

LANGUAGE ACCESSIBILITY

IN WISCONSIN FOR VICTIMS & SURVIVORS OF DOMESTIC VIOLENCE



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Introduction

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Language Accessibility in Wisconsin for Victims & Survivors of Domestic Violence

Wisconsin is facing demographic changes as the populations of immigrants and refugees grow. Therefore, it is becoming increasingly important to provide services and materials in different languages. Other barriers to accessing domestic violence and sexual assault services exist besides the language barrier. Traditionally, many immigrants and refugees seek assistance from family members instead of social service agencies. A reliance on non-English languages coupled with their comfort utilizing family members and oppression stemming from minority status discourages them from seeking safety at programs. To remove this barrier to services and increase accessibility, it is necessary to comply with the law.

Communicating in English for those in Wisconsin who prefer or are only able to speak one or other languages is difficult for both practical and emotional reasons. In a country where English is by far the preferred method of communications, a person with limited English proficiency encounters many difficulties in everyday life. One only needs to imagine living in a world where the only time your language is spoken is at home or in your specific community. In addition, monolingual and even bilingual speakers find that they are more comfortable and can express more emotions while speaking their first language.

The awareness of demographic changes, cultural barriers to seeking services and underserved populations have created “problems” for social service agencies that serve these populations. It is important for those organizing outreach services to ensure that accessible services are ready with bilingual staff, interpreters and materials.

Solutions to language barriers in Wisconsin will require a much more comprehensive approach than only using interpreters or translating a brochure. The following are some first steps for programs to take as they plan for increasing linguistic competency and meaningful language access for victims of domestic violence and sexual assault in Wisconsin.

- Identify the level of unequal access for non-English speaking customers within the program.
- Based on the program’s language access plan, allocate sufficient funds for multilingual materials, bilingual staff and interpreters. Language access is essential and the program must show its dedication to serving to all victims of domestic violence and sexual assault by providing appropriate compensation for translation and interpretation services whenever possible. While you may be able to find volunteers who are willing to translate or interpret, programs who don’t budget for such services are not making language accessibility the priority it needs to be.
- Build a list of trained interpreters in the area. Build relationships with these interpreters and determine if you will be able to work with them. Note that not any bilingual individual or interpreter will be an appropriate fit with the program. You must be sure that any interpreter will not pose a threat to victim safety and confidentiality and that they understand their role as an interpreter.
- Consider other ways of engaging and training bilingual members of target communities who may be able to work as interpreters
- Train staff and volunteers on language access issues, and involved them in improving their programs language accessibility. Additionally, having bilingual staff and volunteers may increase a survivor’s comfort and trust in the program.¹

Laws and Regulations

The material in this section explains the federal laws and policies that address access to services for persons who have limited proficiency in English.

Civil Rights Act/ Executive Order: Programs of Domestic Violence and Shelters are required to follow federal and state statutes/orders and regulations relating to LEP.²

- Title VI of the Civil Rights Act of 1964 states that No Person in the U.S. shall, on the grounds 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. <http://www.usdoj.gov/crt/cor/coord/titlevi.php>
- U.S. Presidential Executive Order 13166 was issued in order to improve access to federally conducted and assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency. <http://www.usdoj.gov/crt/cor/lep/valepguidance.pdf>

Any organization or individual that receives federal assistance, either directly or indirectly, through a grant, contract or subcontract, must comply with several federal civil rights laws, including Title VI of the Civil Rights Act of 1964 (“Title VI”) and Executive Order 13166 (“Improving Access to Services for Persons with Limited English Proficiency”) issued on August 11, 2000. Essentially, it identifies the failure to provide services to LEP individuals because of the language barriers as a form of national origin discrimination.

Although Title VI has been in effect for over 45 years, the federal government has taken additional measures to improve compliance with respect to providing access to federal services for Limited English Proficiency persons. Executive Order 13166,³ titled “Improving Access to Services for Persons with Limited English Proficiency” went into effect in 2000. This order requires federal agencies to take reasonable steps to provide meaningful access for LEP people to federally conducted programs and activities. It also requires every federal agency that provides financial assistance to non-federal entities to publish guidance on how grant recipients can provide meaningful access to their services for Limited English Proficiency persons.

Executive Order 13166 says that LEP individuals should have meaningful access to federally conducted and funded programs and activities. Title VI regulations forbid funding recipients (such as domestic violence and sexual assault programs) from “restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program”.⁴

- National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Furthermore, Title VI regulations prohibit intentional discrimination as well as policies and practices that appear neutral but have a discriminatory effect. That is, an organization's policies and practices need not be intentionally discriminatory, but may violate Title VI if they "have an adverse effect on the ability of national origin minorities to meaningfully access programs and services".⁵

The Department of Justice and the Office of Civil rights within the Department of Health and Human Services have issued guidelines to help recipients of federal funds to comply with Title VI, specifically with regard to providing services to people with limited English. These guidelines spell out the steps a program must take to ensure that LEP persons have meaningful access to the programs, services and information those recipients provide at no additional charge.⁶

There are numerous reasons why agencies that are truly committed to ending violence in the lives of all victims of domestic violence should desire to expand their capacity to provide meaningful language access to all consumers.

As immigrant and refugee populations in Wisconsin grow, so do the number of LEP individuals. Many service providers are experiencing this changing need, but do not presently have the capacity to address it. Besides being a violation of Title VI, lack of language access prevents many victims from learning about, much less receiving, assistance and access to safety.

In addition many people who are deaf and hard of hearing need interpreters to access services. Program practices regarding interpretation and communication for both LEP consumers and individuals who are deaf and hard of hearing can be similar. It is important to know that there are different laws that guide access for these populations. Please review your existing policies to ensure access for those who are deaf and hard of hearing or people who have disabilities.⁷

Understanding a program's legal obligations under federal and state laws will help protect against liability claims for discrimination based on national origin, or hearing ability. Also, having a language access policy and plan in place will help battered immigrant, refugee or Deaf woman get the help they need.

It is important to note that multilingual capacity does not assure that a service provider will be able to work in a culturally competent manner. It is important that domestic violence or sexual assault programs that want to overcome barriers adopt cultural awareness practices and use linguistic competence as essentials to work effectively with all victims.

Compliance and Enforcement of Title VI

Both the Department of Justice and the Office of Civil Rights Division of the Department of Health and Human Services investigate complaints and conduct compliance reviews of grantees. If they find noncompliance, they must approach the grantee and try to get the grantee to agree to voluntarily make the changes necessary. If the grantee refuses to cooperate, then DOJ or DHHS may choose to discontinue funding.⁸

Federal and state funding recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. In determining what documents should be translated, the following four factors should be assessed:

1. The number or proportion of LEP persons served or encountered in the eligible service population.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided for the recipient.
4. The resources available to the recipient and costs.

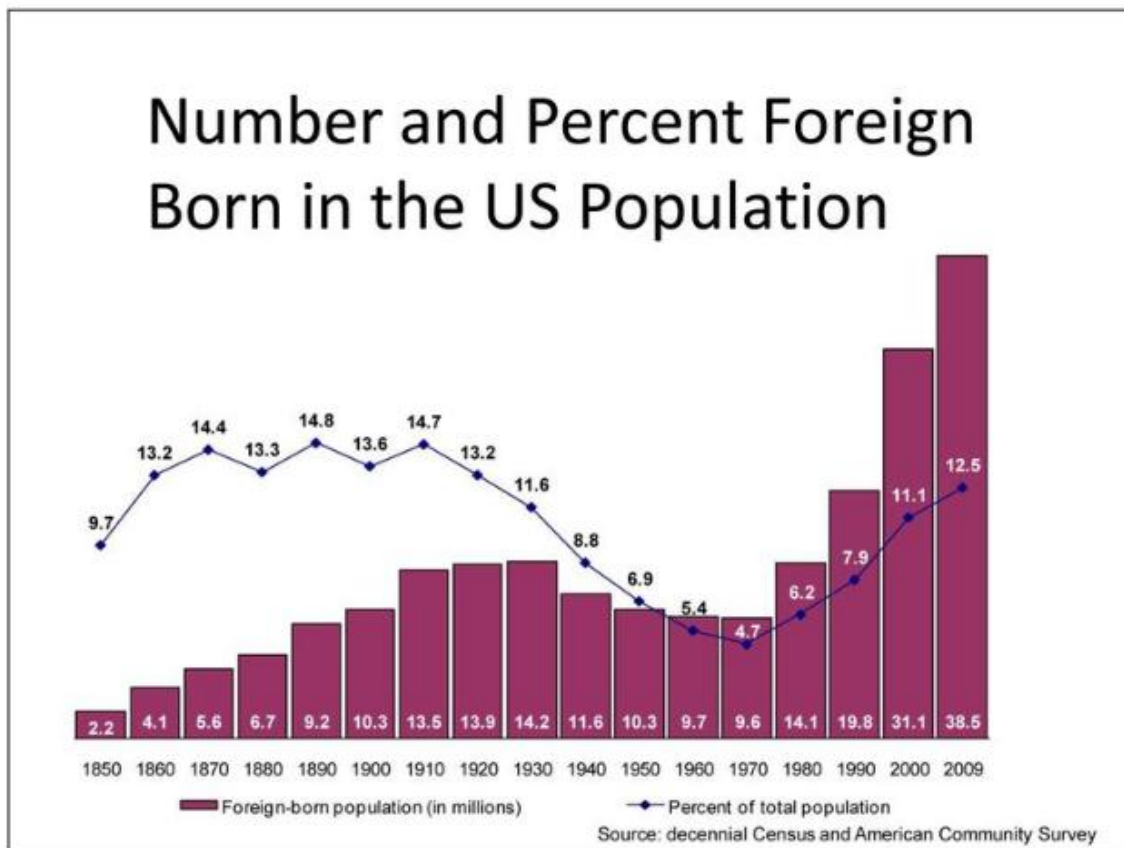
Reasonable Steps to Ensure Meaningful Language Access

Number or Proportion of LEP Individuals

One factor is the number or proportion of persons who would be excluded from services due to language barriers. The policy guidance documentation from the U.S. Department of Justice and the U.S. Department of Health and Human Services Office of Civil Rights advises that “even those who serve very few LEP persons . . . should utilize this balancing analysis to determine whether reasonable steps are possible” and have in place a plan to serve such persons when the need arises.

Frequency of Contact with the Program

How often do LEP persons come into contact with the program? For example, the guidance explains, the obligations falling on programs that frequently interact with LEP persons are greater than those applying to programs whose contact with such persons is “unpredictable or infrequent.” Providing services in programs to other populations can be challenging but it is the right thing to do. Even if the frequency of these encounters is limited, we need to ask ourselves if the problem is outreach.

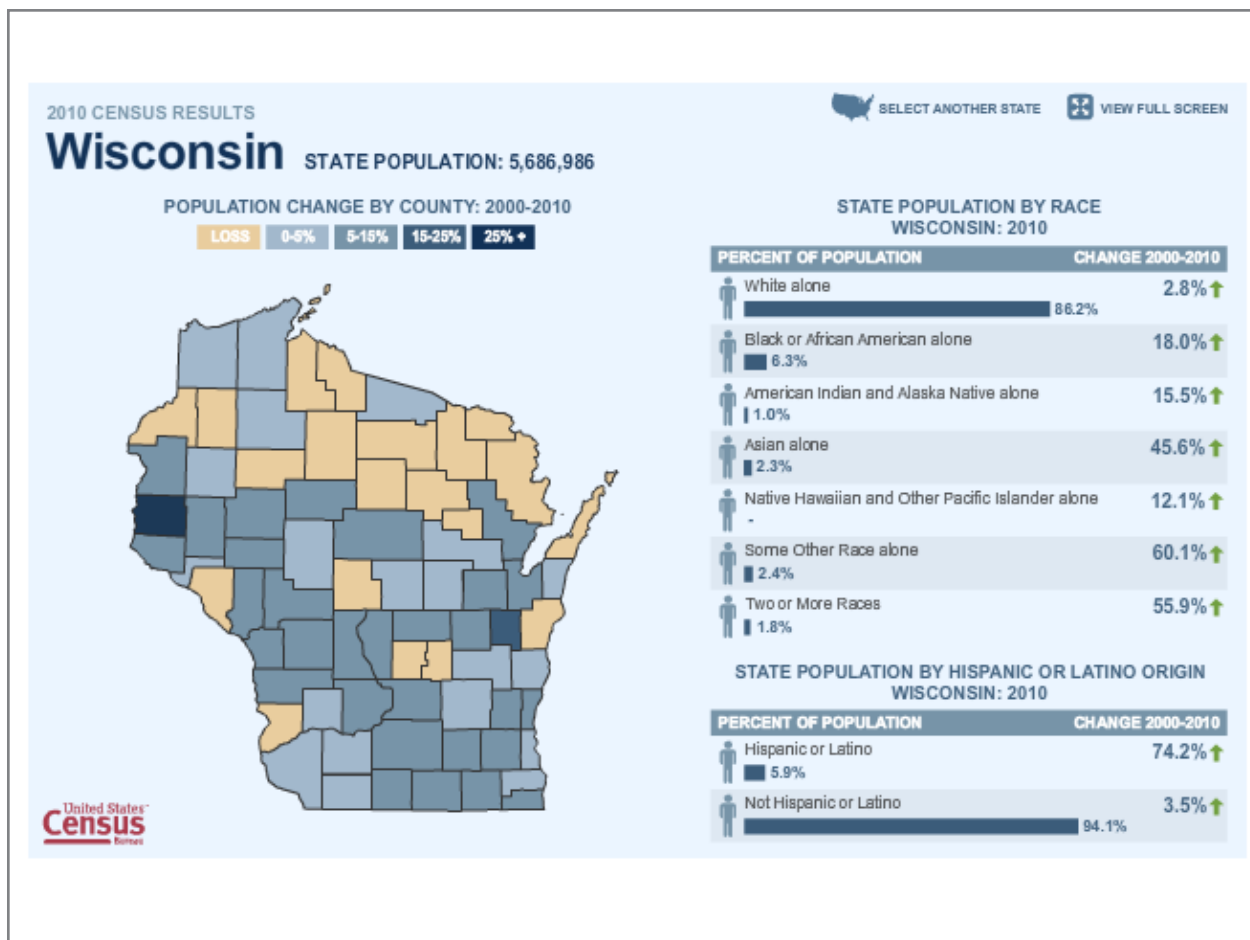


Nature and Importance of the Program

The importance of the services provided also affects the determination of reasonableness. The guidance states, “More affirmative steps must be taken in programs where the denial or delay of access may have life or death implications than in programs that are not as crucial to one’s day-to-day existence.” Domestic violence and sexual assault programs have a crucial role to play due to the safety of the survivors depends of the services they provide.

Shelter Programs

As recipients of federal or state fund, shelters are also required to provide meaningful access to LEP persons. The type of services offered will depend on the four factors discussed previously and could range from hiring bilingual advocates, having written materials translated into the primary languages spoken by the women they serve, using volunteers within the community to help interpret, hiring interpreters on a contract basis or using a telephone language line.⁹



Identifying Groups and Languages Profiles

In order to most effectively meet the linguistic needs of the population in your area, it is important to know what languages your current consumers speak and what languages your future consumers are likely to speak.

In Wisconsin as a whole, Spanish and Hmong languages have been identified as having a significant Limited English Proficiency (LEP) population. In addition, some individual counties can have significant minority populations with other language needs (e.g.; Deaf, Russian, Bosnian, Serbian, Croatian, Somali, etc.) Demographically, Deaf people live in all parts of the state and domestic violence and sexual assault are at least as prevalent in the Deaf community as it is on other communities.

The following link is a starting place for obtaining data on LEP persons:

<http://ww.doa.state.wi.us/dir/wisconsin/index.html>. This data is from the United States Census Bureau Profiles. The best source of “official”, census data used to determine thresholds is the Demographic Profiles (DP # 2 specifically, the Language Spoken at Home – Language other than English Less than Very Well data set).¹⁰

Factors

- What factors may have caused these immigrant and refugee women to immigrate to the United States and come to your community?
- Are they fleeing civil war, persecution or economic despair?
- Did they come to the United States with their family or to reunite with relatives in an established immigrant community?
- Did they come primarily to work or for school?
- Were they recruited to work in the United States?
- Did they come as wives who met their spouses through international matchmaking organizations?
- Did they come as wives of servicemen?
- Did they come through an arranged marriage to someone from their home country who is currently living in the United States?

Immigrant, refugee and Deaf community-based groups, the local school system, and faith-based groups may also have information on the different populations residing in your community. This information-gathering process works best when agencies collaborate. Answering the following questions can assist in learning about the different immigrant and refugee populations in your area:

Demographics

- What are the demographics of immigrant and refugee population(s) in the community and county?
- What are the countries of origin of the immigrant and refugee women in the community?
- Do they reside permanently in the community? Do they annually migrate to the community to do seasonal work?
- Where do immigrant populations generally reside in the city, county, or township?
- Is the immigrant or refugee population isolated from the rest of the community?

Community

- Which individuals are considered immigrant women community leaders?
- Is there a community center for immigrants or refugees?
- Where do immigrant and refugee women congregate, seek services and organize? (i.e. work, shops, places of worship)
- Whom do immigrant and refugee women in the community trust, confide in, and seek services from?
- What information about cultural or religious beliefs in the immigrant and refugee populations might affect the way agencies might try to reach immigrant women?
- What are the significant immigrant and refugee populations in the area, and what language(s) do they speak?¹¹
- What attitudes toward domestic violence and sexual abuse do the immigrant and refugee communities hold?
- Where can an agency find statistics or materials, either national or local, on how the victim's culture or community look upon or treat domestic and sexual assault victims?¹²
- Where can an agency find statistics or materials, either national or local, on how the victim's culture or community look upon or treat domestic violence victims?
- What services do non-profit or faith-based organizations offer in the immigrant and refugee communities?

Which, if any, organizations are in contact with isolated immigrant women? Do these organizations have any resources that would help educate difficult-to-reach populations?

Such organizations might include:

- Family Support Centers on military bases
- Women's centers at universities
- Health clinics and health care workers in rural and migrant communities¹³

Asking about language/communication preferences is also important for persons who are Deaf, Hard of Hearing or Sight Impaired; those populations are also a key part of an organization access plan. It is important to remember that not all Deaf people's communications needs are alike, and programs should ask the person directly what their needs are.

Deaf Culture

- Are there immigrant, refugee and Deaf communities that your agency is not reaching? These communities may need additional outreach.¹⁴
- What language(s) Deaf people speak?
- Is the Deaf population isolated from the rest of the community?
- Where do Deaf women seek services and organize?
- Whom do Deaf women in the community trust?
- What information about cultural beliefs in the Deaf community might affect the way programs try to reach them?
- What is being Deaf in a hearing community?

Asking About Language Preference

How you ask a consumer about his or her language will affect the response you get. “*In what language do you prefer to receive services?*” Asking the question this way will provide you with information on the language the victim feels he or she needs to speak in a conversation. If the answer is a language other than English, you can plan to have language assistance available and you can add this information to the record for future references to plan allocation of funds.

While some consumers may have basic English skills, to competently address their needs they prefer to use their first language. Be careful about assuming language proficiency only because some individuals can respond to simple questions.

If the consumer shows up at your program and you cannot identify what languages he or she speaks, a “language identification poster” can be helpful. Here are a few that are available to download for free.

- The Federal Government has an “I Speak” document that was used by the U.S. Census Bureau. It has the following message in 38 languages: “Mark this box if you read or speak (language).”
<http://www.usdoj.gov/crt/cor/Pubs/ISpeakCards.pdf>
- “I Speak Card” available at:
<http://dhs.wisconsin.gov/civilrights/ISPEAKCARDS.pdf>
- Culture Connect, Inc. also uses “I Speak” cards. These are two sided bilingual cards.
<http://www.cultureconnectinc.org/ispeakcards.php>
- Finally, most telephonic interpreting companies will provide “I Speak” posters free of charge as part of their service package.

Types of Language Assistance Services

There are several ways that language services can be provided, both orally and in writing. The option you choose should depend on the frequency of the need and the size of the population being served. But whatever you choose, you should make sure that the interpretation services are of good quality. Competent interpreters have the ability to communicate accurately in both languages and also understand their responsibility to keep confidential any information learned.

Identifying Documents for Translation

Translation of key documents is a crucial part of an effective LEP plan for most domestic programs. The list below will assist you in determining whether a document is a vital document or not. If the answer to any of the following is yes, the document should be translated:

- The form/document must be completed and signed by a customer.
- The publication contains information the customer is required to know.
- The publication contains the customer's rights and responsibilities when receiving services or benefits.
- The form/publication/document contains rules, regulations, or laws that must be followed by the customer in order to receive services or benefits.
- The document informs the customer of eligibility, any change in services or benefits or of something that is happening with their case/program participation.
- The document requires a response from the customer.

Written Translation of Vital Documents

Vital documents are those documents, paper or electronic, which contain critical information to customers about accessing services or benefits or is a document required by law. Vital documents must be translated for persons receiving services. Under the "Safe Harbor" guidance, all recipients of federal and/or state funds are required to provide written translations, free of cost to the customer, for all documents identified as vital. Specific requirements include the following:

- Written translations of vital documents must be provided for each eligible language group that constitutes at least 5% or 1,000 LEP individuals, whichever is less, of the population of persons served or likely to be served by programs in the service area.
- All vital documents must be translated into Spanish and Hmong at a minimum because these groups meet the threshold for translation in Wisconsin. Other languages that meet this threshold will depend on the service.

- Programs are responsible for the costs related to translation of vital documents that are issued.
- Customers with LEP will receive timely access to translated written materials at no cost to them.

The following link is a starting place for obtaining data on LEP persons <http://www.doa.state.wi.us/dir/wisconsin/index.html>. Data are from the United States Census Bureau Profiles. The best source of “official” Census data used to determine thresholds is the Demographic Profiles (DP) # 2 specifically, the “Language Spoken at Home – Language other than English, Speak English Less than “Very Well” data set. Contact Bill Franks¹⁵ for assistance on further demographic information on LEP Persons.¹⁶

Non-Vital Documents Requiring Translations

Non-vital documents, if needed, can be provided orally. Written translation may be provided at the discretion of the program.

The difference between “translating” and “interpreting” languages is often a source of confusion. The difference is this: interpretation applies to spoken words and translation to written ones. Interpretation is as accurate as translation when properly done. Language interpreters should not take liberties, embellish or otherwise modify the words that are being interpreted from one language to another.

Oral Interpretation

The obligation to provide meaningful opportunity to individuals who are not proficient in English is not limited to written translation. Oral communication between programs and victims is often a necessary part of the exchange of information. Thus, a program that limits its language assistance to the provision of written materials may not be allowing all to be informed of or to participate in the program effectively.

There are a number of steps which can assist programs in providing such oral assistance. They range from hiring bilingual staff or staff interpreters competent in the skill of interpreting, to contracting with qualified outside in-person or telephonic interpreter services, to arranging formally for the services of qualified voluntary community interpreters who are bound by confidentiality agreements.

Important Considerations

All programs and service providers should be aware of languages commonly spoken and develop appropriate protocols and resources, including collaborating with immigrant community-based organizations, for responding to individuals needing language assistance. Individuals in your community may need your help. Do not assume that “someone else can help them”.

- When possible, partner with domestic violence service providers that focus on particular ethnic or immigrant populations. Do not assume that your organization is “off the hook” on providing language services simply because some other organizations does.

Community organizations have benefited from hiring and training bilingual employees to provide direct services. Many have worked with law students, undergraduate students, community members and academics to provide language assistance. Consider hiring professional interpreters where necessary and appropriate.

- If the language services are provided by an interpreter, translator, or bilingual person, make sure that those individuals are not connected to the client’s community.

If those individuals are connected, make sure that they are trained on confidentiality. This can be especially important in rural areas where there are fewer linguistic resources, leading to a natural tendency to find anyone who speaks the language without thinking about confidentiality.

- In Wisconsin, domestic violence programs can use the Language Line ¹⁷

WCADV does have limited funding to reimburse local domestic violence programs for use of Language Line Services. Please remember that we require you to join onto the Department of Health Services contract. Follow this link, scroll down to language Access Resources, and click on Contract # C-2030:¹⁸

Offer informational brochures available in multiple languages so that immigrant or refugees who come to your program for help can learn about the range of options designated for all.¹⁹

- Programs should consider tapping into resources available in city government offices, public libraries, and national advocacy groups that work on issues pertaining to immigrant and refugee women. Informational brochures designed for immigrant and refugee victims are available in the last section in this guide and can be adapted for local use.

Accuracy and effective communication are as critical in domestic violence and sexual assault situations as in any emergency situation. Do not rely on friends and family member to interpret for victims in important and sensitive interactions.

- It is very important to avoid using children as interpreters in domestic violence or sexual assault cases. Since many children accompany the client to meetings or the shelter and other services, it is sometimes perceived as convenient to use children to interpret. Children can suffer psychological harm from having to hear and interpret the details of the abuse.

Programs should meet their obligations under the law by supplying competent language services free of cost. In rare emergency situations the agency may have to rely on a family members or other person whose language skills and competency in interpreting have not been established. Planning and implementation is important in order to ensure that those situations rarely or never occur.

Collaborating with other programs, such as Unidos Against Domestic Violence, Freedom Inc. etc, will benefit mainstream domestic violence and sexual assault victim services because immigrant and refugee women are more likely to trust agencies that have a positive relationship with trusted community-based or faith-based organizations.²⁰

- Many immigrant victims will feel more comfortable accessing help from a program partnering with an agency that has a history of trust in the immigrant community.

Programs can begin to build the trust that will lead immigrant, and refugee victims to seek assistance through various means including getting involved in the immigrant communities. Advocates can participate in meetings, interact with immigrant, refugee and Deaf community members, work with trusted community-based organizations and attend activities planned by community-based or faith-based organizations serving the immigrant and refugee communities. Advocates should always ask the victim what services she needs and what programs she feels comfortable accessing. Some immigrant victims are more likely to seek services from agencies they hear about through other women in their immigrant community. Contrarily, some victims may be fearful of going to an organization in their own immigrant community because of shame and confidentiality concerns.²¹ These victims may prefer receiving services from a mainstream program that is not as closely connected with their community.

Some Cultural Values for Immigrant, Refugees and Deaf Communities

Cultural values for immigrant ,refugees and Deaf communities vary based on the country of origin, religious beliefs, social class, education and other personal factors, including family upbringing. Thus, community service agencies must provide staff with cultural awareness training tailored to the specific minority population served by their agencies. Additionally, programs must be knowledgeable about the specific cultural values that effect responses to services (e.g. the role of gender, help-seeking behaviors, and family). Programs should not stereotype immigrants, refugees or Deaf people from different countries and cultures as having identical needs.

Cultural issues including limited English proficiency, immigration status and acculturation stressors among immigrants and refugees women²² must be considered when evaluating existing and developing new services for immigrants and refugees. Services and interventions must be linguistically and culturally congruent with the population being served.

Immigrant women are a diverse group and include women who have lived in the United States for one month, as well as women who have lived here for forty years. The immigrant woman who contacts you for help may have entered the United States as a refugee fleeing persecution in her country of origin, as a relative with family members in the United States, as a student, as a tourist or as a worker seeking better economic conditions.

Programs sometimes are concerned about the legal or funding consequences of serving battered immigrant or refugee women, particularly undocumented immigrant women. Some programs mistakenly believe that is unlawful to provide services to undocumented women or children. However, non-profit organizations are explicitly exempt from verifying immigrant status as a condition for providing services. Further, any non-profit or government domestic violence and sexual assault service that denies assistance to immigrants who are undocumented is violating the Attorney General's order requiring that services "necessary for the

protection of life and safety” be provided without regard to immigration status, and additionally, is violating civil rights and fair housing laws.²³

In general, immigration status is not relevant to a battered immigrant woman using your program’s services. The fact that a woman may not be a U.S. citizen or lawful resident does not affect your ability to provide her with services. Her immigration status or of her children is only relevant for you to know if it may protect them from abuse, enhancing knowledge of the risks she may be facing, and helping her become a permanent resident if she is eligible. You do not need to be an expert in technicalities of immigration law to help a battered immigrant woman. Your role is empowering her by knowing the range of her options, and helping her find the assistance she needs. However, you should consult an immigration lawyer if you have determined that the victim’s immigration status is uncertain.

Newly arrived battered immigrant or refugee women whose immigration status is not permanently established – because they are undocumented, conditional resident, or here on visas – have special needs. Typically, their abusers control and manipulate their unsettled immigration status as a means of keeping them in abusive relationships. These women experience the complex intersection of domestic violence and sexual assault with their immigration status.

There are other specific cultural values that should be considered when addressing domestic violence and sexual assault within immigrant communities. These cultural values include: the male gender role of machismo; family preservation, and an emphasis on obtaining help from the church.

Cultural Proficiency Continuum				
Cultural Destructiveness & Cultural Deficit Perspectives	Cultural Blindness	Cultural Awareness	Cultural Competency	Cultural Proficiency
<ul style="list-style-type: none"> • Making people fit the same cultural pattern. • Excluding those who don't fit. • Pressuring assimilation. • Emphasizing using differences to create barriers. 	<ul style="list-style-type: none"> • Not seeing or believing there are cultural differences among people. • Everyone is the same. 	<ul style="list-style-type: none"> • Being aware that we live & function within a culture of our own and that our identity is shaped by it. 	<ul style="list-style-type: none"> • Knowing that there are cultural differences. • Understanding and accepting different cultural values, attitudes and behaviors. 	<ul style="list-style-type: none"> • Having the capacity to communicate and interact effectively with culturally diverse people, integrating elements of their culture—vocabulary, values, attitudes, rules and norms. *Translating knowledge into action. • Understanding that culturally biased helping systems may have an oppressive impact; taking proactive steps to change biases and remove barriers.
<p>Example: Bureaucratic rules and systems that bar access and require people to accept solutions or services that do not fit their cultural background</p>	<p>Example: <i>One size fits all</i> services</p>	<p>Example: Outreach to communities of color</p>	<p>Example: Development of culturally and linguistically appropriate educational materials</p>	<p>Example: Customized, culturally responsive services and organizational practices</p>
<p>Adapted from, Terry Cross. 1989. <i>Towards a Culturally Competent System of Care</i>. Volume 1. CAASP Technical Assistance Center. Georgetown University Child Development Center. Washington, DC.</p>				

The dominant gender-related issue identified in various studies among the country is the theme of machismo as a leading cultural value that impacts family relationships. The definition of machismo varies, but the concept refers to male responsibility as the head of household. As head of household, the male is responsible for the financial well-being of the family, makes all family decisions, and keeps his house in order.

The second cultural value emphasized the importance of family by encouraging women victims to stay with the husband at all cost. This familial value has been taught since childhood among different immigrant communities. Many women never consider leaving their partners because of a belief that they are married or together for life, and regardless of the violence, women must do everything possible to keep the family together according with their beliefs.

Many victims often feel pressured by extended family members to stay with their partners for the benefit of the children and to avoid the social stigma associated with the divorce or being a “woman with out a man”. Additionally, some women perceive that any attempt to access social services may create the appearance that they are breaking away from the family.

Another underlying value is that of family noninterference. The general consensus is that, in some cases, the parents would remain uninformed about the violence, but in most other instances, the family would not interfere despite having this knowledge. Also, individual religious beliefs may influence a woman to stay with her abusive partner. In addition, church leaders may either insist that an abused women stay with her husband or may offer assistance to enable her to escape the violence. Many may think that women suffering from abuse should seek guidance and information from their church. They believe that the church would focus on the need to keep the family together.

Language barriers can be reduced by the recruitment of professional bilingual staff who are culturally competent. Obtaining bilingual staff may require programs to collaborate with immigrant, refugee and Deaf agencies and another cultural organizations assisting with service awareness activities in the communities. Such collaboration can result in a community and culturally based service network of programs that can effectively reach those in need of services.

Information is most effectively communicated when language and cultural barriers are removed and when actions promoting discrimination are eliminated.²⁴ Some members of the immigrant, refugee and Deaf communities will continue to refuse services because they fear compromised confidentiality and fear advice that conflicts with traditional attitudes and practices.

Immigration issues pose multiple social and legal concerns for recently immigrated people. Unfortunately, culturally relevant information about the individual rights of immigrant and refugee women and children is not readily accessible to victims. Programs must take a comprehensive approach to addressing issues of immigration by collaborating with faith-based and other organizations that serve primarily immigrant populations.

To effectively protect and serve the immigrant populations, the approach must include the provisions of service, education and referrals. In addition, programs must be aware of the rights of immigrant and refugee victims and children, as well as their potential needs; such awareness will enable programs to adequately assist clients with immigration concerns. Programs who are not prepared to assist clients with immigration-related

issues should refer clients to more knowledgeable sources of information. Please remember that at WCADV, we have an immigration attorney available to respond to your hypothetical questions. The Coalition, with the Immigrant Project of WCADV, provides trainings about the rights and legal remedies for immigrants who are victims of domestic violence and sexual assault.

Family is the primary unit within immigrant and refugees communities, and it serves as a source of both support and stress for victims affected by domestic violence or sexual assault. This strong emphasis on family can create problems within systems of services that operate on the assumption that the individual is the primary unit. Additionally, awareness of the role of extended family in client care is critical to the success of the services or intervention.

Domestic violence is a problem that can only be prevented if the values, beliefs, and practices of all populations are addressed. Because the immigrant, refugee and Deaf populations are rapidly increasing, programs serving these populations must address the unique needs of those clients in a culturally competent manner. To increase effectiveness for any program, members of these populations must be fully included in the planning and implementation of such prevention or intervention programs.

Concepts to Remember When Interacting With Someone From a Culture Different From Your Own:²⁵

- Don't make assumptions
- Ask questions, and do so respectfully
- Listen carefully and respect what is said
- People will define themselves
- The best information always comes directly from the individual
- Build relationships

Tips and Strategies for Taking Steps to Cultural Fairness

It is also important to understand that each culture has its own language and its own spoken and unspoken rules. These rules define what is and is not acceptable within that culture. The first step to dealing with people of different cultural background is to be clear about your own cultural background and how it defines and limits your worldview. Being culturally fair or just means that you hold certain beliefs, attitudes, knowledge, and skills:

Beliefs and Attitudes

- You are aware of and sensitive to your own cultural heritage and respect and value different cultural heritages.
- You are aware of your own values and biases and how they may affect your perceptions of other cultures.
- You are comfortable with the fact that there are differences between your culture and other cultures' values and beliefs.
- You are sensitive to your own personal biases, racial/ethnic identity, and other cultural factors that might require you to seek the help of someone from a different culture when you interact with another person of that culture.

Knowledge

- You understand the power structure of society and how less powerful groups are treated.
- You acquire knowledge about the particular group(s) with you work.
- You are aware of the institutional barriers that prevent members of disadvantaged groups from benefiting from organizational and societal resources.

Skills

- You use a wide variety of verbal and nonverbal responses when dealing with differences, and you give and receive verbal and non-verbal messages appropriately and accurately.
- You intervene promptly and appropriately on behalf of people when they receive negative attention due to their sex, culture, race/ethnicity, religion, sexual orientation, or gender expressions.²⁶

Latinos in Wisconsin

Today, Latinos make up the largest minority in the U.S. making up 15 % of the population or 45.5 million as of July 2007 (US Census). There has been continued and substantial growth in the Latino population in Wisconsin over the last several years. Census data indicate that in 2010, there was a sizeable increase in the Latino population in all 72 counties.

The most current information shows that Latinos make up 5.1% of the population (285,827). There are Latinos in each of the 72 counties in Wisconsin. The Latino population originates from many countries in Latin America, including Mexico, Central and South America. The largest percentages of Latinos in Wisconsin originate from: Mexico, Puerto Rico (US Commonwealth and part of the U.S.), Columbia, and Honduras (US Census 2005-2007). There are also Latinos throughout the country and in Wisconsin who were born in the US.

Although these numbers are very low when compared to other parts of the US, this demographic shift has created significant political and social changes throughout the state. Unlike the US southwest or the coasts where states that have a history of serving large Latino populations, even a small change in the population here has often overwhelmed the service sector throughout Wisconsin.

One of the major challenges has come in how the problem of domestic violence is addressed in local communities where the demands of language, culture, and immigration have had a profound impact on the delivery of services.

While some programs are working to meet this challenge in a positive way and Latina battered women have been able to improve their access to services that are culturally and linguistically appropriate, there remain significant gaps in accessibility because of the lack of bilingual and bicultural providers and also for the lack of knowledge in some programs about the rights of LEP populations. Regardless of the requirements of the LEP mandates from the Department of Health and Family Services, Latinos still report that they have been turned away from agencies because there are no interpreters or providers who can speak Spanish. Additionally, the impact of anti-immigrant sentiments in both urban and rural areas across the state has impacted how or if abused Latinas will seek services.

Terms Used To Identify Latinos²⁷

Latino

The word Latino is a shortened form of the Spanish word latinoamericano, and refers exclusively to persons or communities that originated in Latin America—a group of 22 countries in North, Central, and South America and the Caribbean. The word “Latinos” refers to either males or a mixed male/female group. The word “Latinas” refers specifically to females.

For some people of Latin American origins, Latino is a term of ethnic pride while Hispanic is a label that borders on the offensive. According to this view, Hispanic lacks the authenticity and cultural resonance of

Latino, with its Spanish sound and its ability to show the feminine form Latina when used for women. Many people of Latin American origin prefer the word Latino to Hispanic because they choose not to identify with Spain, which they view as a colonial oppressor. This view is supported by the fact that most Latin Americans possess mixed racial antecedents, either indigenous, African, and / or European and are not of solely Spanish origin. Furthermore, Hispanic, as the term used by the U.S. Census Bureau and other government agencies, is felt by some to bear the stamp of an Anglo establishment far removed from the concerns of the Latino community.

While these views are strongly held by some, they are by no means universal. The division in usage seems as related to geography as it is to politics. “Latino” is widely preferred in California while “Hispanic” is the more usual term in Florida and Texas. Even in these regions, however, usage is often mixed, and it is not uncommon to find both terms used by the same writer or speaker.

Hispanic

The word Hispanic derives from the Latin word for Spain, Hispania. The U.S. Census Bureau popularized the term by using it on the 1980 census. In general, the term Hispanic is meant to include anyone with linguistic or cultural antecedents in Latin America and Spain. However, no universally accepted definition of the term Hispanic exists.

The use of the term Hispanic has evolved. For a long time, Hispanics were generically described as “Spanish-speaking” people. The problem with this descriptor is that many Hispanics do not speak Spanish. For example, Brazil was a colony of Portugal and therefore its cultural and linguistic ties are to Portugal, not Spain and Brazilians speak Portuguese. Many of the native peoples of Latin America continue to speak indigenous languages. For example, approximately half of the population of Guatemala speaks an indigenous language. In addition, there are people born and raised in the U.S. who self-identify as Hispanic, but who speak English as their first, and often, only language. Also, there are non-Hispanics who speak Spanish. Sometimes Hispanics are incorrectly referred to as “Spanish.”

The adjective Spanish describes a person from Spain, not one who speaks Spanish. It is as inappropriate to refer to someone from Mexico as “Spanish” as it is to refer to someone from the U.S. as “English”. At one point, the U.S. Census Bureau referred to Hispanics as “Spanish-surnamed.” However, many Hispanics do not have Spanish surnames because Latin America has had immigrants from all over the world.²⁸

In general, Hispanic is not a word that people in Latin America or Spain use to describe themselves. Most immigrants from Latin America would describe themselves by their country of origin, e.g. “I’m Nicaraguan.” As one Guatemalan woman said, “I never knew I was a Hispanic until I came to the U.S.” This is not surprising given that major differences exist among these populations. Applying Hispanic to them all is parallel to using the term Anglo to group together persons from all the English-speaking countries in the world through their colonial history with or cultural ties to England (e.g. the United States of America, Belize, Jamaica, Kenya, Australia) despite the fact that these countries may have little else in common.

Chicano/a (Xicano/a)

The term Chicano is used only by Mexican Americans, not Mexicans living in Mexico, and generally refers to mestizo (mixed) people of Mexican descent who claim both indigenous and European blood, i.e. descendants of the colonization of the Americas, as are most Mexicans as well. This term is primarily used in the Southwest. The Mexican American literary and political movements of the 1960s and 1970s established Chicano (Xicano/a) as a term of ethnic pride. While it is a term of pride for many Mexican Americans, for others it has strong political associations that are not necessarily shared by all.

A Lot of Differences and Little Similarities Among Latinos

Latinos are a group of diverse individuals with as many differences as there are similarities. Below is a summary of the many ways in which Latinos are different from each other.

Differences

- **Race** – Latinos come from different racial and ethnic backgrounds
- **Language** – Latinos speak many different languages, not just Spanish.
- **Country of Origin** – Latinos come from many different countries.
- **Immigration and Documentation Status** – Latinos can be citizens, lawful permanent residents, undocumented and everything in between.
- **Education** – Some Latinos have no formal education while others have earned Ph.D.s.
- **Religion** – Latinos are part of different religious faiths such as Catholic, Protestant, Jewish, Muslim, or Buddhist while others practice no formal religion at all.

Similarities

When working with Latina victims it is sometimes helpful to consider cultural similarities in order for you to effectively understand where a person is coming from and what approach you might take in helping the person. In turn, the victim seeking your assistance will appreciate your effort to convey a sense of empathy and understanding. Some of the ways in which Latinos are similar are listed below.

- **Religion and Spirituality**
- **Deference to Professionals**
- **Respect for Authority and Elders**
- **Interdependence with Family**

While being aware of similarities is helpful, it just as important to approach each person as a unique individual with unique circumstances that may sometimes contradict supposed cultural sameness.

Undocumented Immigrants

It is important to understand that being an undocumented immigrant is **NOT a crime**. No criminal laws have been broken. To be in the US without documentation is a violation of an administrative rule and therefore a violation of civil law. It is on the same level of severity as receiving a traffic ticket. There are different types of undocumented immigrants. People who come into the US without proper documentation are known as undocumented immigrants. They are also called “illegal aliens”; this is a term used by the US governments. Non-immigrants who stay longer than originally permitted, without an extension from I DHS, become undocumented. Even before the dates on their visas expire, ICE²⁹ may deport non-immigrants if they work without permission or violate other conditions on their visas. The 1996 immigration law added several penalties and barriers to immigration status for people who stay beyond the expiration dates on their nonimmigrant visas.

Deaf Culture: A Brief Overview

What is Deaf Culture?*

Deaf culture is abundantly and richly embedded in the language of Deaf people, such as American Sign Language (ASL), Irish Sign Language, or French Sign Language. Deaf culture embodies the unique values, behaviors, traditions, and experiences of Deaf people. It is not just the way Deaf people behave or dictate social rules, but how they view themselves as a community that uses sign language.

If you visit a school or university that serves Deaf students (for example, the Wisconsin School for the Deaf or Gallaudet University in Washington, DC), or attend a large deaf social, political or athletic event, such as the National Association of the Deaf biennial conference, you will experience an ocean of fluttering hands that communicate, touching of shoulders, waving of hands, or flickering of lights to get attention, the positioning of people engaged in a conversation or discussion so not to impede visual sightlines, information and news flashes in print flicker on digital screens, and gales of loud laughter at jokes that appear so incomprehensible to a hearing visitor.

What you would see is a lively, very visual and tactile community, not embedded in a world of silence whatsoever. Kinship, empathy, shared identity and common daily and life experiences as Deaf persons are the cornerstones of Deaf culture.

Communication barriers that Deaf people encounter in the hearing culture are practically non-existent in these situations and environments. Deaf people dispel the notion that they have a pathological condition that needs to be fixed or cured; rather, they embrace an identity that is holistic and rich in language and culture, and perpetuates the human spirit.

How is Deaf Culture Transmitted?

Ten percent of Deaf people are born to Deaf parents. It is not uncommon to find more than two generations of Deaf people in the same family. Because the parents and family already use ASL, this language as well as cultural behaviors is easily and naturally passed on to their Deaf, and hearing, children. This is akin to foreign-born, non-English speaking parents who bear their children in the USA and raise them in their native language and culture.

However, ninety percent of Deaf people are born to hearing parents. How do these people learn ASL and understand and internalize Deaf culture? Historically, residential schools for the deaf were the primary source of a full language (ASL) environment and cultivation of a cultural identity for children born to hearing parents. These children learn ASL and deaf ways from their peers, some of whom are products of Deaf families, and from Deaf teachers and staff. Here, children learn about the enduring heritage of Deaf people, and enjoy the richness of storytelling, poetry, humor, and drama. Some Deaf people learn ASL and Deaf culture later in their school years, like this author who attended a residential school during her high school years. There are other Deaf people who discover ASL and Deaf culture later in life, such as at Gallaudet University or the National Technical Institute for the Deaf in Rochester, NY, another prominent

* Alice M. Sykora, Education Journal WCADV, Volume 24, No. 3, 2005

post-secondary institute for Deaf people.

Even Deaf children who are in mainstreamed programs have opportunities where they learn ASL and Deaf culture. For instance, every year Wisconsin Lions Camp hosts summer camp programs for Deaf and hard of hearing youngsters and teenagers from educational programs--mainstreamed or residential. Even in mainstreamed programs where there are at least two Deaf persons, a cultural phenomenon emerges and is established.

Can Hearing People Learn About Deaf Culture?

Definitely yes! Ever since ASL was declared as a legitimate language back in 1960, it was a revolutionary time of research and discussions on the language and culture of Deaf people. Interest and programs in sign language proliferated in the 1970s, and today they continue to grow. States have legislation that recognizes ASL as a foreign language and can be offered in schools or post-secondary institutions or both. Many ASL and Deaf Studies programs have a Deaf culture course or at least incorporate Deaf culture lessons in ASL classes. Books and literature on Deaf culture are abundant. Plays written, directed and acted by Deaf are enjoyed by Deaf and hearing people alike. It is not possible for a hearing person to fully embrace Deaf culture, but rather appreciate it and understand and respect its importance to Deaf people. It is analogous to a Caucasian person who appreciates African-American culture, but cannot completely embrace it simply because of not having had the experience of being African-American. It is also important for a hearing person, that as a member of the mainstream culture that is hearing, he or she understands the behavior of oppression of the hearing culture on the Deaf community. This is known as “audism.”

Culture is never static. Deaf culture is no exception. There was a time when the Deaf community was a closed Deaf society, so to speak. Back in the days when technology like television, captioning, telecommunication and videophone devices for Deaf people were not in vogue, Deaf people gathered at Deaf clubs or churches to socialize, keep tabs with each other, be entertained, and play sports. Today, many Deaf clubs have dwindled due to technology but formal organizations still thrive. The 125-year-old National Association of the Deaf is the oldest Deaf organization in the US but the more recent establishments are the World Federation of the Deaf, the National Theatre of the Deaf, Deaf Women United, and Deaf Seniors of America, to name a few. Thousands of Deaf people still convene every year at national and international conferences, events and sports.

In 2002, there was an international Deaf Way Conference with a worldwide audience of over 8,400 Deaf people. The weeklong event was a celebration of the Deaf “way” and there were many lectures and discussions on Sign Language, culture, education, advocacy, technology, and the cultural arts. The World Federation of the Deaf meets every four years to talk about education of Deaf children and the human rights of Deaf people. The National Association of the Deaf has a national conference every two years to talk about education, legislation, human rights, human and mental health services, and technology for Deaf people. There is a World Games of the Deaf, also known as the Deaf Olympics, with winter and summer competitions.

In Wisconsin, there are opportunities for professionals, parents and other interested persons to learn about and interact in Deaf Culture: the Wisconsin Association of the Deaf has a biennial state conference; deaf clubs host events; in major cities there are “Deaf Happy Hour” events; the Wisconsin Registry of Interpreters for the Deaf and the Wisconsin chapter of the American Sign Language Teachers Association co-sponsor an annual “ASL Immersion Weekend” at the Wisconsin Lions Camp in Rosholt. It welcomes everyone interested in enhancing their ASL skills and learning more about Deaf culture.

Domestic Violence in the Deaf Community*

As the domestic abuse movement struggles to be inclusive of all victims, the needs and issues of the Deaf community has gained increasing attention. Demographically, Deaf people live in all parts of the state and domestic violence is at least as prevalent in the Deaf community as it is in other communities. Many domestic violence programs have served at least a limited number of Deaf women, with varying degrees of “success”. Even for those that have not previously served Deaf women, it is likely that one day a Deaf woman will seek their services. What are some of the main issues that domestic violence programs need to address to successfully serve and work in partnership with the Deaf community?

Understanding Deaf Culture

Wisconsin programs have been leaders in adapting their services to different social and cultural groups. While great strides have been made, all policies, practices, services and community organizing strategies have not been successful in addressing the multiple needs of all communities. One culture that has been rarely explored is that of Deafness. With the exception of several programs that have a lone hard-of-hearing person or a hearing staff member that signs and therefore think that they are “accessible”, the majority of domestic abuse programs will lump Deaf people in the “persons with disabilities” category. They will have limited understanding of the access barriers that Deaf people experience with hearing programs of all kinds. Deaf people are too often viewed from a “pathological” perspective and not as a cultural entity.

The Deaf community is culturally and linguistically unique. It has a long cultural history, its own rules and customs, and its own language. Until domestic abuse programs can begin to understand and embrace Deafness as a culture, they will be missing the mark in providing effective services.

Understanding the Unique Experience of Deaf Victims

Abuse for Deaf women will have its own unique dynamics in addition to the commonalities they may share with all victims. A Deaf victim may experience targeted abuse directed at her differences or designed to intensify the isolation she experiences. Both hearing and Deaf abusers may use tactics regarding communication to isolate and control a Deaf victim.

Some examples of the ways that abusers use communication to control a Deaf victim include: refusing to allow the use of sign language in the house; refusal to use captions, destroying or taking away the TTY, hearing aid or other communication device; threats or acts to turn off the lights (preventing communication by writing or signing); binding hands to prevent signing; turning away to speak to someone about her so she can't read lips; coercion, threats or demands that a victim agree to what is being said even if she doesn't understand it or conform to the method of communication (writing, lip reading only, etc.).

In the Deaf community news travels very fast across the local community, state, and even the country. The small world of the Deaf community makes it harder to keep plans secret or to get away from an abuser. Victims may be reluctant to share personal or sensitive information for fear of “everyone” knowing.

* Sharon Lewandowski, WCADV Volume 24, No. 3, 2005

Deaf women may feel they cannot necessarily rely on the larger Deaf community to be supportive, particularly if both the victim and perpetrator are Deaf. Victims may feel community pressure to avoid going to outside systems for help, as those systems are seen as oppressive to Deaf people.

A Deaf woman may feel uncomfortable using shelters because no one there uses sign language or can adapt to her preferred communication style, furthering her sense of isolation. She may be left out of support groups, resident meetings and general interaction. A Deaf woman in shelter may be tempted to return to her abuser because at least she knows what to expect and communication with her abuser may be easier than at a shelter.

Making Programs and Attitudes Accessible

A small investment in equipment and interpreters costs is required from hearing agencies to be accessible to someone who is Deaf. For programs that deal with very real budget limitations, any additional investment may not seem so small. Programs need to be proactive in identifying and setting aside funds to become and remain accessible and not wait for a Deaf victim to approach the agency in crisis. They also need to ask hard questions about how far their support and commitment go.

Accessibility goes beyond making physical adaptations or buying equipment. It is not enough to acknowledge that differences may exist in how Deaf women experience abuse and in what the solutions may be. Our attitudes and responses to differences have a significant impact on our ability to address existing inequalities for women in many communities. What is our personal and professional “comfort zone” in reaching out to, communicating with, and learning from Deaf victims? Are we willing to be creative and open to nontraditional strategies to end domestic violence, understanding that a traditional/standard approach may not work in every situation?

Collaboration and Partnership with Deaf Leaders

There is a strong need to develop leadership capacities in the Deaf community so that solutions to the problem of domestic violence will be authentic, culturally and linguistically appropriate, and owned by the community. Mainstream domestic violence programs have the benefit of decades of experience, funding and community support and significant expertise. As such, we have roles as both leaders and allies in working with the Deaf community. Figuring out when to be a leader and when to be an ally is not easy. Making this distinction requires an excellent sense of timing. We must learn when to walk ahead and speak our partners; when to walk beside and affirm the statements and sentiments of our partners; and when to walk behind them and remain silent.

Several models may emerge in Wisconsin for domestic violence services in the Deaf community. Certainly, services by and for the Deaf is an ideal we would like to achieve some day soon. We also need to work towards making mainstream programs more culturally and linguistically accessible for women who choose that option. Fully funded and trained Deaf advocates collaborating with mainstream programs is yet another option. Whatever direction we go in Wisconsin, it will need to be a journey together.

Why Are the Hmong in America?*

Like their American counterparts, many Hmong people in the United States do not really understand why the Hmong are here. Most Hmong young people know that they are here because of fighting that occurred in Laos, but do they really understand the monumental sacrifice their people made to help the United States? And do non-Hmong Americans understand their debt of gratitude to the Hmong people? Given the misunderstandings I have seen on both sides, I think it would be helpful to review a little history.

In the late 1950s, southeast Asia, including Laos, was viewed as an important region to the West. With the fall of China to communism and the rise of Communist rebellion in Vietnam, the US sent elite soldiers, the Green Berets, to train Hmong guerrillas to oppose the Vietnamese and the Pathet Lao communists of Laos. Though the Hmong had no desire to play political roles for other nations, they loved freedom and know that there would be little freedom under Communism. They were threatened by the intrusion of North Vietnamese troops into Laos, so the U.S. then encouraged them to fight and provided training and weapons. With CIA assistance, General Vang Pao became the leader of a secret army of 9,000 Hmong men in 1961. Laos was officially neutral as the Vietnam War broke out, and the US had signed an international agreement, the Geneva Accords, intended to keep Laos neutral and prevent fighting there. In reality, this agreement gave the Communists the upper hand, for they flagrantly violated the agreement. Responding to the presence of active North Vietnamese troops in Laos, the US tried to oppose them without appearing to violate the Geneva Accords by secretly recruiting freedom-loving locals to fight the Communist—and these freedom-loving locals were the Hmong.

Most Americans thought that Laos was not part of the Vietnam War, but Laos played a critical role, especially since supplies from North Vietnam to its warring troops primarily moved along the Ho Chi Minh trail that passed through Laos. Much fighting occurred along this trail and the surrounding regions in Laos. But our military efforts there were not publicized to avoid international criticism. So we pretended that nothing was happening in Laos, while North Vietnamese troops were actively helping the Pathet Lao take over the country, and while thousands of poorly-equipped Hmong were fighting a war against terrible odds. Many Hmong lives would be lost in the unpublicized battles of Laos.

The Hmong apparently were told that they could bravely fight for the U.S. because the United States would always be there to protect them should local communists turn on the Hmong. It was a relationship of trust, but Hmong trust in the US would be sadly misplaced.

In 1963 the Kennedy Administration had the CIA increase the secret Hmong army in Laos to 20,000 soldiers. Significant battles occurred as the North Vietnamese and Pathet Lao occupied major areas in northern Laos in 1964. Meanwhile, the US began a secret air war in Laos. By 1968, US pilots would be doing 300 dangerous sorties a day to battle many thousands of Communist troops. Hmong soldiers rescued many American pilots who were shot down. Sometimes dozens of Hmong would die in order to rescue one American pilot. Over 100 Hmong pilots were recruited and trained by the US, and they ran mission after mission until they were all killed. Hmong courage seemed to know no bounds in the fight for freedom. But sadly, much of the fighting seems to have been in vain.

Years after the war, when the infamous “Pentagon Papers” were published, shocked Americans and Hmong patriots would learn that much of the war was fought by the United States under secret rules that we agreed to that almost guaranteed the fall of South Vietnam to the Communists. Just as the Hmong were told to only

fight defensively and not to take steps that could directly throw the North Vietnamese out of their country, so too were U.S. actions continually hampered by rules of engagement, apparently orchestrated by Robert S. McNamara, the US Secretary of Defense at the time. For example, US pilots were not allowed to attack Viet Cong anti-aircraft installations until they were fully functional. Though hotly debated, many are convinced that the war could have been won by cutting off supplies to the North Vietnamese and hitting them in the regions where they were most vulnerable -- something that was forbidden by our rules of engagement. Instead, American soldiers died unnecessarily in jungle skirmishes that gave an upper hand to those familiar with the territory.

The loss of 60,000 American lives for a no-win war in Vietnam was a tragedy to the huge nation of America, but it was a relatively small percentage of the nation compared to the loss the Hmong people suffered. In 1969, at the time when Congress first learned of our secret war in Laos, about 18,000 Hmong soldiers had already been killed in battle, and many women and children had died as well. The Hmong were taking a great risk in boldly fighting for the United States, trusting that we would stand by them. But in 1973, the U.S. began to pull out of Laos, leaving the Hmong on their own to fight thousands of North Vietnamese troops in Laos. By 1975, Laos had fallen completely into Communist hands, and the lives of all Hmong people who helped fight the Communists were in jeopardy. More than 100,000 Hmong fled to Thai refugee camps. Many would be killed along the way, especially when crossing the Mekong River to get to Thailand. An estimated 30,000 Hmong would be killed by Communist forces while trying to reach Thailand. Over 100,000 Hmong people died as a result of the war, and today nearly every Hmong family in the US has terrible tales of loss and tragedy relating to the war.

After taking over Laos in 1975, the Pathet Lao Communists stated that they would wipe out the Hmong. A Vietnamese broadcast apparently called for genocide against them. From 1976 to 1979, there were credible reports of chemical warfare used against Hmong villages. The world tried to ignore these reports, and some influential voices in the United States tried to discredit the evidence, claiming that the "yellow rain" that had been used to kill Hmong people was just natural bee feces, not a chemical toxin. By the time overwhelming evidence had been gathered to shatter the "bee feces" theory, the media no longer seemed interested in exploring charges of genocide by Communist forces.

The United States, recognizing the sacrifice made by Hmong soldiers to fight for the U.S., began accepting Hmong refugees into the United States in December of 1975. By 1990, about 100,000 refugees had entered the United States. Today approximately 250,000 Hmong are in the U.S., and a similar number still live in Laos. Over 5 million Hmong people are in Southern China, also under Communist rule.

The Vietnam War and subsequent genocidal actions shattered so many lives and families. Every Hmong family in the United States was violated in some way, often with the tragic loss of loved ones. I have heard so many stories of sorrow and loss, the stories of desperate parents trying to hide their children from murderous soldiers, sometimes overdosing their children with opium to keep them from crying and revealing their hiding place. I have heard stories of trying to cross the Mekong River and having loved ones drown or be shot. For those who escaped torture and death in Laos, there would yet be tales of gruesome life in neglected refugee camps, tales of families split up by careless bureaucrats, and tales of shock and confusion as penniless refugees are dropped off in the strange world of America, where the citizens have no idea who the Hmong people were and sometimes viewed them as enemies. I can understand the sorrow of the old people, who sometimes stare out the window and seem immobilized by the tragedy of their loss, yearning for the once peaceful and happy days in the hills of northern Laos. But I cannot understand the ignorance of many Americans, who have not

bothered to learn who these people are and why they deserved to be brought to the United States. They bled and died for us. They saved hundreds of American lives at great loss to them and their families. We used the Hmong people and their freedom-loving courage, and suddenly abandoned them to genocidal tyrants, keeping their sacrifices largely secret from the American people. Ours is a debt of gratitude that remains incompletely expressed. And for today's Hmong-Americans, yours is a legacy of courage and valor that I hope will inspire you to stand for the highest of human values and bring further honor to your people and your ancestors.

Hmong Customs and Culture*

The Hmong people are a minority ethnic group in several countries, believed by some researchers to be from the Yellow Basin area in China. The Hmong are known in China as the Miao, a designation that embraces several different ethnic groups. There is debate about usage of this term, especially amongst Hmong living in the West, as it is believed by some to be derogatory, although Hmong living in China still call themselves by this name. Chinese scholars have recorded contact with the Miao as early as the 3rd Century BCE, and wrote of them that they were a proud and independent people. However, after the Ming Dynasty and Qing Dynasty attempted to impose several new taxation systems and continued expansion of their empire, the Hmong are reported to have rebelled. Many wars were fought, and eventually many Hmong were pushed from China into Burma (Myanmar), Laos, Thailand and Vietnam. The history of the Hmong people is difficult to trace; they have an oral tradition, but there are no written records except where other people have encountered them. Hmong history has been passed down through legends and ritual ceremonies from one generation to another.

However, throughout the recorded history, the Hmong have remained identifiable as Hmong because they have maintained their own language customs, and ways of life while adopting the ways of the country in which they live. In the 1960s and '70s many Hmong were secretly recruited by the American CIA to fight against communism during the Vietnam War. After American armed forces pulled out of Vietnam, a communist regime took over in Laos, and ordered the prosecution and re-education of all those who had fought against its cause during the war. Whilst many Hmong are still left in Laos, Thailand, Vietnam, Myanmar, and China (which houses one of the biggest Hmong populations in the world, 5 million), since 1975 many Hmong have fled Laos in fear of persecution. Housed in Thai refugee camps during the 1980s, many have resettled in countries such as the United States, French Guiana, Australia, France, Germany, as well as some who have chosen to stay in Thailand in hope of returning to their own land. In the United States, new generations of Hmong are gradually assimilating into American society while being taught Hmong culture and history by their elders. Many fear that as the older generations pass on, the knowledge of the Hmong among Hmong-Americans will die as well.

Social Organization

Clan (xeem) remains a dominant organizing force in Hmong society. There are about eighteen Hmong clans (Chang, Cheng, Chue, Fang, Hang, Her, Khang, Kong, Kue, Lee, Lor, Moua, Pha, Thao, Vang, Vue, Xiong and Yang). Clan membership is inherited upon birth or occasionally through adoption. All children are members of the father's clan, through which they will trace their ancestors, at birth. Women become members of their husband's family upon marriage but will retain the clan name of their father. Members of the same

*Adapted from <http://www.hmongnet.org>. Included but not limited.

clan consider each other to be kwv tij, translated as “brothers” or “siblings,” and they are expected to offer one another mutual support. Respected clan leaders are expected to take responsibility for conflict negotiation and occasionally the maintenance of religious rituals. Members of a clan who share the same ritual practices may identify as a group on the sub-clan level.

Marriage

Clan groups are exogamous: that is, Hmong may not marry within their own clan group; a marriage partner must be found from another clan. For example, a Xiong may not marry another Xiong. However, they are allowed to marry blood relatives, for example the children of a brother and sister can marry because they would be from different clans. Traditionally, when a boy wants to marry a girl, he will make his intentions clear, and will ‘snatch’(zij) her during day light or night at any opportunity that is appropriate. This is traditionally only a symbolic kidnapping: the girl is allowed to refuse to go. It should be noted that this is an old tradition that is rarely practiced today in many Western Nations. The parents will not be told, but an envoy from the boy’s clan will be sent to inform them of the whereabouts of their daughter and her safety. (Fioxov) When the girl arrives at her intended husband’s house, the head of the household will perform a blessing ritual for the ancestors to ask them to accept her into the household. (Lwm qaub) She will not be allowed to visit anyone’s house for three days after this.

After three days, the parents of the husband will prepare the first wedding feast for the newlywed couple (Huplig peb tag kis) and the couple will return to the girl’s family’s house at the end of the first wedding feast and then the girl family will prepare a second wedding feast at the girl’s house, where they are married. (Nojtshoob) Hmong marriage customs differ slightly based on cultural subdivisions within the global Hmong community, but all require the exchange of a dowry from the husband’s family to the wife’s family. The amount is settled by negotiation of the elders of both families prior to the engagement and usually is paid in bars of silver or livestock. Today, it is also often settled in monetary terms. After the wedding, the girl will be given farewell presents and three sets of new clothes by her parents. She will also be given food for the journey. The couple leaves the wife’s house and returns to the husband house where another party is held in celebration. (Tiam mej koob)

When a husband dies, it is his clan’s responsibility to look after of the widow and children. The widow is permitted to remarry, in which case she would have two choices: she may marry one of her husband’s younger brothers/ younger cousins (never to the older brothers) or she can marry anyone from the outside clan (beside her own). If she chooses to get re-married, the children are not required to stay unless the husband’s brother and his family are willing to take care of the children. (This is mostly the practiced today in many Western Nations) Then once they go to the stepfather’s side of the family there’s a ritual ceremony where they will bring the kids into their spiritual clan or the children can choose between the two clans.

Polygamy is not generally considered the ideal form of marriage among the Hmong, although it has been documented. However, it is increasingly rare among those Hmong who have migrated to Western nations.

Divorce is rare in traditional Hmong society. However, if a husband and wife do decide to divorce, the couple’s clan groups will permit a divorce but will evaluate the situation fairly. If just the wife wants to divorce her husband without any firm grounds, the marriage dowry must be returned to the husband’s family, as the

wife will be the one choosing to leave the household. If just the husband wants to divorce his wife without any firm grounds, the husband will have to come up some money to send the wife back to her family with all the children, as the husband will be the one choosing to leave the household. By tradition, the man and the woman have equal custody of all the children. If it is determined the wife had committed adultery, the husband will get custody of all the children; with the dowry and an additional fine. However, if it is determined the husband had committed adultery or married a second wife and the wife can not continue being part of the family, she will have the option to leaving her husband without paying back the dowry. Also, if the husband allows, she can take her children with her. If a divorced man dies, custody of any male children passes to his clan group.

Traditional Gender Roles

Traditional gender roles throughout Hmong society has changed throughout the dominance in China along with Confucianism. During the periods in which Confucianism reached its peaks(206 B.C.E. – 220 C.E.) along with Legalism (法家) or Taoism (道家) during the Han Dynasty, Although the early Hmong had no real commitment to subordination of women, over time Confucian teachings were expanded upon. It was during the Han dynasty (206 B.C.E. – 220 C.E.) that Confucianism was adopted as the government’s state doctrine in China, becoming part of official education. In later dynasties, Neoconfucian interpretations further reinforced male authority and patrilineal customs. According to the Confucian structure of society, women at every level were to occupy a position lower than men. Most citizens accepted the subservience of women to men as natural and proper. At the same time they accorded women’s honor and power as mother and mother-in-law within their family.

There are traditional gender roles in Hmong society. A man’s duty involves family responsibility and the provision for the physical and spiritual welfare of his family. Hmong men have a system for making decisions that involves clan leaders. Husbands may consult their wives if they wish before making major decisions regarding family affairs, but the husband is seen as the Head of the House who announces the decision. Hmong women are responsible for nurturing the children, preparing meals, feeding animals, and sharing in agricultural labor. Traditionally, Hmong women eat meals only after the Hmong men have eaten first, respectively, especially if there are guests present in the house.

Spirituality

Contemporary Hmong people cannot be characterized as subscribing to single belief system. Missionaries to Southeast Asia converted many Hmong people to Christianity beginning in the 19th-century and many more have become Christian since immigrating from Southeast Asia to the West. Many Hmong people, both in Asia and the West, perpetuate traditional spiritual practices that include animism and ancestor worship. According to these beliefs, spirits inhabit animals and other natural objects, but also domestic features, such as doorways. The spirits of deceased ancestors are also thought to influence welfare and health of the living. Individuals perform rituals and supply offerings, including food and spirit money, to appease the spirits and earn their favor.

Each person is thought to have several souls (between three and seven, depending on the tradition.) Some souls have specific roles. The main soul is reincarnated after death while another soul returns to the home of the ancestors. Another soul stays near the grave of the deceased. The souls of the living can fall into disharmony and may even leave the body. The loss of a soul or souls (poob plig) can cause serious illness.

A soul calling ceremony (hu plig) can be performed by elders within the community to entice the soul home with chanting and offerings of food. Soul callings can also be performed to encourage good fortune or after the birth of a baby.

Shamanism

For followers of traditional Hmong spirituality, the shaman is a healing practitioner who acts as an intermediary between the spirit and material world. Treatment might include herbal remedies or sacrifices of spirit money or animals. In cases of serious illness, the shaman enters a trance and travels through the spirit world to discern the cause and remedy of the problem, usually involving the loss of a soul.

This ceremony, called ua neeb, consists of several parts. The first part of the process is ua neeb Saib: looking to see if the soul has simply lost its way home. If this is the case, the shaman can lead the soul home, called “simple soul recovery” (ua neeb saib xwb).

However, if during ua neeb Saib the shaman observes something seriously wrong with the individual, such as a soul having lost its way home and got caught by some evil being, the shaman will end the first part of the ceremony process by negotiating or pleading with the evil being (“whoever that has control of this individual soul”) to release the soul; most of the time this will do. After that, the shaman would lead the soul to its home. Nonetheless, if the first attempt of negotiating pleas and offers to the evil being does not go well, the shaman will have another chance by negotiating with the evil being to make some kind of agreement or deal. Again, most of the time, this second offer will suffice, and if the ill individual recovers his or her soul then that person will offer the evil being some kind of life form in return. Most of the time will be an unlucky chicken or pig. On the evil being’s part, it has the choice of accepting or denying the offer by the shaman. If the shaman’s offer is accepted, which more than likely will be the case, the shaman will end the first part of the ceremony at this stage and tell the family to wait for whatever interval of the shaman and the evil being have agreed to, normally a month to three months.

After that period, if the sick individual becomes well, then the second part of the ceremony, referred to as ua neeb kho, will be performed in which they send those life forms (chicken or pig) to the evil being. This part of the ceremony will take a bit longer than the first part.

Not everyone gets to become a shaman; they will need to be called upon by their faith. However, there is a chance for an individual to become shaman if shaman practice has been part of their family history. This is due to the belief that ancestral spirits, including the spirits of shamans, are reincarnated into the same family tree. Hmong consider it an honor to be a shaman and to carry the duty of helping mankind according to Hmong mythology.

Hmong New Year

The Hmong New Year celebration is a cultural tradition that takes place annually in select areas where large Hmong communities exist and in a modified form where smaller communities come together. During the New Year’s celebration, Hmong dress in traditional clothing and enjoy Hmong traditional foods, dance, music, bull fights, and other forms of entertainment. Hmong New Year celebrations have Hmong ethnic traditions and culture, and may also

serve to educate those who have interest in Hmong tradition. Hmong New Year celebrations frequently occur in November and December (traditionally at the end of the harvest season when all work is done), serving as a thanksgiving holiday for the Hmong people.

Historically, the Hmong New Year celebration was created to give thanks to ancestors and spirits as well as to welcome in a new beginning. Traditionally, the celebration lasts for ten days, has been shortened in America due to the difference between the traditional Hmong farming schedule and that of the American 40-hr work week schedule. It has also served the double purpose of a convenient meeting place and time for the Hmong leadership, from the days of China even until now.

During the Hmong New Year celebration, the Hmong ball tossing game *pov pob* is a common activity for adolescents. Boys and girls form two separate lines in pairs that are directly facing one another. Girls can ball toss with other girls or boys, but boys cannot ball toss with other boys. It is also taboo to toss the ball to someone of the same clan. The pairs toss a cloth ball back and forth, until one member drops the ball. If a player drops or misses the ball, an ornament or item is given to the opposite player in the pair. Ornaments are recovered by singing love songs (*hais kwv txhiaj*) to the opposite player, but in recent times, in such areas as China, the young lovers have been seen to carry tape players to play their favorite love songs for one another.

The Hmong New Year celebration—specifically based on both religious and cultural beliefs—is an “in-house” ritual that takes place annually in every Hmong household. The celebration is to acknowledge the completion of the rice-harvesting season—thus, the beginning of a new year—so that a new life can begin as the cycle of life continues. During this celebration, every “wandering” soul of every family member is called back to unite with the family again and the young will honor the old or the in-laws—a ritual of asking for blessings from elders of the house and clan as well as the in-laws of other clans.

Also, during the Hmong New Year celebration, house spirits as well as the spirit of wealth (*xim kaab*) are honored. In addition, if a shaman is in the house, the healing spirits of *She-Yee* are also honored and released to wander the land (*Neeb Foob Yeem*)—similar to vacationing after a long year of working—until they are called back right after new year. Hmong New Year lasts only for 3 days—with 10 dishes of food each day, for a total of 30 dishes—thus the Hmong saying “eat 30.” Here are a few practices that the Hmong observe during their New Year Celebration, performed anytime during the 3 days of celebration.

- *Hu Plig* (Soul Calling)—Calling back every soul in the family to unite with the family
- *Txi Xim Kaab* (Honoring *Xim Kaab*)—Offerings to the God of Wealth
- *Neeb Foob Yeem*—Shamanistic Ritual to release the Curing spirits of *She-Yee* for “vacationing”—occurs only if the specific family has a shaman in the house
- *Noj 30* (Eat 30)—The main meal of New year
- *Pe Tsab* (Asking for Blessings from Elders)—Occurred early morning during New Year’s day, including parents, uncles, father/moth-in-law, and dead ancestors
- *Ntxuav Kaug Laug* (Cleaning the Body)—To cleanse the body of dirtiness
- *Ntuag Qhauv*—A ritual to get rid of problems, issues, temper, loneliness, and all the bad things which have occurred in the household
- *Lwm Qab/Sub*—Using a chicken, a ritual also
- *Tog NeejTsa Tuaj Noj Tsab*—Request special guests (such as father in law, son in law etc.)

to come “eat Tsab,” a very big “eat 30.

- Xa Noob Ncoos/Tsoog Laug—A very special “thanksgiving” event where parents and in-laws are honored
- Tam Noob Ncoos—A thank you feast from parents and in-laws
- Tso Plig—To release the souls of all dead ones
- Noj Tsab (eat tsab)—a very big “eat 30,” involving pigs, cows, and buffalo.

The list above is what a Hmong New Year is. All these things take place for only 3 days. After all these things are done, then the “outside” fun begins, which has nothing to do with Hmong New Year. In the United States, people refer to the “outside” event as “new year”—but, this is a misconception. Hmong New Year occurs in-house, and whatever occurs outside after the “new year” is called “Tsa Hauv Toj”—meaning “raising the mountain.” This is the tradition where Hmong toss balls and sing “lug txaj.”

During the Tsa Hauv Toj celebration, Hmong dress in traditional clothing and enjoy Hmong traditional foods, dance, music, bull fights, and other forms of entertainment. Hmong New Year celebrations preserve Hmong ethnic traditions and culture, and may also serve to educate those who are interested in Hmong tradition. Hmong New Year celebrations occurred anytime within or close to the end of the harvesting period give or take a few days. However, the Tsa Hauv Toj event is not based on lunar calendar and it can occur anytime during or after the new year, typically in November and December.

Resources

All standard 2010 Census data products will provide counts based on the resident population. This will include the redistricting data to be released in February-March 2011, the Demographic Profile to be released in May 2011, and Summary File 1, to be released beginning in June 2011. The schedule for the release of products that contain counts of the resident population is available at <http://www.census.gov/population/www/cen2010/glance/index.html>

The data include the populations five years and over identified on Table DP-2 as “Speak English less than very well” by county, town, city and village <http://www.doa.state.wi.us/dir/wisconsin/index.html>

Civil Rights Compliance

The Department of Children and Families (DCF) receives federal money from the U.S. Department of Health and Human Services, and as a result they must comply with Federal Civil Rights laws and regulations. Since this is the source of the funds you have received or will receive from DCF, you are also required, as a condition of the receipt of these funds, to comply with these same Civil Rights laws. http://dcf.wisconsin.gov/civil_rights/default.htm

Customer Service Population Analysis

The purpose of the Customer Service Population Analysis is to determine if you are serving eligible participants in the protected categories in the same proportion they are represented in the total eligible population. http://dwd.wisconsin.gov/dws/civil_rights/plans_instructions.htm

2000 Census Data on Limited English Proficient Populations

<http://www.doleta.gov/reports/CensusData/>

The following link is a starting place for obtaining data on LEP persons: <http://www.doa.state.wi.us/dir/wisconsin/index.html>. Data are from the United States Census Bureau Profiles. The best source of “official” Census data used to determine thresholds is the Demographic Profiles (DP) # 2 specifically, the “Language Spoken at Home – Language other than English, Speak English Less than “Very Well” data set.

National Law Center

Questions & Answers: Domestic Violence Shelters and Civil Rights Statutes http://www.ncdsv.org/images/NLCHP_QA-DVSheltersAndCivilRightsStatutes_2009.pdf

This Q&A provides information about federal civil rights laws that apply to domestic violence shelters and the services they provide to clients. Four federal civil rights laws are discussed in this Q&A:

1. Americans with Disabilities Act (referred to as the ADA)
2. Fair Housing Act (referred to as the FHA)
3. Title VI of the 1964 Civil Rights Act (referred to as Title VI)
4. Section 504 of the Rehabilitation Act (referred to as Section 504)

For estimates of how much vendors charge in Wisconsin for translation please go to: http://vendornet.state.wi.us/vendornet/wais/bulldocs/1922_8.XLS

Interpreter Solutions, Inc.

Milwaukee, WI
<http://www.interpretingsolutionsinc.com/>

Certified Interpreters, Consulting, and Mentoring; Based In Greenfield, Wisconsin

<http://www.pieinc-wi.com/>

Registry of Interpreters for the Deaf

<http://www.rid.org/>

Wisconsin Bureau for the Deaf and Hard of Hearing

http://dhfs.wisconsin.gov/dsl_info/InfoMemos/DSL/CY_2001/InfoMem2001-04_Attachment_1.htm

http://dcf.wisconsin.gov/civil_rights/plans0708/doc/plan_07_09.doc

Telephone Interpreter + Translation Services From Certified Languages International

<http://www.certifiedlanguages.com/>

Interpreting for Deaf Latinos

http://www.ilrid.org/pdf/Interpreting_for_Deaf_Latinos.pdf

Mano a Mano: Hispanic-Deaf and Trilingual Interpreting

<http://www.manoamano-unidos.org/>

The Madison Interpreters' Collective (MIC)

Provides quality, affordable interpretation and translation services to make community, academic and governmental events and meetings more inclusive and accessible.

<http://wrcmadison.org/node/5>

Interpretation and Translation Services HMONG

<http://www.uwex.edu/ces/hmong/translation.cfm>

Translation Websites

In addition, there are other websites that do word translations from one language to another:

- <http://www.hmongdictionary.com/>
- <http://members.aol.com/nyablaj/gla.htm>
- Another resource is the Hmong National Development that may provide additional resources. They are located at <http://www.hndlink.org/>

WCADV

Have limited funding to reimburse local domestic violence programs for use of Language Line Services. Please remember that we require you to join onto the Department of Health Services contract. Follow this link, scroll down to language Access Resources, and click on Contract # C-2030: <http://dhs.wisconsin.gov/civilrights/LEPresources.HTM>

Videos

A video called “Deaf victims guide to staying at a shelter” by the Deaf Victims Advocacy Services (802-479-193) was “designed to encourage and assist the efforts of victim advocates/shelters serving Deaf, hard of hearing and late deafened victims/survivors who stay at their shelters. Narrated in American Sign Language (ASL) for the Deaf and open captioned for hard of hearing or late deafened victims.”

The Alaska Network on Domestic Violence and Sexual Assault (907-586-3650) released back in 2003 a CD set titled “Shelter Information for Victims of Domestic Violence who are non-English Speakers.” The set includes a script in English as well as a separate CD for Spanish, Korean, Tagalog, Russian, Vietnamese, and Yupik languages. The material was designed so that a survivor can listen to the CD in her own language when she first arrives at the shelter.

Deaf Specific Information Websites

Abused Deaf Women’s Advocacy Services
www.adwas.org

The Abused Deaf Women’s Advocacy Services was founded in 1986 after a group of five Deaf women, hearing women and parents of Deaf children led by Marilyn J. Smith, recognized the need for services for Deaf and Deaf-Blind women. Until 1999, ADWAS was the only domestic violence and sexual assault organization for Deaf and Deaf-Blind victims in the US. In partnership with the Department of Justice, ADWAS has replicated its model in 15 cities. Today, ADWAS is recognized as the national model program by Deaf leaders; hearing domestic violence and sexual assault agencies; local, national and state coalitions; and the US Dept. of Justice.

AZTLAN

www.deafvision.net/aztlan/Abused

Provides a home in cyberspace for Deaf Latinas and Latinos. This website is accessible to gente (people) throughout the world, but it is primarily by, for and about the Deaf Latino/a community in the United States. The site is just getting underway. As most Deaf Latinos/as in the U.S. do not speak, read or write in Spanish, this site is primarily in English. A Spanish version may be added in the near future. Links to Alta Vista Spanish translation service have been included throughout the website.

Deaf & Hard of Hearing Alliance

www.dhha-wi.org

The mission of DHHA is to provide opportunities for leadership and personal growth within the Signing (Deaf) community while respecting culture, language, and a visual environment. This will be accomplished through collaborative social, recreational, and educational programming. DHHA values inclusiveness and culture and will provide opportunities where Deaf and Hard of Hearing people and their extended communities can pursue personal development and leadership in a linguistically accessible environment.

Deaf Empowerment

www.deafe.org

Deaf Empowerment began as a service project in 2001, and is quickly growing to become an essential service provider for the Deaf and Hard of Hearing communities in Wisconsin’s Fox Valley region. Deaf Empowerment’s mission is to empower Deaf and Hard of Hearing individuals to lead more productive lives through advocacy, education and community involvement. The services they provide include, Advocacy, General Skills, ASL and Deaf Culture Instruction, Child and Family Services, and Employment Services.

Deaf Queer Resource Center (DQRC)

www.deafqueer.org/411/welcome.html

The Deaf Queer Resource Center (DQRC) is a national non-profit resource and information center based on the web. This is “the place” to find the most comprehensive and accurate information by, for and about the Deaf Lesbian, Gay, Bisexual, Transsexual, Transgender, and Intersex communities. DQRC is entirely volunteer-run and was founded on September 1, 1995. The site offers information, resources, chat room, bulletin board and links to related sites.

Deaf Women United (DWU)

www.dwu.org/

DWU as a national organization was born at the first national conference of, by and for Deaf women, held July 1985 in Santa Monica, CA. It has created a network that focuses on advocacy, education and outreach; providing leadership and training in areas of organizational management and personal growth; and a clearinghouse of information to empower Deaf women.

Intertribal Deaf Council (IDC)

www.deafnative.com

The Intertribal Deaf Council (IDC) is a non-profit organization of Deaf and Hard-of-Hearing American Indians whose goals are similar to many Native American organizations. IDC promotes the interests of its members by fostering and enhancing their cultural, historical and linguistic tribal traditions. The council strives to provide useful information on human rights and resources to advance social, educational, economic and environmental well-being. It is believed to be the only North American non-profit organization for Deaf, Deaf/Blind, and Hard-of-Hearing American Indian, Alaska Native, and First Nations individuals and their families. It provides a place where American Indians, Alaska Natives and First Nations Indians (Canada) who are Deaf, Deaf/Blind (or low vision), Hard-of-Hearing or late deafened can have access to information about their heritage, traditions and cultural beliefs.

National Association of the Deaf (NAD)

www.nad.org/site/pp.asp?c=foINKQMBF&b=91587

NAD, established in 1880, is the oldest and largest constituency organization safeguarding the accessibility and civil rights of Deaf and Hard-of-Hearing Americans in education, employment, health care, and telecommunications. A private, non-profit organization, it is a federation of state association affiliates and direct members that provide: grassroots advocacy; captioned media; certification of American Sign Language professionals; certification of sign language interpreters; deafness related information and publications; legal assistance; policy development and research; public awareness and youth leadership development.

National Black Deaf Advocates, Inc., (NBDA)

www.nbda.org

The NBDA was formed in response to concerns that Deaf and Hard-of-Hearing African Americans were not adequately represented in leadership and policy decision-making activities affecting their lives. Established in 1982, NBDA promotes the educational, cultural, social and economic advancement of Deaf and Hard-of-Hearing African Americans. It is the oldest and largest consumer Organization of Deaf and Hard-of-Hearing African Americans in the US. Membership includes African-American adults who are Deaf or Hard-of-Hearing; parents of African American children who are Deaf or Hard-of-Hearing; professionals who work with Deaf and Hard-of-Hearing children and adults, and other interested individuals.

National Asian Deaf Congress (NADC)

www.nadc-usa.org/

NADC is a nonprofit organization created to define and address the cultural, political and social issues experienced by Asians who are Deaf or Hard-of-Hearing. NADC has established a national clearinghouse of information and research for its members and organizations who represent various geographic regions, languages, religions, cultures and generations. Services it provides include: advocacy and a network of resources on political, social, human rights and other concerns of the Asian Deaf and Hard-of-Hearing community; training opportunities for employment, education and leadership; promotion of cultural

and ethnic identities, as well as sharing and celebrating history, heritage and traditions; promotion of collaborative relationships and alliances among Asian Deaf and Hard-of-Hearing individuals, communities, organizations and professionals to provide immigration and acculturation assistance, support and technical and communication assistance.

Office for Deaf & Hard of Hearing

www.dhfs.state.wi.us/sensory/

ODHH's mission is to ensure that the variety of life's choices and equal opportunities are available to all deaf, deaf/blind and hard of hearing people. In carrying out our mission, they provide leadership, information and assistance, education, and prevention through: collaboration with customers and agencies leading to informed and supportive community environments; community outreach and educational efforts; and promotion of the utilization of qualified interpreters. ODHH serves the community through information, referral, support and training.

Wisconsin Association of the Deaf

www.wi-deaf.org

The Wisconsin Association of the Deaf is a grassroots advocacy organization for, of, and by people who are Deaf or Hard of Hearing. The mission of the WAD is, "All Deaf Citizens of Wisconsin will be empowered to meet their full potential through increased independence, productivity and integration into society". Volume 22, Issue 2 Page 17

Wisconsin Registry of Interpreters for the Deaf:

www.wisrid.org

National Registry of Interpreters for the Deaf:

www.rid.org

Department of Health Services' Office for the Deaf and Hard of Hearing

Interpreter List:

<http://dhs.wisconsin.gov/sensory/Interpreting/InterpreterDirectory.htm>

Interpreting Agencies:

<http://dhs.wisconsin.gov/sensory/Interpreting/terp agencies.htm>

Service Fund:

<http://dhs.wisconsin.gov/sensory/ServiceFund/ServiceFund.htm>

Wisconsin Association of the Deaf

Interpreter Licensure Bill

<http://www.wisdeaf.org/wp/>

Other Resources on Language Accessibility:

FVPF Multilingual Brochures for Immigrant and Refugee Women

<http://fvpfstore.stores.yahoo.net/rigtobefrefr.html>

Interpretation Guidelines for Asian Battered Women

<http://www.apiahf.org/apidvinstitute/CriticalIssues/interpretation.htm>

The Multilingual Access Model: A Model for Outreach and Services in Non-English Speaking Communities

http://new.vawnet.org/category/Documents.hp?docid=812&category_id=10

Legal Momentum, Limited English Proficiency Materials

http://www.legalmomentum.org/site/PageServer?pagename=iwp_74

National Latino Alliance on Domestic Violence, Developing Linguistic and Culturally Responsive Materials for Latina Survivors of Domestic Violence

http://www.dvalianza.org/pdfs/r_devlinguistic.pdf

GLOSSARY

American Sign Language

American Sign Language, or ASL, is one of the sign languages spoken by many deaf individuals. (See also, SEE Sign.) While ASL is not a spoken language, it is correct and common usage for people to refer to Deaf individuals and signers as “speaking” ASL.

ASL is not based on English, but is a separate language with its own grammar, usage and idioms. It is not a universal language, but is specific to people living in North America. Not every deaf person speaks ASL.

Asylees

A person in the United States or at a port of entry who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution.

The definition of persecution is the same as for refugees. An asylee is someone who has come to the US without having previously applied for status and meets the above conditions.

Certified

While it is common for people to speak of Certified Interpreters, there are actually very few certifying agencies in the USA. Government, education and law enforcement, develop their own in-house standards for second language use. It is incorrect to call any of these individuals a ‘certified’ interpreter, unless they have gone through Medical Interpreting or Interpreting Certifying process.

Consecutive Interpreting

Consecutive Interpreting refers to the stop-and-go pattern used in many interpreting situations. A speaker will speak a short sentence or two, and then pause, and the interpreter will speak, interpreting the words of the speaker. This is a higher level of interpreting than Summary Interpretation, but lower than Simultaneous Interpreting. When using Consecutive Interpreting, can greatly assist Bilingual Unit members by speaking in short, choppy sentences, thus allowing the interpreter to interpret short ideas rather than long, complicated ones.

Dominant Language

Regardless of an individual’s native country, family history or language history, they will have evolved a Dominant Language, the language they are most comfortable in. When communication is of great importance the individual’s Dominant Language should be used. Determining a bilingual individual’s Dominant Language can be difficult, and assumptions should not be based purely on the individual’s native language or home language.

Ethnicity

The Federal government defines five Races (See Race). Subcategories of Race are Ethnicities such as Hispanic.

Fluency

Describing a speaker as ‘fluent’ or ‘being fluent in a language’ is common but misleading, as it is an inexact and undefined term.

Gist

Many people who are not fully competent in a language can still understand portions of the language. This is called ‘getting the gist’ or ‘understanding the gist’ of the language. Individuals who feel they can understand the gist of what was said often miss many crucial words and ideas that can greatly alter meaning. People should remember that it is an inaccurate and unreliable method of understanding, and little weight should be given to statement information obtained at this level.

Heritage Speaker

A Heritage Speaker is an individual who was raised in a family environment where a second language was spoken, as opposed to a Native Speaker, who grew up in the country of that language. Many Bilingual Advocates are Heritage Speakers. These individuals can have a strong, natural understanding of the language, but also could incorporate many errors in their speaking due to their lack of time in the native country.

Programs are not supposed to depend on Heritage Speakers to perform written translations, as a written translation needs the skill level of a Native Speaker.

Hispanic

Hispanic is the most common term to describe someone of Hispanic ethnicity. It is preferred, and is far more precise, than ‘Spanish’. Latino is also used with equal correctness. Please ask people how they want to be identified.

Idiom

An idiom is a phrase made up of words that do not actually describe the phrase’s meaning. “What’s up?” “I’m beat” and “Clear as a bell” are all examples of idioms, none of which are clear when translated word for word. We are all encouraged to avoid the use of idioms when using interpreters, as idioms are notoriously difficult to interpret.

Immigrant

A person coming into the US to remain permanently or for an indefinite period of time and to make the US the primary place of residence. A permanent resident of the US is an immigrant.

Interpretation

Interpreting involves spoken (or signed) language, while Translating involves written language. If a person is speaking, they are interpreting, not translating.

Interpreter

In spoken languages, this is a general term and can be applied to people speaking at many levels. In the Deaf Community, however, this is a legally defined specific term that implies the Interpreter is a certified, neutral, third party interpreter, not a bilingual member who speaks ASL.

Latino (A)

People born in Latin America as well as those born of Latin American descent in the USA. The word Latinas refers to women; Latinos refers to men or combined groups of men and women. Contrary to common belief, Latino is not a race: they are a mixture of races and ethnicities. Another term used in conjunction with Hispanic, although Latino is sometimes a more politically laden term.

Limited English Proficient (LEP)

An LEP individual is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance with respect to an important type of service, benefit, or encounter; the more important the service, the greater the need for language assistance. Examples of such services or activities very likely to require provision of language access include but are not limited to: 1) victims communicating with police at the scene of a crime; 2) providing emergency medical services; 3) providing interpretation at court proceedings in criminal or protection order cases; 4) communicating rights to a person who has been detained for criminal or immigration related activities; 5) providing information regarding bankruptcy or foreclosure proceedings 6) services that offer critical protections including but not limited to health, safety or ability to exercise their legal rights.

Nationality

Nationality refers to the legal permanent residence of an individual, rather than to their race, ethnicity or which language they speak. 'Spanish' is not a nationality. Likewise, we should not assume a Spanish-speaker's nationality is Mexican unless that has been specified. Many Hispanics in the Wisconsin have a nationality of a country other than Mexico.

Native Speaker

A Native Speaker spent the majority of his childhood in a country speaking his native language. This contrasts with a heritage speaker, who learned his second language in a home environment, but outside of a country that spoke that home language.

Race

There are five Races defined and used by the Federal government: White, Black or African American, American Indian or Alaskan Native, Asian, and Native Hawaiian or Other Pacific Islander. Hispanic, Mexican, Vietnamese and similar terms are not races, they are Ethnicities or Nationalities. Contrary to common belief, Latinos are not a race: they are a mixture of races and ethnicities.

Refugee

Person who is granted permission while outside the USA to enter the US legally because of harm or feared harm due to her or his race, religion, nationality, political opinion or membership in a particular social group.

S.E.E Sign

Signed Exact English, or SEE Sign, is another sign language used by some Deaf individuals. It is not a separate language, but signs English nearly word for word. A Deaf person might speak SEE Sign, ASL, a combination of both, or neither.

Simultaneous Interpretation

Simultaneous Interpreting is the highest level of interpreting. In this method, the Interpreter speaks at nearly the same time as the speaker, interpreting his words at the same rate they are spoken.

Slang

Slang is a non-standard usage of words. In general, slang is difficult to interpret and should be avoided when using an interpreter.

Spanglish

Spanglish refers to a mix of Spanish and English, the normal result of speaking one language in the presence of another. Spanglish is, in general, a slang language and thus should be understood by Spanish speakers, but generally not spoken by them. It should also be remembered that Spanglish is generally only picked up by Spanish speakers who have spent some time in the US. Newly arrived immigrants are generally very unfamiliar with any Spanglish.

Summary Interpretation

Summary Interpretation occurs when an interpreter listens to a speaker, and then summarizes what was said as he interprets, as opposed to more accurate word for word interpretation. This method of interpretation is by far the most common, and can be useful, if the speakers understand that their whole meaning is not getting through; only a summary is being interpreted, with many details and ideas left out.

Translation

Translation refers to writing, whereas interpreting refers to speaking word for word interpreting. Word for word interpreting is contrasted with summary or gist interpreting. While no two languages can literally be interpreted word for word, this method of interpreting attempts to capture complete meanings, rather than summarizing or shortening ideas. Is important to do translations with a cultural approach.

Undocumented

Non-citizen whose presence in the USA is not known to the ICE (Immigration Custom Enforcement), and who is residing here without legal immigration status; undocumented persons include those who originally entered the USA legally for a temporary stay and overstayed or worked without permission, and those who entered without inspection.

APPENDIX 1

Top Tips of Language Access Strategies Used by Federal Government Agencies

1. Strong Language Access Coordination And Accountability:

Appoint an agency limited English proficiency (LEP) Coordinator or, in large agencies, a working group of individuals from different components to monitor/update the agency's response to LEP needs.

Monitor agency compliance by ensuring staff cooperation and accountability.

Conduct regular trainings on LEP access: All staff should be aware of your agency's LEP Plan, especially those who encounter the public.

2. Effective Needs Assessment:

Survey client constituencies and chart their needs by tracking LEP encounters, conducting focus groups with client constituencies/stakeholders, and obtaining customer feedback via surveys or other methods.

Use the information obtained from client constituencies to target language access efforts to priority services and locations.

3. Reliable Access To Disaster And Emergency Preparedness Info:

Disaster and emergency preparedness should always be a priority focus for language access efforts.

4. Efficient Resource Utilization:

Share resources within and across agencies, e.g., by forming regional and interagency partnerships.

Utilize bilingual employees effectively and appropriately: Avoid assumptions about competence and willingness of bilingual staff to provide language services. Once you have identified competent and willing bilingual staff, ensure that they are strategically posted.

Leverage community-based organizations for interpretation and translation assistance, provided that quality control procedures are utilized.

5. Meaningful Access To Web-Based Information:

Non-English web pages should be a priority, not an afterthought: Make them easy to locate and navigate. Non-English language web pages should serve as a "one-stop shop" for agency information.

Web pages should be available in, at a minimum, Spanish and other top languages.

Do not use or offer web-based translation services. Translations through such services have been found to be unacceptably inaccurate.

6. Consistent Enforcement of Quality Control Standards:

Follow the suggestions above related to ensuring competence of bilingual staff, interpreters, and translators; accuracy of web-based information and translations in non-English languages; and reliance on customer feedback.

Avoid ad hoc approaches when faced with LEP encounters by ensuring staff familiarity with your LEP plan, as discussed.

Reliance on an LEP individual's family and/or friends for interpretation and translation, whether on an ad hoc basis or as part of your agency's general language assistance strategy, is inappropriate. Generally, family and friends should not be used for language assistance, except in certain emergency situations while awaiting a qualified interpreter, or where the information sought to be conveyed is of minimal importance to the LEP person.

7. Valuing Community Partnerships:

Enlist the cooperation of community and ethnic organizations for interpretation and translation assistance, e.g., to review translations and non-English web pages for accuracy and tone, as long as quality control measures are used.

Community organizations can help federal agencies to determine their language access priorities by identifying the services and information most frequently accessed or "in demand" by various language communities.

Community organizations can help agencies assess the effectiveness of their language access plan by providing honest feedback. Community organizations can be a source of "good publicity" for agency language access efforts by informing LEP community members of agency services and the manner in which your agency is striving to meet LEP needs.

8. Effective Marketing of Language Access Programs:

In order to access your services, LEP individuals must know about them: Market language access programs to target communities.

Attend seminars, symposia, and community health fairs, and inform ethnic media and culturally diverse media outlets of your agency's commitment to language access.

9. Creative Approaches to Budget and Funding:

Charting LEP encounters provides "hard data" in support of requests for LEP resources, including hiring of bilingual personnel, obtaining funding for interpretation/translation, etc.

Tie LEP efforts to the mission of the larger agency to enable budgeting for LEP access when it falls in line with mission-critical objectives (such as national security or emergency preparedness).

APPENDIX 2

Identifying Whether an Interpreter is Needed

1) Determine whether your client needs an interpreter. If your client speaks a language other than English, use a language identification card or poster to determine what language the person speak. If the client is unable to read in his or her native language, a language line may be able to assist you in identifying the client's language.

2) Immigrant or refugee clients who speak English may benefit from assistance of an interpreter because information about domestic violence and sexual assault is difficult to talk about and the victim may be able to communicate with you more effectively in her or his native language. Some clients may wish to communicate with you in English but may not be able to do so effectively. Both clients should be offered the assistance of an interpreter to communicate with you. Asking the following questions can help you assess your client's ability to communicate in English.

- Please tell me your name.
- Please also tell me how old you are.
- How did you come to our program today?
- If you work, what kind of work do you do?
- How comfortable are you speaking with me in English?
- Would you like me to provide you with free assistance to help you speak with me today?
We can provide an interpreter to assist you.

3) If you will be using an interpreter you should initiate a pre-session with the interpreter: Explain that you would like the interpreter to interpret everything that is said, without adding, deleting or changing the meaning of anything. Explain that if the interpreter needs clarification of a term (frequently happens with legal and technical terms), the interpreter should ask you to clarify, rather than attempt to explain it to the client herself. Ask the interpreter to speak in the first person, so if the client says, "my husband hit me" the interpreter should state, "my husband hit me". A good interpreter knows that she has to speak in the first person.

APPENDIX 3

Working with Interpreters Tip Sheet

Instructions to Give to Interpreters

- 1) Interpret everything that is said
 - Use the first and second person
 - Do not omit, edit, or polish what was said
- 2) Interpret the meaning as accurately as possible
- 3) Do not have side conversations with the LEP person
- 4) Never answer for the LEP person
- 5) You may ask speakers to do any of following:
 - Pause
 - Repeat
 - Slow down
- 6) If needed, ask for clarification or a time out

Instructions to Give to LEP Individuals (Clients)

- 1) Explain the role of the interpreter: to be a conduit ONLY
- 2) Speak slowly and speak only one or two sentences at a time
- 3) Be patient- the interpreter may ask you to slow down or repeat what you just said
- 4) Explain words or concepts upon interpreter's request
- 5) Allow the interpreter to finish interpreting before speaking
- 6) Do not ask the interpreter any questions or have any side conversations with the interpreter-please address all questions and concerns with me.

When You Work with Interpreters

- 1) Schedule additional time for any meeting
- 2) Walk through the instructions above with the interpreter
- 3) Pay attention to positioning
- 4) During the interpretation:
 - Maintain eye contact with the LEP person
 - Use first person
 - Use plain English
 - Speak slowly and clearly and pause
 - Speak one sentence at a time
 - Ask one question at a time
 - Allow the interpreter to finish interpreting before speaking
 - Explain words or concepts upon interpreter's request
 - Be aware of cultural differences
- 5) Always maintain control
 - Ask for full interpretation of side conversations
 - Do not allow the interpreter to answer for the LEP person
 - Inquire about interpretation that is longer or shorter than expected
- 6) Debrief with the interpreter at the end to address issues or concerns
 - Discuss any questions or concerns that emerged during the session
 - Invite suggestions from the interpreter on how you can work better with interpreters
 - Brainstorm solutions to employ the next time

Source: Vera Institute of Justice. 2008

Source: Cultural Considerations in Domestic Violence Cases. Family Violence Prevention Fund. 1999.

Edited by Legal Momentum, 2006.

APPENDIX 4

Requesting Oral Interpretation for Customers In Wisconsin

Customers with LEP will receive timely oral interpretation at no cost to them.

- Telephone Calls: When an LEP customer calls, staff will request language assistance (interpreter services) from Certified Language International (CLI)

How to Contact CLI for Interpretations:

1. Dial 1-800-225-5254 or 1-800-Call LCI.

*Operator will answer, “Certified Languages International, this is ...”

2. Tell the operator that you need an interpreter over the phone or in person.

3. The Operator will ask for the name of your organization.

4. They will then ask you for the language you need, your name and phone number. Or if you need an interpreter in person, you will need to schedule an appointment, for a specific date and time.

5. You will be asked for additional information (i. e. the CLI contact person for your program or the address for your agency, etc).

6. When calling for a phone interpretation, you will be placed on hold while CLI connects you with the interpreter. Once the interpreter is on the line, the operator will drop out of the call leaving the interpreter on the line with you.

If you need to call a third party, please indicate that to the operator before the interpreter is on the line so the operator can gather the information needed for a 3-way phone call.

CLI recommends that you use speaker phones or an extension handset for phone interpretation.

APPENDIX 5

Assisting Deaf and Hard to Hearing Individuals

Making/Receiving TTY/TDD Calls: Effective communication with deaf, deaf/blind and hard of hearing persons can often be provided through auxiliary aids and services. It is strongly recommended to make it a practice to consult with the individual about how he/she best communicates and what accommodations(s) work best for that individual and in what situations. The following are current methods utilized in Wisconsin.

- Telephone Text (TTY) or Telecommunication Device (TDD): A device such as TTY, sometimes called TDD, for the Deaf, is a special device that lets people who are deaf, hard of hearing, or speech-impaired use the telephone to communicate, by allowing them to type messages back and forth to one another instead of talking and listening. A TTY is required at both ends of the conversation in order to communicate.

To use a TTY, you set a telephone handset onto special acoustic cups built into the TTY (some TTY models can be plugged directly into a telephone line). Then, type the message you want to send on the TTY's keyboard. As you type, the message is sent over the phone line, just like your voice would be sent over the phone line if you talked. You can read the other person's response on the TTY's text display.

- Telecommunications Relay Service (TRS): If you don't have a TTY, you can still call a person who is deaf, hard of hearing, or speech-impaired by using the TRS. With TRS, a special operator types whatever you say so that the person you are calling can read your words on his or her TTY display. He or she will type back a response, which the TRS operator will read aloud for you to hear over the phone. Toll free TRS services are available 24 hours a day, 365 days a year. Also you can make a call through an interpreter.

APPENDIX 6

Providing Signing Services for Deaf Individuals

The Americans with Disabilities Act (ADA) is a federal civil rights law passed in 1990 created to protect people with disabilities from discrimination in employment (Title I), in programs and activities offered by state and local governments (Title II), and in accessing goods and services offered in places of public accommodation, i.e. stores, hotels, restaurants, medical facilities, etc.

Some customers or staff may require a sign language interpreter. For those customers, you may need to provide notice that your program has or does not have a sign language interpreter immediately available. Such interpreters are in high demand and must usually be made available with some prior notice to whoever is providing the service in question.

ADA requires programs to make “reasonable accommodations” so the services should be accessible to individuals with any sort of handicap. Providing a sign-language interpreter for a consumer who is deaf or hard-of-hearing is specifically mentioned as being a “reasonable accommodation”.

APPENDIX 7

Quick Reference

(Compiled by National Coalition Against Domestic Violence 2009)
Know Your Civil Rights In A Domestic Violence Shelter.
Title VI of the 1964 Civil Rights Act & Section 504 of the Rehabilitation Act.

What is Title VI?

Title VI is part of the landmark Civil Rights Act of 1964 targeting racial discrimination in many aspects of society. Title VI was intended specifically to insure that federal monies are not used to finance discrimination. Thus Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives “federal financial assistance.”

What is “federal financial assistance”?

A direct grant from a federal agency is the simplest example of “federal financial assistance.” But a shelter might also receive federal financial assistance if, for example, a state agency that is the principal recipient redistributes federal funds to various organizations, including the shelter. If a shelter receives federal financial assistance directly from a federal agency or redistributed through a state, it will generally be required to sign an “assurance of nondiscrimination” form as a condition of receipt of the funds, thus giving it notice of its obligations under these laws. A shelter may also receive federal financial assistance indirectly if shelters are reimbursed for services through federal programs that provide benefits to eligible individuals such as Social Security or Medicare.

What is Section 504?

Section 504 is part of the 1973 Rehabilitation Act that provided numerous programs for individuals with disabilities. Like Title VI, Section 504 was intended to insure that federal monies are not used to finance discrimination. Like Title VI, Section 504 prohibits discrimination on the basis of disability in any program or activity that receives “federal financial assistance.”

Are the nondiscrimination mandates in Title VI and Section 504 different than the ADA or the FHA?

The nondiscrimination mandate is essentially the same for all of these laws. However, there are no exemptions under Title VI and Section 504. So, for example, a religious organization that has no ADA obligations would be prohibited from discriminating on the basis of disability and would be required to make reasonable accommodations if it receives federal financial assistance.

How are Title VI and Section 504 enforced?

An individual may file a lawsuit in federal court if s/he believes discrimination has occurred. If a case is successful, the court can award compensatory damages to the plaintiff and can order changes to eliminate the discriminatory practices. Individuals may also file a complaint with the federal agency responsible for providing federal financial assistance to the shelter. Agencies are required to investigate such complaints and will attempt to resolve them, often through a compliance agreement. If compliance cannot be obtained voluntarily, the agencies have the authority to cut off federal funding or to refer the matter to DOJ for litigation, but these tools are rarely used.

APPENDIX 8

Power and Control Tactics Used Against Immigrant Women

This version of the Power and Control wheel, from the Domestic Abuse Intervention Project in Duluth, Minnesota, focuses on some of the many ways battered immigrant women can be abused. The Immigrant Women Power and Control Wheel is available in Spanish at the appendix.

The following describes, in more detail, some of the ways in which immigrant women are abused, although the experiences of individual victims will vary from case to case:

Emotional:

- Lying about her immigration status
- Telling her family lies about her
- Calling her racist names
- Belittling and embarrassing her in front of family and friends
- Causing her to lose face
- Telling her that she has abandoned her culture and become “white” or “American”
- Preventing her from visiting sick or dying relatives.
- Lying about his ability to have the immigration status of his lawful permanent resident abuse victims changed

Economic Abuse:

- Forcing her to work “illegally” when she does not have a work permit.
- Threatening to report her to INS if she works “under the table.”
- Not letting her get job training or schooling.
- Taking the money her family back home were depending upon her to send them.
- Forcing her to sign papers in English that she does not understand -- court papers, IRS forms, immigration papers.
- Harassing her at the only job she can work at legally in the U.S., so that she loses that job and is forced to work “illegally.”

Sexual Abuse:

- Calling her a prostitute or a “mail order bride.”
- Accusing her of trying to attract other men when she puts on make-up to go to work.
- Accusing her of sleeping with other men.
- Alleging that she has a history of prostitution on legal papers.
- Telling her that “as a matter of law” in the United States that she must continue to have sex with him whenever he wants until they are divorced.

Using Coercion and Threats:

- Threatening to report her to the INS and get her deported.
- Threatening that he will not file immigration papers to legalize her immigration status.
- Threatening to withdraw the petition he filed to legalize her immigration status.
- Telling her that he will harm someone in her family.
- Telling her that he will have someone harm her family members
- Threatening to harm or harass her employer or co-workers.

Using Children:

- Threatening to remove her children from the United States.
- Threatening to report her children to the INS.
- Taking the money she was to send to support her children in her home country.
- Telling her he will have her deported and he will keep the children with him in the U.S.
- Convincing her that if she seeks help from the courts or the police the U.S. legal system will give him custody of the children. (In many countries men are given legal control over the children and he convinces her that the same thing will occur here.)

Using Citizenship or Residency Privilege:

- Failing to file papers to legalize her immigration status.
- Withdrawing or threatening to withdraw immigration papers filed for her residency.
- Controlling her ability to work.
- Using the fact of her undocumented immigration status to keep her from reporting abuse or leaving with the children.
- Telling her that the police will arrest her for being undocumented if she calls the police for help because of the abuse.

Intimidation:

- Hiding or destroying important papers (i.e. her passport, her children's passports, ID cards, health care cards, etc.)
- Destroying the only property that she brought with her from her home country.
- Destroying photographs of her family members.
- Threatening persons who serve as a source of support for her.
- Threatening to do or say something that will shame her family or cause them to lose face.
- Threatening to divulge family secrets.

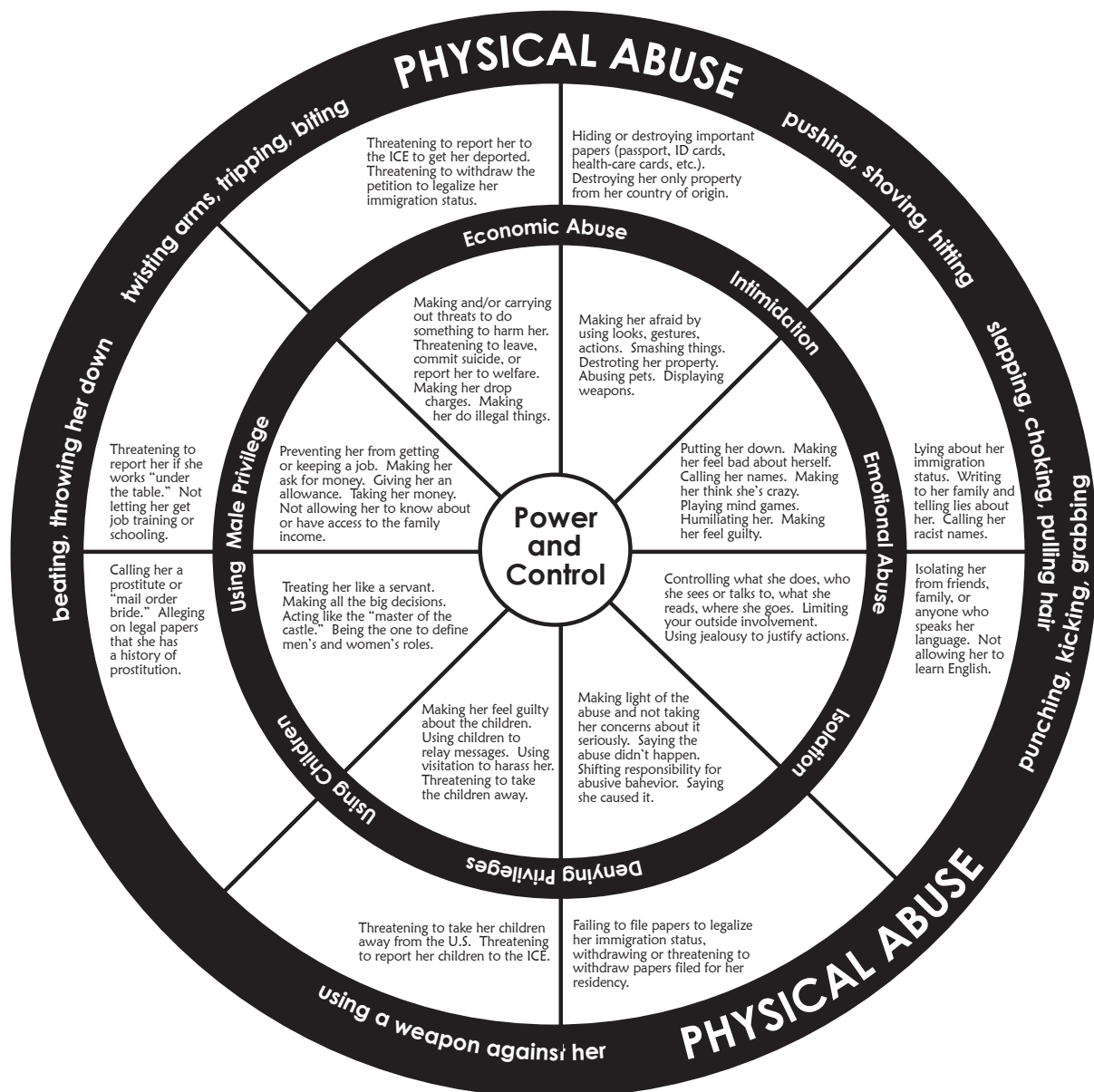
Isolation:

- Isolating her from friends, or family members.
- Isolating her from persons who speak her language.
- Not allowing her to learn English or not allowing her to communicate in a language she is fluent in.
- Being the only person through whom she can communicate in English.
- Reading her mail and not allowing her to use the telephone.
- Strictly timing all her grocery trips and other travel times.
- Not allowing her to continue to meet with social workers and other support persons.
- Cutting off her subscriptions to or destroying newspapers and other support magazines.
- Not allowing her to meet with people who speak her language or who are from her community, culture, or country.

Minimizing, Denying, Blaming:

- Convincing her that his violent actions are not criminal unless they occur in public.
- Telling her that he is allowed to physically punish her because he is the "man."
- Blaming her for the breakup of the family, if she leaves him because of the violence.
- Telling her that she is responsible for the violence because she did not do as he wished.

IMMIGRANT POWER AND CONTROL WHEEL



Produced and distributed by:

Adapted from original wheel by:
 Domestic Abuse Intervention Project
 202 East Superior Street
 Duluth, MN 55802
 218.722.4134



NATIONAL CENTER
 on Domestic and Sexual Violence
training • consulting • advocacy
 4612 Shoal Creek Blvd. • Austin, Texas 78756
 512.407.9020 (phone and fax) • www.ncdsv.org

APPENDIX 9

Eating Habits for Latinos and Hmong

Information included here is provided to help you become more aware of the culture and some traditions of your clients. Please use this only as a guide, keeping in mind that all people within a culture are not the same. **Be sure to ask your clients and their families** about their specific beliefs, practices and customs.

Eating Habits for Latinos

Like most immigrant groups, Latino Americans have remained loyal to the food traditions of their homelands. Many shop in small ethnic markets called *tiendas* or *bodegas* that carry specialty foods used in Latin cooking. Almost all the big supermarkets in Wisconsin have one section of ethnic food where you can find the main ingredients to cook different traditional meals.

When Latinos or other immigrants cook, they follow recipes handed down to them by their parents and grandparents. Specialty food companies have thrived by supplying immigrants with traditional cooking ingredients. The most famous of these is Goya Foods, whose products can be found in grocery stores throughout the country.

Although Latin Americans belong to a number of different cultures, their cooking styles have certain things in common. Meat, usually pork or beef, is central to the Latino diet. It is often eaten with the spicy sauces (*salsas*) for which Latinos are famous. The main ingredient in *salsa*, as well as many other Latin dishes, is hot chili peppers. Latinos cook with fresh, dried, and ground chilies. There are many different chilies: *Habanero*, *Jalapeno*, *Malagueta* and *Poblano*. Not all Latinos like spicy food or chiles.

Rice, beans, corn and root vegetables are staples of the Latino diet. Some of the root vegetables commonly used in Latino cooking are potatoes, sweet potatoes, yams, yucca, jicama, Jerusalem artichokes, and taro. Also popular is a pear-shaped squash called *chayote*. It goes by several other names, including *tayote*, *chuchu* and *xuxu*. Latinos are able to enjoy many fruits native to their homeland, which are either imported or cultivated in the United States. These include plantains, guavas, mangoes, papayas, passion fruit and prickly pears.

Turnovers are very popular in Latino cooking. These are dishes that consist of a variety of dough and filling. Two popular types of turnovers are *tamales* and *empanadas*. *Nacatamales*, *chuchitos*, *humitas*, and *bolos* are just a few of the many types of tamales eaten by Latinos in the United States. Please don't assume all Latinos know or eat the same kind of food, ask them for their preferences and ingredients. Latinos come from more than twenty different countries and some of them eat tortillas and in others Latino countries, they don't eat tortillas. The vast majorities of Latinos are Roman Catholic and celebrate the holidays of the Christian calendar. Making tamales and *pasteles* together is a popular family tradition around the Christmas holidays. Both consist of dough wrapped around meat or some other filling. The tamale dough is placed inside an empty cornhusk. The *pastel* dough is placed inside a wrapper made from banana leaves. Another Christmas favorite is *menudo*, a spicy stew made with hot chilies and a cow's stomach.

A special Latino New Year's Eve tradition is to eat twelve grapes or raisins at midnight. They stand for the twelve months of the New Year. Adults often welcome the New Year with a drink that contains rum and a tropical fruit. It is poured into a punch bowl, and a whole pineapple is put in the bowl. It is said that the people who drink this beverage will enjoy friendship throughout the coming year.

On Good Friday, three days before Easter, a soup called potaje de vigilia is served in many Latino homes. It is made with garbanzo beans, fish, and spinach. It also contains egg yolks, garlic, almonds, and seasoning. Different dishes and special recipes are shared by families depending on the country and costumes. Each Latino ethnic group has its own food customs and traditions. Some Cubans consider many foods symbolic. For example, sweet foods symbolize happiness. Fruits are often the main part of a Cuban meal.

In some Hispanic/Latino countries, a light meal is served for breakfast. Lunch, referred to as el almuerzo, usually is the main meal of the day. In some countries, it is customary for adult family members and children to come home from work or school for about two hours to be together for this meal. La siesta, which is a rest period taken after lunch, is known to be a common practice among adults. In the early evening, la merienda, a light snack of coffee, milk with coffee or milk and rolls or sandwiches, is served. This meal is often very informal and may be just for children. In the evening, often as late as 9:00 p.m., la cena, a small supper, concludes the day's meals. Once settled in the United States, most Latinos adopt the three-meal system. Midday and evening meals are important family or social events. Especially when guests are present, the meal may be followed by the sobremesa, a time to linger and talk over coffee or perhaps an after-dinner drink. Usually when food or additional servings are offered, Latinos tend to accept only after it is offered a second or third time.

Even though Latinos share the same language, their cultures (including their foods) may vary considerably. Acculturation also plays an important role in defining the dietary habits of Latino immigrants. Although less acculturated Latinos have a higher consumption of fruits and vegetables as well as a lower consumption of fat when compared to their more acculturated peers, that doesn't mean that all traditional Latino foods are "healthier". Some traditional Latino foods, although high in dietary fiber, are also high in fat (e.g. refried beans).

Some things you can have in your pantry*

Rice
Beans different kinds (Ask for preferences)
Chess
Corn and Flour tortillas (Ask for preferences)
Sweet Bread
Hot sauce
Yerba Mate
Cornmeal
Flour
Sugar cane
Panela
Different kind of fresh vegetables and peppers
Fruit

*Please add a blender in your kitchen.

Eating Habits for Hmong (*)

One of the important parts of Hmong culture is their food. The Hmong staple food is white rice. Their diets consist of a variety of vegetables, fish, meat and traditional spices. They eat three meals a day and snacking, as the American people do, is not part of their native culture. Hmong foods are very simple and easy to make, this is due to the fact that the Hmong were limited to the foods they had in their native country of Laos.

Most of a Hmong's daily calories are from carbohydrates and grains. Native vegetables are also consumed in large amounts, like corn and maize, assortments of squash and beans (Cao L. & Noves H. 1996). These foods are a regular part of Hmong meals that are still currently used in the traditional Laos diet. These foods are used because of the limited access to other foods when living in Laos. Over 75% of Hmong families still use the simple diet of their native culture. Hmong families that live in the United States usually consist their meals of the following; breakfast, a light diet of eating a light soup, with rice, pumpkins, vegetables, chicken or pork. For lunch and dinner the following foods are mixed and matched, rice, fried or steamed meat like pork, chicken or beef along with various vegetables (Ohio State University, 2005).

As a result of their migration patterns, you can detect Laotian, Thai, Vietnamese and Chinese influences in Hmong cuisine. Hmong food sounds particularly appetizing considering there's a rainbow of herbs and spices used in the cooking including chilis, cilantro, ginger, garlic, green onion, mint, fish sauce, oyster sauce and hoisin.

Consider how healthy the Hmong are: their three meals are typically comprised of white rice, a few vegetable dishes and small portions of meat. Most food is stir fried, boiled or steamed with either vegetable oil or a little pork fat for cooking.

Sambal-Like Condiment

Back in Asia, many Hmong harvest their own fruit and vegetables and get their meat freshly-killed every day. What they put into their bodies is pure food, no "extra" man-made ingredients.

Meals may include egg rolls, steamed cabbage, papaya salad, pickled veggies, beef noodle soup, sausage and always, hot pepper (kua txob).

(*) Thanks to June Chua to let us use her information. If you need to know more please go to: www.junechua.com

Some of the more fantastical dishes include stir-fried yam leaves with onion and bitter melon with chicken wings. There's a hot condiment similar to the Indonesian/Malaysian sambal composed of thai chilis, scallions, cilantro and salt all pounded together.

Breakfast usually consists of a light soup with rice, vegetables and some chicken or pork.

Sweet-Less Diet

The Hmong live a healthy lifestyle—snacking is a foreign concept in the culture, few foods are fatty, no one stocks up on sweets and rarely do Hmong make desserts, save for the occasional rice cake.

In terms of anything sweet, the Hmong prefer fruit such as bananas, lichees, mangos, pineapples, coconuts, and jackfruit.

Hmong Rice, get 25lbs

Hmong green vegetables (Hmong store), client should know

Oriental noodles (Hmong store)

Oriental sauce (Hmong store)

MSG

Chicken/ Hmong chicken (Hmong store)

Pork

Beef

There are more things but it just depends on the needs of the families.

Tools for Kitchen

Study cutting wood board

A big knife for copping

Big serving spoons

10 cup of rice cooker (electric)

Steamer

Big pots and pans

APPENDIX 10

Deaf Power and Control Wheel



Deaf Power and Control Wheel

Domestic violence manifests itself differently in each culture based on the language and values of their people. The Deaf community is unique because it has language and cultural norms that cross geographic borders. Aspects of domestic violence in the Deaf community are often overlooked by hearing professionals (DV advocates, law enforcement, medical professionals, etc.). DeafHope advocates have compiled information from 5 years worth of interviews from Deaf survivors of domestic violence into the Deaf Power and Control Wheel. Thanks to the Domestic Violence Intervention Project of Duluth, Minnesota for their pioneering work on the Power and Control wheel.



Illustrated by Rossana Reis 2007

END NOTES

¹Please see the Appendix: Top Tips From Responses To The Survey of Language Access Strategies Used By Federal Government Agencies, September 3, 2008.

² The term “Limited English Proficient (LEP) means that an individual cannot speak, read, write or understand the English language at a level that permits them to access program services and benefits in a meaningful way. Please see the glossary at the end of this document.

³ Improving Access to Services for Persons With Limited English Proficiency, 65 Fed. Reg. 50,121 (Aug. 16, 2000).

⁴ <http://www.lep.gov>

⁵ Op cit.

⁶ The guidelines can be found at <http://www.hhs.gov/ocr/lep/guide.html> (DHHS) and <http://www.usdoj.gov/cor/lep/DOJLEPApr122002.htm> (DJO)

⁷ <http://www.ada.gov/publicat.htm>

⁸ Coordination and Review Section. Civil Rights Section. U.S. Department of Justice.

⁹ The Asian Women’s Shelter in San Francisco, California has done an excellent job recruiting volunteers within their community, training them on interpreting and paying them to interpret for their clients. They have written an excellent manual on developing multilingual access that can be found at: http://www.wawnet.org/vnl/library/general/NRC_MLAM.htm

¹⁰ The Census only asks about people’s ability to speak English and does not include their ability to read, write or understand English.

¹¹ Try to identify language minority communities in your area, but also be aware that there will also be individual immigrant women living in your area isolated from their cultural communities.

¹² See Appendix

¹³ Adapted from: Somewhere To Turn: Making Domestic Violence Services Accessible To Battered Immigrant Women. A “How To” Manual For Battered Women’s Advocates And Service Providers 96-111 (Lesley e. Orloff & Rachael little eds., Ayuda 2000).

¹⁴ If you need more information about outreach in your area, please consult: WCADV Manual: Rural Outreach in Wisconsin. 2009

¹⁵ State of Wisconsin. Department of Workforce Development. Division of Workforce Solutions. P.O Box 7972, Madison, WI 53707.

¹⁶ For estimates of how much vendors charge in Wisconsin for translation please go to: http://vendornet.state.wi.us/vendornet/wais/bulldocs/1922_8.XLS

¹⁷ Please see Annex # 4 “Requesting Oral Interpretation for Customers in Wisconsin”.

¹⁸ This reimbursement program is administered by Diane Wolff, Director of Member Services (dwolff@wcadv.org).

¹⁹ <http://dhs.wisconsin.gov/civilrights/LEPresources.HTM>

²⁰ The Family Prevention Fund, Domestic Violence In Immigrant And Refugee Communities: Asserting The Rights Of Battered Women (Deana L. Jang, et al. eds., The Family Violence Prevention Fund 1997)

²¹ See Na Olio Immigrant Rights And Public Interest Legal Center, P. 52

²² Immigrants and refugee victims of domestic violence and/or sexual assault encounter multiple stressors, including oppression and discrimination in employment and service access and acculturation. These issues affect within the family. The overt acts of oppression and discrimination directly demeans individuals, denies them equal status, and affects their perceptions of self-worth.

²³ Adapted from FVPF: Immigrant Women.

²⁴ Maciak BJ, Guzmán R. Estableciendo. La Vida: Como colaborar para prevenir la violencia. Educación y Salud. 1999, p. 41-47

²⁵Adapted from advocates for youth.

²⁶http://www.advocatesforyouth.org/publication/frtp/cultural_fairenes.htm

²⁷This information was adapted from a variety of sources.

²⁸For example, the former president of Peru, Alberto Fujimori, is of Japanese descent, and the surname of the Mexican actress Salma Hayek is Czech. Likewise, many indigenous people in Latin America do not have Spanish surnames, just as many indigenous people (American Indians) in the U.S. do not have English surnames

²⁹Immigration and Customs enforcement (US Department of Homeland Security; formerly parts of Immigration & Naturalization Service and US Customs).