Module 8: Cultural and Spiritual Competence

Time Required

2 hours, 15 minutes

Purpose

The purpose of this module is to introduce cultural and spiritual competence as key capabilities for victim service providers. Definitions of cultural and spiritual competence are provided, the importance of cultural considerations in victim service delivery is explored, and barriers to culturally and spiritually competent service delivery, and strategies to address them, are examined.

Lessons

1. Overview of Cultural and Spiritual Competence (30 minutes)
2. Crime Victims and Diversity (30 minutes)
3. Common Barriers to Providing Culturally and Spiritually Competent Victim-Assistance Services (1 hour)
4. Tips and Tools for Culturally Competent Service Delivery (15 minutes)

Learning Objectives

By the end of this module, participants will be able to:

- Define cultural and spiritual competence.
- Recognize the multidimensional nature of culture.
- Explain the importance of cultural considerations in providing victim services.
- Describe common barriers to providing culturally and spiritually competent services.
- Identify specific skills, strategies, and resources required to serve diverse crime victims effectively.

Worksheets

- Worksheet 8.1: Case Studies (18)
- Instructor Tips for Worksheet 8.1: Case Studies (18) (Instructor Only)

Equipment and Materials

No special equipment or materials are required.

Preparation

- Read Chapter 8, Cultural and Spiritual Competence, in the Participant's Text.
- Prepare tearsheet of large iceberg with waterline so that 1/10 of iceberg is above the waterline.
- Select case studies to be used by the group, based on participants' occupations, demographics of their communities, and those they serve.

Introduction

Ω**Show Visual 8-1**. [this section here is almost identical to the one just above it]

Provide purpose and objectives of this module.

The purpose of this module is to introduce cultural and spiritual competence as key capabilities for victim service providers. Definitions of cultural and spiritual competence are provided, the importance of cultural considerations in victim service delivery is explored, and barriers to culturally and spiritually competent service delivery, and strategies to address them, are examined.

By the end of this module, participants will be able to:

- Define cultural and spiritual competence.
- Recognize the multidimensional nature of culture.
- Explain the importance of cultural considerations in providing victim services.
- Describe common barriers to providing culturally and spiritually competent services.
- Identify specific skills, strategies, and resources required to effectively serve diverse crime victims.

1. Overview of Cultural and Spiritual Competence (30 minutes)

Ω**Show Visual 8-2.**

Ω**Show Visual 8-3. What Do We Mean by Culture?**

Provide the following definition of culture.

> Culture is the shared values, attitudes, beliefs, communication styles, religious practices, and traditions that guide and structure a group or community.

Ω**Show Visual 8-4**. **Cultural and Spiritual Competence**.

Introduce participants to the definition of cultural and spiritual competence that will be used in this module.

Cultural and spiritual competence reflect:

> A process of continuous learning that enables an individual to work effectively cross-culturally; and the ability to function effectively in the context of cultural (including spiritual) differences.

Note that it is impossible to separate the victim's cultural concerns from their spiritual concerns. Spirituality and religion provide a person of faith their world view and way of life.

Ω Show Visual 8-5. Cross Model of Cultural Competence.

Introduce the Cross Model of Cultural Competence.

The Cross Model of Cultural Competence describes six stages of competence:

- Cultural destructiveness.
- Cultural incapacity.
- Cultural blindness.
- Cultural precompetence.
- Basic cultural competence.
- Advanced cultural competence.

Ω Show Visual 8-6. Stage 1: Cultural Destructiveness.

Explain that this is the most negative stage in the Cross model. Individuals in this phase:

- View culture as a problem.
- Believe that if culture can be suppressed or destroyed, people would be better off.
- Believe that people should be more like the "mainstream."
- Assume that one culture is superior and should eradicate "lesser" cultures.

Ω Show Visual 8-7. Stage 2: Cultural Incapacity.

Explain characteristics of individuals in this phase:

- Lack cultural awareness and skills.
- May have been raised in a homogeneous society. Within their society, they may have been taught to behave in certain ways and have never questioned those ways.
- Believe in racial superiority of a dominant group.
- Maintain stereotypes.

Ω Show Visual 8-8. Stage 3: Cultural Blindness.

Explain characteristics of individuals in this phase:

- See others in terms of their own culture and claim that all people are exactly alike.
- Believe that culture makes no difference; we are all the same.
- Believe that all people should be treated the same way regardless of race or other characteristics.

Ω Show Visual 8-9. Stage 4: Cultural Precompetence.

Explain characteristics of individuals in this phase:

- Recognize that there are cultural differences.
- Begin to educate themselves and others concerning differences.
- Realize their shortcomings in interacting within a diverse environment.

Ω Show Visual 8-10. Stage 5: Basic Cultural Competence.

Explain characteristics of individuals in this phase:

- Accept, appreciate, and accommodate cultural differences.
- Value, accept, and respect differences.
- Accept the influence of their own culture in relation to other cultures.
- Understand and manage the dynamics of differences when cultures intersect.
- Are willing to examine components of cross-cultural interactions (e.g., communication, problem solving).

Ω Show Visual 8-11. Stage 6: Advanced Cultural Competence.

Explain characteristics of individuals in this phase:

- Move beyond accepting, appreciating, and accommodating cultural difference. They are now actively involved in educating less-informed individuals about cultural differences.
- Seek out knowledge.
- Develop skills to interact in diverse environments.

Ω Show Visual 8-12.

✍ ***Activity: Iceberg Analogy***.

The purpose of this activity is to explore in greater detail issues related to cultural diversity.

1. ***Use the prepared tearsheet showing a large iceberg with a waterline so that 1/10 of the iceberg is above the waterline.***
2. ***Ask participants to call out ways that we are different from each other. Tell them that those that are immediately apparent you will put above the waterline. Those that are not immediately apparent you will put below the waterline.***
3. ***As participants call out words such as "physical features," and "clothing," write these in the top portion of the iceberg on the tearsheet, above the waterline.***

4. ***Challenge participants if you disagree with any of their suggestions. For example, if someone says "race should go above the waterline," ask why they think this is so. Suggest that while skin color is apparent, it does not necessarily indicate race. Therefore, race is not immediately apparent and should go below the waterline, while skin color should go above the waterline.***
5. ***When participants call out ways in which we are different from each other that are not immediately apparent (i.e., values, perceptions, victim status, sexual orientation, political affiliation, religion, economic status), write these words in the lower portion of the iceberg, below the waterline.***
6. ***Ask participants the following questions:***

   - ***Where are most of the differences? Are they immediately apparent or not?***
   - ***What does this analogy suggest?***
   - ***What attributes do we react to?***
   - ***How does this iceberg relate to working with diverse victims?***

End the activity by making the following points:

- ***We can see only 10 percent of a person's cultural attributes. We cannot see their most important dimensions: their attitudes, beliefs, and values.***
- ***Although most of who we are is below the surface, assumptions are often based on what others can see, which often results in misjudgments.***
- ***To better know a victim and to provide effective services, we need to look below the surface. This will lead to better communication and stronger relationships.***

2. Crime Victims and Diversity (30 minutes)

Ω Show Visuals 8-13.

Ω Show Visuals 8-14 through 8-18. Crime Victims and Diversity Statistics.

Briefly review the following.

- 319 victim assistance programs were surveyed. Of the victims who were served:
  - 65% were White
  - 22% were African-American
  - 8% were Hispanic
  - 5% were Asian, American Indian, or other ethnic groups. (National Institute of Justice, 1995).

- Males, Blacks, Hispanics, the poor, and residents of inner cities were most vulnerable to crimes of violence (Bureau of Justice Statistics, 2003).
- According to *Criminal Victimization in the United States, 2002 (*Bureau of Justice Statistics, 2003):
  - Minorities, particularly African-Americans, tend to be disproportionately affected by violent crime.
  - Asian and American Indian women are more likely to be victims of rape than White or Black women.
  - Women from households with lower incomes are significantly more likely to be victims of rape and sexual assault than women from higher-income households.
  - Compared to Whites, a higher percentage of Blacks and Hispanics report crimes of violence to police.
  - Compared to non-Hispanics, Hispanics are less likely to report victimization involving strangers.
  - Many believe that recent immigrants report crimes less frequently than other victims. Underreporting is not limited to undocumented immigrants.

Ω Show Visuals 8-19 and 8-20. The Changing Face of America.

Discuss the following statistics, emphasizing again that minority groups are often disproportionately affected by violent crimes.

(These statistics are from U.S. Census Bureau Online America FactFinder—www.census.gov.)

- By 2020, it is predicted that White non-Hispanics will constitute only 63.7 percent of the total U.S. population.
- By 2020, African-Americans are predicted to account for about 12.9 percent of our total population.
- The most rapidly growing group is Hispanics. Hispanics accounted for 9 percent of the U.S. population in 1990. They are expected to make up 17 percent of the overall U.S. population in 2020.
- By 2020, 54 percent of California's population will be of Hispanic origin. Asians will account for 13 percent of the state's population while White non-Hispanics will account for 23.3 percent.
- In 1980, Hispanics, African-Americans, Asians, and American Indians collectively made up over 25 percent of the U.S. population. By 2050, they will constitute 60 percent of the nation's population.
- Persons with physical and mental impairments represent the largest single "minority."

- In 2000, of the 262 million Americans over the age of 5, 17.9 percent spoke a language other than English at home.

Ω Show Visual 8-21. Religious Affiliation in the U.S.

Briefly review the following statistics:

Of the 300 million people in the United States, religious affiliation is estimated to be:

- Christian: 84%
- Jewish: 2%
- Muslim: 2%
- Buddhist: 1%
- Ethnoreligious: <1% (ARDA, 2006).

Facilitate a brief discussion about the impact these statistics might have on the provision of victim services.

3. Common Barriers to Providing Culturally and Spiritually Competent Victim Assistance Services (1 hour)

Ω Show Visuals 8-22 and 8-23.

✍ ***Activity: Common Barriers and How to Overcome Them (30 minutes)***

The purpose of this activity is for participants to identify some common barriers to providing effective assistance to diverse victims and some strategies they have used or could use to overcome them.

1. ***Divide participants into five or six groups. Give each group a tearsheet and ask them to brainstorm common barriers that they or victim service providers in general face in providing services to diverse victims.***
2. ***After 10 minutes, ask each group to report its list of common barriers, without repeating barriers that other groups have already identified. As barriers are identified, record them on a tearsheet.***
3. ***Ask each group to pick three barriers from its list and provide examples as well as strategies they have used or could use to overcome the barrier.***
4. ***After 15 minutes, ask each group to report its selected barriers, examples, and strategies.***

Ω Show Visual 8-24.

✍ ***Activity: Case Studies on Victim Assistance (30 minutes)***

The purpose of this activity is to provide participants with an opportunity to practice using their knowledge about barriers and strategies.

(NOTE TO INSTRUCTORS: Careful thought should be given to the selection of case studies. Eighteen cases are provided. The cases present a wide variety of barriers to culturally competent services and involve various cultural groups as well as providers acting in different capacities. Choose case studies based upon participants, their occupations, the demographics of their communities, and the issues they have raised during the training. Refer to the chart entitled Case Studies at the end of this module to help you select appropriate case studies. If you have diverse participants, you may group them by occupation (e.g., victim advocates, police officers, prosecutors). If some participants deal primarily with sexual assault victims while others deal with a variety of crimes, ask those who work with sexual assault cases to group together and assign them a relevant case study.)

1. ***Divide participants into four to six groups. Assign each group a different case study to discuss, included in Worksheet 8.1, Case Studies.***

2. ***Ask participants to discuss the case for 20 minutes.***

3. ***After 20 minutes, reconvene as a large group and discuss the cases.***
   - ***What kinds of issues came up in your case study?***
   - ***Were the issues in the scenarios similar to those you have had to contend with in your efforts to assist crime victims?***
   - ***What strategies did you develop to address the issues raised in your case study?***
   - ***What resources, information, or skills would you need to implement those strategies? These could be tools you already have as well as tools you would like to develop.***

4. ***Record list of strategies victim service providers can use.***

4. Tips and Tools for Culturally Competent Service Delivery
(15 minutes)

Ω **Show Visuals 8-25 and 8-26. Tips and Tools for Culturally Competent Service Delivery**.

Compare the list that was generated with the following list.

Communication Tips

- Listen patiently and show interest and empathy.
- Be aware of confidentiality concerns.

- Validate the victim's explanation of the crime and its repercussions.
- Be flexible and negotiate a compromise whenever possible.
- Reassure the victim that you will do your best to help him or her.
- Practice effective cross-cultural communication, including awareness and sensitivity to nonverbal cues, body language, gender roles, and face-saving needs.
- Ask for clarification and check for understanding.
- Keep it simple and jargon-free.
- Recognize your own communication style.
- Know and manage your hot buttons.

Relationship Building

- Take time to build trust and rapport.
- Establish a relationship with the family and main family decisionmaker, when appropriate.

Self-Awareness

- Understand your own biases and stereotypes and work at controlling them.
- Respect the victim's worldview, even if it does not mesh with yours.
- Recognize your limitations and ask for help from the victim, his or her family, and cultural informants.

Discerning Cultural Patterns

- Recognize and work within gender norms, when appropriate.
- Elicit the victim's concept of crime, safety, grief, and healing.
- Acquire cultural knowledge that will enable you to react positively to unfamiliar practices.
- Treat each client uniquely. Remember not to stereotype.
- Identify sources of disagreement between you and the victim.

Tips for Spiritually Competent Service Delivery

Emphasize that conducting a spiritual assessment with a victim may feel intrusive because of the specific role of the victim service provider (e.g., assisting in completing a crime victim compensation form).

Spiritual assessment is suggested only for providers who expect a reasonably long-term relationship with a victim.

Questions that may encourage victims to begin talking about their spiritual concerns:

- "What is most important to you in your life right now?"

- "What has been meaningful and helpful to you as you have coped with your victimization?"
- What has strengthened you as you deal with this?"
- "Do you have a support system as you go through this experience?"

If the victim's responses are spiritually oriented, continue to explore their answers as you would any other information that helps you assess their strengths and resources.

Ω Show Visual 8-27. Review of Module Learning Objectives.

Review the learning objectives and ask whether these were met.

At the end of this module, participants will be able to:

- Define cultural and spiritual competence.
- Recognize the multidimensional nature of culture.
- Explain the importance of cultural considerations in providing victim services.
- Describe common barriers to providing culturally and spiritually competent services.
- Identify specific skills, strategies, and resources required to effectively serve diverse crime victims.

Worksheet 8.1

Case Studies

Case Studies				
#	Title	Provider Type	Victim Type	Case
1	Charges of Assault	Law Enforcement	Domestic Violence	Sexual Orientation
2	Stifled Screams	Arab Women's Domestic Violence Group	Domestic Violence	Immigrant Status, Cultural Values
3	A Woman's Duty	Law Enforcement, Court	Domestic Violence	Immigrant Status, Cultural Values, Religion
4	There's Been a Mistake	Law Enforcement	Domestic Violence	Immigrant Status, Cultural Values
5	He'll Find Me Soon	Law Enforcement	Domestic Violence	Race
6	The Banker	Law Enforcement	Domestic Violence	Race, Socioeconomics, Gender, Age
7	He Made Me Feel Like a Woman	Victim Assistance	Sexual Assault, Domestic Violence	Disability
8	In Front of the Court	Law Enforcement, Court	Sexual Assault	Age, Cultural Values
9	Teasing	Interagency Council	Sexual Assault	Immigrant Issues
10	To Walk in Another's Shoes	Law Enforcement	Robbery	Religion
11	The Missing Spoons	Victim Assistance for Physically Challenged	Robbery	Disability
12	Turf Battles	Victim Assistance	Vandalism	Race
13	Premises Vacated	Victim Assistance in Prosecutor's Office	Hate Crime	Ethnicity Identity
14	Shattered Glass	Law Enforcement and Emergency Medical Personnel	Hate Crime	Sexual Orientation
15	Cruel Capabilities	Elderly Victim Assistance	Elder Neglect/Abuse	Age
16	A Large Lake	Victim Assistance	Auto Accident	Cultural Values
17	On the School Bus	Law Enforcement, Court	Cultural Differences	Immigrant Status, Cultural Values
18	The Intervening Interpreter	Victim Assistance	Child Abuse	Immigrant Issues, Age, Interpreter Bias

Case Study #1: Charges of Assault

You and your law enforcement partner are asked to respond to loud noises and cursing reported by a citizen living in an apartment complex. When you arrive on the scene, you are met by a male in his mid- to late-40s, with a bloody wound on his forehead. You hear another male voice in the apartment yelling and cursing, complaining that the police ought to leave them alone. You are let into the apartment by the resident and asked to resolve a conflict that has escalated to the point of violence. The second occupant of the apartment is a male in his mid- to late-20s who is bleeding profusely from a cut above his eye. You and your partner are taken aback by the violence between the two, who you assume are gay partners. Your partner makes homophobic jokes and says, "Let's get out of here before we get AIDS." You arrest both men on charges of assault.

1. What are the facts of this situation?

2. What do you "feel" are the issues in this case? Are there assumptions being made?

3. Should you treat this case differently than those involving heterosexual couples?

4. How might this situation have an impact on future reporting of similar cases to the police?

5. What can you do to assess who the victim is? To address your partner's behavior?

Instructor Tips—Case Study #1: Charges of Assault

- Often in domestic-violence cases involving homosexual couples, the police arrest both partners because they are unable to identify the primary aggressor. Additionally, domestic-violence cases involving homosexual couples are often treated as assault cases, thereby revictimizing the victim. Negative experiences such as the one described in this case become a barrier to future reporting.
- Challenge participants to articulate their feelings about domestic-violence cases involving homosexual couples. What is the best way to evaluate and respond to a situation like this? What are the possible complicating factors?
- Participants should address the comment made about getting AIDS. This is an opportunity to talk about how to be an ally as participants brainstorm strategies to respond to similar comments.
- Talk about domestic violence in the gay community. What resources and protection exist for gay male victims of domestic violence? They are not usually welcome in battered women's shelters. Where can they go in your community? How are lesbian women protected from their abusive partners in battered women's shelters?

Case Study #2: Stifled Screams

I am Leila Asaam. I came to the United States from Egypt 10 years ago when I got married to Ahmad. I have three children. Ahmad is a U.S. citizen and works as a computer programmer. I speak very little English. I wanted to go to ESOL classes but my husband says I have to stay home and take care of his mother and his children. We live with my mother-in-law, my husband's younger brother, and his sister.

My husband has beaten me since we got married. I was so ashamed and afraid that my mother-in-law would hear that I tried to stifle my screams of pain. I know that my brother-in-law knows about my circumstances, but he refuses to say anything to his older brother. My sister-in-law ignores the entire situation. Now the children are 7 and 9 years old, and I am afraid for them.

My only outings are to the grocery store, where I buy Middle Eastern foods and borrow videos, and to the bus stop, to drop off my children. I don't drive, so I can't expect to go out more often. On one trip to the grocery store, I saw a flier for an Arab women's organization that helps battered women. I called that evening when no one was around. I was so relieved when someone answered in Arabic. Her name was Shahana and she was so nice to me on the phone. She calmed me down and we talked for an hour. I have talked to her every day now for 6 months. I pleaded with her not to tell anyone. The women there are going to help me win custody of my children, learn English, and find a job. I am so scared. … They say I must appear in court. I must talk to a stranger about what Ahmad does. How can I talk about it? What if it is a man who asks me questions? I have hardly been out of the house. How can I appear in court? I have no idea what all this means. I will never be able to show my face in my home again. My children will be ostracized and I know my parents will blame me for being outspoken. What if I lose my children to him? What if they send me back to Cairo? My family will die of shame. Maybe I should just kill myself ….

1. What are the barriers preventing Leila from accessing service?

2. What has the Arab women's organization done that is effective? What else could they do?

Instructor Tips—Case Study #2: Stifled Screams

- For many immigrant women, shame surrounding domestic violence makes it more difficult to report such cases. In these instances, they may risk loss of family or community support. Often the assumption is that the victim is at fault. In many cultures, it is customary for certain types of cases, particularly sexual assaults and domestic violence, to be addressed by the family or community.
- Although this may not be relevant in this case, undocumented immigrants who are victims of crime are hesitant to contact an authority of any type for fear of being deported. While the Violence Against Women Act of 1994 provides some protection for women in abusive situations, there is not yet widespread knowledge and understanding of the law, and the fear of deportation brings with it fear of being separated from one's children, bringing shame to the family in the country of origin, and leaving an established support network in the United States. Many immigrants also fear the criminal justice system, based on their experiences with the system in their country of origin. They may find the entire process confusing and intimidating. Additionally, they may not know that domestic violence is against the law in the United States. They may also fear losing custody of their children since in their countries of origin it may be the father who invariably gets custody of the child. Immigrant women also may not be aware that their testimony about what happened has value.
- Knowing the Egyptian community, the battered women's organization was able to conduct targeted outreach through grocery stores Arab women are likely to frequent. The organization has a sympathetic person answering the phone. Additionally, she speaks Arabic. This initial conversation is crucial in setting a tone for subsequent interactions and service delivery. The women at the organization have continued to build a relationship with Leila over several months. It is important that they have respected Leila's sense of privacy and have not pressured her.
- Debrief this case study keeping in mind the stereotype that domestic violence is more prevalent in some cultures and is culturally sanctioned. Mention that Leila could be from any ethnic/racial group and that violence against women is pervasive in all cultures; almost all cultures have informal and formal systems to curb it. Some immigrant women in the United States are isolated from the support systems they would rely on in their countries of origin to manage or prevent the violence.

Case Study #3: A Woman's Duty

Jenny, a Panamanian woman with two children, is regularly beaten by her husband, Juan. He suspects her of having affairs with her co-workers. She has talked to her priest at church and denied any adulterous relationships. Father Rodriguez has responded by reminding her of her responsibility and duty as a woman and wife. The other Panamanian women won't talk to her. They tell her that she will not be a true Christian wife if she reports Juan.

Although she fears being ostracized by the Panamanian community, Jenny says she has tried for many years to get an order of protection against Juan. But it is so difficult. No one speaks Spanish. She is confused by the paperwork and the process. The last time she was in the office, a court clerk told her, "Isn't it a cultural thing for Latino men to beat their women?"

The court finally gives Jenny an interpreter. The interpreter tries to tell Jenny that she should be ashamed to bring this private family matter into the public arena. "You know in Panama your husband would have killed you to save his reputation. You are lucky you're alive."

Jenny is uncomfortable with her interpreter, but doesn't know who to approach. She is afraid that she may be deported or that Juan will find her and kill her. She knows she can't expect any help from any of the other women in her community. She is confused. Should she go back and apologize to Juan? Maybe he will change.

1. Discuss the differences between cultural consideration and cultural defense.

2. What are the issues related to the use of interpreters?

3. What are some of the barriers that prevent women like Jenny from coming forward and reporting domestic violence?

Instructor Tips—Case Study #3: A Woman's Duty

- Often the assumption is made that it is culturally sanctioned for men in some cultures to beat their wives; this may result in less protection for women from these groups. Lynn Hecht Schafran and Krystal Wilson mention that some court personnel "tend to minimize abuse against women of color and all violence as normatively or culturally conditioned behavior in which they could not interfere." (L. H. Schafran and K. Wilson, *When Bias Compounds: Insuring Equal Justice for Women of Color in the Courts: A Model Judicial Education Curriculum* Created by National Judicial Education Program**.** To order: http://legalmomentum.org/legalmomentum/programs/njep/women_of_color_in_the_courts_resources/). While providers need to consider the cultural motivations in behavior, they need to be cautious not to dismiss all behavior as culturally motivated, particularly behavior that violates U.S. law. Using "culture" as a rationale or justification for domestic violence, sexual assault, or other types of crime is dangerous and misleading. Too often, this defense relies on stereotypes that violence against women, for example, is an integral and accepted element of certain cultures. Point out that, unfortunately, such violence is pervasive in all cultures and almost all cultures have informal or formal systems to curb it. Therefore, cultural considerations should not lead to different enforcement of the law, but rather to a more effective and knowledgeable interaction with both victim and perpetrator.
- Frequently, interpreters are biased and dissuade victims from seeking the protection of the court. Subtle biases may include inserting their own interpretations and opinions into the dialogue. Prosecutors need to be careful about the selection of the interpreter. Selecting an interpreter who speaks the same language as the victim is just the first step. Using the victim's friends and family is problematic, as the victim may be too ashamed to share all her information with a family member or may fear it will be repeated to other community members. Or, family members may interpret the situation in light of their own biases. Never use a child as an interpreter.
- For many immigrant women, shame surrounding domestic violence makes it more difficult to report such cases. In these instances, they may risk loss of family or community support. Often the assumption is that the victim is at fault. In many cultures, it is customary for certain types of cases, particularly sexual assaults and domestic violence, to be addressed by the family or community. Additionally, undocumented immigrants who are victims of crime are hesitant to contact an authority of any type for fear of being deported. While the Violence Against Women Act of 1994 provides some protection for women in abusive situations, there is not yet widespread knowledge and understanding of the law, and the fear of deportation brings with it fear of being separated from one's children, bringing shame to the family in the country of origin and leaving an established support network in the United States. Many immigrants also fear the criminal justice system, based on their experiences with the system in their country of origin. They may find the entire process confusing and intimidating. Additionally, they may not know that domestic violence is against the law in the United States. They may also fear losing custody of their children since in their countries of origin it may be the father who invariably gets custody of the child. Immigrant women also may not be aware that their testimony about what happened has value.

Case Study #4: There's Been a Mistake

Mamta immigrated to the United States with her parents when she was 3 years old. Soon after she received her B.A. degree, her parents sent her to India to choose a husband. Mamta had several marriage offers and was much sought after; as she was a U.S. citizen, an Indian man marrying her could immigrate to the United States. She picked Kishan, an Indian pediatrician she found to be soft-spoken and well educated, and they flew back to New York the day after the wedding.

And then the nightmare began: the hitting, the choking, the abuses, the storming out, the insults of "You are ugly" and "You are fat," the sexual abuse. Mamta was too ashamed to tell her family for the first 2 years. One day, after she had been locked in the apartment for 4 days without any food, she broke down and told her sister who lived in Atlanta. When Kishan found out, he abused her even more. When Kishan tried to choke her, she called 911 in desperation.

The police arrived and Mamta was panic-stricken. What would the community say? Her parents would be so ashamed. Her parents' friends would say, "After all, he's a man. He is allowed to lose control occasionally," or "He seems like a perfectly nice man," or "I can't imagine a doctor behaving like that."

Kishan was as refined and polished with the police as she had seen him be with his patients. She was quiet. "They will never believe me," she thought. "I don't even have any bruises that are visible …. except for the ones on my thighs, and I can't tell them about that." Panicking at the barrage of questions, and confused and intimidated by the pressure, she said, "There's been a mistake." The police left.

1. What are the barriers preventing Mamta from reporting her husband to the police?

2. What should the police be looking for?

3. How can they help Mamta?

Instructor Tips—Case Study #4: There's Been a Mistake

- For many immigrant women, shame surrounding the reporting of domestic violence makes it more difficult for them to report such cases. In these instances, they may risk loss of family or community support. Often the assumption is that the victim is at fault. In many cultures, it is customary for certain types of cases, particularly sexual assaults and domestic violence, to be addressed by the family or community. She may not be aware that her testimony about what happened has any value.
- Ask participants to consider whether socioeconomic status plays a role in Mamta's reticence.
- The police should be aware that certain physical signs of battering are less immediately visible on women of color than on white women, and that physical violence is only one form of abuse. The police should also look for gender and power dynamics between the couple. In some situations, the woman may not speak up in the presence of her husband.
- The police can give Mamta information about victim assistance programs. They can perhaps take her aside and question her alone.

Case Study #5: He'll Find Me Soon

My name is Felicia Williams. I am an African-American woman. I am 28 years old, have four children, am 6 feet tall, and weigh 200 pounds.

Hunter started beating and kicking me when I was pregnant with Don, my oldest. It's now been 6 years, and I keep hoping he will change. He wasn't this way when we dated. "At least he doesn't cheat on you," my mother says, "And he's nice to the kids." I worry that he will get locked up if I report him, and enough of our men are in prison. My closest girlfriend agrees with me, and says that if it's so bad I should just leave him but keep the police out of it. But she doesn't understand how bad it can get. I've tried leaving, but he finds me and has threatened to kill me. Anyway, I have seen the police come to our neighborhood often enough, but they never do anything. One even made the comment that Hunter would be a fool to take me on. I didn't hear everything they said after that, but they were laughing and cracking jokes. I overheard another cop say Hunter is probably the one who's getting beat up in our house; he's just too embarrassed to admit it.

One day, he came home angry and frustrated with work. I was at the neighbors and Don didn't open the door for him. He started shouting and banging at the door. I heard the noises and came to our apartment with Alicia in my arms. He was so angry he beat Don and me. The sight of blood streaming down Don's head was too much for me. I had to leave, but I'm sure he'll find me soon.

. .

1. What stereotypes may have come into play in the police response?

2. What are the barriers that prevent Felicia from reporting the violence?

Instructor Tips—Case Study #5: He'll Find Me Soon

- The stereotypes of African-American women may not necessarily fit the stereotypical battered women paradigms of the small, delicate, helpless victim who is incapable of fighting back. In "Mules, Madonnas, Babies, Bathwater, Racial Imagery and Stereotypes: The African American and the Battered Woman Syndrome," Linda Ammons argues that racial stigma precludes many African-American women "from being considered vulnerable to battering because the stereotypes of black women are in contradiction to those associated with a 'classic' battered woman" (*Wisconsin Law Review*, 1995, 1002–1080).
- In a 1995 *Howard Law Journal* article, Shelby Moore explained the disadvantages for African-American women in reference to the stereotypes of the typical victim stating, "Specifically, African American women are viewed as angry, masculine, domineering and sexually permissive—characteristics which do not denote a 'victim.' As a result, judges and juries are less likely to believe African American women are 'victims' when they assert self-defense while relying on the battered woman syndrome as the justification for killing their abusers." (Shelby A. D. Moore. (1995). Battered Woman Syndrome: Selling the Shadow to Support the Substance, *Howard Law Journal*, 38(297): 302–303. An excellent summary of the arguments surrounding battered women syndrome is presented in *When Bias Compounds: Insuring Equal Justice for Women of Color in the Courts* by Lynn Hecht Schafran and Krystal Wilson (National Judicial Education Program, n.d.).
- The skepticism of law enforcement and the negative experiences of many African-American men in interactions with the criminal justice system, prevent Felicia from reporting the crime. Women often may be ostracized by the community for putting men in jail. There may also be a hesitancy to report crimes or talk about them outside the cultural community, as this could be viewed as "airing dirty laundry." In addition, Felicia may have risked losing the support of her family and community if she reported the violence.

Case Study #6: The Banker

Angie is an 18-year-old white woman who is in a long-term relationship with Bryan, a 35-year-old banker. She has a 3-year-old son; she has dropped out of high school and works at the local grocery store. Bryan belongs to a prominent banking family. Angie and Bryan have been in a relationship for 2 years. Angie has on several occasions gone to work with bruises on her arms and has told her girlfriends, "Bryan takes care of me really well. But he has a temper!"

One night when the violence was too much for Angie, she reported Bryan to the police and moved in with her mother. The detective on the case reported that there was strong evidence on three counts of sexual and physical assault. Bryan, as usual, apologized to Angie and she visited with him after the reported assault.

The DA's office declined the case.

1. What factors may have been at play in the DA's decision to decline the case? What role might gender have played? Age? Class? Race? Education?

2. Brainstorm strategies for handling this case.

Instructor Tips—Case Study #6: The Banker

- Gender, age, education, and class all could have played a significant role in the DA's decision to decline the case. Additionally, Angie's visit with Bryan after reporting the assault did not help her case. It is quite possible that she did not know this could hurt her case or, as in many situations, wanted to give Bryan one more chance. We are not told of either Bryan's or the DA's race. Ask participants: Would there be a difference in the response if Bryan were white? African-American? Latino? Asian?
- The strategies generated should be realistic. They could include identifying other witnesses, educating Angie about why she should report, providing counseling, asking her if she needs shelter, and making sure her child is safe.

Case Study #7: He Made Me Feel Like a Woman

Anna is a 45-year-old woman with cerebral palsy. She uses a power wheelchair to get around. Anna lives in a house that she shares with her husband, Larry, who attends to her health care needs.

After seeing your agency's ad on television, Anna calls your crisis line to see if you can help her. She reports that Larry has called her stupid, ugly, and worthless, saying she can't even "make him feel like a man." Anna says that when she and Larry first started dating, he "made me feel like a woman" for the first time in her life. In the 2 years they have been married, Larry has forced her to cut off all ties with her friends and family, insisting that he is the only one she needs. He has frequently raped her, saying he could have sex with her any time he wanted, as long as she is his wife.

Anna and Larry drank socially together when they were dating. Shortly after their marriage, Anna discovered him using cocaine, and reports that he now also drinks to excess. When he comes home intoxicated from a night at the bar with his buddies, he picks fights with Anna that usually end with him throwing things at her. Sometimes he does not come home at all.

Anna, who is completely dependent on Larry for her health care needs, reports that she has spent many nights having to sleep in her wheelchair sitting in her own excrement. Larry also often neglects to feed her. Anna received a call from her doctor's office yesterday and discovered that Larry has been regularly canceling her appointments. She did not tell the nurse about her situation out of fear of Larry's anger and the prospect of being sent back to the nursing home.

For 22 years, Anna lived in a nursing home, where she was mistreated and abused. She is beginning to wonder if Larry has been writing to her family in Indiana saying that Anna is fine and the marriage is going well. Anna's family was very upset with her when she married Larry so soon (6 months) after leaving the nursing home.

1. What are the barriers that have prevented Anna from reporting the sexual assault and domestic violence?

2. How can your agency help Anna?

Instructor Tips—Case Study #7: He Made Me Feel Like a Woman

- Disabled victims may fail to report crimes for fear that they may be perceived as incapable of caring for themselves and be assigned to assisted-living facilities. The fact that Anna is physically dependent on Larry and psychologically and emotionally abused by him possibly undermines her self-worth and confidence, making it harder to report Larry or to leave him. She may be unaware that his actions constitute marital rape.
- The agency can assist in several ways. They can conduct a thorough intake, assessing what Anna feels will help her. They can educate her on domestic violence and advise a safety plan. The agency can provide peer support and help her maintain her relationships with family and friends. Legal advice and counseling are other ways of helping Anna.

Case Study #8: In Front of the Court

Kim, a 14-year-old Korean student, is a victim of sexual assault. Kim does not talk about the incident to her parents, but confides instead in a cousin who is a schoolteacher. She pleads with the cousin not to tell her parents as she is afraid that they will be angry with her and disown her. The cousin convinces Kim that she needs to press charges against the perpetrator. Kim is afraid of her parents and of what the rest of the community will say. She is intimidated about appearing in court and nervous about the entire process. Kim's cousin promises to be with her and help her.

Kim's parents hear about the incident only after she presses charges. The cousin reports that the parents are furious and accuse Kim of being loose and of being "too American." "What can you expect when you wear tight, revealing clothes and go to parties late into the night. You have brought shame on the family. How will your sister ever get married now?" they shout at her.

The case finally goes to court and Kim is assigned a court interpreter. She watches as the interpreter and the perpetrator laugh and smoke together as they wait for the case to be tried. The prosecutor's office seats Kim's family in the front of the courtroom, thinking that this will make her feel comfortable and that her family will be supportive of her. Instead, Kim never looks at her family. She is evasive and shaky about the details of the incident and flinches each time the words "rape" or "sex" are used.

1. What are the barriers preventing Kim from reporting the rape?

2. What could the prosecutor's office have done differently?

3. What are the interpreter issues? Brainstorm some of the guidelines for the selection and use of an interpreter.

Instructor Tips—Case Study #8: In Front of the Court

- For many immigrant families, shame surrounding rape or sexual assault makes it more difficult to report such cases or even acknowledge them. In these instances, they may risk loss of family or community support as the incident is perceived as damaging the family's reputation. Often the assumption is that the victim is at fault. In many cultures it is customary for certain types of cases, particularly sexual assaults and domestic violence, to be addressed by the family or community.
- The prosecutor's office should have asked Kim if she would want her family in the front of the court room. They also could have talked to Kim's cousin. Service providers and the criminal justice system need to broaden their understanding of what is helpful to victims. In this case, perhaps Kim should not have been forced to testify in court. For some cultures, having a representative of the victim appear in court, or having the victim submit a written statement, may be more appropriate and valuable.
- Frequently, interpreters are biased and dissuade victims from seeking the protection of the court. Subtle biases may include inserting their own interpretations and opinions into the dialogue. Prosecutors need to be careful about the selection of the interpreter. Selecting an interpreter who speaks the same language as the victim is just the first step. Using the victim's friends and family is problematic, as the victim may be too ashamed to share all her information with a family member or may fear it will be repeated to other community members. Or, family members may interpret the situation in light of their own biases. Never use a child as an interpreter.

Case Study #9: Teasing

You are a member of the Interagency Sexual Assault Council and are asked to review a case involving a 14-year-old Latina, Rachel, who is reported to have been sexually assaulted by more than one offender. The offenders are reported to have a history of assault, and the name and address of one of the other victims has been provided by Rachel's mother, Mrs. Peralta.

You understand that Mrs. Peralta and her daughter waited 2 weeks before filing the report. Initially, Mrs. Peralta told the officer that her daughter was being teased by these boys in the neighborhood. "It is so bad," she said, "that my daughter has not slept for 2 weeks. I have asked her to try to forget about it, but she can't. She cries and can't do her schoolwork."

A week later, Mrs. Peralta and Rachel came back and said that the boys had "tried to force themselves on Rachel," and had done the same thing to a 13-year-old girl in the neighborhood. Upon further questioning, it is reported that Rachel and her mother filed a complaint of sexual assault.

The DA's office has dismissed the case on the grounds that the original complaint was filed 2 weeks after the event, was later changed to sexual assault, and the other "victim" did not file a complaint and, when approached, denied any such incident involving her.

The DA believes this is a case of "teasing" and "barrio rivalry."

1. What factors may be preventing Mrs. Peralta and Rachel from reporting the case?

2. Do you think race or gender may play a role in the DA's decision? Why?

3. What strategies could be used to help Mrs. Peralta articulate her story?

4. How might the DA's decision have an impact on future reporting? What long-term strategies can be used to encourage reporting in communities?

Instructor Tips—Case Study #9: Teasing

- For many immigrant families, shame surrounding the reporting of sexual assault makes it difficult to report or even acknowledge such cases; hence the delay in reporting this case. In these instances, they may risk loss of family or community support as the incident is perceived as damaging the family's reputation. Often the assumption is that the victim is at fault. In many cultures, it is customary for certain types of cases to be addressed by the family or community. Additionally, Mrs. Peralta may be unaware of the fact that Rachel's testimony about what happened has value.
- Ask participants to consider whether the reaction from the DA's office would be different if Rachel and Mrs. Peralta were white. African-American? Asian? Is there an element of cultural justification in the DA's response that this is a case of teasing? This is an opportunity to talk about cultural defense versus cultural considerations. Using culture as a justification for sexual assault is dangerous and misleading. Too often this defense relies on stereotypes that violence against women is an accepted and integral part of certain cultures. Unfortunately, such violence is pervasive in all cultures, and almost all cultures have informal and formal systems to curb it. Gender stereotypes may also come into play in the DA's minimizing of the crime. Ask participants what these stereotypes might be.
- Mrs. Peralta and Rachel find it difficult to acknowledge what has happened and to state it makes the acknowledgment final. By going to the DA's office, Mrs. Peralta is communicating something important. Going to the DA's office is a major step for her, one that she has wrestled with for 2 weeks. Mrs. Peralta is trying to communicate something serious through statements such as, "It is so bad that my daughter has not slept for 2 weeks." Had the DA known the cultural stigma associated with reporting sexual assault, she or he may have been able to gently probe or read between the lines and make it easier for Mrs. Peralta to report the crime during the initial visit. The DA's office could have asked for a counselor or other family members to be involved.

Case Study #10: To Walk in Another's Shoes

A robbery is reported at a Sikh temple, and the police are contacted. The police officer enters the temple to record the damage and looks for signs of a break-in. The worshipers and the priest appear angry and refuse to cooperate with the investigation. One of the worshipers finally says, "You are insulting us by wearing your shoes in a place of worship."

1. What are the cultural issues in this case?

2. What can the police officer do in this situation?

Instructor Tips—Case Study #10: To Walk in Another's Shoes

- In this case, it is a religious custom to remove one's shoes before entering a place of worship.
- Although the officer's intention was to help, he or she violated the sanctity of the Sikh temple by entering in the manner he or she did. Although it might be against police procedure and unwise to remove shoes, a respectful initial conversation might have avoided the insult.

If the police had already made the effort to build a relationship with the priest, there would have been a higher level of mutual understanding and respect.

Case Study #11: The Missing Spoons

You have a degenerative muscular disorder and are in a wheelchair. Although you can't drive, you are able to live fairly independently. You have a caregiver, Carla, who comes by once a day, runs errands for you, and helps with other chores around the house. Carla is cheerful and generally quite helpful. However, you begin to notice that things are missing from your house. Since no one else comes to the house except Carla, you suspect she has been stealing from you. You first notice that your sterling silver spoons are gone. Later, you miss a brooch from your dresser and $200 from a drawer in the kitchen.

You call a victim assistance program and, after several minutes listening to tiresome automated messages, a human voice mechanically asks you a series of questions, which you answer. You then describe what you suspect. The woman at the other end of the line is speaking extremely slowly and loudly. She says, "Have you double-checked? Could you just have forgotten where you kept them?" This angers you, and you are already regretting having called. The woman from victim services says they will send someone to your house to investigate the robbery and evaluate if you might need to be moved to an assisted-living facility.

You are furious!

1. What impact might this sort of experience have on reporting by victims with disabilities?

2. What could victim-services personnel have done differently?

Instructor Tips—Case Study #11: The Missing Spoons

- Disabled victims may fail to report crimes for fear they may be perceived as incapable of caring for themselves and be assigned to assisted-living facilities or institutions.
- Automated voice technology can seem distant, frustrating, or confusing to some people, who are relieved when they hear a person's voice. The initial conversation is crucial in setting a tone for subsequent interaction; therefore, the intake person should be warm and empathetic. Operators also need to check their assumptions about disabled victims. In this case, the operator was assuming that the victim may have a mental disability. Also, before rushing to recommend assisted living, victim services personnel need to evaluate the case carefully.
- More extensive outreach by the agency would help educate agency employees about disabled victims and build relationships between the agency and the community.

Case Study #12: Turf Battles

A representative of the victim outreach program in a local police department contacted the owner of a vehicle whose tires had been slashed 3 days earlier. The purpose of the call was to inform the victim of his legal rights and update him on developments in the investigation.

When a man answered the phone with a strong Latino accent, the outreach officer identified himself and asked for the owner of the vehicle. The man hesitated, then identified himself as the owner. He asked suspiciously what he could do for the officer.

The outreach officer said, "Yes. I understand your tires were slashed the other day."

"That's right," answered the vehicle owner. "I already gave my report at the station. You haven't found the criminal yet have you? I didn't expect you guys to get to the investigation for a couple of weeks at least."

"No, but we're working on it. Where was your car parked? I can't tell you how many times this has happened in the gang-infested sections of the city."

"It was parked right outside my house. There weren't any other tires slashed on the street. It was a personal attack, I'm sure."

"Well, you have the right to press charges if we find the guys. But I'm telling you from experience, you get involved with these turf battles, this is the kind of thing that happens. How old are you?"

"I am 23 years old," answered the vehicle owner. "Why?"

"It's always the young ones that get mixed up in this stuff. I wouldn't press charges if I were you. I'd just get out now, when it's still only tires they're slashing."

1. What stereotypes are operating in this interaction?

2. How do the stereotypes prevent the victim from receiving the help and support that he might need?

3. How could the outreach officer work to overcome the victim's stereotypes as well as his own?

Instructor Tips—Case Study #12: Turf Battles

- The victim's stereotypes of the police lead him to assume the worst. He does not expect a call from the police department and doubts the perpetrators will be caught. This prevents him from being open with the outreach officer. The officer hears the victim's accent and immediately assumes the victim is part of a gang war. Instead of reaching out to the victim, he alienates him.
- When victim advocates ask questions before giving advice, they learn a lot about the victims, the crime, and the victims' needs. When an advocate's strategy is to listen first and talk later, he or she can avoid leaping to conclusions that may be based on stereotypes or misinformation.

Case Study #13: Premises Vacated

You are a victim assistance professional in a prosecutor's office. Your office is prosecuting two men and a woman for vandalizing a small hardware store. A month ago, the accused allegedly threw bricks through the windows of a hardware store owned by a Jewish family. They spray-painted the doors and walls with swastikas and slurs against Jews. They nailed boards across the doors and painted on them "Closed" and "Premises Vacated." Your office is trying the case as a hate crime.

You have had difficulty providing assistance to the owners of the store. Your responsibilities are to explain the legal process and their legal rights, and offer some degree of emotional support. You have reached out more than once to the man who reported the crime and invited him to come in for an appointment.

He has said to you, "Put these Nazis in jail, and I'll come for a visit." He says that if you are so interested, the whole neighborhood would like to hear from you. He invites you to come see the destruction and vandalism for yourself. You explain that you have looked carefully at all the pictures, that you are very familiar with what happened there, and that you would need to cancel several appointments in order to make the trip across town. You invite him once again to come to your office.

The man yells into the phone, "If you want to help, help! If you are scared, then so be it. Sit back and let another Holocaust happen. Sit back and call me paranoid. This is exactly how the last one started. You ask anyone here. You ask anyone." Before you can respond, the man hangs up.

1. What are some of the issues in this case? What are the different perspectives of the victim assistance professional and the storeowner? How do these perspectives affect their interaction?

2. What are some realistic strategies the victim assistance professional can employ, given limited time and resources?

Instructor Tips—Case Study #13: Premises Vacated

- The victim assistance professional sees this hate crime as a specific case that must be tried. She or he has a clear definition of the victim (the Jewish owners of the store). The owner, however, sees the vandalism in a larger context. He is aware that, while his family has lost the store, many other Jewish people in the community have been victimized as well. He sees this as a threat to the safety of Jews, not just that of his family. The type of vandalism is reminiscent of the early days of Hitler's rise to power.
- The victim assistance professional first should broaden the operating definition of crime and victim. A simple strategy in talking to the shop owners is to listen and affirm their fears and anxieties. Second, he or she should understand the impact this crime has had on the community. Realizing that the best way to reach the shop owners is through the community at large, she or he might want to find a way to inform the community about the legal proceedings.

Case Study #14: Shattered Glass

You are a transgender female driving through Dupont Circle at 1:00 a.m. You see two men in a scuffle. You slow down to pass them and, trying to be helpful, you roll down your window enough to say, "Come on guys, whatever it is, it's not worth it."

Before you know it, a fist crashes through the window, shattering the glass, and lands on the side of your face. The man who has hit you yells, "You keep out of this you f-----." The other man, bleeding profusely from a cut above his eye yells, "Hey! Do you still have a dick?" followed by a string of profanities. Stunned, you sit at the wheel. Slowly, you pick up your cell phone and call 911.

The police and emergency medical crew arrive in minutes. Seeing the glass, the police come up to you and ask, "Is anyone hurt?" Before the words are out of his mouth, his partner, a female police officer says, "We should have known. It's just one of those d--- queers," and they turn away swearing in disgust.

The police officers proceed to interview the men who had been involved in the scuffle. One of the emergency medical technicians comes up to you and yells to her partner, "You're going to need your gloves for this one. I am not going to risk getting AIDS." The police officer walks back to you and says, "You are being charged with assault. …"

1. What are the assumptions the police officers are making?

2. How might encounters like this have an impact on future reporting by members of the GLBT (gay, lesbian, bisexual, and transgender) community?

Instructor Tips—Case Study #14: Shattered Glass

- The police assume the transgender female is the perpetrator, not the victim. This results in revictimizing the victim.
- Negative experiences with law enforcement may make gay, bisexual, lesbian, and transgender victims reluctant to report crimes. As a result, they may wait to report all but very serious crimes. Consequently, the police may see more violence in cases involving gays and lesbians and assume they are prone to more severe violence.

Case Study #15: Cruel Capabilities

You are an elderly white man, living with your son and daughter-in-law. Two years ago, you suffered a major stroke, and since then several smaller strokes have diminished your ability to speak or move around independently.

After the stroke, your son couldn't look at you. He seemed ashamed to talk to you. His wife took over all the care except that which required moving you from your bed to the wheelchair, helping dress you, or bathing you. Your son became rougher and more careless with you as months went by. Once, while moving you into the bathtub, he let your head bang hard against the tub. Another time, he left you for 20 minutes straddled between the bed and your chair as he talked on the phone. Recently, he has refused to help dress you, so you have been left in bed for days at a time.

He complains often about the cost of medicine and doctor bills. You even overheard him saying to his wife, "It's time the old man kicks off."

You are deeply ashamed by your son's disrespect. You wonder if you raised this man who is capable of being so cruel. You think that you must have hurt him terribly in the past for him to act like this.

Yesterday, you received a prescription from the pharmacy. Inside the bag was a leaflet that asked, "Are you the victim of elder abuse?" You look away in disgust without reading the rest of the message.

1. What are some of the factors that obstruct the man's likelihood of finding help?

2. What can victim advocates do to reach people in this situation?

3. What on the leaflet caused the man to stop reading? What are other ways that the leaflet might have been worded?

Instructor Tips—Case Study #15: Cruel Capabilities

- Some of the barriers in this case are physical ability (it is difficult to make a telephone call or initiate contact with the outside world), shame about the situation, and self-blame. Other barriers might be the fear of getting his son into trouble, being moved to an institution, or being judged for raising a son who would act like this.
- Including a flier in pharmacy deliveries is an excellent method of outreach. Other methods used are messages on placemats delivered by Meals on Wheels and fliers delivered by the post office. Some organizations coordinate volunteer "buddy" programs so elderly people can have contact with someone in the outside world. Victim agencies can team up with health care providers to train doctors and nurses to recognize the signs of abuse and provide their patients with information and support.
- The use of the words "victim" and "abuse" may have triggered a negative reaction. Fliers can use softer language, or frame elder assistance programs in the context of strengthening families. For example, the flier could have read, "Having difficulties at home? Are the transitions to old age difficult or sometimes painful for you and your caregivers?"

Case Study #16: A Large Lake

A man comes to your victim services clinic for guidance. His mother recently was killed by a reckless driver, and he hopes to receive advice from you about legal steps he might take.

You begin the intake interview by asking him to talk a little about himself. He tells you that he is middle aged, spent most of his childhood on a Cherokee reservation, is a high school physics teacher, and has lived in the city for 18 years. His mother was visiting him here for a few weeks.

Then you ask him to tell you what happened. He tells you that last night he imagined walking by a large lake, and in the distance he saw a white bear. Walking faster and faster, he tried to reach the bear, but the faster he walked, the more distant the bear became.

You smile and nod, waiting for him to go on. After a period of silence, you ask, "Was your mother hit by the car here in the city?"

"Yes," is the reply. And another period of silence.

"How can we help you? What is it that you need?" you ask.

The man looks at you for a moment, says, "Thank you for your time," and leaves.

1. What were some of the communication issues that made this interaction difficult?

2. What did the victim service provider do that was effective?

3. What might he or she do to be more effective?

Instructor Tips—Case Study #16: A Large Lake

- The man is communicating something important with his story of the bear, but the provider does not understand the message. Some people will be more comfortable discussing feelings, emotions, and needs through images, stories, and symbols. If a victim service provider does not have a shared context with a victim, it is difficult to understand these messages.
- The provider opened the meeting by inviting the man to talk about himself. She or he got valuable information as a result of this open-ended and interested question.
- If the provider had continued to build a relationship, creating a shared context, the message in the story may have been clarified. Second, she or he might have asked the man to talk a little bit more about the image, asking for more detail. Another strategy might be to move from open-ended questions to a more directed approach; rather than relying on the man to articulate his needs (which he might feel he has already done), offer him several options.

Case Study #17: On the School Bus

A 5-year-old second generation Chinese-American child, David, comes home and says that he doesn't want to go to school any more because he has been teased and beaten up on the school bus. His grandfather, a 68-year-old Chinese immigrant, goes to the bus stop with his grandson the next day to identify the children who had teased and hit his grandchild. The grandfather approaches one 8-year-old boy, Tom, pats his head, and tries to ask the boy questions in his halting English. Tom is scared by this old Chinese man and does not quite understand him, so he turns his back and tries to run. The grandfather grabs the boy's arm in an effort to restrain him so he can talk to Tom.

Tom's father reports this incident to the sheriff's office. Sheriff Anderson investigates, but he can't communicate with the grandfather because the grandfather speaks little English. An interpreter is called to help. After the interview, Sheriff Anderson moves the case to court and a date is set for a hearing. The interpreter goes to the court with the grandfather. A public attorney, Mr. Swedlund, is assigned to the case. The interpreter explains the situation to Mr. Swedlund. The interpreter also tries to explain the cultural issues in the case. But Mr. Swedlund says, "Even though an adult may be permitted to grab a child in China, he is in the U.S. This is still an assault." Mr. Swedlund suggests that the grandfather plead guilty so the case will not go to trial. The interpreter explains the suggestions to the grandfather, but the grandfather is totally confused. He believes that he didn't do anything wrong. All he did was grab a boy's arm and try to ask him questions. He is bewildered that he is in the court. "Is this justice?" he asks. "My grandson was beaten and teased to the point that he did not want to go to school. Should not that be the punishable crime?"

When the judge calls the grandfather's name, the interpreter goes with him. The judge asks him questions and the interpreter translates them to the grandfather. However, the grandfather is nervous and confused. The judge asks him the same questions again and the interpreter translates again. The grandfather just stands there and is too nervous to answer the questions. The interpreter says to the judge, "Your honor, he is very nervous, and this is all too new to him. He needs time to think about your questions." The judge says, "Well, you better tell him to answer my questions soon. I am losing my patience." The interpreter translates the judge's words to the grandfather who becomes even more nervous.

1. What are the cultural issues?

2. What are the issues from the grandfather's perspective?

3. What are the issues from the public attorney's perspective?

4. What are the issues from the judge's point of view?

Brainstorm some realistic strategies for the interpreter.

Instructor Tips—Case Study # 17: On the School Bus

- In traditional Chinese culture, when an elder pats your head in a nonthreatening manner, it means that the elder wants you to feel that he or she is friendly and means no harm.
- When elders ask a young person questions, elders expect the youth to stand straight, listen to him or her, and answer the questions. If the youth tries to run away, it is considered very bad manners, and the elder can grab the youth to have his or her questions answered.
- Often, new immigrants are not familiar with U.S. law or culture and find them confusing and intimidating.
- This is a good opportunity to discuss cultural considerations versus a cultural defense. By examining cultural motivations in this situation, providers would not use culture as a rationale or justification, but instead would understand the behavior in its cultural context in order to be knowledgeable and effective in addressing the case appropriately.

Case Study #18: The Intervening Interpreter

You are a child advocate in the victim assistance division of a large child-abuse prevention agency. You have been assigned the case of two Bosnian children who recently arrived in the United States and have been living with a foster family for the past 4 months. The children are sisters; one is 15 years old, the other is 10.

The case was referred to your agency by a social worker in a nearby hospital. The younger of the two sisters arrived at the emergency room with a large cut on her hand that was bleeding profusely. As the nurse was preparing the girl for stitches, he noticed many scars on her arms and legs. The scars appeared to be the result of deliberate cuts. When he asked the girl about the scars, she simply shook her head in confusion.

As the hospital reported that the girl did not seem to speak much English, you bring a Bosnian interpreter with you on your first home visit. The foster parents welcome you warmly, invite you in, and listen attentively as you express your concerns. They say that they had noticed similar scars on both the girls when they came to live with them. They had asked the girls about them, but both had seemed uncomfortable and embarrassed with the subject. They worried that the girls had been victims of abuse within their families or of violence due to the war in the former Yugoslavia.

After your conversation with the parents you ask to meet with the girls. The parents hesitate and suggest that you come back later. You insist firmly, and finally they agree. After the foster parents have left the room, the older girl begins crying and talking quickly to the interpreter. She gestures toward her foster parents' room, and looks over her shoulder nervously. You cannot understand what she is saying, but she seems to be pleading with the interpreter.

The interpreter tells you that the girl is very grateful to her foster parents, that she does not want to be sent back to Bosnia, and that her younger sister simply cut herself accidentally. The interpreter says that the girl insists they are happy.

You feel uncomfortable with the interpreter's translation, as both girls' body language is telling you more. However, this is the only Bosnian interpreter your agency has been able to find.

1. What are some of the issues that may obstruct the child advocate from making an accurate assessment of the situation?

2. How can the advocate learn more?

3. How can the advocate identify and compensate for any bias on the part of the interpreter?

Instructor Tips—Case Study #18: The Intervening Interpreter

- Language is only one of the challenges faced by the child advocate in this case. The children come from a different cultural background than the foster parents, they recently emerged from a volatile region, and they have not been living with the family for a long time. The foster parents could be abusing the children, but they just as likely could have been victims of violence or abuse in their home country. They are possibly suffering from culture shock, homesickness, grief at the loss of family members, and post-traumatic stress disorder. They may be afraid that if they were to report any current abuse, they would be sent back to Bosnia.
- By creating a relationship with the children over time, meeting them regularly, watching for new cuts or signs of recent violence, and gaining their trust, the advocate would be able to learn more about the situation. Relying on nonverbal communication, such as body language, art, and pictures would allow the advocate and the children to bypass the interpreter in some of their interactions.
- Before working with the children, the child advocate should have a conversation with the interpreter to assess any potential bias created by personal experience and opinions. Once the advocate knows that, for instance, the interpreter has recently come from Bosnia and believes that any violence here is preferable to what he or she encountered in Bosnia, compensations can be made in the translation. Often certain words and phrases are not easily translated into English. In such situations, it may be necessary for the interpreter to use many sentences to communicate one word. In this case, the girl spoke a long time with the interpreter while the advocate simply received a summary of the conversation. For a more accurate translation, the advocate could insist that each sentence be relayed.