

Washington State Domestic Violence Fatality Review

Summary of Recommendations, 2000 – 2010

Historically Marginalized Communities

Based on in-depth reviews of 84 domestic violence homicide and murder-suicide cases, the DVFR identified 11 key goals to improve the response to domestic violence in Washington State. Among these key goals: **Improve the relationships between historically marginalized communities and law enforcement and appropriately provide translation services for non-English speaking communities.**

The following is a summary of recommendations related to historically marginalized communities from the six DVFR reports issued 2000-2010. Page numbers (in parentheses) indicate where each recommendation can be found in the full report, along with victim stories and relevant findings from review teams. Full reports are available at:

dvfatalityreview.org/fatality-review-reports/

2010

Up to Us

Law enforcement agencies, prosecutor's offices, and courts: Develop a language access plan that ensures access for victims with limited English proficiency during 911 calls, initial law enforcement response, follow-up investigation, prosecution decisions and preparation, court proceedings, court- and prosecutor based victim advocacy services, and in written materials. (25)

Domestic violence programs and culturally specific community organizations: Build relationships with one another. Offer cross-training, share community engagement strategies, and collaborate to co-advocate for victims of domestic violence in marginalized communities. (25)

Domestic violence programs: Prioritize recruiting and hiring advocates, managers, directors, and board members from diverse cultural backgrounds who are grassroots leaders, organizers, and advocates in their own communities. (25)

Establish protocols for assessing who is a survivor of domestic violence and who is an abuser in a same-sex relationship and for determining whether someone seeking services is eligible. Contact WSCADV to learn about model assessment protocols and training. (25)

Immigrant community organizations, immigration attorneys, and domestic violence programs: Provide information to community members about immigrants' legal rights, how to access legal assistance, and legal options available to immigrant domestic violence victims. (25)

Funders: Support domestic violence advocacy programs by and for Native communities, communities of color, immigrant communities, and lesbian, gay, bisexual, and transgender communities. (25)

2008 *Now That We Know*

Ethnic community organizations and domestic violence programs: Work together to share information and develop strategies for how community members can stay safe while supporting domestic violence victims. Ethnic community organizations should also create opportunities to engage their communities in dialogue about violence against women. (39)

Should collaborate to cross-train staff and volunteers, share outreach strategies, and provide co-advocacy for domestic violence victims. (41)

Collaborations should include ongoing dialogue, capacity building, cross-training, program development, community partnerships, and co-advocacy. (41)

Should work together to share information and develop strategies for how community members can stay safe while supporting domestic violence victims. (41)

Domestic violence programs: Mainstream domestic violence programs at the state and local levels should support the work of domestic violence programs and other organizations addressing violence against American Indian and Alaska Native women, women of color, and immigrant and refugee women through learning about the specific and complex barriers to safety and self-determination facing victims of domestic violence in these communities and adapting services to better meet their needs. (39)

State and local level programs should support the work of American Indian and Alaska Native domestic violence programs that seek to develop a process (such as a fatality review) that would examine community and system responses to domestic violence against Native victims, identify shortfalls, and organize to address the problems identified. (39)

Advocates should consider attending appointments with domestic violence victims accessing housing, health care, public benefits, and other services. Advocates can support victims by advocating for language interpretation, fair and unbiased treatment by other service providers, and culturally appropriate services. (40)

Should carefully examine their policies and practices to ensure that they support victims in remaining connected to their communities while planning for safety. Domestic violence advocates should routinely help victims plan for how they can safely stay involved with their religious and cultural communities. (42)

Should consider innovative strategies to mitigate language and cultural barriers, such as training bilingual community volunteers as domestic violence advocates. (43)

Should partner with interpreter agencies to cross-train both domestic violence advocates and interpreters on language usage and vocabulary limitations, including dialect differences and translation of legal terminology. (43)

Advocates should learn about potential immigration consequences for various offenses in order to help immigrant victims with safety planning. (45)

Ethnic community organizations: should provide information to community members on domestic violence, including information on legal rights and how to access legal assistance, options available to immigrant domestic violence victims and how to contact a domestic violence program. (42)

Should also create opportunities to engage their communities in dialogue about violence against women. (42)

Should provide domestic violence literature and resource information in public spaces throughout ethnic communities (e.g., in places of worship, ethnic restaurants, beauty salons, and small businesses) so that immigrant victims can learn about their rights. (45)

Should collaborate to provide trainings to immigrant and refugee women on their rights in an abusive situation, how to obtain legal help, and how to plan for their safety. (45)

Should collaborate to provide trainings to immigrant and refugee women on their rights in an abusive situation, how to obtain legal help, and how to plan for their safety.

Neighborhood block watch and similar crime prevention groups should learn about domestic violence resources and engage in outreach to share information among neighbors. Neighborhood block watch orientations and written resource materials should always include information about domestic violence, how to support a neighbor who asks for help, what to do if you see or hear violence in a neighbor's home, and how to access local domestic violence resources. (51)

Churches and other religious institutions: Should require their clergy and counseling staff to receive ongoing training about domestic violence and should have protocols in place to address domestic violence among congregants. (69)

Domestic violence programs and local religious leaders: Should collaborate to build their capacity to improve religious responses to domestic violence and coordinated support for victims. (70)

Funders: Should support culturally specific domestic violence work within communities of color, immigrant and refugee communities, and American Indian and Alaska Native communities and tribes. Support should include funding to develop and implement community engagement efforts, effective approaches to help victims of domestic violence, and supplemental or alternative accountability measures for abusers distinct from the criminal legal system. (39)

Should prioritize ongoing, culturally appropriate services to domestic violence victims and community engagement strategies to address domestic violence within communities of color and immigrant communities. These efforts should be rooted in the principles of advocacy-based counseling with corresponding policies and practices that uphold victim confidentiality and support victim safety and choice. (41)

The Washington State Attorney General: Should create a task force composed of tribal, state, and federal legal authorities to address jurisdictional gaps that affect American Indian and Alaska Native victims of domestic violence. Task force members should learn from, support, and collaborate with Native domestic violence victim advocates on responding to domestic violence in a culturally responsive manner. (40)

Child Protective Services: Should engage in community outreach, with a particular focus on immigrant communities and communities of color, to inform the public about CPS protocols and to address people's fears of engaging with CPS. (58)

Law enforcement: Should clearly communicate to domestic violence programs, courts, and local communities what their policies and practices are with respect to working with Immigration and Customs Enforcement (ICE). Law enforcement agencies should not coordinate their efforts with ICE in patrol, incident response, or investigation on non-federal, non-terrorism-related crimes. (40)

Should conduct all interviews with professional, qualified interpreters, both at the scene to determine if a crime has been committed and throughout their investigation. (43)

Should consider utilizing federal STOP grant funds to support language access resources for investigating domestic violence crimes. (44)

Should partner with domestic violence and other social service programs to advocate for additional funding resources to increase access to interpretation and translation services at the local level. (44)

Attorneys: Should help victims strategize about how to document abuse in order to support their immigration claim, whether or not they have contacted law enforcement. (45)

State and local bar associations, in collaboration with legal service organizations with expertise in immigration law, should provide affordable Continuing Legal Education (CLE) credits for

family law attorneys on immigration options specific to domestic violence victims and other legal concerns for immigrant victims. (45)

2006 *If I Had One More Day...*

Domestic violence programs and task forces: Should engage community informants, such as friends and family of domestic violence victims, to learn how to increase the visibility of the range of services available. Such efforts should address the distinct opportunities and challenges for rural and remote communities and for marginalized populations. Funders should support pilot projects to begin this process. (52)

Law enforcement agencies: Should not coordinate efforts with the Bureau of Immigration and Customs Enforcement (ICE) in patrol, investigation, and follow-up work on non-federal, non-terrorism-related crimes. Law enforcement agencies should work with immigrant communities to publicize and clarify their policies regarding when and if they cooperate with ICE and what non-citizens can expect when they call 911. (55)

State and local government agencies: Should make funding available to marginalized communities—such as communities of color, immigrant and refugee, Native, disabled, and lesbian, gay, bisexual and trans (LGBT) communities—to develop targeted and culturally specific community education campaigns and community organizing projects regarding domestic violence. Funding should be directed to organizations with established credibility and trust within the communities that will be the focus of the education and organizing efforts. (55)

The Washington State Legislature and Governor’s Office: Should discourage the adoption of inter-local agreements between local law enforcement agencies and ICE that allow for local enforcement of federal immigration law. (55)

2004 *Every Life Lost is a Call for Change*

Legislature and state agencies: Should prioritize funding for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts. (8)

Domestic violence programs: Should prioritize resources and work to make their services relevant and accessible for domestic violence victims with limited English proficiency. (49)

Law enforcement agencies: Should work with their community to develop and implement a plan for providing equal protection and access to Limited English Proficient individuals in their community. (49)

Should conduct investigations of domestic violence crimes with qualified interpreters. (49)

Should work with immigrant communities to publicize and clarify their policies regarding when and if they cooperate with ICE and what noncitizens can expect to happen when they call 911. (76)

Local law enforcement agencies who have actively decided not to enforce immigration law should be in dialogue with other law enforcement agencies (particularly those in the same region) with differing policies, educating them about the safety concerns and increased danger to battered women and children that collaborative enforcement relationships raise in immigrant communities. (76)

Should budget for telephonic interpretation services for all Limited English Proficient (LEP) calls and prioritize hiring employees who are qualified to provide services and intervention in relevant languages. (77)

Should conduct investigations of domestic violence crimes with qualified interpreters (either in person or via telephonic services) for all LEP individuals, with the goal of obtaining complete victim, perpetrator and witness statements at the initial crime scene, as well as high-quality investigative and follow-up work consistent with Washington state law. (77)

Should hold officers accountable for conducting inadequate investigations when they fail to follow policies regarding interpretation and translation. (77)

Should not inquire about citizenship status when responding to a crime scene. (76)

Should not coordinate efforts with the Bureau of Immigration and Customs Enforcement (ICE) in patrol, investigation and follow-up work on non-federal, non-terrorism-related crimes. (76)

Should not be involved in enforcing immigration law. (76)

The Washington Association of Sheriffs and Police Chiefs (WASPC): Should develop an accreditation standard requiring law enforcement agencies to develop and implement a policy regarding the initial response to domestic violence-related crimes when the victim or perpetrator has limited English proficiency. (49)

The Washington State Legislature: Should fund innovative, community-based child abuse prevention and juvenile delinquency prevention programs based in agencies, which already have trust and credibility within their target communities. (78)

Funders: Should prioritize strategies that engage friends and family of domestic violence victims and that support victims to build and maintain connection with their communities.

Funders should offer grants to fund innovative projects to develop such strategies, including those that address the needs of particular neighborhoods and marginalized communities. Funding should be made available for community organizing projects aimed at building safety and accountability strategies outside of the criminal legal system, particularly within marginalized communities and communities of color. Funding for such projects should go to organizations with established credibility and trust within the communities that will be the focus of organizing efforts. (83)

2002 *Tell the World What Happened to Me*

Policy makers, community leadership, domestic violence agencies and law enforcement: Should recognize that poor policing practices, strained police/community relations and lack of police accountability to the community all expand abusers' power because victims and others are reluctant to call the police as a result

Should pair calls for vigorous law enforcement response to domestic violence with calls for rigorous law enforcement accountability to the community around issues of brutality, bias, racial profiling and cooperation with Immigration and Naturalization Service (INS).

Should never ask children to translate. (18)

Law enforcement agencies: Should be aware that federal anti-discrimination law prohibits discrimination on the basis of national origin, which includes discrimination on the basis of English proficiency. (18)

Should be mandated to work with their community to come up with a plan for providing equal protection and access to Limited English Proficient individuals in their community. These plans should be made public. (18)

Should conduct investigations of domestic violence crimes with qualified interpreters. Law enforcement agency policies regarding obtaining translation at crime scenes should be clear and training provided. Domestic violence training for law enforcement should emphasize using appropriate sources of translation, and avoiding use of friends, children, or family members as translators on domestic violence calls. When taking a call from a cell phone, 911 call takers should always read back addresses, saying each number individually, to verify they have understood the caller (e.g., one, nine, two, five Maple Street). (18)

Should obtain a complete statement from the victim at the scene of every domestic violence crime. When language barriers exist, officers should let the victim write out a statement in their first language, or if literacy is a concern, record the victim's statement in their own language, using the AT&T Language Line to interpret their questions if necessary. Law enforcement should equip officers with digital or tape recorders for this purpose. Law enforcement should

hold officers accountable for conducting inadequate investigations when they fail to follow policies regarding translation. (18)

Should strive to create partnerships with local resources, like university language departments, in order to obtain interpretation and translation assistance. (18)

Should consider using federal Violence Against Women Act monies to hire court-certified interpreters. (18)

Should have clear policies of non-cooperation with INS and make sure that immigrant communities in their jurisdiction are informed about these policies. (18)

Community-based organizations: Should raise and address the issue of domestic violence and other forms of family violence (e.g., child abuse and elder abuse), help neighbors develop a common understanding of how they want to respond to these problems, and be sure that everyone knows about the resources available for domestic violence victims in their communities.

Should work with English as Second Language education providers to educate LEP individuals about how to make use of 911 and the availability of interpreters when they call 911

Domestic violence agencies: Should ally with organizations working for greater police accountability in their communities.

May want to consider creating a pool of paid, on-call translators with specialized domestic violence training who can be available to the police, prosecutors and probation officers, as well as community-based organizations

Local government: Should reflect the community they are serving. All parts of the criminal justice system should prioritize hiring people who can communicate with Limited English Proficient (LEP) individuals in their population.

Should strive to establish Protection Order advocacy programs that (minimally) meet the needs of their largest non-English-speaking populations.

Courts: Should advertise the availability of low-cost or free legal representation where low-income and Limited English Proficient people are likely to access the information, such as welfare offices, radio stations and laundromats.

Should include ample opportunities for training on diversity and bias in the legal system in continuing legal judicial education programs.

Judges and all other professionals involved in dissolution proceedings: Must rigorously examine their biases and seek to ensure that they do not affect rulings.

2000 *Honoring their Lives, Learning from their Deaths*

Communities of color, immigrant, refugee and limited English speaking, disabled, and gay/lesbian/queer communities should be supported financially and otherwise in developing targeted and culturally specific community education campaigns regarding domestic violence. Mainstream organizations and community members must make issues of access to justice and services for immigrant/refugee and limited English speakers a priority, and push for system accountability in this arena. Children should never be asked to translate at domestic violence crime scenes. (40 - 41)

Institutions such as law enforcement, hospitals, domestic violence programs, and TANF offices should create collaborative relationships with grassroots organizations based in limited English-speaking communities. They should work in collaboration, provide resources and expertise, and help build leadership and resources within the limited English-speaking community. All professionals who intervene in domestic violence should vigilantly examine their own attitudes and biases about women who have limited English-speaking ability and/or come from immigrant/refugee communities. (40 - 41)

Domestic violence programs: Should create stronger linkages with community organizations serving homeless women, substance abusers, women in the sex industry, and public defenders. (40)

Should extend advocacy and education efforts into drug treatment programs, jails, and prisons in order to reach marginalized battered women. (40 - 41)

Should offer help in resolving outstanding warrants, and become familiar with the processes for doing so. (40 - 41)

Should also work to make their own programs and services relevant and accessible for battered women with limited English skills. Bilingual/bicultural advocates should be supported by their workplaces in efforts to network and connect with others doing similar work. (49-50)

In small towns, professionals and service providers must take extra care to ensure that their familiarity with a victim (either as a result of informal contact, rumors, or stories) does not affect providing the best possible advocacy and intervention. (42)

Courts: Should move towards cooperation with domestic violence programs in this arena, recognizing that resolving warrants denies abusers a tool and helps battered women make use of the legal system to resist violence. (41)

Medical providers: and others screening for domestic violence should remember that even if a person speaks some English, they may feel more comfortable talking about emotional, sexual, or complex issues (like rape, intimidation, threats, barriers to leaving) in their own language.
(50)