

Building a Spirit of Collaboration and Cooperation



Welcome Back
Plenary : Day Two

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Please Note

The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

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Before We Begin

- Announcements
- Introductions for new participants
- Review Agenda for Day 2

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Faculty Introductions

Leslye Orloff, National Immigrant Women's Advocacy Project (NIWAP)

Rocio Molina, National Immigrant Women's Advocacy Project (NIWAP)

Officer Michael LaRiviere, Salem Police Department

Sergeant Antonio Flores, San Francisco Police Department

Soraya Fata, consultant with the National Immigrant Women's Advocacy Project (NIWAP)

Maria Jose Fletcher, VIDA Legal Assistance, Inc.

Mercedes Lorduy, VIDA Legal Assistance, Inc.

Vivianna Stubbe, VIDA Legal Assistance, Inc.

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EFFECTIVE POLICIES AND PRACTICES WHEN WORKING WITH LAW ENFORCEMENT

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Narrative Data: Key Findings

- Between July 2007 and June 2009, Legal Assistance for Victims (LAV) grantees provided narrative data to the Office on Violence Against Women (OVW) on barriers encountered, successes achieved, and lessons learned from advocacy efforts with victims.
- The most significant finding presented is that **comprehensive collaborations with law enforcement agencies contribute to success in U-visa advocacy.**

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WHAT THE FINDINGS TELL US: IDENTIFIED CHALLENGES FOR INDIVIDUALS SEEKING U-VISAS

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Challenge #1: Law Enforcement Practices

- Not arresting abusers
- Dual arrest
- Trying to dissuade victims from pressing charges
- Only interviewing the abuser, and didn't interview the victim
- Minimizing the crime committed by abuser
- Issues of victim credibility in sexual assault and stalking cases
- Immigrant victims were not made aware of their legal rights, including VAWA and U-visa relief

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Challenge #1: Law Enforcement Practices

- In instances where there was an arrest, grantees reported slow responses to certification process.
- Some agencies had not designated a person to sign certifications so they weren't signed.

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Challenge #1: Law Enforcement Practices

- Grantees cited refusal to sign U-visa certifications for the following reasons:
 - Crime was no longer under investigation
 - Prosecution was pending
 - No prosecution
 - Individuals eligible for U-visa were related to murder and manslaughter victims
 - Victim didn't submit medical evidence
 - No department protocol on certifications
 - Belief that certification meant immigration status was being awarded

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Consequences of Certification Delays

- Victims aren't able to obtain economic independence
- High levels of anxiety for immigrant victims
- Victims are vulnerable to ongoing threats and retaliation by the abuser
- Victims are denied early access to protection from deportation

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Challenge #2: Court Practices

- Civil courts failed to extend temporary civil protection orders when continuances were granted to secure interpreters.
- Civil courts delayed the issuance of protection orders or decisions of custody and child support until criminal cases are resolved.
- Victims are less likely to file for U-visa if they are faced with denial of protection orders or child custody.

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Challenge #2: Court Practices

- Victims who filed for U-visas would oftentimes return to their abuser if protection orders and custody weren't granted.
- Immigration enforcement officials would show up at protection order and custody hearings despite federal law prohibiting enforcement actions at courthouses.

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Challenge #3: Systemic Barriers

- Limited English Proficiency issues - governmental entities failed to obtain qualified interpreters for victims.
- Victims didn't have access to transportation, which exacerbated the isolation issue commonly found in domestic violence cases.

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LESSONS LEARNED

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Improving Court Practices

- LAV grantees found that training judges and court staff on domestic violence and immigration issues alleviated the challenges presented by court practices.



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ADDRESSING SYSTEMIC BARRIERS

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Language Barriers

- LAV grantees found the following strategies to be helpful in addressing language barriers:
 - Developing language access protocol for law enforcement and prosecution agencies
 - Translating materials on sexual assault and domestic violence into additional languages
 - Partnering with other programs to recruit new interpreters and providing training on domestic violence and sexual assault to interpreters



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Transportation Barriers

- To address transportation barriers, LAV grantees extended access to their services through the following:
 - Weekly satellite offices in rural areas
 - Mobile clinics
 - Toll-free statewide hotlines



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Comprehensive Collaboration With Law Enforcement

- Elements of successful collaboration
 - Continuous and comprehensive training for law enforcement
 - Ongoing, individualized communication with law enforcement, and building personal relationships
 - Providing U-visa certification training tools to law enforcement
 - Multi-agency cooperation through community collaboration projects

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Comprehensive collaboration can have a significant impact on immigrant survivor stories

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Review of the Case Study

- Lorena, native of Columbia, was married to Manual, LPR. They have a daughter, Alexandra, in common who was born in Columbia
- Manual was very physically and sexually abusive to Lorena, but she did not know who or how to seek help from

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What does collaboration look like in your environment ?



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Small Group Activity: Points for Collaboration

- Where would collaboration between different actors have been key in Lorena's case?



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Potential Points for Collaboration

- Police could have collaborated with advocates to provide Lorena proper information and language access
- Immigration lawyer and family lawyer could have collaborated to ensure Lorena's immigration status was not a factor in custody proceedings
- Lorena's attorneys could have collaborated with advocates to make sure Lorena received emotional support
- The Judge and Prosecutor could have had a better understanding of power and control dynamics and sexual assault trauma

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Questions

- We will now break into tracks and begin the next session at 10:00 a.m.



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12/12/2012 ... 28