

Webinar:

**IMPROVING LANGUAGE ACCESS FOR
IMMIGRANT CRIME VICTIMS IN
MARYLAND**

December 11, 2023
Statewide Maryland Training

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Poll 1: Let's see who is on the webinar with us

Please check the box that best describes you:

- A. Victim Advocates and coalition staff
- B. Family Law Attorneys
- C. Prosecutors, law enforcement & their victim witness staff
- E. Other – type in the chat



Who We Are

- The National Immigrant Women's Advocacy Project (NIWAP) American University Washington College of Law
- We provide training and technical assistance to
 - Local, State, Federal law enforcement, prosecutors, victim advocates, judges, attorneys and other professionals
 - Serving immigrant victims of domestic violence, sexual assault, dating violence, stalking, human trafficking, child/elder abuse and other crimes
 - Our goal is to increase immigrant crime victims' safety, justice system participation, and ability to rebuild their lives and thrive



Join a NIWAP Community of Practice

- Family Law Attorneys COP
www.surveymonkey.com/r/FamCOP2023
- Victim Advocates COP
<https://www.surveymonkey.com/r/VictimAdvocateCOPApp>
- Roundtable for Law Enforcement, Prosecutors and System-based Advocates
<https://www.surveymonkey.com/r/LERoundtable>
- National Judicial Network: Forum on Human Trafficking and Immigration in State Courts
<https://www.surveymonkey.com/r/VGY9VJM>



Learning Objectives

By the end of this workshop, you will be better able to:

- Understand Maryland's language access services offered by Ayuda.
- Enhance language access within your organization and advocate clients gaining language access at other agencies.
- Identify pivotal points where lack of language access can negatively impact immigrant victims and their children
- Collaborate with interpreters.

Effectively Communicating with Victims of Crime

Poll 2: What countries do the victims in your jurisdiction come from?*



Maryland (2021)*

- ❖ Total foreign born population – 979,051
- ❖ 15.9% of the country's ~ 6.2 million people are foreign born
 - 55.5% naturalized citizens
 - 27% legal permanent residents
 - 17.5% temporary visa holders or undocumented immigrants
- 88.9% rise in immigrant population from 2000 to 2021
- ❖ Length of time immigrants have lived in the U.S.
 - 40% entered before 1999
 - 28.4% entered 2000 - 2009
 - 31.6% since 2010
- ❖ 31% of children under age 18 have one or more immigrant parents
 - 85.5% of these children are native-born U.S. citizens

**Source: Migration Policy Institute Data Hub (October, 2023) and Lawful Permanent Resident estimates MPI and DHS (2022)*

Maryland– Countries/Regions of Origin & Limited English Proficiency (LEP)(2021)*

- ❖ Latin America – 38.2%
 - ❖ El Salvador (12%)
 - ❖ Other Central America (11.3%)
 - ❖ South America (7.8%)
 - ❖ Caribbean (7.1%)
- ❖ Asia – 29.2%
 - ❖ India (6.5%)
 - ❖ China/Taiwan (6%)
 - ❖ Other South Central Asia (5.2%)
- ❖ Africa – 19.7%
 - ❖ Western Africa (10.2%)
 - ❖ Eastern Africa (5.1%)
- ❖ Europe – 8.7%
- ❖ Middle East – 3%
- ❖ Canada – 0.9%
- ❖ Oceania – 0.2%
- ❖ Language spoken
 - ❖ 20.4% of people in the state who speak a language other than English at home
 - ❖ 37.8% of foreign born persons are LEP - speak English less than “very well”

**Source: Migration Policy Institute Data Hub (October, 2023)*

Maryland-Languages Spoken at Home (2021)*

- ❖ Spanish (522,688)
- ❖ Chinese (including Mandarin, Cantonese) (70,837)
- ❖ Yoruba, Twi, Igbo, or Other Languages of Western Africa (69,594)
- ❖ French (including Cajun) (57,606)
- ❖ Amharic, Somali, or Other Afro-Asiatic Languages (37,885)
- ❖ Korean (35,322)
- ❖ Tagalog (29,196)
- ❖ Urdu (26,803)
- ❖ Russian (25,833)
- ❖ Hindi (23,294)
- ❖ Arabic (20,972)
- ❖ Vietnamese (20,736)
- ❖ German (16,081)
- ❖ Haitian (15,660)
- ❖ Swahili or Other Languages of Central, Eastern, and Southern Africa (15,429)
- ❖ Persian (including Farsi, Dari) (14,783)
- ❖ Portuguese (14,728)

* Source: <https://www.migrationpolicy.org/data/state-profiles/state/language/MD> (October, 2023)

Maryland-LEP (2021)*

- ❖ Limited English Proficiency (Speak English less than very well)
 - ❖ Naturalized citizens – 26.1%
 - ❖ Noncitizens – 52.5%
- ❖ Limited English Proficiency by language spoken at home
 - ❖ Vietnamese (50.6%)
 - ❖ Chinese (including Mandarin, Cantonese) (50.1%)
 - ❖ Spanish (44.5%)
 - ❖ Korean (43.2%)
 - ❖ Russian (34.3%)
 - ❖ Amharic, Somali, or Other Afro-Asiatic Languages (33.2%)
 - ❖ French (including Cajun) (30%)
 - ❖ Urdu (29.2%)
 - ❖ Arabic (29.1%)
 - ❖ Tagalog (including Filipino) (27.7%)
 - ❖ Haitian (24.2%)

Source: <https://www.migrationpolicy.org/data/state-profiles/state/language/MD> (October, 2023)



Ayuda's Language Access Program

Providing language access for
victims of crime in Maryland

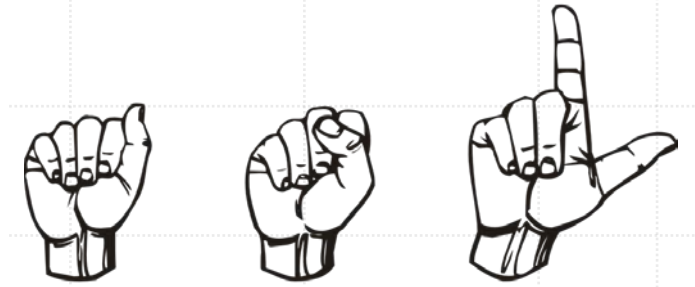
interpreterbank@ayuda.com



Language Access

- Ensuring that persons who have limited or no English proficiency or are Deaf or Hard of Hearing are able to access information, programs, and services at a level equal to English-proficient, hearing individuals.

Terminology

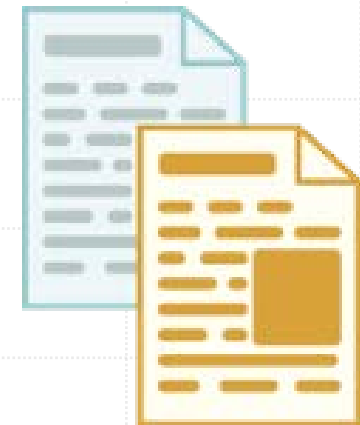


- Limited-English Proficient
 - Individuals who do not communicate in English as their primary language and have limited ability to read, speak, write, or understand English
- Deaf
 - “D” deaf individuals identify with the cultural components of a shared language (ASL), common life experience, history, and values
- deaf
 - “d” deaf individuals do not identify with the cultural aspects and may have a disability association

Terminology



- Interpretation
 - Rendering an oral or signed message from one spoken or signed language into another
 - Consecutive – speaker pauses sentence by sentence for interpretation
 - Simultaneous – interpreter interprets at the same time that speaker is speaking
- Translation
 - Rendering a written text from one written language into another
- Sight translation
 - on-the-spot oral interpretation of a written text



Obligations

Legal

Rehabilitation Act Section 504

- Federally-funded programs must provide qualified sign language interpreters

ADA Title III

- Law offices can't deny services based on disability, including Deafness

Title VI

- Discrimination on the basis of language is unlawful national origin discrimination (with federal funding)

Maryland Equal Access to Public Services Act of 2002

- Requires State agencies to take reasonable steps to provide equal access to public services for LEP individuals

Ethical

Moving toward
* Language Justice *

Code of Ethics of the National Association of Social Workers

- 1.03 Informed Consent

Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association

- 3.10 Informed Consent

Code of Ethics of the American Counseling Association

- A.2.a Informed Consent

ABA Model Rules

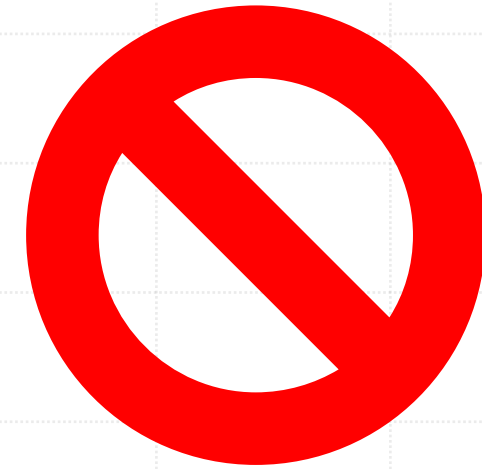
- 1.4 Communications (and more)



When to Use Interpretation

- Client:
 - Cannot speak English
 - Can understand but not communicate
 - Can speak English but is not fluent
 - Asks for interpreter
- Advocate/attorney/service provider:
 - Is less than fluent in client's language

Inappropriate Interpreters



Family and Friends

- May be adverse to client
- Not trained



Children

- Not trained
- Upsetting adult conversations



Ayuda's Victim Services Interpreter Bank (VSIB)

*For non-legal victim
service non-profits*

108 trauma-
informed
interpreters in
17+ languages



On-demand
telephonic and
video remote
interpretation



Document
translations in
almost any
language



Eligibility (Victim Bank)



Victim of crime

MD resident OR victimized in MD

Ayuda's Community Legal Interpreter Bank (CLIB)

*For legal service
non-profits*

105 legally-
trained
interpreters in
17+ languages



Document
translations in
almost any
language



Services more
limited in MD



Eligibility (Legal Bank)



MD resident

Legal client

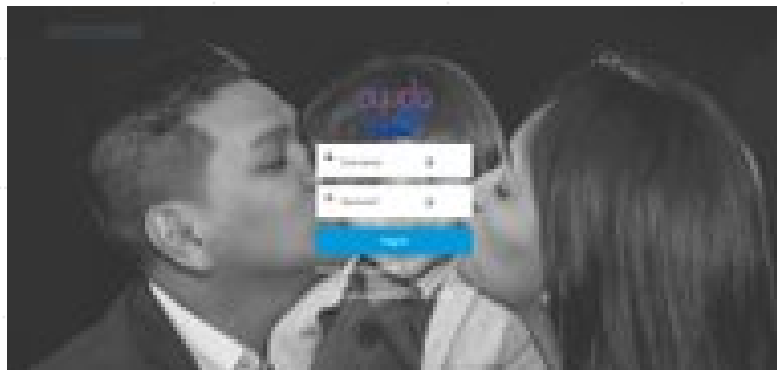
From Jan 1 – Nov 30, 2023, VSIB in MD provided:

- Local, specially trained interpreters on **455** occasions
- Top languages: Spanish, Mandarin, Ethiopian Sign Language, French
- On-demand telephonic interpretation in **1,105** instances
- **91** document translations

Interpretation options

Local, specially trained Ayuda interpreters

- Request in advance through Salesforce
- Onsite, remote by phone, or remote by video assignments
- Specially trained in interpreting for victim services



On-demand telephonic interpreters (LanguageLine):

- Available on demand by calling LanguageLine phone number
- Third-party agency (not Ayuda interpreters)
- Remote by phone only
- Best for short/logistical calls, immediate needs, situations when no Ayuda interpreters are available

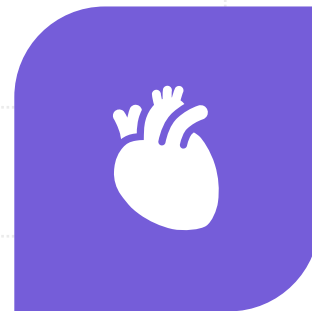
LanguageLine
Solutions®



Translations



CLIENT-SPECIFIC DOCUMENTS



VITAL DOCUMENTS (I.E. INTAKE FORMS)



OUTREACH MATERIAL



HANDOUTS USED DURING GROUP SESSIONS

Ayuda's interpreters must:



Complete 40-hour foundational interpreter training



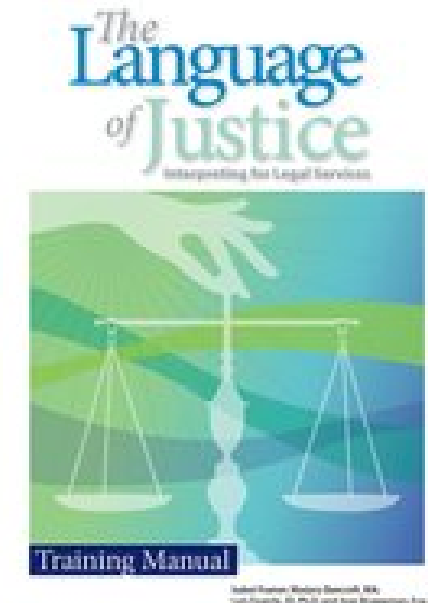
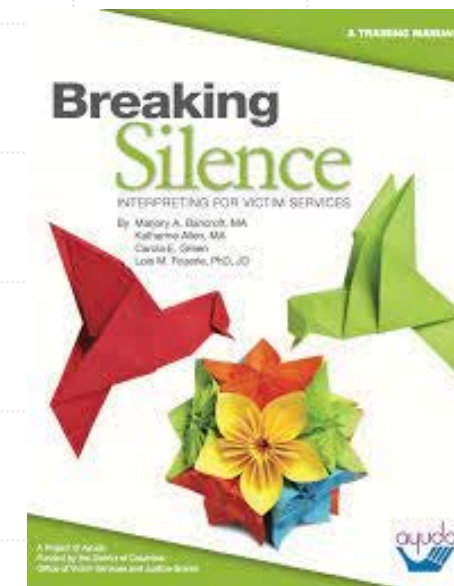
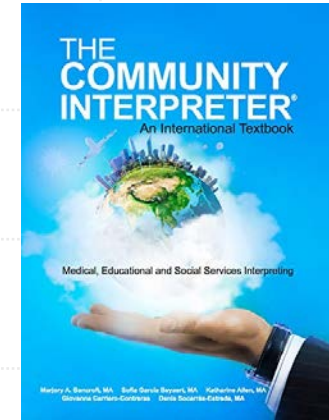
Complete specialized training in relevant content area



Demonstrate proof of proficiency in working language(s)



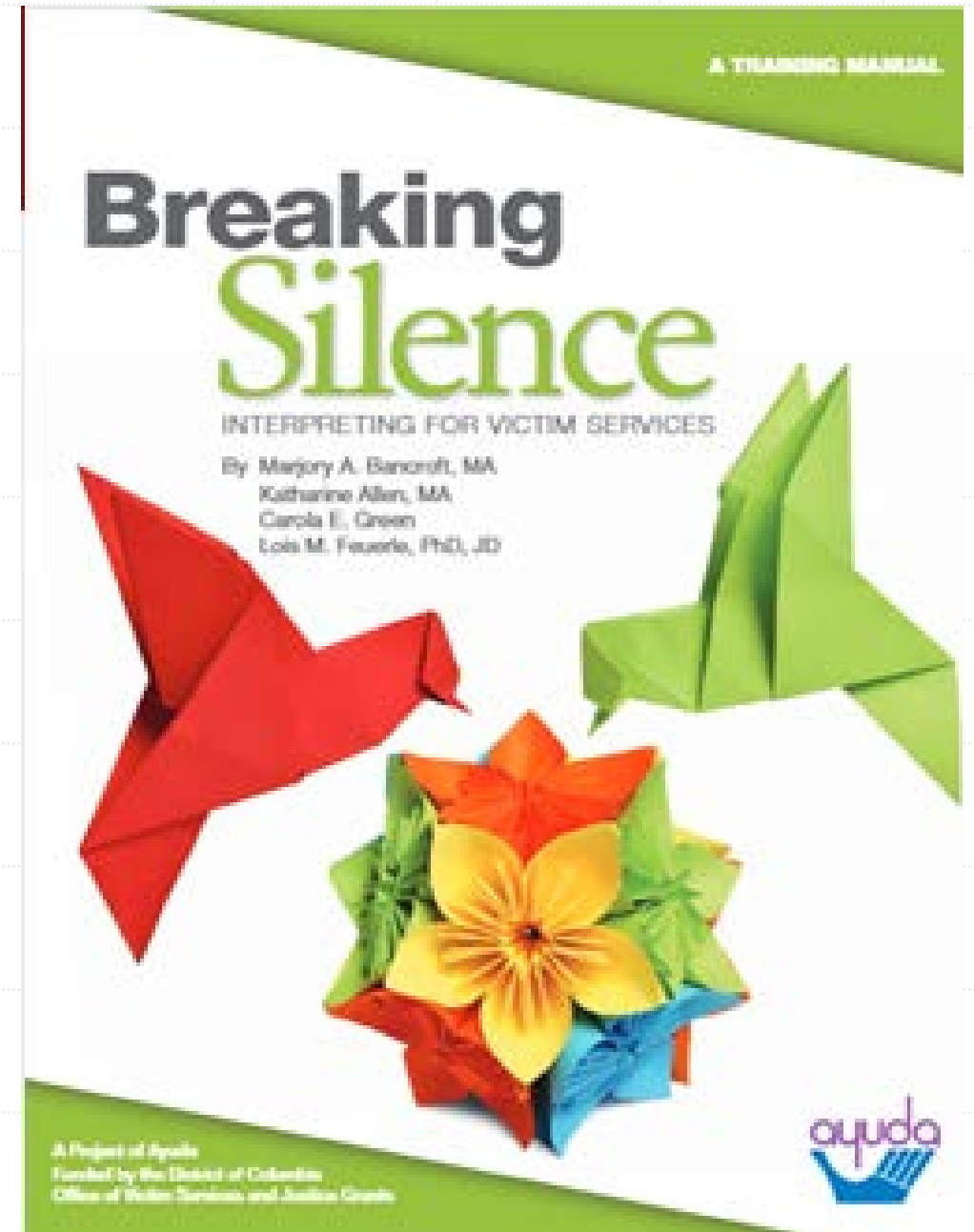
Complete background check



| ACTFL | ILR | CEFR |
|-----------------------------|--------|------|
| Novice (Low/Mid/High) | 0/0+/1 | A1 |
| Intermediate (Low/Mid/High) | 1+ | A2 |
| Advanced Low | 2 | B1 |
| Advanced Mid | 2+ | B2 |
| Advanced High | 3/3+ | C1 |
| Superior | 4+ | C2 |
| | ** | |

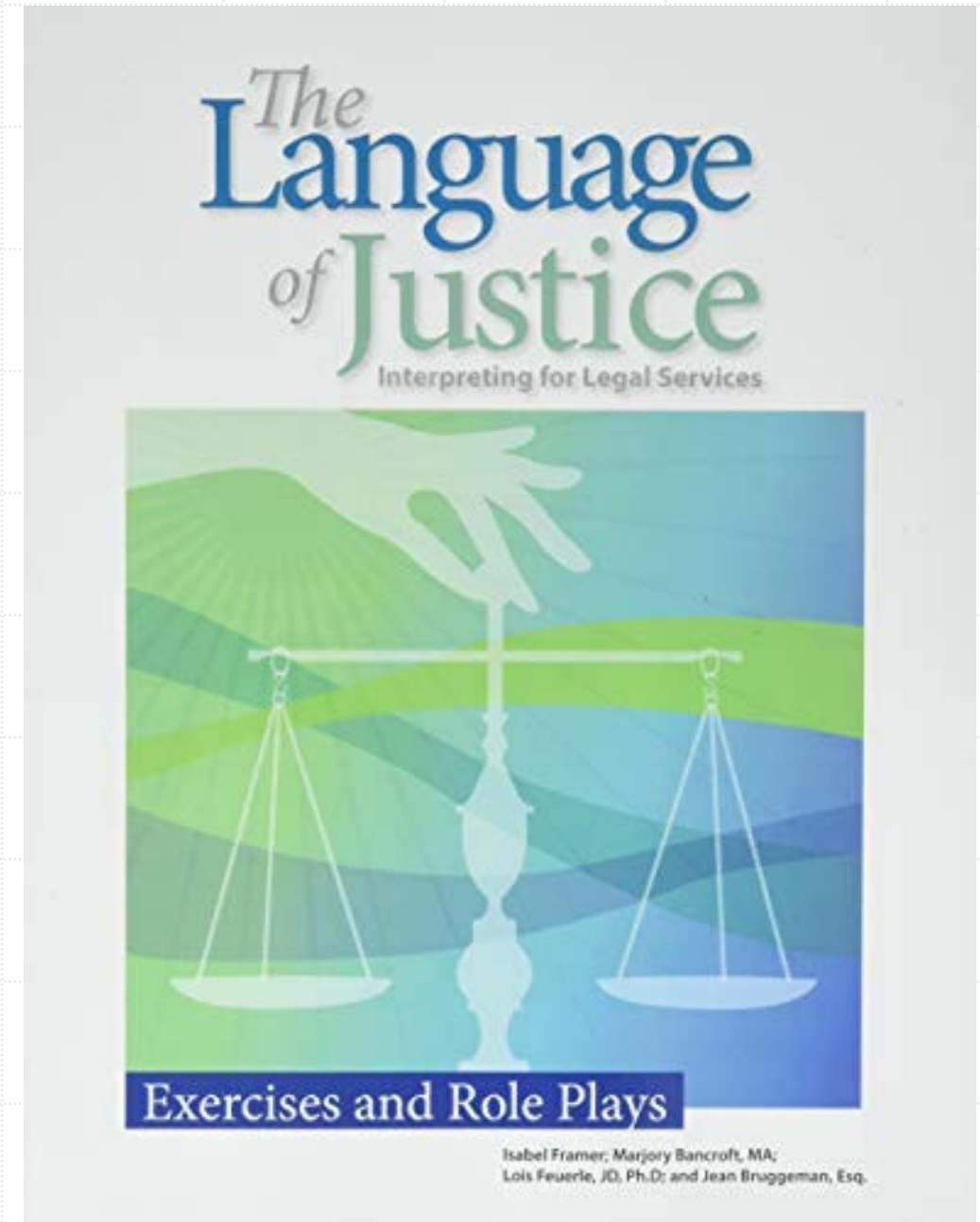
Breaking Silence

- 4-6 day training
- Covers
 - Working with crime victims
 - Providing victim-centered and trauma-informed interpretation
 - Vicarious trauma
 - Victim services vocabulary
- Role playing and completing exercises ahead of time can prepare an interpreter for the sensitive nature of victim services



Language of Justice

- 3-day training
- Focuses on legal interpretation outside the courtroom
 - Legal terminology/topics
 - U.S. legal system
 - Attorney-client privilege
 - Confidentiality and unauthorized practice of law
- Role playing and practice exercises based on actual attorney-client meetings



Language Access Obligations and Language Access Advocacy for Immigrant and Limited English Proficient Crime Victims

Title VI of the Civil Rights Act 1964

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d

Executive Order 13166

Goal

Provide meaningful access to people with limited English proficiency

Provides

Instruction and guidance about what Title VI and Lau v. Nichols means for federal agencies and grantees

Encourages

the development of language access plans

What is Meaningful Access?

- Meaningful access is defined in the US Department of Justice as:

“Language assistance that results in accurate, timely and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed or inferior, as compared to programs or activities provided to English proficient individuals.”

Who's covered?

1. Federally conducted programs
2. State/local government grantees
3. Non-governmental organization grantees



Recipients of Federal Financial Assistance and Title VI Compliance



Poll 2

A domestic violence victim who speaks Korean comes to your agency for help. What do you do if your organization does not have a staff member who is fluent in Korean?

(Mark all that apply)

A

You deny the service

B

You do your best trying to communicate with them in English

C

You make a referral to an organization that has Korean interpreters

D

You make arrangements to provide Korean interpretation for the client

Poll 3: Does your agency receive any of the following sources of funding?

Please check all boxes that apply:

- A. Maryland Governor's Office of Crime Prevention, Youth, and Victim Services
- B. US DOJ – (e.g. OVW, COPs, VOCA, OVC)
- C. HHS (e.g. FVPSA, ORR)
- D. Other state or federal funding

POLL

We Can't Afford Language Access

Financial limitations do not provide an exemption from language access requirements. Investigators will look at:

1. Demonstrated previous success
2. Whether other essential services are being restricted or defunded
3. Whether additional revenues secured or technology used
4. Whether the grantee has an implementation plan
5. Nature and impact on LEP persons

Limited English Proficiency (LEP)

LEP.gov

A Federal Interagency Website

Search LEP.gov

LEP Resources and Information

[Frequently Asked Questions](#)

[Executive Order 13166](#)

[Resources by Subject](#)

[Recipients of Federal Assistance](#)

[Interpretation and Translation](#)

[LEP and Title VI Videos](#)

[Demographic Data](#)

[LEP Mapping Tools](#)

LEP Compliance

[Federal Agency LEP Plans](#)

[LEP Guidance for Recipients](#)

[LEP Guidance for DOJ Recipients](#)

[File a Complaint](#)

LEP.gov

[Suggest LEP Resources](#)

[Report Broken Links on LEP.gov](#)

[Last Updated: November 19, 2018](#)

Department of Justice LEP Guidance for Recipients and Agencies

Department of Justice LEP Guidance for Recipients and Agencies

[LEP Guidance for DOJ Recipients](#)

[Language Access Guidance Materials](#)

[State Courts](#)

[Corrections](#)

[Police and Sheriff's Departments](#)

[Guidance to State and Local Government](#)

[Guidance for Federal Agencies](#)

LEP Guidance for DOJ Recipients

[\[TOP\]](#)

[2002 LEP Guidance for DOJ Recipients - June 18, 2002](#)

[General Guidance Issued with Executive Order 13166 - August 16, 2000](#)

[LEP Enforcement and Compliance Activities](#)

Language Access Guidance Materials

[\[TOP\]](#)

Department of Justice Requirements for Language Access to Law Enforcement and the Courts

Law Enforcement Language Access Obligations

DOJ Model Guidance

- **DOJ Sample Policy Center City Police Department**
- Police provide free language access to:
 - LEP persons who request it
 - When officer decides it is helpful to the criminal investigation or prosecution
- Police will inform members of the public that language assistance is available free of charge
- Language access provided in person's primary language

Limited English Proficiency (LEP): A Federal Interagency Website, <https://www.lep.gov>

Source of Language Access Laws

- Title VI- No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving financial aid assistance.
- LEP Executive Order 13166 (2001)
 - Requires all agencies receiving any federal financial assistance to
 - Ensure meaningful language access
 - Develop and implement language access plans
 - “Where the denial or delay of access may have life or death or other serious implications, the importance of the full and effective delivery of LEP services is at its zenith.”

First responders –
What do police do
when you arrive at a
crime scene?



First Response

- Locate and secure the scene
- Are there any weapons?
- Is anyone injured?
- Identify the people involved
 - Victim
 - Offender
 - Witnesses
- If offender is not on the scene
 - Where is the suspect?
 - Are they a continuing danger?
 - Is suspect in possession of weapon?



What DOJ Requires Police To Do In Exigent Circumstances

- Use the most reliable *temporary* interpreter available to address exigent circumstances
 - Fleeing suspect
 - Weapons
 - Life threatening to the officer /victim/or public

DOJ Requirements for Investigations & Interrogations

- “A qualified interpreter shall be used for any interrogation or taking of a formal statement where the suspect or witness’ legal rights could be adversely impacted”
 - Police reports
 - Criminal interrogations
 - Crime witness interviews
- Vital written materials translated into primary language
 - Miranda warnings
 - Victim “Know Your Rights” information
- Bilingual officers vs Qualified interpreters

Courts Language Access Obligations

DOJ Guidelines on Language Access for Courts

- The use of qualified interpreters:
 - Not limited to courtrooms
 - clerks' offices, file rooms
 - For all parties, defendants and witnesses and when appropriate (e.g., parents of minor crime victims)
 - For all types of proceedings and courts
 - motions, status hearings and trials
 - For court ordered services batterers treatment, therapy, drug counseling
 - LEP individuals should not incur any fees for these services

Poll 4: The courts in your area routinely provide interpreters in the following types of cases?

Please check all boxes that apply:

- A. Criminal
- B. Protection orders
- C. Peace orders
- D. Custody/Divorce
- E. Child welfare



DOJ Courts Translation Requirements

- Requirements for Documents
 - Translated petitions, court orders, and materials explaining rights and obligations
 - Post signs and public service announcements in foreign languages advertising free qualified interpreters
 - Language cards to accurately identify individual language needs

DOJ LEP Directive to State Courts on Federal Civil Rights Requirements (8/20/2010)

Translation Requirements – Which Languages

- Translation Requirements for Documents
 - All languages spoken by the lesser of 5% of population or 1000 individuals
 - When fewer than 50 persons = 5% written notice in that language of right to receive oral interpretation

DOJ LEP Directive to State Courts on Federal Civil Rights Requirements (8/20/2010)

Collaboration on Language Access

- How courts develop and grow language access programs
- National Center for State Courts (NCSC)
 - Develop relationships with programs that serve immigrant and LEP communities
 - The court can qualify an interpreter for the case using NCSC Bench Card
- Best Practice
 - Note the victim's language on the court jacket

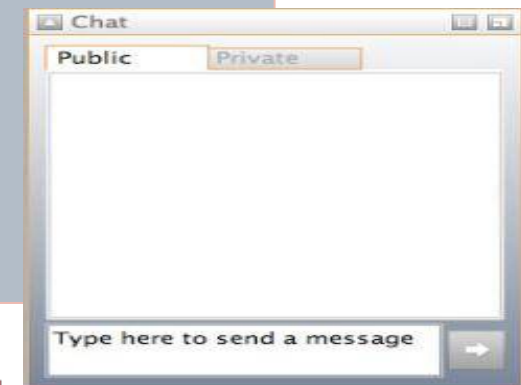
Language Access Advocacy

Poll 5: From which agencies have your clients run into difficulty gaining language access?

Please check all boxes that apply:

- A. Law enforcement
- B. Courts
- C. Health care providers
- D. Shelters/Transitional housing providers
- E. Public benefits agencies
- F. Other government or non-governmental agencies list in chat

POLL



What advocacy have you done to prevent or remedy language access barriers for your LEP victim clients?



Language Access Advocacy

- Plan and provide notice in advance about your client's interpretation needs
- Educate other programs about their language access responsibilities
- Build relationships with agencies in your community
- If a police report was not taken or contains misinterpreted information – have the report amended
- File complaints with Federal Coordination and Compliance Section, DOJ, Office of Civil Rights
 - Sample complaint included in materials for this training

HOW TO WORK EFFECTIVELY WITH INTERPRETERS

ROSANNA BALISTRERI, MA

FOUNDER, REACH-REACHING DIVERSITY

WWW.REACH-DIVERSITY.COM



THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA), ADDRESSED THE EFFECT OF STRESS ON COGNITIVE FUNCTION IN THEIR PUBLISHED PAPER:

[HTTP://WWW.NFPA.ORG/~MEDIA/FILES/PROCEEDINGS/SUPDET11CHANDLERPA PER.PDF](http://www.nfpa.org/~media/files/proceedings/supdet11chandlerpa_per.pdf)

THE NFPA STATED

- “THE AVERAGE INDIVIDUAL SUFFERS FROM DIMINISHED COGNITIVE FUNCTION DURING PEAK STRESS PERIODS OF AN EMERGENCY.”
 - “WE KNOW THAT THE ABILITY TO COMPREHEND AND UNDERSTAND MESSAGES *DECREASES* DURING EMERGENCIES AND TIMES OF GREAT STRESS, AND...”
 - “WE ALSO KNOW THAT **THE TYPICAL PERSON HAS A LOSS OF ABOUT FOUR GRADE LEVELS IN VERBAL AND/OR READING ABILITY.**”
- THE ABOVE STATEMENT APPLIES TO ENGLISH-ONLY SPEAKERS**
- IT DOES NOT APPLY TO LEP (LIMITED ENGLISH PROFICIENCY) OR BILINGUAL AND MULTI-LINGUAL SPEAKERS!
 - FOR LEP IT’S WORSE, LANGUAGE LOSS AND LANGUAGE ACCESS DURING TRAUMATIC EVENTS IS SIGNIFICANTLY GREATER

WWW.REACH-DIVERSITY.COM

**HOW STRESS
NEGATIVELY
IMPACTS
LANGUAGE
PROFICIENCY**

LANGUAGE CAN
MAKE A VITAL
IMPACT ON
SOMEONE'S LIFE



FALSE FRIENDS

English



Etymology: libr - Latin

Spanish

Library

a building or room containing collections of books, periodicals, and sometimes films and recorded music for people to read, borrow, or refer to.

Librería

A Bookstore

FALSE FRIEND ACTIVITY

- CAN YOU GUESS WHAT IT MEANS IN ENGLISH?

EXCITADO (*IN SPANISH*)

INTOXICADO (*IN SPANISH*)

MOLESTAR (*IN SPANISH*)

CONCUSIÓN (*IN SPANISH*)

PRESERVATIVO (*IN SPANISH*)

DIALECTS

- CHINA HAS OVER 80 DISTINCT DIALECTS.
- SPEAKERS OF ONE DIALECT, HAVE NO UNDERSTANDING OF ANY OTHER DIALECT.





Cross-cultural Communication

An Example of Different Meanings of the Same Gesture

UK & USA = O.K.

JAPAN = MONEY

RUSSIA = ZERO

BRAZIL = INSULT

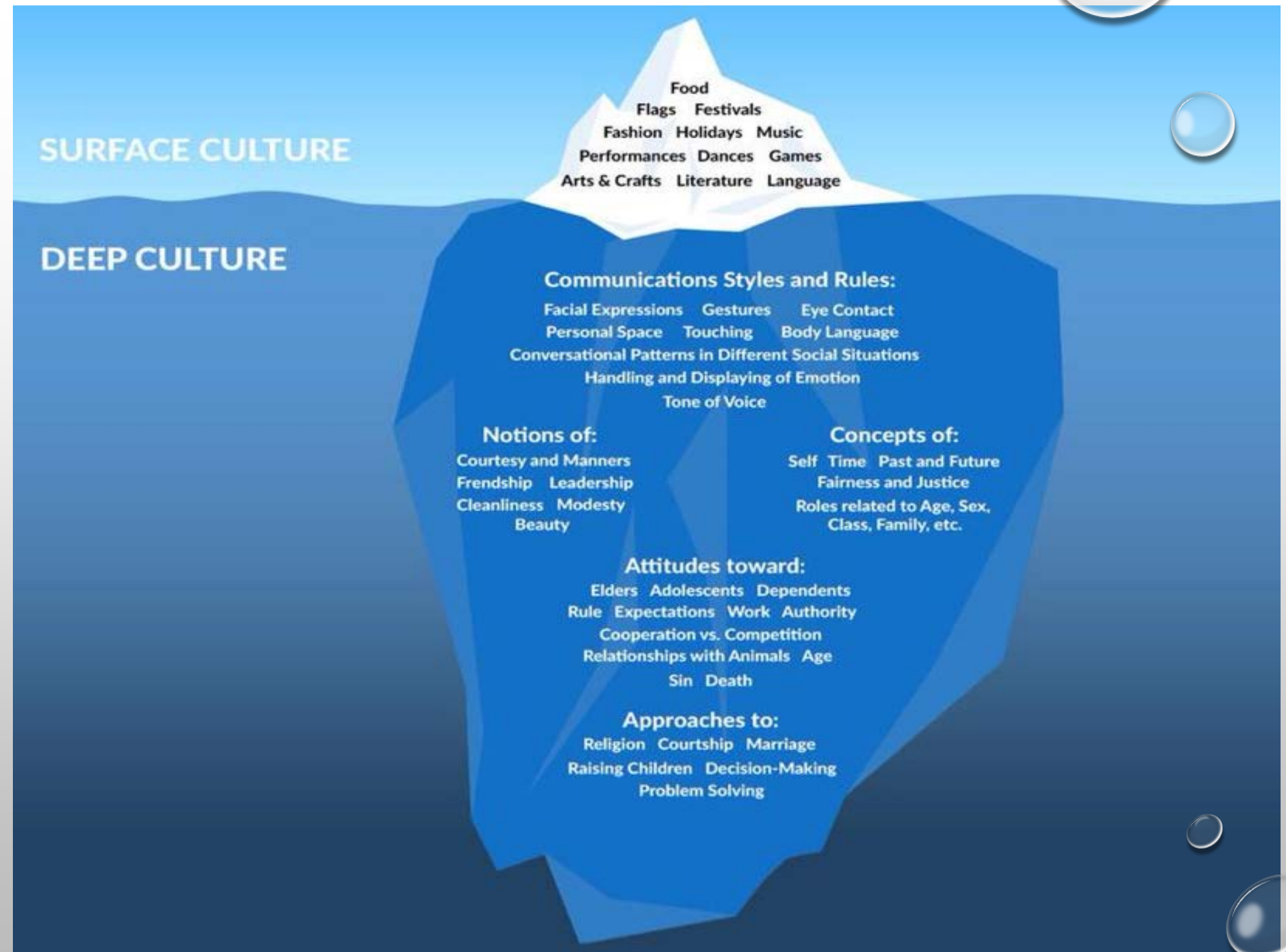


**SIMPLE GESTURES
MAY HAVE VERY
DIFFERENT
MEANINGS
ACROSS CULTURES**

THE CULTURAL ICEBERG

LIST TWO ITEMS OR NAME TWO PEOPLE FOR EACH CATEGORY THAT IS VISIBLE WITHIN THE **SURFACE CULTURE** AREA.

TRY AND DO THE SAME FOR ANY **DEEP CULTURE** CATEGORY



Poll 6: Does your agency ...

Please check all boxes that apply:

- A. Have a language access plan
- B. Is in the process of developing a language access plan
- C. Regularly updates their language access plan
- D. Not have a language access plan

POLL

LANGUAGE ACCESS PLAN COMPONENTS

- WHO IS QUALIFIED TO INTERPRET
(BASED ON YOUR POLICIES AND PROCEDURES)
 - CERTIFIED VS QUALIFIED INTERPRETERS
 - AD-HOC INTERPRETERS

LANGUAGE ACCESS PLAN COMPONENTS

Vetting for Language Proficiency

- For bilingual staff

Vetting for Interpreting Competencies

- For interpreters

Vetting for Translation Competencies

- For translators

VITAL DOCUMENT ACTIVITY

“Documents that affect access to, retention in, or termination or exclusion from a recipient's program services or benefits.” ***The US Department of Health & Human Services***

“Paper or electronic written material that contains information that is critical for accessing a component's program or activities, or is required by law” ***The United States Department of Justice***

- WHAT VITAL DOCUMENTS ARE THE ONES YOU WILL NEED TO TRANSLATE?

I AM DEAF OR HARD OF HEARING.

This card is for law enforcement officers. This card will help you communicate with me.

QUICK COMMUNICATION TIPS:

- Get my attention first.
- Make eye contact when you speak.
- I may need to communicate through a qualified sign language interpreter.
- I cannot lip-read everything you say.
- A hearing aid or cochlear implant does **not** allow me to understand everything you say.
- Shining a flashlight in my face may make it hard for me to understand you.

The best way to communicate with me is:

| | | |
|-------------|-------------|----------------------------|
| INTERPRETER | TEXTING | WRITING |
| LIP-READ | NO LIP-READ | ASSISTIVE LISTENING DEVICE |

To find qualified interpreters through the Online Interpreter Directory, visit Michigan.gov/doddbhh

MDCR
Michigan Department of Transportation

This card is endorsed by:

Please point to the picture that help me understand what you want.

I NEED TO SEE YOUR:

| | |
|-------------------------|-----------|
| MICHIGAN DRIVER LICENSE | INSURANCE |
| REGISTRATION | CPL |

VIOLATIONS:

| | | |
|----------------|---------------------|-----------------------------|
| SPEED LIMIT 55 | STOP | NO CELL PHONE WHILE DRIVING |
| RECKLESS | TRAFFIC LIGHT | BROKEN |
| CANNABIS | PEDESTRIAN CROSSING | |

HELP:

| | | |
|-------------|------|-----|
| GAS STATION | LOST | H |
| FLAT TIRE | CAR | CAR |



SOME COMMUNICATION TOOLS...

STAKEHOLDERS

- WHAT ARE YOUR POINTS OF CONTACT?
 - T & I MANAGER, SUPERVISOR,
 - TOLL FREE NUMBER, ETC.
 - SAMPLE SCENARIOS
- COLLABORATIVE PLAN FOR INITIATION OF INTERPRETER REQUEST
- VENDORS AND MODALITIES
 - IN-PERSON, OPI & VRI



**How do I create a *compliant*
Language Access Plan for my
organization?**

- **CMS GUIDE TO CREATING A LANGUAGE ACCESS PLAN**

- [HTTPS://WWW.CMS.GOV/ABOUT-CMS/AGENCY-
INFORMATION/OMH/DOWNLOADS/LANGUAGE-ACCESS-
PLAN-508.PDF](https://www.cms.gov/about-cms/agency-information/omh/downloads/language-access-plan-508.pdf)

- **LANGUAGE ACCESS PLANNING**

- [HTTPS://WWW.LEP.GOV/LANGUAGE-ACCESS-PLANNING](https://www.lep.gov/language-access-planning)

- **LANGUAGE ACCESS ASSESSMENT AND PLANNING TOOL FOR FEDERALLY CONDUCTED AND FEDERALLY ASSISTED PROGRAMS**

- [HTTPS://WWW.LEP.GOV/SITES/LEP/FILES/RESOURCES/201
1 LANGUAGE ACCESS ASSESSMENT AND PLANNING TO
OL.PDF](https://www.lep.gov/sites/lep/files/resources/2011_language_access_assessment_and_planning_tool.pdf)

**RELIABLE
RESOURCES
TO HELP
GUIDE YOUR
PROCESS**

OVW Funded Resources

- NIWAP – Language Access Resources for this training
<https://niwaplibrary.wcl.american.edu/language-access-in-md>
- Asian Pacific Institute on Gender Based Violence, Interpretation Technical Assistance and Resource Center (ITARC) <https://www.api-gbv.org/culturally-specific-advocacy/language-access/>



HOW DO I *IMPLEMENT* MY LAP?

NEO AND STAFF IN-SERVICE

INTERPRETING FOR TRAUMA INVOLVES MANY SERVICES ...

Medical/mental
health

Law
enforcement

Social services

Legal

Refugee
services

ADAPTING ETHICS: MEDICAL VS LEGAL ETHICAL PRINCIPLES

COMMONALITIES

- ACCURACY
- CONFIDENTIALITY
- IMPARTIALITY
- SCOPE OF PRACTICE
- PROFESSIONAL DEMEANOR
- PROFESSIONAL DEVELOPMENT

DIFFERENCES

- RESTRICTION OF PUBLIC COMMENT
- IMPEDIMENTS TO PERFORMANCE
- DUTY TO REPORT ETHICAL VIOLATIONS
- REPRESENTATION OF QUALIFICATIONS
- RESPECT
- CULTURAL AWARENESS ADVOCACY

COGNITIVE SKILLS FOR INTERPRETING

- ACTIVE LISTENING
- MEMORY AND RETENTION
- MESSAGE ANALYSIS
- MESSAGE CONVERSION
- REGISTERS AND SPECIALIZED VOCABULARY
- ASSERTIVENESS
- MULTI-TASKING



ALWAYS ASK YOUR INTERPRETER ABOUT THEIR CERTIFICATION STATUS

WHO CERTIFIES INTERPRETERS?

- RID, (REGISTRY OF INTERPRETERS FOR THE DEAF) CERTIFIES **ASL** INTERPRETERS, HOWEVER, RID DOES NOT OFFER A HEALTHCARE SPECIALIZATION
- ALL 50 STATES CERTIFY **COURT INTERPRETER** THROUGH THE **AOC** (ADMINISTRATIVE OFFICE OF THE COURTS)
- THE FEDERAL GOVERNMENT CERTIFIES COURT INTERPRETERS IN SPANISH AND NAVAJO AT THE NATIONAL LEVEL
- **CCHI** (CERTIFICATION COMMISSION FOR HEALTHCARE INTERPRETERS) AND **NBCMI** (NATIONAL BOARD OF CERTIFICATION OF MEDICAL INTERPRETERS) CERTIFY HEALTHCARE INTERPRETERS IN ALL 50 STATES

IF MY INTERPRETER IS NOT CERTIFIED, HOW DO I KNOW THEY ARE QUALIFIED?

WHAT DOES QUALIFIED MEAN?

- WHO CAN ASSESS AN INTERPRETER AS QUALIFIED?
 - ACTFL (AMERICAN COUNCIL OF TEACHERS OF FOREIGN LANGUAGES) ASSESS PROFICIENCY IN OVER ONE HUNDRED LANGUAGES
 - [HTTPS://WWW.ACTFL.ORG/ASSESSMENT-RESEARCH-AND-DEVELOPMENT/ACTFL-ASSESSMENTS/ACTFL-POSTSECONDARY-ASSESSMENTS](https://www.actfl.org/assessment-research-and-development/actfl-assessments/actfl-postsecondary-assessments)
 - LANGUAGE SERVICE PROVIDERS (OFTEN TEST IN-HOUSE)
 - UNIVERSITY LANGUAGE DEPARTMENTS (MAY NOT HAVE ONE OR MORE OF YOUR THRESHOLD LANGUAGES)
 - UNIVERSITY DIPLOMA FROM THE COUNTRY WHERE THE LANGUAGE IS SPOKEN
 - OVER-THE-PHONE ASSESSMENTS ARE AVAILABLE FROM A VARIETY OF VENDORS
 - COMPUTER-BASED ASSESSMENTS ARE AVAILABLE FROM A VARIETY OF VENDORS

In-person /
face-to-face

Telephonic
(OPI)

Video remote
interpreting
(VRI)

INTERPRETING MODALITIES

INTERPRETING MODES



Consecutive



Simultaneous



Sight Translation



"Summarization"

MODES IN VICTIM SERVICE SETTINGS



CONSECUTIVE

Long consecutive

- Short dialog
- Uni- or bi-directional
- Without notes
- With notes
- Foundational mode for interpreters



SIGHT TRANSLATION

Long narrative forms for information / consent

- Q&A Forms to be filled out (dialogic)
- Often legal
- Often VERY complex
- Often document deciding service



SIMULTANEOUS

For information sessions / community events

- For dialogue settings when interpreting for more than 2 parties.
- For court and legal settings.

HOW DO I WORK EFFECTIVELY WITH AN INTERPRETER?

- **BEFORE THE ASSIGNMENT/APPOINTMENT**
 - BRIEF THE INTERPRETER TO PROVIDE AS MUCH INFORMATION ABOUT YOUR CLIENT/SESSION
 - DISCUSS ANY POSSIBLE CULTURAL, LINGUISTIC OR EMOTIONAL ISSUES
 - AGREE ON A “DISTRESS” SIGNAL INTERPRETER MAY USE AT SOME POINT
 - ALLOW INTERPRETER TO FIND THE PROPER POSITIONING SO THAT YOU AND YOUR CLIENT CAN SIT IN A WAY THAT YOU CAN LOOK AND SPEAK TO EACH OTHER DIRECTLY
 - ALLOW INTERPRETER TO INTRODUCE THEMSELVES TO CLIENT

HOW DO I WORK EFFECTIVELY WITH AN INTERPRETER?

- **DURING THE ASSIGNMENT/APPOINTMENT**

- SPEAK DIRECTLY TO YOUR CLIENT AS IF INTERPRETER WERE NOT PRESENT
- PRIORITIZE EYE CONTACT WITH CLIENT AND WATCH FOR BODY LANGUAGE/FACIAL EXPRESSION
- SPEAK IN SHORT BITS AND AVOID THE USE OF COMPLEX JARGON SLANG OR METAPHORS
- BE AWARE THAT INTERPRETER WILL INTERPRET IN FIRST PERSON TO BECOME THE EXTENSION OF YOUR VOICE AND YOUR CLIENT'S VOICE
- INTERPRETER WILL SWITCH TO THIRD PERSON IF THEY NEED TO INTERVENE
- IF YOU NEED TO CONSULT WITH INTERPRETER, LET CLIENT KNOW YOU NEED TO CLARIFY SOMETHING WITH THE INTERPRETER
- DO NOT LEAVE CLIENT ALONE WITH INTERPRETER. IF YOU NEED TO LEAVE THE ROOM, ASK INTERPRETER TO STEP OUT WITH YOU
- DO NOT ASK THE INTERPRETER TO FILL OUT FORM.
- DO NOT ASK INTERPRETER TO SIGN AS WITNESS ON A CONSENT FORM

HOW DO I WORK EFFECTIVELY WITH AN INTERPRETER?

- **AFTER THE ASSIGNMENT/APPOINTMENT**
 - ALLOW TIME TO DEBRIEF BOTH FOR YOU AND THE INTERPRETER
 - CHECK IN WITH INTERPRETER ABOUT YOUR RECENT SESSION
 - WAS THERE WAS SOMETHING YOU OR THE INTERPRETER COULD HAVE DONE DIFFERENTLY THAT WOULD HAVE HELPED YOU OR YOUR CLIENT?
 - COULD THERE BE SOMETHING THAT YOU CAN LEARN ABOUT YOUR CLIENT'S CULTURAL AND LINGUISTIC BACKGROUND THAT COULD HELP YOU A NEXT TIME?

HOW DO I WORK EFFECTIVELY WITH AN INTERPRETER?

DOs

Speak to the LEP/Deaf/HoH person, rather than the interpreter

Speak in first person!

Speak in relatively short segments, pausing frequently

Speak clearly

Check for understanding

Avoid acronyms

say the words represented by the acronym

Use plain language as much as possible

Avoid colloquial expressions if you can

DON'Ts

Talk too long

Talk too fast

Talk too loud (or too soft)

Use complicated sentence structure

Change ideas mid-sentence

Collect and order your thoughts first, speak clearly, and pause often

Ask more than one question at a time

Use acronyms without calling out what the letters stand for

| | |
|------------|--|
| Put | their opinion into their encounter |
| Engage | in a side conversation with client without alerting you first to maintain transparency |
| Engage | in a side conversation with you without alerting your client to maintain transparency |
| Speak over | Your voice or your client's voice, unless there is a need for interpreter to switch to the simultaneous mode because client is emotionally charged or upset, or things are happening at a very fast rate |

**BE AWARE
THAT A
QUALIFIED
INTERPRETER
SHOULD
NOT...**

Clarify

concepts for you

Repeat

questions automatically for you

Edit

what you say, even if it does not pertain to client

Give

you an opinion that can influence a legal decision

**DO NOT
EXPECT
INTERPRETERS
TO**

TRAUMA-INFORMED INTERPRETING

- TRAUMA-INFORMED INTERPRETING IS VICTIM-CENTERED.
- IT IS INTERPRETING THAT SUPPORTS THE COMMUNICATIVE AUTONOMY OF SURVIVORS ON THEIR JOURNEY TO RECOVERY, HEALING AND JUSTICE.
- TRAUMA-INFORMED INTERPRETING CONSTANTLY BALANCES COMPASSION AND PROFESSIONALISM.



COMMUNICATIVE AUTONOMY



The capacity of each party in an encounter to be responsible for and in control of his or her own communication.

THE INTERPRETER'S ROLE IN VICTIM SERVICES INTERPRETING

Becoming a voice

Community vs. Legal Interpreting

Managing One's Emotional Responses

Trust and the Interpreter

Cardinal Rule: Do Not Amplify the Trauma

Navigating the System

The Interpreter and Re-traumatization Risk

HOW DO I HELP FOSTER RESILIENCE FOR INTERPRETERS?

ASK QUESTIONS

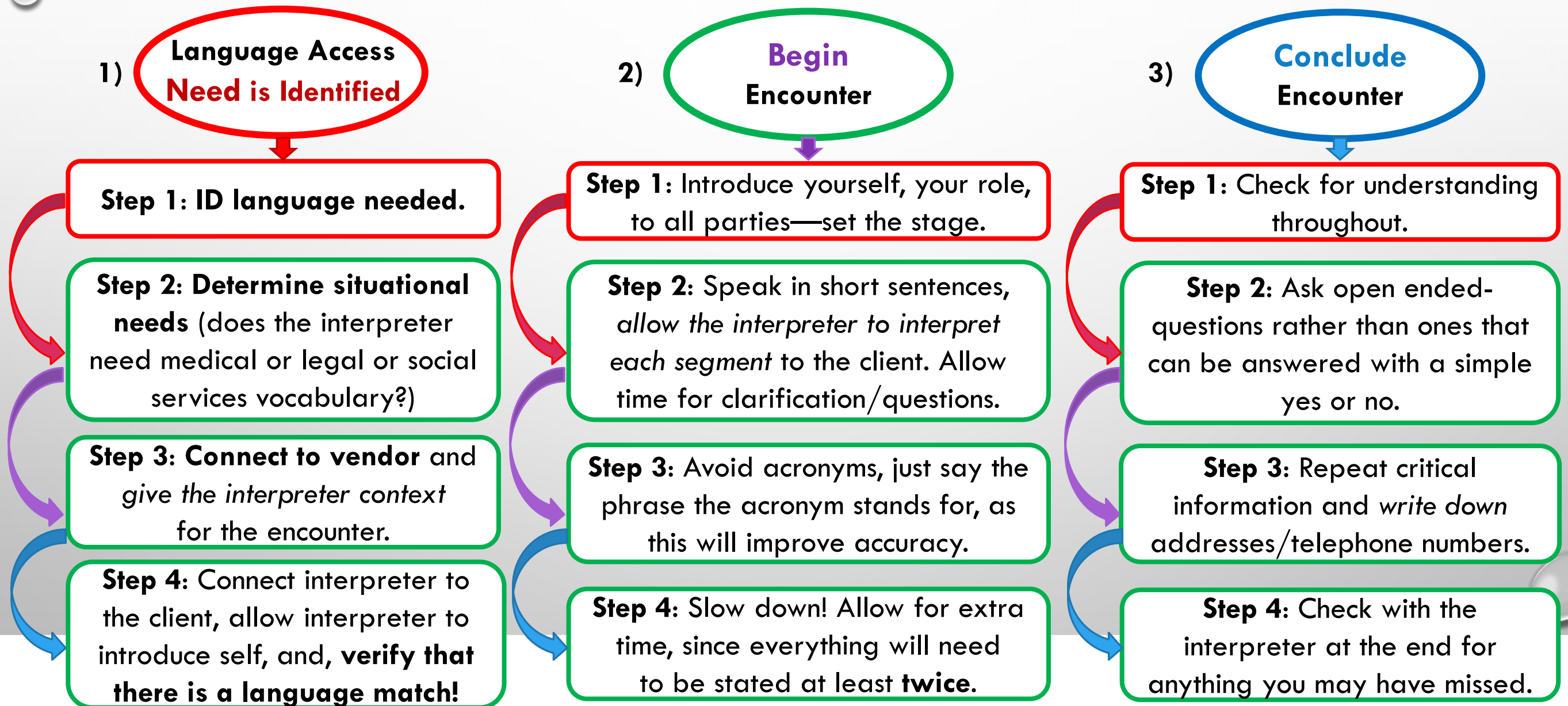
- IS THERE ADDITIONAL CULTURAL INFORMATION THAT WILL HELP ME TO UNDERSTAND?
- IS THERE ANYTHING I COULD HAVE DONE DIFFERENTLY TO FACILITATE YOUR INTERPRETATION?
- AFTER A DIFFICULT OR TRAUMATIC SESSION, **ASK**, “HOW ARE YOU DOING?”

GIVE FEEDBACK

- BE OPEN TO RECEIVING FEEDBACK

LANGUAGE ACCESS FLOW CHART

USE THIS ONLY AFTER APPROVED VENDORS/PROVIDERS ARE SELECTED AND ACCESSIBLE

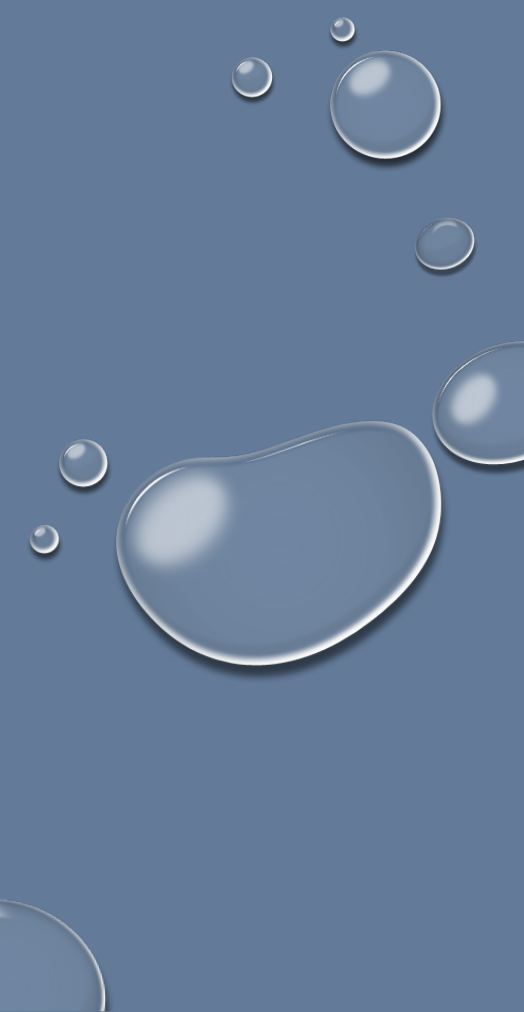


THANK YOU

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Resources

- ▶ **Technical Assistance**

- ▶ Call: 202.274.4457
- ▶ Email: niwap@wcl.american.edu
- ▶ Web Library: <https://niwaplibrary.wcl.american.edu/>

- ▶ **Recording and webinar materials page:**

- ▶ <https://niwaplibrary.wcl.american.edu/language-access-in-md>

- ▶ **NIWAP's Podcast Series**

- ▶ <https://niwaplibrary.wcl.american.edu/niwap-podcast-series>

We want to hear from you! Complete online Evaluation



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Link to Evaluation: <https://www.surveymonkey.com/r/6J8G95J>

Once you complete the evaluation, we will email your certificates