

## Fact Sheet: Immigrant and Limited English Proficient Victims' Access to the Criminal Justice System: The Importance of Collaboration (April 30, 2013)

A nationwide survey of organizations serving immigrant victims of domestic violence, sexual assault and human trafficking was completed electronically by 722 non-governmental and governmental service providers from across the United States January 2013 and March 2013.<sup>i</sup> Survey participants provided their experiences from working on over 22,000 cases of immigrant crime victims who were survivors of domestic violence, sexual assault, human trafficking and other crimes covered by the U visa. The survey reported on over 13,500 cases of immigrant and/Limited English Proficient (LEP) victims who called police for help. Most frequently, immigrant clients were Spanish speakers, followed by Filipino, Arabic, Russian and Mandarin speaking clients.

### Language Access to the Justice System

Department of Justice has urged law enforcement should not rely on friends and family members to interpret for LEP crime victims. These individuals may be untrained, biased, interpret incorrectly and/or can pose confidentiality and safety risks.<sup>ii</sup>

### Reported cases in which justice system personnel used unqualified interpreter

- Law enforcement - 30%
- Court officials - 29.7%
- Prosecutors - 25.1%

### When responding to a call from an immigrant or LEP victim of violence, officers:

- Spoke victim's language - 12%
- Identified the language the victim spoke - 42.6%
- Used a language line - 7%
- Used a qualified interpreter - 10.4%
- Used an unqualified interpreter - 30%

### When an unqualified interpreter who was:

- A child of the victim or perpetrator = 24.3%
- A friend or neighbor = 22.9%
- An adult relative = 17.8%

### Police spoke only with the perpetrator<sup>iii</sup> in:

- 10.7% of sexual assault cases
- 8.1% of domestic violence cases
- 4.8% of human trafficking cases

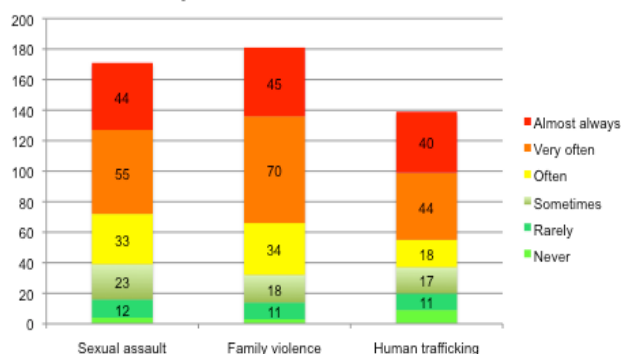
### Victim informed of her legal rights<sup>iv</sup> in:

- 23% of sexual assault cases
- 38.9% of domestic violence cases
- 13.4% of human trafficking cases

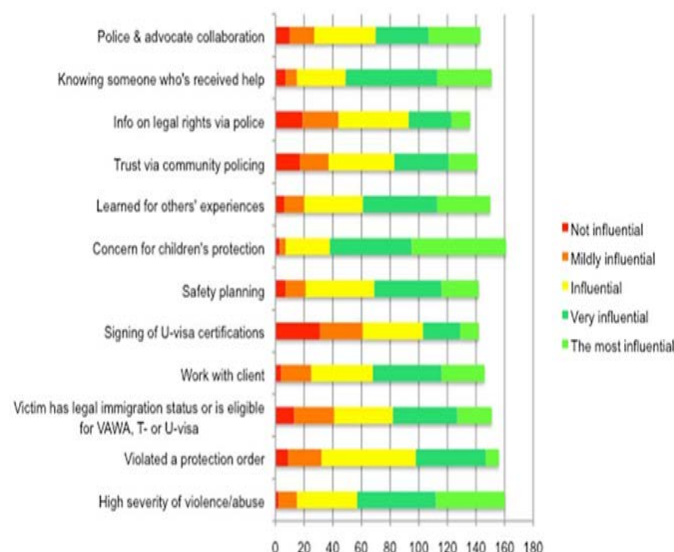
### A police report was not taken in

- 9.6% of sexual assault cases (60.8% of victims had visible injuries)
- 10.4% of domestic violence cases (83.4% of victims had visible injuries)
- 11.8% of human trafficking cases (91.5% of victims had visible injuries).

### Effect of Language Access on Willingness to Report Crime (by number of responses)

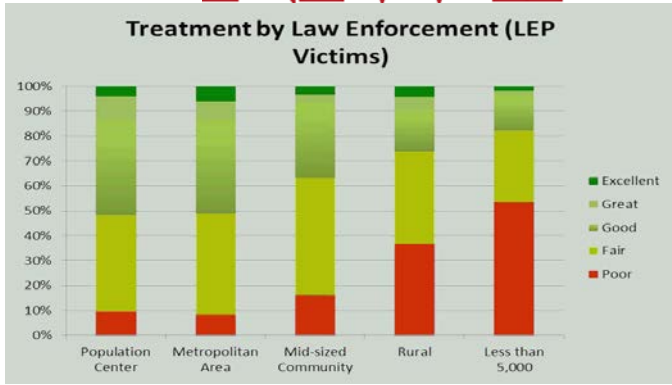


### Factors most influence your immigrant or LEP clients' willingness to call the police for help (number of responses)



Law Enforcement's treatment of LEP victims tends to be more favorable in larger population centers:

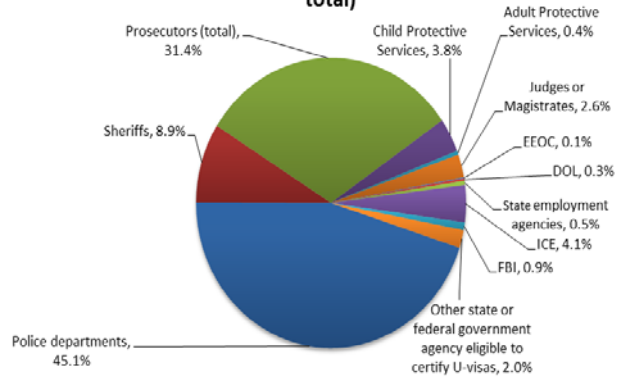
The National Immigrant Women's Advocacy Project, American University, Washington College of Law 2014. This project was supported by Grant No. 2013-TA-AX-K009 awarded by the Office of Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions and recommendations expressed in this publication are those of the author and do not necessarily reflect the view of the Department of Justice, Office of Violence Against Women. This project was supported by Grant No. 2009-DG-BX-K018 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.



## Collaboration and U visa certification

- 79.2% of agencies certifying U visas had ongoing collaborations with victim advocacy programs.

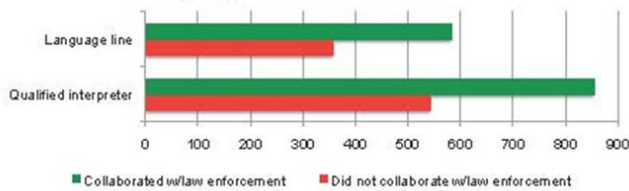
### Agencies That Have Signed U Visa Certifications (2,913 total)



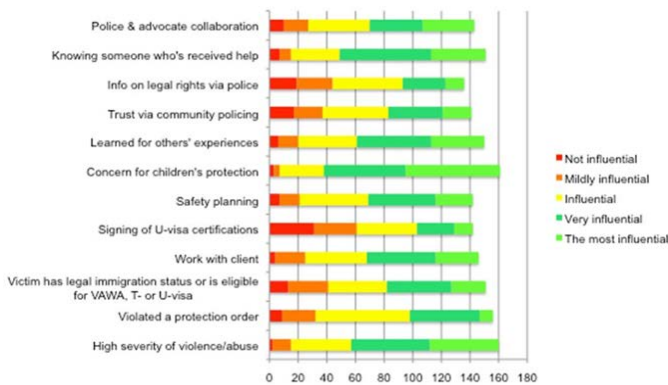
## Collaboration fosters both language access and U visa certification:

Police were more likely to use a qualified interpreter and/or a language line when they had collaborated with another service provider on outreach to immigrant and LEP communities.

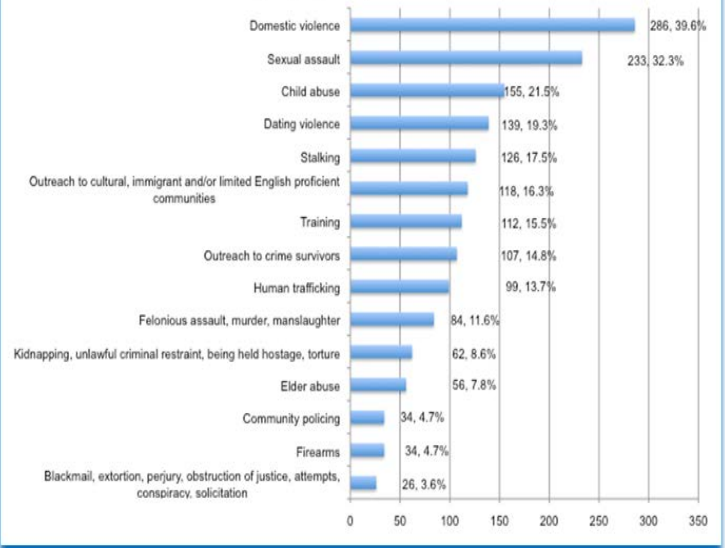
### Outreach to cultural, immigrant or limited English proficient communities and language access (number of cases)



### Factors most influence your immigrant or LEP clients' willingness to call the police for help (number of responses)



### On what types of issues or cases have your agency and the certifying agency collaborated?



## Types of collaboration

Advocates and law enforcement collaborate most on:

- 81.3% on cases of individual victims
- 71.9% collaborate on trainings
- 69.2% on community education
- 58.8% SART teams
- 57.9% CCR teams
- 51.5% on outreach to immigrant communities

<sup>i</sup> Natalia Lee, Daniel J. Quinones, Nawal Ammar & Leslye E. Orloff, National Survey of Service Providers on Police Response to Immigrant Crime Victims, U Visa Certification and Language Access (April 16, 2013)

<sup>ii</sup> Tips and Tools from the Field on Executive Order 13166. Department of Justice. P. 42 [http://niwaplibrary.wcl.american.edu/language-access/government-materials/LANGAC\\_DOJTips\\_9.21.2004.pdf/view](http://niwaplibrary.wcl.american.edu/language-access/government-materials/LANGAC_DOJTips_9.21.2004.pdf/view)

<sup>iii</sup> These findings are similar to OVW grantee reports. See, Giselle Hass, Karen Monahan, Edna Yang and Leslye E. Orloff, U-Visa Legal Advocacy: Overview of Effective Policies and Practices (November 14, 2012)

<sup>iv</sup> *Id.*