



Empire Justice Center Main  
Page

## Women and Domestic Violence

### LARC Home Page

Frequently Asked Questions

### Federal LEP

Title VI

Executive Order 13166

DOJ LEP Guidance

Federal Agency Guidance

### LEP Topics

Court Access

Disability

Domestic Violence

Education

Employment /Unemployment

Food Stamp Program

Health Care Services

Law Enforcement

Legal Services and Attorneys

Public Housing

Social Security

Voting

### LEP Statistics

Census Data

Other Group Data

### Resources and Training

Language Access Guides

Language Access Training

Model LEP Plans

New York Resources

This section describes the LEP obligations of law enforcement agencies, court systems and domestic violence programs and shelters that receive Federal financial assistance.

Obstacles faced by battered LEP and immigrant women and methods to provide culturally and linguistically appropriate services are described in the resources below. [Click here](#)

### Federal Protections

The DOJ provides Federal financial assistance to many types of entities and programs, including, for example, courts, shelters for victims of domestic violence, and domestic violence prevention programs. The Title VI regulations and the DOJ Guidance requirements apply to each of those entities.

The DOJ Guidance describes how a "failure to communicate effectively with a victim of domestic violence can result in reliance on the batterer or a minor child and failure to identify and protect against harm." [2002 DOJ LEP Guidance](#)

The Department of Justice entered into a Memorandum of Agreement (MOA) with the town of Mattawa, Washington in March 2008. Its police department had allegedly failed to provide sufficient police protection to Hispanic victims of domestic violence due to a failure to take reasonable steps to provide meaningful access for LEP Spanish speakers. [MOA](#)

The Town has agreed to implement a strong language access policy, which includes the hiring of interpreters and translation of vital documents and establishes an outreach program to ensure that the LEP community is included in town services and programs. [A draft version of the LEP Policy is available here.](#)

### DOJ Guidance Domestic Violence Examples

#### Police Department Example

One example given is a police department that serves a predominant Hispanic neighborhood and routinely send officers on domestic violence calls. The police department is in a state which English has been declared the official language and the department determines they cannot provide language services to LEP persons. The DOJ Guidance describes:

"Thus, when the victim of domestic violence speaks only Spanish and the perpetrator speaks English, the officers have no way to speak with the victim so they only get the perpetrator's side of the story. The failure to communicate effectively with the victim results in further abuse and

failure to charge the batterer. The police department should be aware that despite the state's official English law, the Title VI regulations apply to it. Thus, the police department should provide meaningful access for LEP persons." [2002 DOJ LEP Guidance pg. 14168](#)

### **Court Example**

"A court encounters a domestic violence victim who is LEP. Even though the court is located in a state where English has been declared the official language, it employs a competent interpreter to ensure meaningful access. Despite the state's official English law, the Title VI regulations apply to the court." [2002 DOJ LEP Guidance pg. 14171](#)

### **Domestic Violence Prevention/Programs**

Several domestic violence prevention and treatment programs receive DOJ financial assistance and thus must apply the Guidance to their programs and activities.

For instance, a shelter for victims of domestic violence serving a largely Hispanic area in which many people are LEP should strongly consider accessing qualified bilingual counselors, staff, and volunteers, whereas a shelter that has experienced almost no encounters with LEP persons and serves an area with very few LEP persons may only reasonably need access to a telephonic interpretation service. Experience, program modifications, and demographic changes may require modifications to the mix over time. [2002 DOJ LEP Guidance pg. 14171-2](#)

### **(OVW) Office of Violence against Women LEP Requirements**

Recipients of Office on Violence Against Women (OVW) financial assistance are required to comply with Title VI of the Civil Rights Act of 1964 (Title VI). This law prohibits discrimination on the basis of national origin in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP).

Recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Grantees of OVW financial assistance are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

### **Obstacles to Immigrant and LEP Women**

In addition to the usual obstacles to leaving a violent relationship,

battered immigrant LEP women face a host of additional issues such as fears about being deported, loss of legal immigration status and cultural barriers to leaving their spouses.

Perhaps the most daunting barrier can be their inability to speak and read English. Without adequately understanding English, these immigrant women may be unable to communicate with the police, get medical care, learn about resources available to them in the community or negotiate the legal system to obtain an order for protection or apply for citizenship on their own.

Taken from *Reducing Language Barriers to Combating Domestic Violence: The Requirements of Title VI*, in the resources below.

## **Federal Resources**

---

### **Department of Justice**

- [Memorandum of Agreement between the Town of Mattawa, Washington and the Department of Justice, March 2008 \(PDF\)](#)
- [DOJ LEP Guidance, 2002 \(PDF\)](#)
- [Domestic Violence Examples From the DOJ Guidance \(Word\)](#)

### **Access to Courts and Interpreters for LEP Women**

- [Serving Limited English Proficient \(LEP\) Battered Women: A National Survey of the Courts' Capacity to Provide Protection Orders, Brenda K. Uekert ; Tracy Peters ; Wanda Romberger ; Margaret Abraham ; Susan Keilitz, 2006 \(Large PDF\)](#)
- [Ensuring Access to Protection Orders for Immigrant Victims of Family Violence, Legal Momentum, 2003 \(PDF\)](#)
- [Code of Professional Responsibility for Interpreters Serving LEP Victims of Domestic Violence outside of the courtroom and judicial settings \(PDF\)](#)
- [People Who Should Not Interpret in DV and Sexual Assault Cases, Legal Momentum, 2006 \(PDF\)](#)
- [Reducing Language Barriers to Combating Domestic Violence: The Requirements of Title VI, Carolyn Ham, Battered Women's Justice Project \(PDF\)](#)

### **Language and Culturally Appropriate Services for LEP Survivors**

- [Finding Safety and Support, New York State Office for the Prevention of Domestic Violence \(OPDV\), 2009 \(Arabic, Chinese, Russian, Spanish\)](#)
- [Model Protocols On Services for Limited English Proficient Immigrant and Refugee Victims of Domestic Violence, Washington State Coalition Against Domestic Violence, 2002 \(PDF\)](#)
- [Domestic Violence Pictorial Interview Booklet, For use with interpreters and: People who are Limited English Proficient, Deaf or Speech Impaired, 2006, Maine Department of Health and](#)

Human Services (Large PDF)

- Cultural Issues Affecting Domestic Violence Services Utilization, Report to DOJ, 2000 (PDF)
- Developing Linguistically and Culturally Responsive Materials for Latina Survivors of Domestic Violence, National Latino Alliance for the Elimination of Domestic Violence, 2004 (PDF)
- Cultural Competence in Victim Services, Ohio Office of Criminal Justice Services, 2006 (Large PowerPoint)

Last Updated: May 18, 2009 • [Empire Justice Center](#) © 2008