

## The Impact of Language Access on Limited English Proficiency (LEP) Survivors Seeking To Leave the Abuse

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## Domestic Violence Services Are Critical

Survivors reported that services were effective and life-saving:

- ◆ 90% - shelter experience increased their access to safety
- ◆ 92% - gained knowledge of their options and choices
- ◆ 98% - survivors with children said they got help with their children's safety

Without shelter, most survivors said they would have stayed with an abuser, become homeless, or risked death

Source: Meeting Survivors' Needs: A Multi-State Study of Domestic Violence Shelter Experiences, Washington Overview, 2009

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Findings and Recommendations from the Washington State Domestic Violence Fatality Review

December 2008

Jake Fawcett, Kelly Starr, and Ankita Patel  
for the Washington State Coalition Against Domestic Violence

Now That We Know

By Jake Fawcett, Kelly Starr and Ankita Patel  
for the Washington State Coalition Against Domestic Violence

WSCADV  
Washington State Coalition Against Domestic Violence

FINDINGS AND RECOMMENDATIONS FROM THE WASHINGTON STATE DOMESTIC VIOLENCE FATALITY REVIEW  
DECEMBER 2008



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## Separation Violence

In at least 47% of homicides by abusers, the victim:

- had left the abuser
- or was trying to leave

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## Increased Barriers for Women of Color & Immigrant Women

- Lack of economic resources
- Lack of culturally appropriate services
- Lack of language access
- Legal vulnerability of immigrant victims

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## Language Barriers

- ♦ It is very common that immigrant women escaping from their abuser cannot find shelters and other services with bilingual capabilities (Family Violence Prevention Fund).
- ♦ Language barriers prevent women to access services and the criminal justice system. (Menjívar and Olivia, 2002, p. 903).
- ♦ Isolation is another consequence of the language barrier that immigrant women suffer as many times they have left behind their own families and their support and help along with them. (Menjívar & Olivia, 2002, p. 904).

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### Why LEP Issues Are Important

- ♦ **Human Rights**  
DV advocates are committed to work for human rights
- ♦ **Economic Justice**  
LEP individuals may face discrimination, low wage and unstable jobs, lack of access to public and private assistance, and disproportionate levels of poverty and lack of information about U.S. financial systems
- ♦ **Cultural**  
Language is a big part of culture. Service practices may not make sense to people of all cultures. Words may translate, but concepts may not translate. This is a barrier to services.
- ♦ **Immigration**  
LEP people may be facing many barriers because of their immigration status. Our Immigration laws make getting safe a real challenge
- ♦ **Legal**  
All systems must provide access. Under Title VI of the 1964 Civil Rights Act, federal law requires agencies to provide linguistically appropriate services to LEP individuals. The Department of Justice issued a letter that clearly requires all courts to provide interpreters at their expense.

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### What do we mean when we talk about domestic violence?

#### The DV movement understands that people who abuse their partners:

- ♦ Establish a pattern of control that occurs 24-7,
- ♦ Control/exploit their partners over time,
- ♦ Use a number of tactics – some of which are illegal, most of which are legal,
- ♦ Rely on societal inequalities to help them maintain abusive control,

#### Meanwhile, the criminal legal system:

- ♦ Decides if an incident was a crime,
- ♦ Looks at a single incident, not a pattern of abusive control,
- ♦ Assumes everyone is equal under the law – regardless of societal or institutional inequalities.

Excerpted and adapted with permission, 2011 Center for Gender Justice, Seattle  
Northwest Domestic Violence Legal Clinic & Co. Department of Abuse  
Seattle, WA 206-588-7700, [www.dvcenter.org](http://www.dvcenter.org), 2006, Washington  
State University, Center for Gender Justice, 2006-2015 1-800-362-2500 (TDD)

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### Language access issues arising immediately after an incident is reported

- ♦ Contact with law enforcement/shelters
- ♦ Law enforcement has no bilingual officers, some courts are limited to one interpreter
- ♦ Law enforcement will frequently decide that victim speaks “enough English” and will not use an interpreter
- ♦ Some indigenous languages do not have interpreters available or people who are speaking indigenous languages are assume to speak Spanish
- ♦ Family members (adults and children) are use as an interpreters

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### Language access issues arising when a LEP survivor takes the step to petition for an Order for Protection

- ◆ Some interpreters are available for a limited amount of time
- ◆ Some courts do not have interpreter services
- ◆ Some interpreters are not certified to do court interpretation and court is postponed
- ◆ Some courts do not have bilingual advocates
- ◆ Forms are available in different languages but the narrative must be filled out in English
- ◆ Some counties do not have bilingual staff in their courts so it makes very difficult to access them for LEP survivors

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### Language access issues arising when a Prosecutor's office decides to prosecute a case for the crime of domestic violence

- ◆ Some prosecutors attempt to communicate with an LEP victim without utilize an interpreter
- ◆ In some counties, letters and documentation from court send it to the victim is in English

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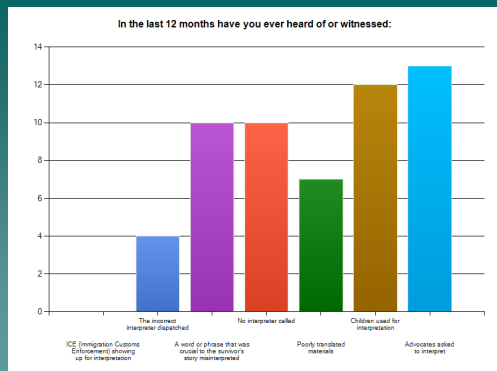
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Languages that are most difficult  
for you to find interpreters for

- ◆ Indigenous languages from Mexico and Guatemala
- ◆ Vietnamese
- ◆ Cambodian
- ◆ Dinka
- ◆ Arabic
- ◆ Swahili
- ◆ African languages

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