with any client, regardless of their background. A program that limits its “cultural competency” only to its target communities is not a culturally competent program. This section suggests choosing target communities only for the purpose of planning specific program components and activities.

Questions to ask when beginning community assessments include⁵:

- What are the countries of origin of the immigrants in our community?
- Why might they have come to the U.S.? Civil War, persecution, economic hardship? As a spouse? Of whom (a U.S. citizen met abroad, arranged marriage, mail-order bride, non-citizen)?
- What do we know about violence against women in immigrant communities? How can you find out more?
- Are immigrant communities isolated for the most part?
- Are there community centers specifically for/of immigrant groups?
- What cultural or religious beliefs in the immigrant population might impact the way immigrants interpret information from your agency about DV/SA? How might this affect the way outreach is done? How would this impact the effectiveness of service provision? How can you adapt your services accordingly?
- What kinds of services or outreach are already being provided to these communities? Who has contact with isolated immigrant women? Could anyone be a channel between your agency and these women?

Information for a community assessment may come from a variety of sources, such as census data, public schools, immigrant community based organizations, immigrants’ rights groups, or ecumenical/spiritual organizations.

Gather data regarding which immigrant, refugee, LEP, or other underserved culturally diverse groups reside in your service area. (Note that not all immigrant populations are predominantly comprised of LEP individuals). Determine approximately how many individuals pertain to each group.

Determine the rate at which these communities are accessing services in general. Gather data from other service providers and local police about the occurrence and reporting of

domestic violence or sexual assault. Estimate how many immigrant, refugee, and LEP clients your program should expect to serve if services were equally accessible to all victims. Domestic and sexual violence occurs across cultures and socio-economic levels, so we can assume that if the Spanish-speaking LEP population in a program's area is 5% of the total population and half of the Spanish speaking population is comprised of women, that program should expect 2.5% of their clients to be LEP Spanish-speakers. How many Spanish-speaking clients the program actually has, of course, depends on many other factors. This method should be used only to estimate need and create goals.

Taking into account the size of communities studied, estimated need and service access rates, and the status of the agency's resources, determine what your target communities will be.

Community Involvement

In addition to agency buy-in, community buy-in is also essential to cultural competency. Members of marginalized groups the agency intends to benefit by improving culturally competent service must be involved in all aspects of planning and implementation of cultural competency efforts. It is essential that any efforts to reach underserved communities be informed and directed by those communities themselves. True cultural competency necessitates the meaningful inclusion of diverse voices. Failing to do so essentially violates culturally competent values. Attempts by mainstream service providers to work with culturally diverse communities without including the voices of the group will likely be ineffective, and can even be degrading. Although service providers' may think they are benefiting victims, they may actually be doing harm. Attempts to apply mainstream services may come across as a form of cultural imperialism, which may further disempower victims and their communities.

However, this situation can be avoided by allowing communities and individuals to define their needs, identify appropriate solutions, and be involved in all stages of planning and implementation intended to increase culturally competent work. Doing so will increase the cultural appropriateness of services, materials, outreach, and program planning. This, in turn, will increase the likelihood that victims will identify with and seek your services. Additionally, including diverse voices will potentially empower communities, reduce oppression, and diminish forms of oppression that often keep immigrant or refugee victims from seeking and accessing help.

Bringing diverse voices to the table may require extra effort on the agency's part. It may not happen naturally at first. This may be especially true when attempting to include members of marginalized communities, as community members may be slow to trust a mainstream agency. Take extra time to show your agency's commitment to being inclusive. Demonstrate that diverse voices are valued and listened to, and that you are not just attempting to use community members to help enforce a mainstream agenda. Take the extra time and effort that may be needed to reach out and foster relationships. It is

imperative! Please see the sections of this manual entitled “Outreach” and “Collaboration” for more information.

A. The Steering Committee

One way to include community members in the planning and implementation of cultural competency initiatives is through the creation of a diverse cultural competency steering committee that includes members of target communities. This steering committee can be part of the existing board, or it can be a separate entity that is governed by the board.

The structure of this steering committee will vary from program to program; however, the purpose remains the same. The steering committee is designed to assist the program through the change that is necessary for cultural competency to become a reality. This steering committee will provide valuable and ongoing insight into the process. At times, the committee may recommend a different course of action when a desired outcome isn’t achieved. This should not be viewed as failure, but rather as an adjustment on the agency’s path, and part of an important learning experience.

Case Study

Agency A had been designing and implementing its cultural competency plan for two years now. The agency had targeted the Hispanic community and in the second year, began implementing specific outreach. Initially, it had been determined that the program should offer a support group for Hispanic women to talk about machismo and domestic violence. They put fliers up at neighborhood grocery stores for several weeks before the support group meetings were to begin, and also ran a PSA on a local Spanish language radio station. Only two women attended the first meeting. They had both already been in shelter and had heard about the group from their advocates. After several months of implementing the group, which was led by a volunteer who was studying Spanish and social work at a local university, no woman had attended more than two meetings.

The program’s steering committee was composed only of existing board members. One of them spoke a little Spanish, but no member was actually an immigrant or Hispanic. The agency decided that the steering committee needed to more accurately reflect Spanish speaking communities, and sought community members who were interested in being part of the committee. Several Spanish speaking immigrant women who wanted to address these issues in their communities joined the committee. Their first observation was that people were intimidated about going to a meeting that was specifically about domestic violence. Also, they felt that people didn’t trust the group leader, who was white and born in the United States. The new committee members had a lot of suggestions and valuable insight. With their guidance, the program was able to make changes that helped them build rapport and trust with the community. With these adjustments, the support group was much more successful and well attended.

Deconstructing Oppression: Allocating Funds

Many programs cite a lack of funding as the primary reason for not enhancing and increasing work with underserved immigrant and refugee communities. The truth is that there aren't sufficient funds to do a lot of the work we do, yet we do it anyway. So we must acknowledge that not having enough money to enhance work in underserved communities is not simply caused by a lack of available funds, but also by how programs choose to allocate resources.

Access to resources means access to power. Exclusion from access, on the other hand, is a form of discrimination and a means for creating and maintaining oppression of marginalized groups. For the most part, the individuals who are currently the primary beneficiaries of services and funds come from groups that already have greater access to resources than do many underserved, marginalized communities. The way many programs are choosing to allocate their resources does not challenge unequal distribution of resources and power; on the contrary, it supports oppression and disempowerment of marginalized groups.

It is important that we realize that the power structures that allow violence against women to exist are integral to all forms of discrimination and oppression. If we are to end violence against women, we must be opposed to such power structures and any other forms of oppression that they support. Therefore, we cannot effectively work against domestic and sexual violence, while simultaneously being complicit in the oppression of marginalized groups. It is impossible to dismantle a system while at the same time supporting its existence. Yet, by not choosing to budget funds and other resources for work with victims from marginalized communities, programs are doing just that. The choice not to dedicate funds makes a program part of the problem, rather than an effective advocate for the oppressed. If we are not actively working against existing discriminatory structures, we are not doing all we can to truly end Violence Against Women.

Accountability

Program policies and activities should be monitored on an ongoing basis by members of target communities to reduce cultural misunderstandings, unintended effects of program activities, and to keep the agency accountable for adhering to its commitment to cultural competency. The program should create a plan to ensure that monitoring happens on an ongoing basis.

Additionally, the Tennessee Office of Criminal Justice Programs will monitor the state standards in conjunction with funding requirements.

Conclusion

As your agency works to improve its capacity to appropriately serve immigrant and refugee victims, it is important to remember that becoming culturally competent is a process. It will not happen overnight. It requires introspection and reformation of program components that may serve as institutional barriers. It is important that the entire organization is involved in becoming culturally competent. This can be engendered through intentional planning and implementation, accountability mechanisms, and the development of appropriate policy and protocol. Agency-wide involvement is the best way to ensure the effectiveness and sustainability of efforts to provide comprehensive services to all who need them, regardless of cultural, linguistic, or other differences.

¹ Warrior, Sujata. “‘It’s in their Culture’: Culture, Competency, Outreach and Violence Against Immigrant Women”. Workshop, TCADSV Annual Conference, 2005.

² Goode, T. D., & Dunne, C. (2004). “Cultural Self-Assessment”. From the *Curricula Enhancement Module Series*, p. 22-26. Washington, DC: National Center for Cultural Competence, Georgetown University Center for Child and Human Development.

³ (2004). “Checklist for Systems of Care”. Washington, DC: National Center for Cultural Competence, Georgetown University Center for Child and Human Development

⁴ Asha Family Services, Inc. (2003). “Developing Culturally Relevant Responses to Domestic Abuse”. National Resource Center on Domestic Violence.

⁵ For more information on community assessment, please see: (Editors) Orloff, Leslye, & Sullivan, Kathleen (2004). “Breaking Barriers: A Complete Guide to Legal Rights and Legal Resources for Battered Immigrants”. Ch. 6. Legal Momentum.

Culturally Competent Staff

Organizational commitment must be established in order for cultural competency efforts to be successful. This commitment involves buy-in and involvement of all staff, board members, or volunteers. However, staff play a particularly important role, especially if they have contact with clients. Therefore, staff training and diversity are key components to bridging gaps between service providers and victims of different cultural backgrounds. The behavior and attitudes they display, and the advocacy methods that they utilize have a profound impact on clients' experiences. The actions and attitudes of staff members play a great role in determining how accessible and effective services will be. For this reason, it is of utmost importance that staff (or any interns or volunteers that come into contact with clients) be trained in cultural competency, and held accountable for upholding the values the organization strives to embody.

Steps

___ Develop in-house staff training or find an outside trainer.

___ Conduct staff training.

___ Create and implement a plan for recruiting diverse staff and volunteers that reflect the demographics of the service area.

Case Study 1: Non-Culturally Competent Staff

Carmen, a woman with limited English-speaking abilities, went to her second appointment with a therapist at the local rape and crisis center. Her interpreter had not arrived yet. She signed in, but wasn't able to answer one of the receptionist's questions. Although Carmen understood some English, she felt very uncomfortable speaking it, and so she decided to wait until the interpreter was present. As she turned to sit down, she heard the receptionist comment to another staff person that she could barely understand Carmen because of her "thick accent". The other staff person responded with a comment about "uneducated" and "illegal". Carmen wasn't sure exactly what the receptionist was saying, but she knew they were making derogatory comments about her. She was ashamed and deeply hurt. From that moment on, she associated the crisis center with the discrimination she dealt with on a daily basis in the United States. She also discontinued her work with the therapist.

Displaying appropriate, culturally sensitive behavior will help clients feel more welcome and at ease while seeking services. Beyond that, having well trained staff may also mean the difference between life and death for some immigrant victims:

Case Study 2: Non-Culturally Competent Staff

A hotline operator receives a call from a woman who says she's been working as a prostitute for three years. She has nowhere to go, and doesn't even really know where she is, but desperately wants to get out. The operator, who was not trained on human trafficking, assumed that the caller was a prostitute by her own volition, and automatically tells her that she is not eligible for services from the program. She is referred to a program for former sex workers.

What the operator doesn't know is that the woman came to the United States as a "mail-order bride", thinking that she would marry an American businessman. However, her "fiancé" was a pimp, who locked her in a squalid apartment and began forcing her to work as a prostitute. He routinely beat her and injected her with drugs in order to prevent her from leaving. She finally had a rare chance to call the hotline (whose number she saw on a PSA) for help, but fears her trafficker will return soon. When the operator tells her to call someone else, she feels that the operator thinks badly of her because she has been working as a prostitute. She decides that trying to get help isn't worth the humiliation and the risk of a brutal beating by her captor, so she doesn't follow up on the referral given to her. If the operator had been properly trained, the caller could have been immediately identified as a victim of trafficking, and appropriate actions could have been taken to get her to safe shelter and appropriate legal services.

I. Staff Training¹

Comprehensive training is absolutely critical to an organization's commitment to cultural competency being manifested in service provision. Training topics should include (but not be limited to):

- Culturally competent theory and values.
- What *is* culture?
- Realities that immigrants and refugees may face in the United States.
- Cultural dominance, inherent power disparities between mainstream service providers and immigrant, refugee, or otherwise culturally diverse clients, and how to dismantle such inequities.
- Culturally competent advocacy which includes:
 - Cultural self-assessment;
 - Agency policy and protocol that is developed to enhance cultural competency;
 - Cross-cultural communication;
 - Legal advocacy (legal concerns specific to immigrants and refugees, basics of immigration remedies);
 - Human trafficking; and
 - Linguistically and culturally appropriate referrals and referral protocol.
- Any other agency plans, timelines, policy and protocol, etc. surrounding cultural competency, as developed.

Additionally, staff and volunteers shall be trained on language access and how to work with an interpreter. For example, they should be instructed to speak directly to the client, rather than address the interpreter, and to set up the physical surroundings in a way that minimizes attention to the interpreter's presence. Staff and volunteers should be able to recognize good interpreting skills, and must understand exactly what the interpreter's responsibilities are. This will help insure that proper communication is facilitated between advocate and client, and that ethical boundaries are not crossed.

An in-house training can be created by utilizing the materials included in this manual, by seeking the help of a knowledgeable consultant, or by bringing in an outside trainer. Review the Tennessee Cultural Competency State Standards to ensure that staff training requirements are met.

II. Multicultural, Multilingual Staff and Volunteers, ²³

It is important to note that victims may respond even more positively to members of their own cultural, linguistic, or ethnic group. While staff composition that reflects the demographics of a program's service area doesn't replace the need for thorough cultural competency training, it can help bridge some gaps between the program and immigrant communities. To attract multi-cultural, multi-lingual staff you may want to:

- Develop a list of ethnic language minority newspapers and newsletters in which to advertise. Because bilingual individuals may read newspapers in both English and another language, placing advertisements in local non-English newspapers and newsletters will likely yield results.
- Mail job announcements to agencies and organizations who serve diverse communities.
- Community-based organizations that serve immigrant communities can also help recruit volunteers.
- Internship programs may attract bilingual/bicultural students who can be recruited as staff in the future.

NOTE – Hiring a bilingual, bicultural advocate does not mean that a program is culturally competent. One person can't solve issues that are ultimately systematic in nature, nor should anyone be burdened with such a task. In fact, expecting individual staff members to single-handedly eliminate gaps between the program's services and immigrant victims is abusive and exploitative. As such, it is contrary to the values that cultural competency should be based on. Additionally, this approach will ultimately fail because it does not address issues of systemic change. And without full agency participation and support, it is unsustainable. When the bilingual/bicultural advocate leaves, so does the program's capacity to serve diverse individuals. Cultural competency efforts have to be agency wide.

Conclusion

Staff support is integral to the success of any program's efforts to expand and improve access and service provision to victims from marginalized immigrant and refugee communities. Staff must receive training that leads to an understanding of the values behind cultural competency, as well as agency policy and procedure that help put principals into action. All individuals that make up the agency must also assess their personal beliefs and attitudes, and learn how to become better cross-cultural advocates and communicators. Without adequate staff training, the organization's cultural competency plans will not be sufficiently supported or implemented. In addition to training, programs will probably find that a staff that reflects service area demographics may be more trusted by victims of the same background. Programs that provide thorough, comprehensive training to all staff, and that work to ensure that staff composition reflects communities served will be more successful in efforts to become culturally competent.

¹ Please see appendix:

Orloff, Leslye E., & Little, Rachel (1999). "Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Immigrant Women". Ch. 2. AYUDA.

² Asian Women's Shelter (1999). "The Multilingual Access Model". *National Resource Center on Domestic Violence*.

³ Pendleton, Gail . "Building the Rhythm of Change". *Family Violence Prevention Fund*. San Francisco, CA.

Language Access

Title VI of the Civil Rights Act of 1964 states “No person in the United States shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Executive Order 13166 (“Improving Access to Services for Persons with Limited English Proficiency”) was issued on August 11, 2000. Essentially, it identifies failure to provide services to a Limited English Proficient (LEP) individual because of language barriers as a form of national origin discrimination. Executive Order 13166 says that LEP individuals should have meaningful access to federally conducted and federally funded programs and activities, in compliance with Title VI regulations forbidding funding recipients from “restrict[ing] an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program”.¹

There are numerous reasons why agencies that are truly committed to ending violence in the lives of all victims of domestic violence or sexual assault should desire to expand their capacity to provide meaningful language access to all clients. As immigrant and refugee populations in Tennessee grow, so do the number of LEP individuals. Many service providers are noticing this changing need, but do not presently have the capacity to address it. Besides being a violation of Title VI, lack of language access prevents many victims from learning about, much less receiving, assistance and access to safety. It is important to note that multilingual capacity does not assure that a service provider will be able to work in a culturally competent manner; nevertheless, domestic violence or sexual assault programs that want to overcome barriers and be able to work effectively with all clients will find that linguistic competence is essential.

Steps

___ Conduct Demographic Assessment of service area (see “Creating Organizational Foundations for Cultural Competency”)

___ Create an LEP plan, including but not limited to:

- Finding bilingual staff/volunteers
- Staff and interpreter training
- Translating written materials

___ Create agency LEP Policy and Procedure that addresses all program activities and services²

Increasing Language Accessibility

While interpreters can be used to improve language accessibility, solutions to language barriers will require a much more comprehensive approach. The following are first steps for a program to take as it plans for increasing linguistic competency and meaningful language access for LEP individuals:

- Identify the level of unequal access for non-English speaking clients within the victim service organization.
 - When conducting the demographic assessment outlined in the section of this manual entitled “Culturally Competent Organizations”, make sure to obtain data specifically on LEP individuals residing in the service area. U.S. census data will help you obtain this information, as may social service agencies that offer free ESL classes. Determine the languages spoken by target groups. Estimate how many LEP clients you may expect to have from each language group.
 - Determine the number or proportion of individuals who may be excluded from services due to language barriers, based on the study of area demographics.
 - Based on this study, estimate what kind of language services will be needed. Use this estimate for further planning and budgeting.
- Based on the agency’s language access plan, allocate sufficient funds for multilingual materials, bilingual staff, and interpreters. Language access is essential, and the program must show its dedication to serving LEP individuals by providing appropriate compensation for translation and interpretation services whenever possible. While you may be able to find volunteers who are willing to translate or interpret, programs who don’t budget for such services are not making language accessibility the priority it needs to be.
- Build a list of trained interpreters in the area. Build relationships with these interpreters, and determine if you will be able to work with them. Note that not any bilingual individual or interpreter will be an appropriate fit with the program. You must be sure that any interpreter will not pose a threat to victim safety and confidentiality and that they understand their role as an interpreter.
- Consider other ways of engaging and training bilingual members of target communities who may be able to work as interpreters.

Case Study

“Faced with the challenge of over 100 different Asian languages spoken in San Francisco and interpreters in the community-at-large who were uninformed about domestic violence, the AWS developed an innovative language access model to respond to the needs of non-English speaking battered women and their children. AWS supplements the language capacity of staff by recruiting bilingual women in the community as language advocates. These advocates are provided with an initial 42-hour training as well as additional ongoing trainings, support, and supervision. They are paid \$15/hour and work together with staff and clients as a team, depending on the language needs at the shelter. This cost-effective strategy ensures linguistic and culturally competent support and advocacy for clients. It also provides training and job opportunities for bilingual women, and expands education about domestic violence throughout the many communities that the language advocates represent.”³

I. The Role of Staff

All staff and volunteers must be trained on language access issues, and involved in improving the programs language accessibility. Additionally, it is important to remember that bilingual staff and volunteers may increase a client’s comfort and trust in the program.

A. Existing Staff

Ideas for enhancing existing staffs’ capacity for working with LEP individuals include:

Training

- Staff and volunteers are trained on procedures to follow when working with LEP individuals.
- All staff and volunteers who may be in contact with clients must know how to access a trained interpreter and telephonic interpreting services.
- All program staff and volunteers shall be trained in how to work with an interpreter.
- The organization should ensure that everyone who is in contact with an LEP client knows precisely what language the person speaks and is aware of how to access an appropriate interpreter.

- Staff should be trained in what they may and may not expect of the interpreters they work with. Persons using interpreters should be aware that an interpreter may not ethically act as an advisor, assistant, or advocate in any part of the communication process with the LEP person.

Case Study: Staff Training

Martha is a member of the staff of a rural shelter program. There is a large Eastern European population in the area. Although the program is small, staff have taken time to identify trained interpreters and translators in their area, find the most cost-effective phone interpreting services, and budget funds to make language access a feasible reality. Based on these resources, they have created a step by step plan for improving the program's work with this population. The program has designed a culturally and linguistically appropriate outreach campaign. Additionally, all staff members have been trained on what to do if an LEP client seeks services.

One evening, Martha received a call from a Romanian woman who spoke very little English. Martha didn't speak Romanian, but knew it was one of the primary languages spoken in the immigrant community in her area. She had learned (as all staff members had) how to say "please wait while I find an interpreter", and the woman waited on the line while Martha quickly contacted a telephonic interpreting service and was able to help the victim make a safety plan and get to the shelter. Once she had arrived, Martha worked with her to find an interpreter she was comfortable with. Together, they created a personalized language access plan for the woman that all other staff to reference.

This was possible only because the program had planned ahead, and had thoroughly trained all staff members on how to ensure language access to LEP clients.

Cultivating Language Skills

- Access language training classes for current staff.
- Bring in a language instructor to the agency's office to provide classes during working hours.
- Provide paid leave time to staff for taking language classes.
- Engage volunteers from target populations to train and mentor staff on language and cultural issues.

B. New Staff

Although hiring bilingual and bicultural advocates does not in itself ensure that the organization is culturally and linguistically competent, it can be an effective way to improve the delivery of relevant services to culturally diverse Limited English Proficient (LEP) clients. However, agencies that place a priority on hiring bilingual staff will eventually become better providers. Programs can reach out to potential bilingual staff by:

- Developing a list of ethnic language minority newspapers and newsletters in which to advertise job openings.
- Mailing job announcements to agencies and organizations that serve diverse communities.
- Mailing job announcements to language departments, International Studies departments of local universities, and university newspapers.

C. Interpreters and Translators

Interpreters and translators have a different role than bilingual advocates. Their job is simply to act as a conduit for information from one language to another. All interpreters and volunteers, whether volunteer or paid, must receive appropriate training and sign appropriate confidentiality agreements. Ideas for recruiting volunteer interpreters or translators include:

- A group of volunteer interpreters using many of the same methods described for recruiting bilingual staff members. Keeping in mind that volunteer interpreters must be well trained and organized if they are to provide the necessary level of availability and competence required by the organization.

4: Language Access

- Community-based organizations that serve immigrant communities can help recruit volunteers. Keep this in mind when conducting outreach or participating in collaborations with such agencies.
- Because bilingual individuals often read newspapers in both English and another language, placing advertisements in local non-English newspapers and newsletters may yield results.
- Internship programs often attract bilingual/bicultural students who can be recruited as staff in the future.

Do's and Don'ts Regarding Staff

Do:

- Train and support existing staff.
- Actively work to identify and engage interpreters, translators, and bilingual staff.

Don't:

- Don't hire a single bilingual staff person and think that the agency can be classified as bilingual and culturally competent. Identifying an agency's limitations is a must. Not doing so is a disservice to clients and may contribute to revictimization.
- Don't expect one bilingual/bicultural advocate to do all the "cultural competency" work. Doing so is exploitative to the individual advocate, and is therefore not in line with culturally competent values. Additionally, cultural competency cannot be achieved by having one person struggle to create band-aid solutions to systematic problems. It must be integral to the organization as a whole, and as such, all staff must be involved and accountable.
- Don't rely solely on volunteers to serve as interpreters and translators. This can be exploitative to the volunteers, and does not indicate that providing meaningful language access is truly important to the program.
- Don't assume that any bilingual person will be an appropriate interpreter.

II. More about Interpretation and Translation Services

When an agency states that they offer bilingual services, the timeframe and extent to which such services are provided should be articulated in both the source and target languages on all materials. Let all clients know about LEP individuals' language access rights, as well as their rights in an interpreter-client relationship. Include information about Title VI language access rights, as well as a specific description of language-appropriate services, in program brochures and websites. This gives potential clients clear expectations and holds agencies accountable for providing culturally appropriate services.

A. Written Materials

1. All agency documents and information available to English-speaking clients must be made available to LEP clients. Documents may be translated in advance, or on an as-needed basis. Documents may also be sight translated by an interpreter. Translated materials offered to clients should take into account possible discrimination based on race, ethnicity, gender, socioeconomic status, and other forms of oppression that culturally diverse victims may experience. They should also be sensitive to immigrant victims' potential lack of knowledge about U.S. laws.

B. Interpreting Services

1. Competent interpreters in the cultural/linguistic groups and areas served by the agency should be identified and a list made available to all personnel. Contact information should be kept complete and up-to-date at all times. A point-person should be designated to manage this list. Interpreters willing to receive emergency calls at any hour should be duly noted. An interim approach while an LEP plan is being implemented may include working with bilingual staff at other agencies, universities, hospitals, WIC clinics, etc.
2. Communication should be established through an appropriate interpreter or bilingual staff member as soon as possible. Make sure that all staff know what language the client speaks and who to contact for interpretation services.
3. Staff should work with LEP clients to develop a language access plan that will facilitate communication between staff and client and ensure safety and security. This means that the identities of potential interpreters will be disclosed to the client, and the client should be given the opportunity to decide whether or not they feel comfortable with said interpreters before contact is made.
4. If police are involved in the initial contact, keep in mind that bilingual police and police "interpreters" may not be appropriate language providers, as they may not be impartial or may intimidate LEP persons whose previous

experiences with law enforcement have been negative. The matter of immigration status may also serve to inhibit candid communications.

5. Contracting with multiple interpreters, or a corps of interpreters, avoids conflicts that may arise in small communities where the interpreter may be a friend of the abuser or the abuser's family and may not respect confidentiality.

Case Study

Maria, a Tagalog speaker, called the sexual assault crisis line one afternoon. The crisis line operator contacted an interpreter through language line, and found out that Maria had been sexually assaulted by a coworker. She didn't want to call the police, because she was an undocumented immigrant and feared deportation. She didn't want her husband to know because she was afraid he would accuse her of flirting and blame her for the rape. She had heard that the crisis center offered free counseling, and she wanted to talk to someone. Fortunately, the center had a list of volunteer interpreters, one of whom spoke Tagalog. An appointment was made for the following Monday. Maria arrived on time for her appointment, glad she had been able to slip out while her husband was at work. She entered the counselor's office, but her face suddenly contorted with fear, as she backed out and ran from the building. It turned out that the interpreter was Jai, the wife of Maria's husband's best friend's brother. Considering the way that news spread in Maria's small Filipino community in rural Tennessee, she feared that anything she said would get back to her husband. Just the fact that Jai had seen her at the crisis center compromised the confidentiality of Maria's case and could have endangered her. She lived in fear for weeks, and the crisis center never heard from her again.

6. Children may not, under any circumstances, be used as interpreters during case management, advocacy, court proceedings, therapy, or anything else related to a victim's case.
 - A child who witnesses violence is already a victim; asking him or her to help the mother recount abuse will probably retraumatize the child.
 - A child may not accurately interpret for the victim because of his or her own trauma. It may just be too painful or shameful to speak about. If the victim and child are from a cultural group that considers it inappropriate to share private family problems with others, the child may edit the mother's comments to protect the family's dignity.
 - A child may feel loyalty to the abuser and not want to reveal information that may get the abuser in trouble.

- Children are not likely to know methods of accurate interpretation, thus it is very probable that they will not interpret accurately.
7. It is dangerous and inappropriate to use the victim’s companion, friends, or neighbors (regardless of age) as interpreters because:
- The companion may be the victim’s abuser, or be supportive of her abuse. For example, a companion may be a family member of the victim who thinks she deserves to be beaten.
 - The victim may edit her comments because she fears her words will be spread in her community.
 - The victim may edit her comments because the knowledge of abuse may traumatize or endanger an “interpreter” with whom she has a personal or community-based relationship.
 - The victim may edit her comments to protect her dignity (e.g., in many cultures, it is deemed inappropriate to share relationship or sexual information/problems with others). The interpreter may edit the victim’s comments for the same reasons.
 - Such an informal interpreter will probably not have the required interpreting skills or knowledge of ethics to be able to interpret accurately, completely impartially, and with complete confidentiality.
 - Note: Staff should never ask the victim in front of her companion if she wishes him/her to serve as the interpreter because the companion may be the abuser. Separate the victim from her companion(s) first; then ask her if she wants a different interpreter.

C. Interpreter Ethics and Training

1. Interpreters that volunteer with or are hired by the program should be trained in interpreting ethics and methods. It may be possible to find an area interpreting service that will volunteer its support for training and/ or testing of interpreters.
2. Competent interpreters should have verifiable training and be tested to ensure that they:
 - Are proficient and have the ability to communicate accurately and completely in both English and the target (other) language.
 - Have knowledge of specialized terms relevant to domestic violence and sexual assault in both languages.

- Understand rules regarding confidentiality and impartiality.
- Adhere to their role as interpreters, without trying to act as advocates or counselors. Interpreters shall not take on roles that conflict with their function as objective language mediators. Interpreters must refrain from giving opinions.

Conclusion

Language is the primary barrier cited by most service providers when asked what keeps them from providing adequate services to immigrant and refugee clients. However, there are resources and guidance to help your program successfully communicate with speakers of any language. It will require proper planning, time, and effort, but it is not as difficult as it may first seem. It is also important to realize that language access is not the same as cultural competency. Even if all of a program's staff members were multilingual, it would not mean that culturally appropriate services were being provided. However, language accessibility is a necessary and integral component to cultural competency. Not ensuring meaningful language access is not just a violation of federal law; it is a factor contributing to the continued marginalization and disempowerment of LEP victims.

¹ <http://www.lep.gov>

² See appendix:
"Model Language Access Policy"

³ Asian Women's Shelter (1999). "The Multilingual Access Model". *National Resource Center on Domestic Violence*.

Safety and Confidentiality

From the perspective of a victim of sexual assault or domestic violence, safety is an elaborate, multipart concept. Victims have need the for immediate personal safety which may involve leaving a violent home, finding a confidential escape location receiving medical attention or counseling after a sexual assault, etc. However, safety involves security in many other aspects of life. As victims attempt to achieve personal safety, they must navigate multiple systems. Many of these systems (criminal justice, immigration, public assistance, community or family structure, etc.) have provisions that are specifically intended to protect and provide relief to victims. Simultaneously, these same systems have the potential to harm victims. Personal safety requires structural safety, or safety from systemic elements that can be harmful to victims.

In other words, systems that victims have to navigate to obtain safety can in and of themselves be a threat to victim safety. They may also, however, provide protection. For this reason, it is utterly important that advocates learn how to appropriately access and utilize such systems on behalf of victims to increase structural safety. This will require staff training, as well as the creation of appropriate agency policies to help victims overcome systemic barriers to safety. Agency support for certain legislation may also help increase structural safety for immigrant victims.

Systemic Safety for Immigrant and Refugee Victims

For non-citizen immigrant victims, systemic threats are numerous and differ somewhat from those faced by victims who are citizens. Immigrants may be especially vulnerable because of their immigration status. They may also be targets of ethnocentrism and racism. Advocates must be knowledgeable about the ways in which systemic forces, such as immigration law, provisions of the Patriot Act, and increasingly prevalent anti-immigrant sentiment in the United States may impede victim access to safety.

The U.S. immigration system is a prime example of a system that can either render victims helpless or provide relief from abuse. For example, when a batterer threatens to report an undocumented victim to the United States Citizenship and Immigration Services (USCIS) if she attempts to leave him, the U.S. immigration system is being used to prevent a victim's access to justice and safety. Without proper legal assistance, an undocumented victim will probably continue to live in fear. If her batterer did choose to report her, she could be deported, left without resources, and possibly separated from her children. However, this same system that can be used to render victims powerless also contains provisions that support victim safety and empowerment. Proper advocacy may help victims find structural safety.

Case Study

Akiko had been staying in shelter for several months, and had almost reached the maximum 90 day stay limit. She had come to the United States on a student visa 7 years earlier, but the visa had expired. Before coming to shelter, she had worked for her husband's family, who owned several gas stations. Although she worked 12 to 16 hours a day helping run the stores, as well as cooking and cleaning for her husband and in-laws, she never received monetary compensation. She had no money or work permit of her own. The advocate who was helping manage her case realized that Akiko needed some kind of assistance, or she would have no way of surviving once she left the shelter. She suggested that Akiko apply for food stamps and public housing. The advocate was not aware that some immigrants are not eligible for food stamps (although their children may qualify). She also did not know that all offices that administer TANF funds and the Public and Assisted Housing Program are required to report any undocumented immigrant to United States Customs and Immigration Services (USCIS)¹.

Akiko went to the Department of Human Services and filled out a food stamp application that asked for her social security number. She told a DHS social worker that she did not have a social security number. This fact was considered by DHS to be a disclosure of her undocumented status, and the social worker was required by law to report Akiko to USCIS. Several months later, Akiko was put into deportation proceedings. Improper information and advocacy exposed her to a powerful system that endangered her well-being. With proper knowledge, the advocate would have helped Akiko avoid parts of a system which harmed her, and access systems and support that were safe for her.

Safety within the Program

Programs must be aware that they can very easily be (or be perceived as being) part of the threat to systemic safety. For example, an agency may seem threatening when, upon intake, an undocumented immigrant is required to provide a social security number. In this situation, an undocumented woman may fear that the program is part of a governmental agency, or that she is going to be reported to USCIS and be deported. Or as in the case study cited above, a program may actually contribute to a lack of structural safety for victims by unwittingly sending them into unsafe situations. A culturally competent program will consciously work to avoid being part of disempowering systemic threats to safety. This commitment must be manifested in policies and procedures that protect confidentiality, safety of information, and provide a safe manner in which all victims can report complaints and require adequate response.

A. Ensuring Safety: Best Practices

A client's immigration status should not deter you from providing services. Your program will not be penalized for serving undocumented immigrants. All victims have the same rights to your services. Refusing to provide services to a victim because of her immigration status is discrimination. Unless certain federal funding is received (see below), programs are not required to report information about immigration status to USCIS or any other government office.

To help ensure immigrant victim safety, consider adopting the following practices:

- First and foremost, make sure that immigrant clients know that they will not be reported to USCIS or any government agency for seeking your services, and that all information regarding their immigration status that is shared with program staff will remain confidential.
- Ensure that the agency's confidentiality policies are thoroughly explained.
- During intake, clearly explain the program's mandatory reporting requirements (such as reporting of child abuse).
- Never contact USCIS (formerly INS) to find out about a client's immigration status, or suggest that the client do so. Instead, refer her to a legal professional with experience handling immigration cases. If the client is undocumented, calling will alert USCIS to her presence. This could cause the client to be ineligible for immigration relief, lose custody of children, and/or be deported.
- Clients should never be required to disclose their immigration status in order to receive services from your program. Be sensitive when addressing the issue. Share information about available legal remedies. Instead of asking specific questions about immigration status, such as "Are you an undocumented immigrant?", ask questions like "Do you have any questions about your immigration status?" or "Do you need help with any immigration issues?"
- Don't require client disclosure of social security numbers or other identifying information. Instead, adopt a self reporting policy.
- ***Caution***: Most federally funded agencies are not required to report undocumented immigrants to USCIS. However, agencies that administer the Temporary Assistance for Needy Families (TANF) program or Welfare-to-Work programs under Title IV (A) of the Social Security Act; Supplemental Security Income; the Public and Assisted Housing Program provided under the United States Housing Act of 1937; or Section 6 or Section 8 Housing assistance programs are required to report any confirmed undocumented immigrant. **Do not refer a client to any agency unless you know that is it safe and are certain about their reporting requirements.**

B. Grievance procedures

Grievance procedures must be thoroughly explained to all clients. Be aware that “grievance procedure” may not be a concept that is easy to culturally or linguistically translate. In some cultures, it may be considered inappropriate or strange to express discontent in such a way. Some clients simply will not have experienced such a vehicle for lodging complaints. Make sure that a thorough understanding about grievance procedures is reached. Also, be aware that clients may not feel safe expressing problems within the program. Find ways to ensure that the program itself is conducive to victim safety, and let clients know that they will not be penalized for filing grievances.

C. Safety with interpreters

Interpreters hold the key to communication between service providers and LEP clients. This imparts a great deal of power and responsibility to interpreters. Competent language specialists can do a great deal to improve access to LEP immigrant victims if they perform their job well. However, poor interpretation can seriously endanger victims. Mistranslation could cause inappropriate case management and referrals, or have serious repercussions affecting an immigration case. Interpreters can also endanger victim safety by breaching confidentiality. Additionally, clients must feel safe with their interpreters; otherwise, the presence of an extra person could actually hinder communication. Client safety with interpreters is crucial. The program must do the following to ensure safety:

- Provide clients with information on their rights to language access under Title VI, as well as their rights in an interpreter-client relationship².
- Create an interpreter confidentiality policy and agreement for which all interpreters must sign and adhere. The consequence for breaking this agreement must be dismissal of the interpreter. Clients must be informed about their interpreter’s commitment to confidentiality.
- Design a grievance procedure specific to problems with interpreters. Clients must know how and with whom to bring up concerns and file complaints about interpreters.

Conclusion

Safety is an absolute necessity for victims. It has a profound impact on a victim's experience, and contributes to the success or failure of advocacy and service provision. For some, it can mean the difference between life and death, or between being able to remain in the United States, or being deported and losing everything. Personal safety does not just require the removal of immediate physical or emotional threats, but also by the creation of structural safety. Programs can foster safety by thorough staff training, appropriate advocacy (both individual and societal), and good agency policies that ensure accountability.

¹ National Immigration Law Center. "New rule explains limits of INS reporting requirements under the 1996 welfare law". *Immigrants' Rights Update*, Vol. 14, No. 6, October 19, (2000). (<http://www.nilc.org/immspbs/vr/verifreptg004.htm>)

² See model rights and grievance procedure form, "You Have the Right to Meaningful Language Access", in appendix

ADVOCACY for Access and Empowerment

The terms “advocacy” and “advocate” are frequently used by domestic and sexual violence service providers. However, it is essential that we take a closer look at what advocacy is, and understand the definitions of these words in their basic form when learning how to effectively advocate for clients who are not part of a dominant cultural group.

When faced with domestic and sexual violence, immigrant victims may face many challenges both in their own cultural groups and from external dominant U.S. culture. It is essential to have an understanding of these challenges before advocacy can be effective. This manual will provide basic information about advocacy for immigrant and refugee clients. However, every community and service area will have its own needs and advocacy solutions based on factors such as area demographics, political climate, and program resources. Continual program and personal assessment will be necessary; remember, this is a learning process, not a one-time fix! It will probably be necessary to adjust your course from time to time in order to ensure that the goals your agency has set regarding advocacy for culturally diverse clients are being met.

Throughout the entire process, the agency should receive input from outside the dominant culture. This will help ensure that services offered are culturally appropriate and that the cultural groups you are intending to work with are empowered and involved in the process.

Steps

____ Conduct Community Assessment and identify target communities (see “Creating Organizational Foundations for Cultural Competency”)

____ Assess the agency to identify:

- Gaps in service provision
- Current agency capacity and resources
- Resources needed to expand capacity

____ Build a plan designed to expand capacity to serve target populations, delineating how advocacy will be done. Specifically address your timeline as well as methods of accountability, assessment, and internal review

____ Train all staff and volunteers on culturally competent advocacy and effective cross-cultural communication

Regarding Service Provision and Immigration Status

A client's immigration status should not deter you from providing services. As this manual is published, abused immigrants are eligible for services provided by agencies that receive Family Violence Prevention and Services Act funding. Your program will not be penalized for serving undocumented immigrants. All victims have the same rights to your services. Refusing to provide services to a victim because of her immigration status is discrimination.

Currently, most U.S. Department of Health and Human Services funded programs are available to immigrant victims, regardless of their immigration status. However, some agencies, such as those that administer the Temporary Assistance for Needy Families (TANF) program or Welfare-to-Work programs under Title IV (A) of the Social Security Act; Supplemental Security Income; the Public and Assisted Housing Program provided under the United States Housing Act of 1937; or Section 6 or Section 8 Housing assistance programs are required to report any confirmed undocumented immigrant. **Do not refer clients to any agency unless you know that is it safe and are certain about their reporting requirements. Check with all agencies before referrals are made, and go to www.hhs.gov for current federal guidelines.** Help immigrant victims be sure that they do not seek public benefits for which they may not be eligible.

I. Planning for Advocacy

To provide effective, comprehensive advocacy for immigrants and refugees, it is important for a domestic or sexual violence agency to clearly state advocacy objectives and goals, and develop a clear plan for reaching them. This will create a solid foundation and clear expectations for staff and clients alike. The agency should have a detailed written strategic plan on how it intends to advocate for culturally diverse victims. This plan should be thorough but flexible. It must be based on input from members of target communities to ensure that services focus on victim-articulated needs. Victims themselves must be the ones who identify the support they need.

The program's advocacy will need to be evaluated periodically by the agency, the cultural competency steering committee, and members of target communities to ensure that access and services for immigrant communities are enhanced and that advocacy is appropriate. The methods and strategies the agency originally intends to employ may prove to be ineffective, so leave room for adapting to new information and insights.

Keep in mind that the communities you will be working with have important strengths and knowledge. Focusing on community strengths, rather than deficiencies, will further help you improve advocacy. You may find informal support mechanisms are already established within the community and being utilized by victims. This may be within extended family networks or religious communities. Understanding such support systems

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is central to understanding the ways in which communities address violence against women. It can also help you find messages that are readily identifiable by victims. Remember that improving advocacy does not simply mean applying mainstream services in marginalized communities. It means that community and individual realities and experiences of domestic and sexual violence must direct our responses.

A. Identifying Needs

In order to create a comprehensive advocacy plan, the program must work with target communities to identify:

1. Gaps in service provision and access.
2. Advocacy desired and needed by victims from target communities.
3. Existing community strengths and resources.

To provide effective advocacy, the agency must first identify the advocacy needs of target communities. Once community and agency assessment has been conducted, the information that has been collected should be used to anticipate the types of advocacy and referrals immigrant clients may need.

Start by considering the types of advocacy your clients will need, and the complex web of systems they have to navigate. For immigrant and refugee victims such systems and needs may include (but are not limited to):

- Interpreting Services
- Shelter
- Housing:
 - Transitional Housing
 - Public Housing
 - Deposits/First month's rent
- Utility companies/deposits
- Local social service agencies for food/clothing/deposits/cash
- Community support
- Family
- New community (could be very unfamiliar)
- Transportation
- Counseling for self and children (or lack thereof)
- Counseling groups
- Money
- Banking / Credit / Financial Literacy
- Employment / inability to work due to immigration status
- Law enforcement
- Legal system
 - Protection from abuse
 - Criminal Justice System
 - Criminal and Civil procedures
 - Federal cases

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- Legal representation in immigration cases
- Department of Human Services
 - Food stamps
 - TennCare
 - Families First
- Department of Children's Services/Child Protective Services
- Other social service agencies
- School (for children)
- Training, and instructional courses (for victims)
 - ESL classes
 - Job training
 - Basic skills classes
- Hospitals and clinics
- Daycare

B. Forming Plans

Once victims' advocacy needs have been identified, the agency must then examine itself to determine:

1. How the program's cultural environment contributes to gaps in services or works to overcome them.
2. Current agency resources that can be used to meet identified needs.
3. How advocacy will be provided immediately.
4. How advocacy will be expanded (advocacy goals).
5. What resources and collaborative relationships will be required to reach advocacy goals, and how the program will secure these resources.

Based on the identified needs of victims and an assessment of your program's resources, create a plan that clearly outlines what types of advocacy will be provided and how they will be utilized. Examine current agency resources and capacity. Determine what the agency is already offering, and in what ways advocacy needs to be expanded. If the agency sees the need for certain types of advocacy that can't initially be provided, plan for growing the agency's resources and capacity. Build relationships with any entities that provide services or support your clients may need, and determine how all parties will work together on the behalf of victims. Create agency protocol for making referrals based on these relationships, and make sure that all staff are trained on this protocol.

Be realistic, clear, and specific so the agency does not take on or promise to do more than it can. Unfulfilled promises can be detrimental to relationships with underserved victims and communities that may already distrust mainstream service providers.

*** Note***

It is imperative that your agency addresses the need for legal assistance with immigration issues when working with immigrant or refugee victims. Immigration status profoundly affects an immigrant or refugee victim's choices as she is dealing with domestic or sexual violence. (Please see "Legal Advocacy").

Deconstructing Oppression

There are many societal attitudes within dominant U.S. culture that negatively impact how (if at all) an immigrant will access services and how they will be received by service providers, government agencies, and other gatekeepers to systems that affect victims' lives. An agency that is committed to working more effectively with culturally diverse victims must conduct an agency assessment and guide staff and volunteers through self-analysis of their own attitudes. Remember that further strengthening the foundation of this work will require working to end prejudice towards immigrants and refugees on a larger societal scale.

Many barriers, such as oppression, exclusion from mainstream systems, prejudice and discrimination based on factors such as national or ethnic origin are faced by culturally diverse victims and members of their communities on a much larger scale as they attempt to navigate mainstream systems. As a way to maintain power and status, dominant cultural groups often oppress and discriminate against groups seen as external or different by denying participation in mainstream systems and access to those privileges.

Victims who come from communities that are discriminated against as a whole are much less likely to have access to the services and relief that they need than are more mainstream victims. Therefore, if your program's objective is to advocate in a culturally competent way across cultures, you must first address the ways in which your agency supports or combats such oppression. Does the agency impede access to the empowerment of marginalized victims and communities by supporting the status quo? Or does it advocate to improve social justice, thus enhancing all victims' access to services and resources?

You must also think beyond the actions of your agency. For example, a woman who has stayed in a shelter for the maximum stay limit, and is told to move. Suppose she isn't eligible for public housing due to her immigration status. She can't afford housing because she doesn't have a work permit and has no income. What options exist for this woman? If advocacy is not done with the big picture in mind, immigrant and refugee victims may have little choice but to return to an abusive situation because other vital forms of relief are not accessible.

Domestic violence and sexual assault programs also need to consider the connection between such societal dominance and oppression and the violence they are working against. Domination of one group over another is often enforced by the exertion of power and control, much as is the case with abusive interpersonal relationships. Dominant cultural groups often perpetrate abuse by denying power, access, and the right to self-determination to groups that are perceived as not being part of the dominant culture. These tactics should sound familiar to anybody who works with victims. This assertion of dominance is abusive and violent, even if it doesn't take a physical form. **It is hypocritical to work against one form of violence that is enforced by oppressive power and control tactics, while ignoring societal violence that is governed by the same dynamics.**

If we are opposed to violence against women, we must be opposed to certain oppressive power structures that enable it to exist. And if we are opposed to these power structures, we logically will be opposed to **any** form of oppression that such dynamics cause. This includes oppression of non-dominant communities. To truly end domestic violence and sexual assault, we must be dedicated to fundamentally dismantling this power structure and any other forms of abuse or oppression that they support. There is no way we can be truly effective in our work without addressing such issues of power and control on a societal level.

Awareness campaigns within mainstream communities are necessary to change societal attitudes about immigrant communities in general. This change can also be promoted by including immigrant issues when conducting any training or presentation. Also consider conducting community awareness presentations for members of the dominant culture, with the goal of bringing awareness about the realities of immigrants and overcoming prejudice.

Case Study

Program Z realized that members of a particular immigrant community in their area (most of whom were undocumented) rarely ever went to the police for help. Community members reported that police officers were asking to see immigration papers when they made routine traffic stops. This created a lot of fear that law enforcement agents would turn them in to the United States Citizenship and Immigration Service (USCIS), and so the community avoided the police at all cost. They also distrusted other service providers and government agencies, because many assumed they would be asked to show documentation of immigration status as well. In reality, requesting information about an individual's immigration status is not part of any social service provider's or police officer's duties. The program also found out that police officers were confused about the subject themselves.

Representatives from the program met with the police chief and several other officers to discuss the matter. The representatives explained that police are never required to ask for immigration status. It is not their job, and everyone is entitled to police protection, regardless of immigration status. The representatives went on to point how much distrust of law enforcement this practice was causing. The officers understood that such distrust discouraged victims and witnesses from reporting crimes or cooperating with police. They also understood that not having this cooperation hindered the police force from doing its job well. New police officer training was implemented, and the police began making efforts to gain the trust of immigrant communities.

Effective Cross-Cultural Advocacy¹

Once the scope of an agency's advocacy with immigrants and refugees has been defined, training and guidance need to be provided to all staff and volunteers about effectively working and communicating interculturally.

A. General Principals

Avoid overgeneralized cultural information. Base your advocacy and understandings of a victim's background on her self-definition of culture as she sees and experiences it. Culture is often thought of as a fixed set of social rules and traditions. However, a more complete understanding of culture is based on the dynamic complexity and fluidity that exists even within a perceived cultural group. In essence, each individual's cultural identity, while it intertwines with the larger collective reality of their community, is unique, multifaceted, and profoundly affected by factors such as gender, socio-economic status, family, age, time, geographic location, etc.

Generalized cultural information, while useful in some situations, ultimately leads to making assumptions. This causes stereotyping and misinterpretation of victims. If we assume that a victim thinks, behaves, and believes a certain way because of what we've been told about how people of her ethnic background supposedly are, we are likely to interpret everything she does in a way that fits into our preconceived notions, even if they differ greatly from reality. We will create self-fulfilling prophecies by seeing victims through the lens of our own expectations. Identifying and then dismantling the stereotypes we hold is paramount in this process. Staff can be assisted and encouraged in this process by being guided through cultural self-assessments and similar exercises. Doing this enables service providers to actually hear what victims are saying, and help them identify appropriate solutions.

Service providers must work from the understanding that each client is influenced by their individual experiences and the intersections of multiple factors. Therefore, when working with victims from unfamiliar cultural backgrounds, it is important not to base interpretations on generalized ideas about the victim's culture. By listening to the victim's definition, rather than working from assumptions and stereotypes, service providers can learn about institutions and traditions in the victim's culture that support as well as those that condemn violence against women. In doing so, we can help a victim identify solutions that work for her and are relevant to her reality.²

It is also important to keep in mind the historical, social, and political contexts which may affect a victim's perceptions of advocates. This is especially true when a victim is part of an oppressed group, and the advocate is seen as being part of the dominant or oppressive group. Staff attitudes and stereotypes affect how they react to culturally diverse victims; at the same time, victims' perceptions will affect advocate/client interactions. Be sensitive and patient when working to overcome the barriers these issues can create.

B. Communication Styles^{3,4}

Communicating with individuals whose cultural backgrounds are different than yours may seem like a difficult, even impossible, task. How are we supposed to overcome unspoken cultural mores and interpretations? Misunderstandings will probably occur. However, there are some very basic ways in which we can become better at communication across cultures.

1. Build self-awareness- Become aware of the assumptions you hold about yourself and others. Identify stereotypes that are at the core of your interactions with others. Determine where these stereotypes came from. What information are they based on. How do they influence your interactions and interpretations of others? Categorization and generalization are normal parts of the way we understand the world. Stereotyping is the negative outcome of overuse of generalization, and it diminishes our capacity to communicate across differences. Once you are honest with yourself about stereotypes and assumptions that are part of your personal view of the world, you can begin to dismantle them. This will make you able to more accurately experience and interpret each individual you encounter.
2. Acknowledge differences and celebrate them- A current trend in the U.S. is to deny the existence of differences in an attempt to diminish “-isms” (racism, sexism, heterocentrism, androcentrism, etc.) by supposedly establishing the equality of all people. This way of thinking, however, can be a form of discrimination in and of itself. Denying difference causes oppression by inhibiting self-determination of identity, and devaluing ideas that do not fit into the dominant paradigm. The reality is that differences between people and groups do exist. Discrimination is based on a negative view of differences, not on the existence of differences themselves. A more effective way to end “-isms” is to acknowledge the existence of differences, and to celebrate the richness that they bring, rather than approach them with fear. Open dialogue and respect are of utmost importance.
3. Ask for clarification- Don’t just assume your interpretations of what you think your client says are correct. Minimize misunderstandings by asking for (and providing) clarification, especially when it seems that there are differences in underlying values.
4. Verbalize all non-verbal communication- We all utilize signals such as hand gestures, facial expressions, and tone of voice to communicate meaning without using words. However, such signals do not mean the same thing across cultures, or even at different periods of time. Don’t rely on such signals to convey your meaning when working cross-culturally. If you do use hand gestures or if you intend for your tone of voice to imply a certain meaning, make sure and explain what you mean in words as well.

6: Advocacy

5. Take extra time for cross-cultural communication- This is particularly important when working with Limited English Proficient (LEP) clients. Using an interpreter will at least double the time you need to effectively communicate with a client. Regardless of language, allow more time for cross-cultural communication to make sure that all parties understand each other. When misunderstanding do occur, take the time to work through them.
6. Be respectful and patient!

C. Good Agency Practices

In combination with advocates' individual capacity to communicate cross-culturally, there are specific issues and agency practices that can impact how effective advocacy for immigrant and refugee victims will be. Make sure these issues are addressed in agency policy and protocol. Good practices include (but are not limited to) these do's and don'ts:

- Don't make disclosure of a social security number or other identifying information a prerequisite for receiving services.

Make sure that clients know that they don't have to have or disclose a social security number or other identifying information in order to receive the program's services. If this information is collected during intake, ensure that it is not mandatory information. Also, make sure that staff who will be conducting intakes and collecting information understand that disclosure is optional, NOT mandatory.

- Do be sensitive about how the issue of immigration status is addressed, especially during intake.

It is very important to share information about immigration relief with immigrant clients. However, avoid asking an immigrant client about their specific immigration status. Asking questions like "Are you a United States citizen?" will probably intimidate immigrant clients and discourage them from accessing safety and empowerment. Such insensitivity is a way in which programs may unintentionally be contributing to discrimination against marginalized communities by hindering access.

Remember that advocates may understandably be seen as part of a foreign and potentially threatening system, and that it may be necessary to earn immigrant clients' trust. Be sensitive to this. Explain that anything revealed to program staff will be confidential and will not be reported to the USCIS or any other government agency. Inform clients of the immigration relief that is available, and ask if they have any questions or needs regarding immigration issues. Provide information and make it known that immigration relief is available, but allow self-

disclosure of immigration issues. If a client does not wish to discuss immigration matters, make sure she knows that she can always speak with a staff member in the future if she decides differently.

Make sure that anyone working with victims during an intake or on safety planning understands the specific legal concerns of immigrants, and the documents they may need to have for an immigration case. An advocate should share this information when it is deemed appropriate, but remember that not all immigrant clients will need help with immigration cases. Don't make assumptions.

- **Do create a safe and welcoming environment.**

The program's physical setting should be inclusive, displaying culturally and linguistically diverse materials and decorations that are relevant to target populations.

Case Study

Mary and Dawn are both counselors at a rape crisis center. Both are aware that there is a growing immigrant population in their area, and that many of the new immigrants speak Spanish, Vietnamese, or Farsi. Mary displays posters and other materials in all of these languages in her office. She learns a few phrases such as "Hello, how are you?" in each of the three languages. She also makes sure to ask lots of questions about each client's culture. Many of the immigrant clients she has worked with report that they are comfortable with her, and feel like they benefited from their counseling sessions.

Dawn, on the other hand, does not display culturally or linguistically diverse materials in her office. She makes little attempt to learn about her clients' cultures. In December, Dawn displayed only Christmas decorations in her office. A Muslim client came in for a counseling session, and Dawn asked, "So, do you have any big plans for Christmas?" The Muslim client, like most of Dawn's immigrant clients, did not continue past the first counseling session, reporting that she didn't think Dawn understood or respected her.

- **Do ask questions!**

Most importantly, ask the client about any specific needs that staff should be aware of, such as dietary customs, transportation issues, etc. Add these questions to intake paperwork. It is important to ask every client standard questions and not to assume that certain needs do or don't exist. In addition, staff must be trained to

be sensitive and empathetic when asking questions. Many times when clients are in crisis, they may not want to go into detail about their needs, or may fear that they will not receive services if they reveal special needs. A good way to phrase questions about needs is:

“A goal of our agency is to meet individual needs of each client, regardless of their race, religion, sex, national origin, cultural background, sexual orientation, age, etc. All clients are respected while receiving services. Is there anything that staff should be aware of in regards to your dietary needs, customs, religious practices, transportation issues, or any other specific needs?”

Important Information for Advocates

- Currently, most U.S. Department of Health and Human Services funded programs are available to immigrant victims, regardless of immigration status. However, some agencies, such as those that administer the Temporary Assistance for Needy Families (TANF) program or Welfare-to-Work programs under Title IV (A) of the Social Security Act; Supplemental Security Income; the Public and Assisted Housing Program provided under the United States Housing Act of 1937; or Section 6 or Section 8 Housing assistance programs are required to report any confirmed undocumented immigrant. **Do not refer clients to any agency unless you know that is it safe and are certain about their reporting requirements. Check with all agencies before referrals are made, and go to www.hhs.gov for current federal guidelines.** Help immigrant victims be sure that they do not seek public benefits for which they may not be eligible.^{5, 6}
- Courts, police, hospitals, and many non-profit organizations do not have to inquire about immigration status or report undocumented immigrants to the USCIS.
- Immigration cases normally take a long time. Women who are involved in this legal process will probably need many other forms of support. This is especially true for survivors who can't legally work or access public benefits due to immigration status. Connect with other organizations that can provide assistance with such necessities as transitional and long-term housing, food, and community support. Form a network with such agencies to support women that are waiting for immigration cases to be resolved.

Hotline/Crisis Line Advocacy

Imagine calling a crisis line that is answered by someone who doesn't speak your language. They make no attempt to communicate with you and don't indicate that someone who does understand you will be found. Most likely, you would hang up feeling frustrated, helpless, and maybe even humiliated. Limited English Proficient (LEP) victims who call your crisis line should never be faced with such a situation.

Reaching out for help is difficult for any victim. Feelings of shame often inhibit disclosure of sexual assault or domestic violence. This may be especially true for victims whose culture places explicit blame on victims of such violence. An LEP victim may also be intimidated by the possibility that even if she does ask for help, no one will understand her. Even worse, she may have been discriminated against by a service provider in the past, and fear that the same will happen when she calls your crisis line. So, when an immigrant victim does call despite such harshly intimidating factors, it is extremely important that hotline counselors are able to overcome possible linguistic and cultural obstacles, and adequately address the unique needs of the caller.

Effective Crisis Line Advocacy

It is imperative that operators first and foremost are able to identify the caller's language and to communicate that an interpreter will be found. This may be accomplished by using readily available language prompts, or by utilizing the services of a telephonic interpreting service, such as Language Line. Additionally, a program may engage on-call volunteer interpreters to help with this process. After volunteers have been trained, make sure all operators know how to reach these volunteers and what language(s) they speak.

It is also important to keep in mind that immigrant callers may speak perfect English, but that there may be other cross-cultural communication issues that need attention. Operators must be trained in culturally competent advocacy and communication styles, and must know how to make culturally appropriate referrals.

Procedures for answering calls from LEP and immigrant callers must be developed by the program. Parts of this procedure will overlap with broader agency LEP policy and procedure. While this manual will provide examples of model LEP protocol, each program will have to determine appropriate referrals and referral procedures based on the needs of immigrant and refugee victims, and resources available to the service area. All staff must be trained on any such protocol developed and implemented by the program.

The following is model hotline protocol that addresses language barriers:

1. Identify what language the client speaks. At the stage of initial contact, staff utilize an “I Speak” language identification guide or other reliable method to discover what language the victim speaks.
2. Provide staff and volunteers with written language prompts that instruct them on key phrases they may need to use upon initial contact with LEP clients. Include phonetic pronunciations of these phrases on written prompts. This should enable the staff/volunteer to say phrases such as:
“If this is an emergency, dial 911”
“Please hold on while I find an interpreter”
“Is there a safe phone number where I can call you back?”
“I will call you back within _____ minutes”
3. Tell the client about her right to an interpreter. Explain (using language prompts) that an interpreter or bilingual advocate will be found, and within what timeframe.
4. Find a trained interpreter.
 - If there are bilingual program staff who speak the victim’s language, the victim should be connected with them.
 - If there are no bilingual staff, or the clients language cannot be identified, Language Line or an equivalent telephonic interpreting service should be contacted immediately.
 - When initial contact is in-person, telephonic interpreting services should be used. In small linguistic communities, it is very possible that the victims might know an interpreter that the program works with. Using telephonic interpreting services until it is assured that the client is comfortable with the interpreter will help assure safety and confidentiality.
5. With the help of a trained interpreter, tell the LEP client how to contact the police. Explain what her legal rights are, and what to expect from the police.
6. Inform the LEP client of her language access rights, language assistance options, and rights in an interpreter-client relationship.
7. When appropriate, explain what options, services, and resources are available to the client. Make referrals when needed.
8. Work with the client to develop a safety plan that includes language access and future communication between staff and the client. This means that the identities of potential interpreters will be disclosed to the client, and the client should be given the opportunity to decide whether or not they feel comfortable with said interpreters before they come into contact with them.

9. Make sure that the client has understood all the information given to them.
10. Record the language spoken by the client in their case file, as well as who to contact for interpreting services for the client.

Case Study

Jill, a crisis line counselor, received a call from an LEP man named Raul. She didn't recognize the language he spoke, but she quickly contacted Language Line. The interpreting service was able to identify his language, and find an appropriate interpreter. Raul was in an abusive same-sex relationship. His partner told him that if he tried to leave the relationship, he would report him to USCIS or kill him. Raul could no longer endure the relationship, even though he was embarrassed to talk about the abuse. He'd seen some of the program's outreach materials, and decided to call. With the telephonic interpreting service, the advocate was able to help the man create a safety plan and escape the abusive relationship.

A different program also received a call from an LEP man who was in the same situation as Raul. Unfortunately, this second program had not created any protocol for hotline counselors regarding culturally and linguistically competent crisis line services. The man spoke a little bit of English, and was able to say "Help. Boyfriend ... kill me". The counselor couldn't understand anything else than that. She kept saying "don't you speak English?" The operator didn't know how to communicate with the caller. Besides that, she figured that the caller just had the wrong number, because she assumed that LEP immigrant men were misogynists who oppressed women, and that they were too "traditional" to be in a same-sex relationship. She assumed that he was just didn't know what he was saying. The operator said, "I'm sorry, I don't understand you. You should learn English", and hung up on him. Had this program created hotline protocol and trained their staff to be culturally competent, the hotline counselor would have been able to help the caller. As it was, he was very disheartened and never sought help again.

Therapy Case Management

Cultural competency is very important in therapeutic case management. During counseling sessions, clients may face obvious barriers, such as language. When interpreters must be used during therapy, special considerations must be made to minimize the distractions, discomfort, and potential miscommunications that may occur as an effect of having a third person present during counseling sessions.

It is also important to note that subtle cultural misunderstandings can easily occur, even if the client speaks English or adequate interpretation is provided. Therapists may miss non-verbal clues, body language, or cultural indicators that might reveal important information, or may act in a way that is intimidating or offensive to a client. Additionally, Western mental health models are based on concepts that may be culturally irrelevant. Clients may be confused or even further traumatized by symbols and concepts that are not adequately explained.

Case Study

A therapist told “Kim” that she needed to "heal the child within her." Kim, a Southeast Asian refugee, listened in astonishment and became very nervous and agitated. She wondered how this Caucasian woman could know that she was pregnant when Kim herself was unaware of this. More so, she did not want another child by her abusive husband. Noticing the look of anguish in her client's face, the therapist hurriedly explained that the term "child within" was not to be taken literally. It was merely an expression from a popular Western therapy that meant the "spirit" of a child within someone. Hearing this explanation, Kim fled the room.

Upon returning to the shelter where she was staying, Kim tearfully announced to a staff member that the spirit of the child she had lost through miscarriage several months earlier was distressed and trapped inside of her! It was many hours before Kim could be convinced that this was not what the therapist had meant.⁷

Language and Working with an Interpreter

- A bilingual therapist or trained interpreter must be used during all counseling sessions:
 - Using the language line for counseling sessions would be less productive, not extremely therapeutic, and would use time inefficiently.
 - When using a trained interpreter for counseling sessions, it is best to use the same interpreter with the same client for the duration of treatment. Using a different interpreter for different sessions with an individual client could cause issues with trust and rapport and make the therapeutic process more difficult. For example, if you are seeing a victim of domestic or sexual violence weekly, you would need to contract with an interpreter for them to be present at every individual weekly session.
- The interpreter used in counseling sessions should be trained in the specific issues being addressed (domestic and sexual violence, along with post-traumatic stress disorder, and other common symptoms and effects).
- If a therapist is working with an LEP victim and an interpreter, that therapist will need to be extremely conscious of cultural issues that will arise throughout the therapeutic relationship.
- Therapy sessions are usually 50 minutes long; when an interpreter is involved, the therapist and client need to remember that approximately half of the therapy session will be spent translating, thus reducing the time of true “therapy” being accomplished. The length of counseling sessions should be adjusted accordingly.
- Confidentiality should be reviewed thoroughly and a statement/agreement should be signed by the therapist, client, and interpreter.
- The client needs to feel comfortable with the chosen interpreter; if the client is uncomfortable with a particular interpreter, a new one should be found.
- Avoid using friends, family, or other acquaintances as an interpreter if at all possible; if a client would like to use a friend or acquaintance as an interpreter, ground rules and boundaries should be established so that interpreting is accurate and complete, and there is not an issue of who is the primary client. Children may not be used as interpreters.

Minimizing cross-cultural miscommunication

For service providers that offer therapeutic services, culturally sensitive communication must be carefully practiced. There are a multitude of cultural miscommunications that can happen in a counseling session. Many concepts of Western psychology and therapy do not translate culturally. Therapists must constantly be aware of such miscommunications. Figurative language should be used cautiously or avoided altogether.

Therapists working cross culturally should also gather cultural information from their clients and from other sources to be aware of cultural norms and possible conceptual barriers that may arise. This means learning about the client's culture, as well as the therapist examining her or his own culture, in order to understand underlying, non-verbalized values held by each party.

Additionally, it is important that therapists must take into account differences in the cultural meaning behind and significance of indicators such as: body language, facial expressions, eye contact, and hand gestures. Actions such as shaking a stranger's hand or looking them in the eye while having a conversation, which are accepted as polite behaviors by dominant U.S. culture, may be offensive to people from different cultural backgrounds.

Culturally-Appropriate Listening⁸

Listening is fundamental to human relationships and counseling. The principles and manner of listening, however, differ across cultures. Some Asians and Pacific Islanders, for example, deflect direct eye contact in conversation as a sign of patient listening and deference. Words are believed lost through the force of personalities when attention is drawn to physical presence and posturing. Staring is therefore considered impolite and confrontational.

Many Western cultures, on the other hand, value direct eye contact as a sign of sympathy or respect. Looking elsewhere is seen as disinterest, evasiveness, or rudeness. Misunderstanding can occur if some cultural allowance is not made for these differences.

Miscommunication that arises from differences in culturally based viewpoints may be reduced when thoughtful attention is paid to the significance behind such differences, and what this means in regards to how a client may interpret a therapists actions and words.

Shelter Policy and Protocol

As previously discussed, immigrant and refugee women face many barriers when seeking relief from domestic and sexual violence. Many are hindered by the intimidation of navigating unknown systems. This is compounded by the possibility of being rejected from one's community, and subsequently being alone in an unknown place. If an immigrant woman decides she will seek shelter, only to find that she is uncomfortable and lost in a foreign system, it is much more likely that she will return to an abusive situation.

Elements that may cause a woman to feel unwelcome or uncomfortable in shelter may include unfamiliar food or clothes, linguistic isolation, and experiencing that traditions, family norms, or religion are not accepted by shelter staff or residents. Some shelter policies restrict a woman's ability to practice traditions and customs. For example, a woman's religious practice might require burning candles, or having a particular prayer space. If this space is not created, or is not allowed by shelter policy, it greatly restricts her freedom, and she is not likely to stay in shelter. Women may also have family customs and child rearing practices that are inhibited by shelter rules. It is important to ask questions about such customs, and find ways that the program can be accommodating and accepting of differences⁹.

Some immigrant women may also have special concerns about eligibility for public benefits or inability to work due to immigration status. This greatly inhibits some women's ability to access resources necessary for survival once they leave shelter. Programs must examine other ways of helping women in this situation to secure resources.

Shelters can be difficult and uncomfortable for women who are part of mainstream U.S. culture. It is often even more difficult for women from different cultural backgrounds. In order to provide services that women will desire to access, it is important that shelter programs evaluate their existing environment and policies, and modify problematic elements. This may prevent women from feeling uncomfortable or rejected because the program doesn't allow them to follow their own customs and traditions. Without making an effort to include diverse needs, customs, and traditions, it is not likely that your shelter services will be accessible and effective in the long run. Don't assume that what is normal to you is normal to everyone, nor that your way is the only correct way.

Steps

___ Evaluate existing policy and protocol for any practice/rule that might hinder culturally diverse clients.

___ Revise policy and protocol according to evaluation as appropriate.

___ Translate all rules, regulations, intake forms, and other written shelter-related documents to languages predominant in service area (this should be part of a comprehensive LEP plan).

Evaluating the Impact of Existing Policy

A first step in this process is evaluating existing shelter policy and protocol. It may be discovered that some practices discourage diverse victims from coming to the shelter or continuing with shelter services. In some instances, the program may decide that it cannot modify or change a policy or protocol due to existing philosophies, commitments, or regulations. However, it is important to be aware of the possibility of the detrimental effects resulting from certain policy and protocol, and to adapt wherever possible and appropriate. The following are examples of common policies/procedures and other factors that may impede immigrant victims from seeking or receiving relief. This is by no means an inclusive list, but rather a starting point for an internal policy analysis.

I. Common Policies

Policy: Shelter stay

Questions:

If there is a time limit to shelter stay, is it reasonable for immigrant victims that can't work or receive public benefits? Will it give them time to either proceed with an immigration case or find an alternative?

Suggestions:

Immigrant victims may need shelter/housing assistance for a longer amount of time while they file immigration forms and attempt to get work authorization. Decide how necessary it is for the program to have shelter stay limits. If there must be a limit on stay, work with other area service providers to create a plan for longer-term shelter.

Policy: Requirement to work while in shelter

Questions:

What happens if a woman does not have work authorization and cannot legally be employed? Will she be exited for "violating" this policy or are exceptions made? What is expected of women in this situation?

Suggestions:

Don't require shelter residents to find employment, or make exceptions for women who aren't permitted to do so. If a woman can't work, find other desirable activities (i.e.

English as a Second Language classes, skills classes- ask what they want to learn, find volunteers).

Policy: Victim must leave current place of employment

Questions:

Some immigrants have visas based on their employment with one specific employer. If they leave this employment, they no longer have documented immigration status, and may ruin their chances of ever regaining documented status. What if a victim's immigration status is dependent on her employer? Will she still be required to leave her place of employment?

Suggestions:

Include the place of employment in safety plans. Make sure she has a plan about what to do if her batterer comes to her workplace or attempts to follow her as she leaves the workplace. If your program encourages women to find different employment, explain why, but leave the final decision up to the individual resident.

Policy: Curfew

Questions:

Does it hinder religious practices or observance of cultural traditions? What if her visa is dependent on employment at a specific place, and she can only work there at night?

Suggestions:

Provide curfew extensions on an individual basis if religious or cultural traditions necessitate. Work out an alternative curfew agreement with the resident whenever appropriate.

B. Shelter Environment

1) Shelter environment

Questions:

What does the physical environment look like? Are "mainstream" holidays recognized and celebrated (such as Christmas or Easter)? Are there decorations displayed during these times? What about holidays like Ramadan or Kwanzaa? Are there any other policies that would hinder the observance of religious traditions (i.e. prohibiting candles/incense, requirements to clean on the weekends)?

Suggestions:

Create a physical environment that is welcoming to all, keeping in mind decorations, staple food, clothing, and hygiene items. Display decorations for holidays from many cultures, not just mainstream ones. Display visual images that display inclusive attitudes and make women feel welcomed. This could come in the form of posters in multiple languages, pictures/photos, crafts, etc.

2) **Food / meals**

Questions:

What does the shelter currently keep on hand? How is the weekly grocery list decided?

Are special dietary needs or customs accommodated for?

Suggestions:

Ask women to place specific foods they require on the weekly shopping list. Find out what types of food staples women from the immigrant community in the area consume frequently and keep these on hand at the shelter. Offer a vegetarian menu for women who do not consume meat for personal or religious reasons. Seek donations or purchase utensils and cookware needed to prepare meals of certain ethnic groups. Visit the international market in your area (if available) and get to know the merchants there. Seek donations from them. Buy gift certificates from grocery stores that sell food and products to specific ethnic communities. If your shelter has group cooking, permit immigrant women to opt out of the group cooking so that they can cook foods separately that are familiar to them.

Ask about and respect customs surrounding food. For example, some cultures customarily store certain items separately. Make sure to allow for the observance of such practices. Additionally, you may want to have staff keep a log, look for consistencies, and begin to keep certain requested items on hand.

3) **Clothing and Hygiene**

Questions:

Are there clothing items that are required by cultural/religious traditions that you would not be able to provide to a resident at this current moment? Have residents made any special requests for clothing items in the past? How were these requests handled? Are you aware of any hygiene practices that may need special accommodation (i.e., some cultures use different towels for the head and the rest of the body)? How would you find out about such practices? Would you be able to accommodate them?

Suggestions:

Ask questions! Find out what women need to be able to carry out important customs and feel comfortable. If a lot of residents are making similar requests for clothing or hygiene items, attempt to secure donations or purchase such items to have readily available.

Further Suggestions

First and foremost, make sure clients know you are open to learning about and accommodating cultural traditions and religious practices. Be certain to ask women about their lifestyles to best be able to identify and accommodate their needs. This should occur during the intake process, and on an ongoing basis. Ask about traditions surrounding food, clothing, hygiene, religion, and any other cultural traditions that women routinely observe. Make notes in case files about clients' responses. Ask questions, don't assume. Be flexible. Show that you value diverse cultures by asking women to share their customs with other residents if they are comfortable doing so. Designate specific times for women to share traditional meals, activities, customs, etc.

If any policy hinders such practices, explore possibilities for adapting rules or changing the policy. Evaluation needs to be an ongoing process. It is important, however, for the agency to decide which practices are flexible. If, for example, a woman staying in shelter uses spanking her children to discipline them, a program receiving Family Violence funding cannot compromise on the issue, due to federal requirements and/or philosophical foundations. When such a situation arises, make sure there is open communication about the matter. In a non-judgmental manner, explain the policy and the reasoning behind it. Be understanding and expect cultural differences in such situations. The accepted norms in a shelter may be foreign concepts to residents from cultures that differ from yours. Take the time to try and help the mother understand why your program is opposed to such practices. Then provide suggestions for alternative child rearing methods. Work with the woman to create alternatives that everyone can live with. Be certain to highlight her right to make choices for her own life, while still being in line with shelter rules. Rigidly enforcing external customs and values will further disempower victims, and ultimately encourage them to return to a more comfortable environment, even if it is at home with a batterer.

Finally, communicate commitment to cultural competency to all residents. Make sure everyone understands that tolerance is expected of all residents.

Conclusion

Effective advocacy for immigrant and refugee victims can only happen if an agency is prepared to look at itself and dominant U.S. culture in general to examine both privilege and discrimination. All involved in providing service must look within themselves to see what could inhibit them from effectively advocating.

The basics of advocacy are the same, and the program must strive to provide appropriate advocacy in every aspect of service provision. All core services must be accessible. Just remember that accessibility is not just letting people know they can receive the services you currently offer; it requires the development of services that are culturally relevant. Draw from community strengths and resources (both formal and informal). Allow victims to guide your advocacy planning, remembering that victim based advocacy is a must. It is essential to ask questions and allow victims to identify their own needs and realities.

¹ Warrior, Sujata. “‘It’s in their Culture’: Culture, Competency, Outreach and Violence Against Immigrant Women”. *Workshop, TCADSV Annual Conference*, 2005.

² Crenshaw, Kimberlé Williams (1994). “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color”. *The Public Nature of Private Violence*, p. 93-118. New York: Routledge.

³ National Victim Assistance Academy Textbook, 2002. Chapter 8.

⁴ Cole Solutions, Inc. (2005). “Enhancing Cultural Competency: Addressing Race, Class, and Gender in Social Service Provision”. *Workshop, Nashville, TN*.

⁵ NOW Legal Defense and Education Fund. “Medicaid and Temporary Assistance for Needy Families Access for Battered Immigrant Women and Children” and “Food Stamps Access for Battered Immigrant Women and Children: Eligibility for Documented and Undocumented Women and Children”.

⁶ United States Department of Health and Human Services. “Access to HHS-Funded Services for Immigrant Survivors of Domestic Violence”.

⁷ National Victim’s Assistance Academy Textbook, 2002. Ch. 8

⁸ National Victim’s Assistance Academy Textbook, 2002. Ch. 8

⁹ (Edited by) Orloff, Leslye E., & Little, Rachel (1999). “Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Immigrant Women”. Ch. 6. AYUDA.

Legal Advocacy for Abused Immigrants

Immigrant victims dealing with domestic or sexual violence are confronted not only with the trauma of abuse but also with isolation and multiple barriers to services and relief. To make the situation even more difficult, they oftentimes must navigate extremely complex legal situations that go beyond the frustrations normally confronted by victims (obtaining orders of protection, child custody cases, etc). Immigrant victims' legal concerns often involve an element that is crucial for their empowerment: immigration status. Threats based on immigration status are an extremely effective tactic of power and control utilized by abusers. A victim may be told by her abuser that he will have her deported or will withdraw support of her immigration petition. Even though such claims may be based on false information, they are very effective in making victims feel that they have no choice but to stay with their abuser.

Immigrants who are undocumented or whose immigration status is dependent on an abusive spouse are in a state of total dependency with few options for becoming self-sufficient. Without immigration relief, an immigrant victim has very few options for survival if she chooses to leave an abusive situation. Many immigrants in this situation can't legally work, and can't access public benefits. An immigrant victim who doesn't obtain immigration relief may be very vulnerable and have few options for supporting herself and her children. Services provided to help victims who are in crisis may do little good if the victim has no means of securing resources. For this reason, legal advocacy that specifically includes immigration issues must be provided by any program that is working with immigrants. The program itself should not attempt to help clients fill out immigration forms or handle immigration cases; rather, the program must have appropriate, thorough screening and referral protocols for such cases.

Legal Advocacy

Immigration status can be a great barrier for immigrant victims and survivors. The good news is that specific visas have been created to provide relief to victims of domestic violence and sexual assault¹. This also means, however, that immigrant victims have different advocacy needs, and programs will have to adjust their services accordingly. Besides having to navigate the same complex systems as victims who are citizens, non-citizen immigrant victims may need legal services specifically regarding an immigration case. These cases are of a very sensitive, specialized nature, and it is very important that they be handled by experienced immigration law experts. It is also important that the immigration professional communicate with advocates or other legal counsel, as other legal issues (such as a criminal case or a divorce) can effect the outcome of an immigration case.

The repercussions of a mishandled immigration case can be very harmful to a client. Therefore, advocates should not attempt to help clients manage their immigration cases

by doing things like filing papers. Immigration relief is indispensable for the well-being and empowerment of immigrant victims. Programs can best help victims access this relief by connecting them with appropriate legal representation and assisting them in managing other challenges faced while waiting for the results of immigration cases.

A. Basic Guidelines for Providing Legal Advocacy for Immigrant Victims²

- Domestic violence and sexual assault programs are not required by law to ask about or report on the immigration status of clients. Make sure that clients know that they will not be reported to USCIS or any government agency for seeking services, and that all information regarding their immigration status that is shared with program staff will remain confidential.
- Be clear about mandatory reporting requirements (such as reporting of child abuse) to which the program must adhere.
- Never contact USCIS (formerly INS) to find out about a client's immigration status, or suggest that the client do so! Instead, refer her to a legal professional with experience handling immigration cases. If the client is undocumented, calling will alert USCIS to her presence. This could cause the client to be ineligible for immigration relief, lose custody of children, and/or be deported.
- Create a list of appropriate legal referrals.

Currently in Tennessee, the Tennessee Coalition Against Domestic and Sexual Violence's Immigrant Legal Clinic represents victims in their immigration cases. Please contact the Coalition for more information.

If such services are available in your program area, build relationships with experienced immigration attorneys who are willing to provide pro bono services and who have an understanding of dynamics of cases involving immigrant victims. Remember, not just any attorney will do a good job for these types of cases.

- Staff must be trained on the basics of immigration, noncitizens' rights if questioned or detained by USCIS, and other legal needs of immigrant clients³. Through training, they should gain a thorough understanding of the following:
 - Why immigration is such a dire issue for immigrant victims.
 - Immigration Basics: information about what kinds of immigration relief are available.
 - What kinds of legal advocacy advocates should and should not provide to immigrant clients.
 - How and when to conduct a Legal Needs Screening.
 - Appropriate referrals for legal needs.

- Clients should never be required to disclose their immigration status in order to receive services from your program. Be sensitive when addressing the issue. Share information about available legal remedies. Instead of asking specific questions about immigration status that might be intimidating, such as, “Are you an undocumented immigrant?” ask questions like, “Do you have any questions about your immigration status?” or “Do you need help with any immigration issues?”
- Don’t require client disclosure of social security numbers or other identifying information. Instead, adopt a self reporting policy.
- Immigrant clients should be informed of legal remedies available to them. They should also be informed of their rights if they are questioned about immigration status or detained by USCIS⁴.
- A Legal Needs Screening needs to be done as part of hotline calls or intake process. When it is determined that a client may need or want immigration legal services, an appropriate referral should be made⁵. Even if the need for immigration law services is not identified during this initial screening, immigrant clients should be informed about immigration relief that is available, and told that if at any time they wish to seek such relief, they can contact a staff person and be connected with appropriate legal counsel.
- Consult with immigration professionals when clients are involved in other legal matters (divorce cases, criminal cases, etc), as they may impact the immigration case. When possible, accompany immigrant clients to legal proceedings (that don’t have to do with the immigration case) and make sure an appropriate interpreter is present.

B. Other Considerations for Advocates

1. Currently, most U.S. Department of Health and Human Services funded programs are available to immigrant victims, regardless of immigration status. However, some agencies, such as those that administer the Temporary Assistance for Needy Families (TANF) program or Welfare-to-Work programs under Title IV (A) of the Social Security Act; Supplemental Security Income; the Public and Assisted Housing Program provided under the United States Housing Act of 1937; or Section 6 or Section 8 Housing assistance programs are required to report any confirmed undocumented immigrant. **Do not refer clients to any agency unless you are know that is it safe and are certain about their reporting requirements. Check with all agencies before referrals are made, and go to www.hhs.gov for current federal guidelines.** Help immigrant victims

be sure that they do not seek public benefits for which they may not be eligible.^{6,7}

2. Courts, police, hospitals, and many non-profit organizations do not have to inquire about immigration status or report undocumented immigrants to the USCIS.
3. Immigration cases normally take a long time. Women who are involved up in this legal process will probably need many other forms of support. This is especially true for survivors who can't legally work or access public benefits due to immigration status. Connect with other organizations that can provide assistance with such necessities as transitional and long-term housing, food, and community support. Form a network with such agencies to support women that are waiting for immigration cases to be resolved.

Conclusion

The complicated, intimidating situation faced by victims of domestic violence and sexual assault is compounded by immigration issues for many non-citizen victims. Immigration status is a powerful tool of power and control used by abusers. However, specific legal remedies have been created to help victims obtain a secure immigration status, and thus be able to access needed resources and move towards self-sufficiency. Any agency working with immigrant victims needs to know about these legal remedies, and create legal advocacy policy and protocol accordingly. All advocates must know how to inform victims of immigration remedies and connect victims with appropriate immigration professionals when so desired. They may also need help coordinating multiple legal issues. Finally, it is of utmost importance that a program's planning and creation of legal advocacy protocol be based on an understanding of how immigration status affects other advocacy needs, so that victims are supported throughout lengthy immigration cases. The role of advocates is to help victims attain their needs. With proper knowledge and planning, programs can help immigrant victims access safety and become empowered, regardless of the overwhelming obstacles they face.

¹ Shetty, Sudha, & Kaguyutan, Janice (2002). “Immigrant Victims of Domestic Violence: Cultural Challenges and Available Legal Protections”. *VAWnet Applied Research Forum*.

² (Edited) Orloff, Leslye E., & Little, Rachel (1999). “Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Immigrant Women”. Ch. 2. AYUDA.

³ Immigrant and Refugee Network Against Domestic Violence (2001). “Basic Rules – Dos and Don’ts for Advocates Working with Battered Immigrants”.

⁴ Please see appendix:
National Lawyers Guild, National Immigration Law Project. “Know Your Rights!” pamphlet. (www.nilc.org).

⁵ Please see appendix:
“Screening Questionnaire for Service Providers”

⁶ NOW Legal Defense and Education Fund. “Medicaid and Temporary Assistance for Needy Families Access for Battered Immigrant Women and Children” and “Food Stamps Access for Battered Immigrant Women and Children: Eligibility for Documented and Undocumented Women and Children”.

⁷ United States Department of Health and Human Services. “Access to HHS-Funded Services for Immigrant Survivors of Domestic Violence”.

Outreach: A Community-Based Approach

Culturally appropriate outreach is an essential component to effective work with diverse communities. Without it, all other planning meant to enhance services to immigrant and refugee victims may be futile. A shelter program may have an extensive list of trained volunteer interpreters, materials translated into seven different languages, and a staff that is thoroughly trained in cultural competency. However, if services are only publicized in mainstream communities, target communities are not being reached. If target communities aren't aware of the program and encouraged in a meaningful way to access services and relief, the program's efforts do little good for victims.

Steps:

___ Conduct demographic survey and determine target communities; identify community strengths and needs.

___ Create a timeline for outreach planning and implementation.

___ Get to know the community!

- Meet community members, identify allies
- Begin forming relationships within the specified communities
- Ask questions.

___ Get community input in development of materials (especially from women)

- Involve community members on the Cultural Competency Steering Committee
- Conduct focus groups

___ Research best venues for outreach

- Which locations do women frequent
- Where do community members get information? Word of mouth, radio, TV, newspapers?

___ Develop materials based on feedback from focus groups and community contacts.

___ Conduct outreach using tested materials and strategies.

Community-Based Strategies

A community-based approach¹ that draws from community organizing methods²³ is the most effective and empowering way to conduct outreach. Existing materials and methods may fail to speak to and validate victims' realities and life experiences. Even if all outreach materials are translated into the language(s) spoken by the target community, they may not be culturally "translated", and may be irrelevant to the target audience. Victims may not identify with messages aimed towards mainstream communities, as they may not provide options that adequately address needs of the community. For this reason, it is important to get to know the communities in which you will work. Focus on the strengths and assets of the community, instead of problems and weaknesses. An approach to outreach that values each community's realities fosters something that is an indispensable component of cultural competency- recognition and celebration of diverse identities. Differences allow for a richness and creativity in approaches to ending domestic violence and sexual assault.

Each community will have different needs and as resources; no one will be able to better identify these needs and guide your outreach planning than community members themselves. Such participation also creates the possibility of long-lasting collaborative relationships within the community. Take the time to build and foster mutually beneficial relationships. Involve community members during every step of outreach planning and implementation. It will be worth your time and effort.

Get to Know the Community

Learning about community realities and perceptions of violence is imperative when developing an outreach plan. It is important to keep in mind that your target communities may have different interpretations of and reactions to domestic or sexual violence. The following are examples of situations you may encounter:

- Communities whose status or autonomy is threatened due to prejudice or cultural imperialism (pressure to assimilate to mainstream United States culture) may not acknowledge the existence of problems such as family violence within the community. It may seem that such an admittance would further endanger the group's well-being. As a result, there may be outright denial that such abuse occurs. If this is the case, plastering local grocery stores with posters and pamphlets informing women about help for victims of domestic violence may be perceived as an attack to the community as a whole, rather than an effort to extend help.
- Denial of the existence of domestic violence or sexual assault may be an attempt to protect a positive community image. It may also stem from differing interpretations of such violence. Male domination over women (even if physical violence is used to enforce this dominance) may be a normalized, expected

dynamic, and not considered inappropriate. You may find that the primary language(s) spoken by certain target groups have no word or phrase that means “domestic violence” or “violence against women”. Not only does this present a linguistic challenge, it indicates a deeper ideological chasm that you may have to bridge. In such scenarios, abused women may not respond to information about victims’ services because they don’t identify them as such.

- As you get to know immigrant communities in your area, you may find that men are the primary gatekeepers between the community and outside dominant culture. This can happen as a result of male domination over institutions, or because a disproportionate number of English speaking individuals in the community are male. In such a situation, it is not likely that men would welcome information that challenges their dominant status by overtly attempting to empower women to escape intimate partner violence. Such gatekeepers or cultural brokers control the flow of information into and out of the community, and as such, could either enhance or block program efforts to overtly address violence against women.

Again, it is important to stress that each community is different. None of the examples mentioned about may be applicable, but it is important to be open to learning about different perceptions of and solutions to sexual and domestic violence. Community members themselves should be your main source of information as you learn about the community’s dynamics and realities. You will not be able to begin understanding the communities you wish to work with until you build relationships and start asking lots of questions. Remember that miscommunication is to be expected, and can only be overcome through open communication.

Attempting to address issues that community members themselves have not identified as problems will ultimately be unsuccessful. Using outreach strategies that are not culturally appropriate may cause alienation and distrust. To begin identifying and developing appropriate outreach strategies, you must get community input. Be sure to involve community members on the Cultural Competency Steering Committee or any other work group that is involved in developing your outreach campaign. Remember that not all community members represent victims’ interests. It is important to make sure you are working with allies!

Location and Channels of Communication

Research the best venues for outreach. Find out which locations are frequented by women. Where could you reach a lot of women? In which locations would women be likely to attend events?

Also, find out how community members, especially women, get their information. Does information travel mostly by word of mouth? Or is radio, TV, or print materials many people’s primary means of getting information? This will give provide guidance about

where to begin distributing outreach materials or advertising events. Location is instrumental to the success of your efforts.

Case Study

Amira heard a PSA about a support group for survivors of sexual assault. She had not disclosed her rape to any of her family members, but wanted to talk to someone. However, the support group was in a Christian church; Amira and her family were Sikhs. Besides, the church was 45 minutes away from Amira's neighborhood. She could not drive. It was too far for her to take the bus, and none of her family members or friends would drop her off at a church without asking a lot of questions. She was afraid her motives for attending would be discovered, and so she opted not to go.

Community Involvement and Input

With the help of community allies, begin to develop ideas for outreach. Get an idea of the materials, locations, and activities the program will utilize. Once a basic strategy has been outlined, conduct focus groups with women from the community. To help overcome mistrust and succeed in bringing together focus group participants, you may need community members that you already have relationships with to help with recruitment and other outreach activities. Conduct focus groups at multiple stages of planning and refinement. Adapt your materials and approach according to the feedback you receive. Be sure to thoroughly test your final plan before moving to implementation.

Pilot Ideas

Programs must find ways to communicate messages in a manner that won't be immediately shut out. Information about domestic violence, sexual assault, and available services can be subtly incorporated into other activities. In an appropriate, non-threatening setting, women may begin to name the issues they face, and identify solutions that will help them attain their needs. While each community is unique and will prompt different responses, the following are suggestions your program may want to consider:

- ✓ Consider holding more ambiguous women's skills building workshops or educational groups.
- ✓ Address needs vocalized by the community itself, not just issues that the program has identified as important.
- ✓ Hold classes or workshops on skills that women want to learn.

8: Outreach

- ✓ Sponsor a women's group that has weekly presenters on a variety of topics.
- ✓ Hold a women's support group, where women are encouraged to talk about any of the difficulties they face in their lives.
- ✓ Incorporate the family as a whole in your outreach efforts. Consider sponsoring activities for the whole family, and splitting off into groups (women, men, teens, and children).

Case Study

Magda was married and had three children. Her husband had always had a bad temper, but lately, he'd begun to slap and push her whenever he was displeased. She had heard about a women's group that was meeting at a local church that was supposed to help women with their problems. Magda had become very depressed because she didn't know why her husband was so angry with her all the time. She wanted to attend the group, but her husband won't let her go out on her own.

A local program decided to hold a "family night", which they advertised as a community meeting where people could learn about their rights in the U.S., hear about health services available to the community, and share in a meal that would be provided by the community center. The program did not directly address the issue of domestic violence or abuse while promoting the meeting. Magda was happy about this, because she was able to convince her husband that they should go, because they might learn something important. Besides that, her family was very important to her, and she liked to take her children everywhere with her.

At family night, everyone split up into groups of men, women, teenagers, and children. During the first several meetings, leaders of both the men's and the women's groups talked about laws surrounding violence and assault in general. They included domestic violence and sexual assault in their presentation. They then encouraged the group participants to talk about problems and needs within the community. During the third session, the groups began to brainstorm about solutions to these problems, and program staff presented information about the services they offered.

During this time, Magda's husband had become even more violent with her. He gave her a black eye one night, and she had become afraid for her children. In the women's group meetings, she heard several other women telling stories that were very similar to her own. When the program staff person began talking about domestic violence, she realized that the way her husband treated her matched descriptions of physical and emotional abuse. She felt better talking to other women who were going through similar things. In the group, she found several supportive women with whom she identified, and at the fifth

group meeting, she began disclosing her own experiences. Some of the other women approached her outside the meeting to offer their support to her. They eventually encouraged her to seek help.

Conclusion

These are basic examples of issues that you may encounter when planning for outreach activities. Every community is complex and different! Be sensitive and open to what is really going on. It is utterly important to get to know target communities and build mutually respectful relationships. Involve community members in planning and implementing outreach activities. This will help ensure that community needs and concerns are addressed in an appropriate way. It will also empower victims and their communities.

Remember:

Community members know the realities that they live with daily much better than programs do. They hold knowledge about customs and institutions that both support and discourage violence. You may have information that victims and their communities need, but you must learn from their knowledge as well. Avoid an attitude of superiority. Top-down approaches to “educational outreach” are offensive and disempowering. Make sure to listen!

¹ “Healthy Communities Tools: Agency-Based and Community-Based Approaches”. *AHEC/Community Partners*. Amherst, MA.

² Pendleton, Gail . “Building the Rhythm of Change”. *Family Violence Prevention Fund*. San Francisco, CA.

³ Kim, Mimi (2005). “The Community Engagement Continuum: Outreach, Mobilization, Organizing, and Accountability to Address Violence Against Women in Asian and Pacific Islander Communities”.

Empowerment and Improved Services through Collaboration

Collaboration is defined as “two or more entities working together to create or achieve the same thing”. Collaborative relationships built with the goal of bridging gaps and improving service providers’ responses to victims of culturally diverse backgrounds can be very productive. Such relationships may take many forms and may be based on a variety of desired outcomes. Collaboration may involve creating relationships and protocol between service providers, agencies, and institutions that provide services needed by or make decisions that impact victims. Many domestic violence and sexual assault programs already participate in such relationships through Coordinated Community Response Teams, and other such formal and informal connections that help their clients receive the services and support they need. This experience directly applies to thinking about collaborating that is meant to promote the interests and needs immigrant client. The principals of collaborating are the same. Meeting the needs of diverse clients will just require an expansion in thinking about where linkages are necessary.

Collaborating with other Service Providers

Collaborative relationships may be formed with a variety of other service providers, agencies, or systems. Programs may decide to work with other mainstream service providers that have some expertise in working with or providing services specifically to immigrant communities. They might also join forces with agencies that provide some service necessary for LEP or immigrant populations. Service providers who are led by immigrants (such as a local cultural or community based organization) may be important collaborative partners.

Such collaborations may:

- Create awareness of needs and realities specific to immigrant communities.
- Educate other agencies about immigrants.
- Engender a more positive response on the part of other agencies (i.e. police, etc) to immigrant victims.
- Create more linkages between victims and services they need.
- Strengthen existing efforts (outreach, etc.) of the participating organizations by the pooling of resources and information.
- Help incorporate domestic or sexual violence into the greater picture of community development. This may be more palatable to the community itself, as well as more effective in creating social change.

General Principles of Successful Interagency Collaboration

- Engage agencies whose goals are ultimately similar, although your methods may be different.
- Identify the philosophies and goals of each party. Be honest about everyone's reason for participating (i.e. what everyone hopes to get out of working together). Highlight places where your agencies' goals intersect and the reasons why collaborating would make these goals more attainable.
- If you are working towards similar goals, point out that pooling resources and energy will make the process easier on everyone.
- Examine the methods utilized by each agency to attain common goals. Identify ways in which you could be working together but aren't. Determine how efforts could be coordinated.
- Be upfront when you can't see eye to eye and are unwilling to budge on fundamental or philosophical issues, but don't let this negate the ways in which you can work together.

Collaborating with Communities

Collaboration is often understood to be the connecting of service providers, agencies, and institutions with other service providers, with the intent of coordinating efforts. However, this only represents a portion of the potential that exists when engaging in collaborative relationships. A more complete understanding of collaboration will involve the engaging of community members and should incorporate principals and strategies of community organizing¹. This is especially true when working with immigrant, refugee, or other oppressed communities. Beyond interagency relationships and agreements, collaboration can involve creating relationships within communities, and mobilizing and empowering community members to end domestic and sexual violence. From this perspective, there is the potential for overlap between outreach efforts and collaboration. Many of the goals and principals are similar. Relationships made during outreach can be fostered, and community input and leadership can be further supported.

Case Study

Rocio and Inez were participants in a focus group that was conducted by a local program that wanted to test out a new rape prevention campaign. All of the materials had been translated to Spanish. However, the translator was from Argentina, and a large majority of the Spanish-speakers in the program's service area were Dominican. The campaign materials used several colloquial terms that were not used by the Dominican community, so they were not appropriate for their target audience. Rocio and Inez, both of whom were from the Dominican Republic, pointed this out to program staff. They also explained other important information about their community, how it would react to the content of the materials, and better channels of communication for the program to explore. Program staff recognized that these women had deep insight into their community, and that they would be able to head up the rape prevention campaign much more effectively than would the program itself. The program asked the women if they would like to be more directly involved in the creation and implementation of the campaign and an agreement was made that empowered Rocio and Inez to have leading roles. The two women felt very passionately about the issue, and were excited about the chance to have support as they worked to address rape in their community.

Working with communities will likely lead to solutions to barriers between victims and relief. Community members know the needs of their community. They also understand, in a way that external service providers can't, what messages other community members are likely to respond to. Ultimately, this approach will further empower the community to take ownership of its realities and appropriately address its needs. So, this can be an effective way to connect communities with services and information. Also, because of its empowering nature and focus on solutions that originate from the community itself, collaboration potentially serves as a catalyst for social change from within². Internally motivated change is much stronger than anything externally imposed by service providers.

Such relationships may include:

- Community members (can be people met during outreach activities)
- Clergy, spiritual, or religious groups/leaders that are trusted by community
- Community based immigrant organizations
- Immigrants' rights groups
- Bilingual, foreign-language, and/or community based media

Caution!

It is important that members of marginalized communities are not used to advance the goals of mainstream agencies and expected to fit in to existing models. Make sure the voices of all participants are heard and equally valued in decision making, and that relationships created are mutually beneficial. If programs enter into relationships in this way, they are mirroring the oppression of abusive relationships. To truly work to end violence, we must deconstruct such power hierarchies.

Ideas for Effective Collaboration with Communities

- Combine outreach efforts with collaborative thinking and relationship building. When collaboration is done within communities, some of the strategies utilized can easily overlap with an organization's outreach efforts. For example, you may do educational outreach and develop specific materials for it. Community members should be asked to aid in the development of such materials (focus groups, etc). You may discover that some of the participants are concerned about domestic or sexual violence in their community. Such relationships can be fostered. Keep in touch with such individuals, value their advice, and find ways to create mutually beneficial relationships.
- Identify community leaders that are trusted by community members, especially victims. Ask questions. Find out if there is a religious service that most community members attend. If so, you may be able to connect with existing community leaders, clergy, and other spiritual/religious leaders. Be aware, however, that community leaders may not share your programs' values and goals, and that they may not represent the concerns of victims. Find out where community members get most of their information. Newspapers? Particular TV or radio programs? Consider partnering with community bilingual or foreign language media.
- Is there any person or group that has decision-making power that affects the whole community? If so, find out if this person is a potential ally.
- Immigrant led community based organizations (i.e. local cultural groups) that are already working on behalf of their communities can be good allies, especially if they understand how ending domestic and sexual violence fits into the greater picture of community improvement and empowerment.
- Work with individual community members who are not considered community leaders, but who want to organize their communities to end violence against women. Don't rely on existing leaders; help passionate individuals build their leadership skills! In doing so, you will empower victims and their communities.

Caution!

Be aware that not all members of a particular ethnic/linguistic/cultural group represent the concerns of victims or of the community at large.

Also, when working with community leaders, make sure their participation is not based on attitudes that perpetuate violence. For example, some community leaders may believe that victims of domestic violence are best helped by reconciliation with their abuser. There may be times where working with established authority figures would be detrimental to victims, even though they seem to be an obvious gatekeeper between culturally isolated groups and dominant culture.

Conclusion

Collaborating with and on behalf of immigrant and refugee communities will not only improve service provider response, but also engender greater empowerment of victims and the communities in which they live. Collaborative relationships can take many different forms. Be innovative and open to working with non-traditional allies. Remember that the ground work required to build healthy collaborative relationships may require effort at first, but will potentially create important links to and sustainable structures within the community. The ultimate result will be enhanced services, increased victim empowerment, and safety.

¹ Kim, Mimi (2005). “The Community Engagement Continuum: Outreach, Mobilization, Organizing, and Accountability to Address Violence Against Women in Asian and Pacific Islander Communities”.

² Fullwood, P. Catlin (2002). “Preventing Family Violence: Community Engagement Makes the Difference”. Family Violence Prevention Fund.

Human Trafficking

Human trafficking, or trafficking in persons, is defined as “the recruitment, harboring, transporting, providing or obtaining by any means, any person for labor or services in peonage, slavery, involuntary servitude or forced labor”.¹

“Human trafficking is a form of modern-day slavery. Victims of human trafficking are young children, teenagers, men and women. Approximately 800,000 to 900,000 victims annually are trafficked across international borders world wide, and between 18,000 and 20,000 of those victims are trafficked into the U.S., according to the U.S. Department of State. Victims of human trafficking are subjected to force, fraud, or coercion, for the purpose of sexual exploitation or forced labor.

After drug dealing, trafficking of humans is tied with arms dealing as the second largest criminal industry in the world, and is the fastest growing.

Many victims of human trafficking are forced to work in prostitution or the sex entertainment industry. But trafficking also occurs in forms of labor exploitation, such as domestic servitude, restaurant work, janitorial work, sweatshop factory work and migrant agricultural work.

Traffickers use various techniques to instill fear in victims and to keep them enslaved. Some traffickers keep their victims under lock and key. However, the more frequent practice is to use less obvious techniques including:

- Debt bondage - financial obligations, honor-bound to satisfy debt
- Isolation from the public - limiting contact with outsiders and making sure that any contact is monitored or superficial in nature
- Isolation from family members and members of their ethnic and religious community
- Confiscation of passports, visas and/or identification documents
- Use or threat of violence toward victims and/or families of victims
- The threat of shaming victims by exposing circumstances to family
- Telling victims they will be imprisoned or deported for immigration violations if they contact authorities
- Control of the victims' money, e.g., holding their money for "safe-keeping"

In October 2000, the Trafficking Victims Protection Act of 2000 (TVPA) made human trafficking a Federal crime. It was enacted to prevent human trafficking overseas, to protect victims and help them rebuild their lives in the U.S., and to prosecute traffickers of humans under Federal penalties. Prior to 2000, no comprehensive Federal law existed to protect victims of trafficking or to prosecute their traffickers.”²

Multiple Victimizations: Domestic Violence, Sexual Assault, and Human Trafficking

While trafficking may seem to be an issue that is not within the scope of domestic and sexual violence programs' missions and services, human trafficking is actually inextricably linked to violence against women. Victims of trafficking are often women from impoverished nations who are exploited because of their gender and economic status. The enslavement of trafficked persons is usually accompanied and enforced by psychological intimidation and physical violence³. Many trafficked persons suffer multiple forms of abuse. Trafficked women and children especially are often sexually brutalized and beaten. Traffickers may use physical violence to “condition” victims who will be forced into prostitution, to instill fear, or to punish victims who attempt to escape. Extreme emotional abuse occurs together with such physical violence.

It is important that we understand that trafficking has much in common with domestic violence and sexual assault. The existence of these forms of violence is supported by gender-based oppression, and they often occur simultaneously. Many victims of human trafficking are also victims of sexual or domestic violence. A trafficked person may not identify with the label “trafficked” or “enslaved”, but may seek help from a program for other issues. If a program is working with immigrants, they may already be encountering victims of trafficking. It is imperative that advocates understand the issue of human trafficking, be able to identify potential victims, and connect them with the appropriate resources and protections. Not doing so will leave victims who most likely have no social support network, resources, or documentation of identification extremely vulnerable to further victimization.

Advocacy and Coordinated Responses

Trafficking victims, as with any victims, will need to work within multiple systems. Meeting trafficked individuals' needs will require coordinated responses from service providers. Advocates must know ahead of time exactly who should be involved so that they can help victims navigate these systems safely and effectively. It is important to build relationships with other agencies that may serve victims of trafficking ahead of time in order to be able to facilitate appropriate crisis responses. Groups such as The Freedom Network (USA) provide a model for such coordinated responses.

Please read the materials in the appendix to this section and make sure your agency is trained and prepared for the issues presented.

¹ “What is Trafficking in Persons?” Freedom Network (USA) (<http://www.freedomnetworkusa.org>)

² from *The Campaign to Rescue and Restore Victims of Human Trafficking* website, <http://www.acf.hhs.gov/trafficking/about/index.html>

³ Florida Coalition Against Domestic Violence (2004). “Domestic and Sexual Violence Advocate Handbook on Human Trafficking.”

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