

# Immigrant Victims in Wisconsin Curriculum Objectives and Content

**This curriculum is designed for a full-day training of law enforcement officers.**

**Resources needed: stage, 3 microphones, sound system, screen, projector, laptop computer, tables for resources.**

**Cultural resources used during the training:**

- **Ethnic performing groups**
- **Ethnic music**
- **International food**
- **Safety exercise at registration; phrase in various languages**
- **Cards with key words and phrases in target languages for Law Enforcement use**
- **Resource area with materials in target languages and programs materials**

## **Part I: Immigrants – Who Are They? Who Are We?**

Hear the experiences of survivors from the perspectives of Latina, Hmong, and Russian women.

**Trainers:** Immigrant Survivors & Advocate

### **Learning Objectives:**

At the end of this section, law enforcement officers will be better able to:

- Identify themselves with immigrants they encounter
- Understand and recognize the diversity of the immigrant population in their area of jurisdiction

**Survivor Panel and DVD:** A panel of four immigrant survivors share their experiences; this panel is on DVD. Survivors are available for questions from the audience; which is facilitated by an advocate.

### **Teaching materials:**

- **Immigration Statistics** (numbers; immigration venues; documented vs. undocumented; diversity; projections for the future)
  - National – US Census
  - Wisconsin – US Census; Immigration jumps 31% in 4 years (articles); 75,000-115,000 unauthorized migrant population in WI (Pew Hispanic Center); Immigration report to Advisory Committee; map.

### **Learning Points:**

- Many immigrants (including white ones) suffer from stereotyping discrimination. Seems a human feature to distinguish newcomers as “different/other/less deserving”, regardless of how similar they and their experiences actually are.

- You need to know how to work with immigrant population because they are present in your area of jurisdiction.

## **Part II: Dynamics of Domestic Violence, Sexual Assault and Stalking in Immigrant Community**

Understand the barriers that prevent immigrant victims from seeking help and assisting in prosecutions.

**Trainers:** Advocates representing Immigrant populations

### **Learning Objectives:**

At the end of the section, law enforcement officers will be better able to:

- Identify and assess system barriers to immigrant victims attempting to access the justice system
- Recognize and articulate immigrant realities that may impede their access to justice system

### **Exercises:**

- Developed by Trainers

### **Teaching Materials:**

- **Immigrant Victims and Law Enforcement**
  - Willingness to call the police depends on the status
  - Additional barriers that immigrant victims face
- **Power and Control Wheels** (specific to different ethnicities and cultures)
- **Obstacles to an Effective Law Enforcement Response**
  - Fear of removal/deportation
  - Language barrier
  - Obstacles in the Law and the Implementation of the Law
  - Cultural barriers and community pressures

### **Learning Points:**

- The system is not the first place most newcomers turn for help. They don't know it, trust it, or understand how it works. Their communities may ostracize them if they do, or it may violate their culture or religion (divorce, subordination of women).
- The barriers that immigrant victims face are:
  - Language & accessibility
  - Information/misinformation
  - Potential for deportation
  - Experience in the home country
  - Economic barriers
  - Cultural and religious pressure

## Part III: Immigration 101: What You Need to Know

Learn the legal considerations of cases involving immigrant victims.

**Trainers:** Immigrant Attorney, Immigrant and Customs Enforcement Special Agent (ICE)

### Learning Objectives:

At the end of the section, law enforcement officers will be better able to:

- Demonstrate familiarity with federal immigration law and remedies available to immigrant victims
- Explain and apply immigrant victims rights
- Understand what law enforcement can do to assist with immigration petition
- Distinguish their role from that of ICE when encounter immigrants

### Teaching Materials:

- **Options Available to Immigrant Victims**
  - **Wisconsin Statutes**
  - **VAWA Relief for Battered Immigrants**
    - Purpose of VAWA Immigration Protections
    - Terminology (e.g. green card, work authorization, U visa, T visa, etc.)
    - VAWA Self-petitioning
    - VAWA Cancellation
    - Battered Spouse Waivers
    - U Visa
      - The importance for Law Enforcement
      - Crimes covered
      - Certification
    - Special Immigrant Juvenile Status
    - T Visa
    - Gender-Based Asylum

### Learning Points:

- Detained non-citizens have rights in the criminal system:
  - Right to speak to an attorney before answering any questions or signing any documents;
  - Right to a hearing with an Immigration Judge (some exceptions);
  - Right to have an attorney represent them at that hearing and in any interview with DHS (not government-paid attorneys); and
  - Right to request release from detention, by paying a bond if necessary (some exceptions).
- The Congress has created remedies for immigrant victims (VAWA):
  - Special routes to immigration status
  - Access to public benefits
  - Access to legal services
  - Access to language services and translation Limited English Proficiency
- Law Enforcement can assist immigrant victims by certifying that the victim “is being, has been, or is likely to be helpful” in investigation or prosecution of a crime

## **Part IV: Investigations**

Acquire knowledge of investigative strategies and practical tips on working with immigrant victims.

**Trainers:** Law Enforcement officer, District Attorney and Immigration and Customs Enforcement

### **Learning Objectives:**

At the end of the section, law enforcement officers will be better able to:

- Interview immigrant victims and suspects using language- and culturally-appropriate methods
- Identify predominant aggressor when there is a language barrier
- Write reports that will facilitate/will not jeopardize victim's immigration case
- Apply an understanding of different immigrant cultures to victim interviewing

### **Exercises:**

- Developed by Trainers

### **Teaching Materials:**

- **Positive steps police can take to encourage the reporting of Domestic Violence and Sexual Assault in immigrant communities**
- **How Law Enforcement may help eligible VAWA applicants overcome evidentiary problems**
  - Obtain information in abuser's control
  - Help document the case
  - Avoid undermining a victim's VAWA application
- **How Temporary Restraining Orders Can Help Battered Immigrants**
- **Culturally Competent Police Responses** (from Western Criminology Review)
- **Identifying predominant aggressor when there is a language barrier**

### **Learning Points:**

- ALWAYS use a professional interpreter when interviewing a victim; use Language Line when impossible to get a live interpreter
- A confession obtained from a Limited English Proficiency person without using a competent interpreter may be suppressed as unconstitutional.
- Know cultural differences of the immigrant populations in your area of jurisdiction and keep them in mind when interacting with immigrant victims.
- Document the event even if the arrest is not made
- Obtain information in abuser's control that will help document victim's immigration case
- Avoid undermining victim's VAWA application

## **Part V: Multi-System Response**

Learn about the resources available in your area and how to use them.

**Trainers:** Facilitators and Training team

### **Learning Objectives:**

At the end of the section, law enforcement officers will be better able to:

- Coordinate with the multiple system players in cases involving immigrant victims
- Identify strategies that can help them better work with immigrant victims

### **Teaching Materials:**

- **Reaching out to the immigrant communities**
- **List of Resources (ethnic communities, immigration attorneys, interpreter services, etc.)**

### **Learning Points:**

- Establish liaison with immigrant communities by going to local immigrant organizations or groups, religious institutions, etc.
- Prosecute vigorously crimes against non-citizens and make public statements clarifying that the criminal laws protect everyone regardless of immigration status
- Explore predominant languages used in immigrant communities and hire staff and/or arrange for translators that speak those languages

**This document was produced by the Wisconsin Office of Justice Assistance. For more information please contact [karen.barber@wisconsin.gov](mailto:karen.barber@wisconsin.gov)**