

Latino Community Development Agency (LCDA)
Proyecto Cambio: Intimate Partner Violence/Sexual Violence Program (IPV/SV)
Community-Based Linkage Council (CBLC)

Immigration/Legal Sub-committee

Summary

LAW ENFORCEMENT: If a victim of IPV/SV seeks help from Latino Community Development Agency Proyecto Cambio and reports physical abuse that has occurred within the 72 hour period, it is recommended that she/he report the incident to the OKC Police Department. In some cases the victim is afraid to talk to the police due to fear of deportation, or that the perpetrator's arrest will worsen the situation. Proyecto Cambio staff explains the importance of reporting the abuse: if the abuse is not reported, then it looks as if it never happened. The victim makes the final decision to report the abuse to the police. If the victim's decision is to press charges, Proyecto Cambio staff will call 911 for police assistance. When this is the case, the OKC Police Department comes to LCDA to interview the victim regarding the incident. Proyecto Cambio provides translation services and serves as a source of support for the victim. At this time a VPO may be filed and on occasion Proyecto Cambio staff may be required to accompany the victim and the police officer to a location away from the LCDA facility to ensure the safety of the victim to provide support and translation services until his/her safety is ensured.

VICTIM PROTECTIVE ORDER: Victims are informed that they have the right to be safe and protected. Proyecto Cambio staff informs victims of emergency phone numbers and reviews a safety plan with the victim in case of an emergency. When a victim has made the decision to file a Victims Protective Order (VPO) Proyecto Cambio staff assists in translating the VPO form to ensure that the victim understands what is being asked. If the victim request, Proyecto Cambio staff accompanies them to the courthouse in order to file the form with the court clerk. If an emergency VPO has been requested by the victim, Proyecto Cambio staff stays with the victim until he/she is able to speak with a judge. Translation services are provided for the victim and the judge at that time. After the VPO is filed, Proyecto Cambio provides the victim with translation services at the designated future court date.

VAWA: After the immediate safety needs of the victim are taken care of she/he is notified of possible services available under VAWA. A victim of IPV/SV is informed of her legal rights even if she doesn't have legal documentation. Proyecto Cambio staff explains to the victim that due to years of being a victim of domestic violence or extreme cruelty there is a possibility of obtaining permanent residency in the United States. In order for the victim to get correct information, Proyecto Cambio refers to Catholic Charities Archdiocese of Oklahoma City Immigration Assistance Program for an immigration consultation. At the request of the victim, Proyecto Cambio staff accompanies the victim to the appointments to ensure that she feels comfortable with the process. Due to the nature of VAWA, as the victim feels comfortable, no further translation and advocacy for legal assistance is provided by Proyecto Cambio after the referral has been made unless otherwise requested. Proyecto Cambio continues to provide translation support and advocacy for the victim in all other areas.

LEGAL: When a victim needs legal representation for other matters (divorce, child custody, etc.) Proyecto Cambio makes referrals to Legal Aide Services of Oklahoma in case the victim does not have the financial resources available to pay an attorney. In addition, Proyecto Cambio staff does not endorse individual attorneys but does provide victims a list of bilingual attorneys and other legal resources to contact. Translation support is provided by Proyecto Cambio staff to facilitate meetings between the victim and attorney, should the victim hire a non-Spanish speaking attorney. On many occasions, Proyecto Cambio staff is used as a link between the victim and the attorney. Information is relayed from one party to the other via Proyecto Cambio staff, when a formal meeting cannot be arranged. Although this may create delays in acquiring and relaying information (due to leaving phone messages, etc.) it is currently the best and only method of communication between a Spanish speaking person and his/her non-Spanish attorney.

DEPARTMENT OF HUMAN SERVICES: In some cases, a victim's child/children are removed from their home because of domestic violence. Due to the language barrier and lack of information, the victim is confused about the court process and is unable to communicate with her/his case worker at DHS. In order to address this barrier to the victim, Proyecto Cambio staff provides translation services for the victim, DHS case workers, and all other parties involved, at the request of the victim. This requires of Proyecto Cambio staff to attend court hearings, meetings/visits with case managers and/or attorneys, and communicating with counselors. Scheduling meetings and /or conference calls with the victim, case managers, counselors, and attorneys in order to provide translation has also been necessary from time to time. At the request of the victim, Proyecto Cambio staff remains in contact with DHS case managers, counselors, attorneys, and in some cases foster parents in order to provide translation. In order for the victim to have thorough understanding of what is happening regarding her/his case, it has been necessary that Proyecto Cambio staff participate in all aspects of the proceedings.