

## Access Exercise –Judicial

March 31, 2019

(Estimated time – Access Exercise 30-35 minutes;  
De-brief processing the exercise 20-25 minutes)

### Purpose:

- To give participants a brief experience “being in the shoes” of an immigrant survivor. Participants will understand what difficulties immigrant and limited English proficient victims seeking access to justice face navigating a legal system to seek protection from domestic violence, child abuse, and sexual assault.

### Group/room/materials set-up and instructions:

- Large piece of paper posted on the wall with title “Lessons learned”
- Flip chart and markers
- Green Registration packets - Group A
- Red Registration packets for Group B
- Tables are set up with tables (3 4X8 tables) and chairs at each table and table tents for the tables marked as follows:
  - Registration – table outside of the room 2 chairs
  - Victim Advocates/Legal Services 3 chairs
  - Immigration/Detention set up table and detention area 3 faculty 1 chair
  - Information and referral 2 chairs
  - Set up
    - 3 4X 8 tables
- Workshop room is set up and labeled so that state teams sit together as teams following the exercise.
- Breakfast is inside the workshop room so that once they enter through the door they get breakfast
- Every team must arrive together and be complete before they are allowed to enter the room.
- When each individual arrives, ½ are given green packets and ½ red packets that include the instruction sheet and related materials. The person handing out the packets will also instruct team A to put on their brightly colored labels making them visible on their clothes (this helps facilitators identify which group the participant is in and also provides an experience of feeling stigma).

Faculty roles will be as follows:

- 1) “Access Exercise Supervisor”
- 2) “Registration Desk”
- 3) “Advocates/Legal Services”
- 4) “Public Benefits, Information and Services”
- 5) “Immigration/Detention”
- 6) “Guards”

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- **Access Exercise Supervisor:** (1) Faculty member will assign faculty to staff the following tables and supervise the activities of participants.
  
- **Registration Desk:** - Two (2) faculty members will be assigned to pass out materials: Provide team members with red and green folders, alternating color. (Red folders will have easy instructions to complete; Green folders will contain difficult instructions to follow and instructions will be written in multiple languages that will need interpretation.) Remember, states team participants must wait until all arrive to gain access to the room where the exercise takes place.
  
- **Advocate/Legal Services Attorneys** – Three (3) faculty members will be assigned to work at this table set up in Access Exercise Room. Advocates will provide interpretation of foreign languages and have extra money and pens, which they can pass out to those participants who contact them for assistance. Advocates may write a statement for the participant informing immigration enforcement officials that the person who has this letter is an immigrant with a pending VAWA, T or U visa case. Advocates may have to do outreach to get participants to access this valuable service.
  
- **Public Benefits, Information and Services** – Two (2) faculty members will be assigned to work this table answering questions and providing instructions to participants who ask for help. Try not to be too helpful and make sure that you do not begin assisting clients until your office is open. Also, note that all personal phone calls and coffee breaks shall be taken frequently. Randomly choose some people from the Red group and provide them cash benefits.
  
- **Detention** – Three (3) faculty members must work this table to check papers, provide clearances, etc. One member of faculty should play the role of the supervisor who makes arbitrary judgments as to who gets detained and who doesn't. They will particularly target people who approach them. A mock detention cell will be created in the corner of the room and controlled by 2 faculty. In order for detainees to be bonded out, they must furnish proof of U.S. citizenship (birth certificate, passport, naturalization certificate) or pay \$50-\$100 (faculty can determine level of bond depending on dynamics of game). The only way detainees can produce such bond is to rely on the charity of others, have already obtained a letter from the advocate or attorneys saying they have a pending VAWA, T or U visa application or obtain funds from others including those who received public benefits. Any detainees caught trying to escape will be held without bond. Faculty may also arrest some people coming to try to aid detainees.
  
- **Guards** – Two (2) faculty members will staff the conference room door (entrance) to assure only those approved will be able to leave the room and continue to the meeting room for breakfast.

**Group A's Green packet will include:**

- A green pen
- \$15 in play money
- 1 large, brightly colored label (they will be instructed by person handing out the packets to put these on)
- Group A print out instructions is in various languages, which will require interpretation.

**Group B's Red packet will include:**

- a red pen
- \$25 in play money
- Group B print out instructions is in English

## **Registration Instructions (Group A- Green Folders)**

### *Team Instructions:*

1. *To qualify for today's session, you must complete 3 of the 5 tasks listed below.*
2. *You may ask faculty for help. There are Victim Advocates, Legal Services, Public benefits and information services staff available to assist you.*
3. *You may ask other team members for help.*

*Complete 3 of the following item numbers 1-5 below in order to be granted permission by the guard to leave Access Exercise Room and get to the Meeting Room where breakfast is being served. When you arrive at the breakfast room, you must sit in your state teams. You cannot remove your badge until the discussion of the exercise is completed.*

1. *Show a photo ID AND either a logo from you agency OR a picture of a pet.*
2. *جس ریاست سے آپ آئے ہیں اس کی تصویر یا نقشہ بنائیے۔*
3. *Pay \$25 processing fee. Fees must be paid in play money.*
4. *Fill in the following form in **red** ink*
  - *Name and age of an older person in the room \_\_\_\_\_*
  - *Name of a participant who is married: \_\_\_\_\_*
  - *Name of a participant with who is fluent in another language: \_\_\_\_\_*
5. *Rank the following from 1-4 in **green** ink rank (with 1 the most likely to help and 4 posing some safety concerns)*

**Which of the following will help immigrant survivors who encounters a DHS enforcement official avoid detention**

- **Obtaining a protection order before filing a victim based immigration case \_\_\_\_\_**
- **Showing the immigration official a letter from a lawyer stating that the victim is in the process of filing a VAWA, T or U visa immigration case \_\_\_\_\_**
- **Telling the immigration official that you are a U.S. citizen or lawful permanent resident when you are not**
- **Telling the immigration official you have an #A number in a domestic violence, sexual assault, stalking or human trafficking related immigration case \_\_\_\_\_**

## **Registration Instructions (Group B- Red Folders)**

### *Team Instructions:*

- 1. To qualify for today's session, you must complete 3 of the 5 tasks listed below.*
- 2. You may ask faculty for help. There are Victim Advocates, Legal Services, Public benefits and information services staff available to assist you.*
- 3. You may ask other team members for help.*

*Complete 2 of the following item numbers 1-4 below in order to be granted permission by the guard to leave Access Exercise Room and get to the Meeting Room where breakfast is being served. When you arrive at the breakfast room you must complete #5 and sit in your state teams.*

- 1. Show your photo ID to a guard.*
- 2. Draw a picture of your state.*
- 3. Pay \$25 processing fee. Fees must be paid in play money.*
- 4. Do something in the next 24 hours that makes you feel good. Write and show the guard what that will be. \_\_\_\_\_*
- 5. Rank the following from 1-4 in **red** ink rank (with 1 the most likely to help and 4 posing some safety concerns)*

Which of the following will help an immigrant survivor who encounters a DHS enforcement official avoid detention ---

- Obtaining a protection order before filing a victim based immigration case \_\_\_\_\_
- Showing the immigration official a letter from a lawyer stating that the victim is in the process of filing a VAWA, T or U visa immigration case \_\_\_\_\_
- Telling the immigration official that you are a U.S. citizen or lawful permanent resident when you are not
- Telling the immigration official you have an #A number in a domestic violence, sexual assault, stalking, or human trafficking related immigration case \_\_\_\_\_

Facilitation notes:

1. Facilitator must first process/get out any negative feelings before leading a discussion of the specific aspects of the exercise and the parallel track of victims' experience.
  1. How did it feel to go through the process? Ask Group A (Green Folders) with the visible labels first. Then Group B (Red Folders).
  2. Acknowledge this may have been a negative experience for participants
  3. Stakes for you were not at the level of those for victims who are seeking protection from violence, a place to stay, help for their children, financial help, or some relief from the emotional pain they feel. However, acknowledge that it may still have been negative experience for participant.
2. **Brainstorm how the experience of the exercise illustrates barriers to access to justice immigrant and limited English proficient victims may encounter as they seek help from the justice system**

**Sample List:**

- Treating the 2 groups differently
  - Wrong color pen – not having what you need, not having the right color ink
  - Rigid eligibility processes
  - Not in language all teams could read
  - Not enough money
  - Limited access to help from faculty
  - Higher level of identification
  - Needing to divulge/seek personal information (married, age, language abilities)
  - Being labeled and required to “wear it”
  - Not knowing ALL the rules
  - Receiving “SILO” based help
  - Not knowing which faculty could provide what assistance
3. Facilitated discussion what lessons did you learn? What will you take from this exercise?
    - **Raise awareness of access to justice impediments for immigrant crime victims?**
      - i. To give participants a brief “walk in the shoes” experience of what it might be like for immigrant victims of domestic violence seeking assistance from courts, agencies, and programs and the ways in which the women may experience the system barrier.
      - ii. To think about how systems barriers impact immigrant victims who need comprehensive language accessible culturally competent help for professionals who understand their legal rights and the effect of trauma on victims.
      - iii. To help state teams understand that it is crucial for team members to identify and work on removing access to justice impediments in the system
      - iv. Need to constantly be aware of how our systems and policies effect battered immigrant victim and the safety of victims and their children

1. We as faculty also reflect on how faculty are aware of how our facilitation and support or lack thereof affects each of you.
4. What lessons did you learn? What will you take from this exercise?
    - In what other ways do programs erect barriers?
      - Assumptions about what immigrant survivors can and cannot access
      - Use of jargon, acronyms, legal terminology, form numbers, legalese that survivors and interpreters may not understand
      - We and grantees may feel these are harder cases, we're not always sympathetic when we get a call for something we don't do.
    - Discuss what can be at stake for immigrant survivors trying to access help
      - Protection from violence
      - Protection from deportation
      - A safe place to stay
      - Help for their children
      - Financial help
      - Some relief from the emotional pain they feel.

**Access to justice for immigrant crime victims requires:**

- *Visions, policies, and practices that respond to the current realities facing battered immigrant women, immigrant children and their families*
- *Importance of effective cross disciplinary collaboration, and*
- *A victim centered safety centered approach to remedies immigrant victims need from the justice system, advocacy and legal services, and from public benefits and services providers who work together to respectfully connect women from different cultures and experiences to resources relevant to their needs.*

**5. Culture and Maze**

Using Slides 30 – 36, Faculty will do a brief presentation on the maze to help participants understand how and why a victim's and or attorney / advocate's culture can influence and affect their work.