

Values Clarification

CVC treats all victims with equal respect; regardless of age, sex, religion, race, ancestry, disability, or sexual orientation.

CULTURAL CONSIDERATIONS IN ASSISTING CRIME VICTIMS

Barriers to effective service delivery can be roughly divided into the following two areas: **Programmatic and Systemic Barriers, and Victim and Provider Belief Systems.** Most barriers have an influence on the other, and the interactions between the various factors impeding service delivery are dynamic and fluid. For example, distrust of the criminal justice system is part of a belief that exists in large part because of structural and systematic realities. Likewise, a provider's expectation of his or her own role in the victim assistance process will determine program structure and services offered.

PROGRAMMATIC AND SYSTEMATIC BARRIERS

Barrier #1: Assumed Similarity of all Victims

While there is much effort on the part of victim assistance programs around the country to launch targeted outreach efforts, to translate materials into a variety of languages, and to recruit a diverse staff members and volunteers, there is not as much of an effort to examine the structure of assistance programs and what those structures assume about the nature of victims' needs.

As E.R. Parsons writes in *Trauma and its Wake*, "Ethnicity is . . . central to how the patient or client seeks assistance (help-seeking behavior). What he or she defines as a 'problem,' what he or she understands as the causes of psychological difficulties and the unique, subjective experience of traumatic stress symptoms."¹ For example, an elder victim of abuse at the hands of her/his own child may not want to be viewed as a victim. Rather, as one interviewee experienced, s/he might respond far more positively to a program that offers the opportunity to "strengthen" her/his family. Another cultural example involves looking into a client's eyes during a counseling session to build rapport. For Lao-Americans, direct eye contact indicates disrespect, distrust, or even a challenge.

Brian Ogawa, author of *Color of Justice*, points out that much of the emphasis of the victims' rights movement has been on the right to speak at hearings. In some cultures, a representative, silent presence, or written statement might be more comfortable and more powerful. However, as more victims speak at hearings, the system is beginning to rely on this type of testimony. The very effort to give a voice to many crime victims is in fact silencing others. In order to avoid this, service providers and the criminal justice system need to broaden their understanding of what is helpful to victims.

Barrier #2: Definitions of Crime and Victims

Although "crimes" can be identified and defined in terms of the law, cultural experience can lead people to have differing views and definitions of crime. For example, if a large family of limited means uses an older relative's social security check to support the entire family, and the social security recipient goes without enough food as a result, some might label that neglect or elder abuse. However, in that family's context, personal property may be defined differently, and it might be unheard of for the elder person to eat before her young grandchild has had enough. These differing definitions of crime can be the cause of misunderstandings or even conflict between victims and those seeking to help them.

Although these misunderstandings can be legitimate, those working with victims must be wary of what is commonly referred to as the “culture defense.” In any organized society, multicultural or homogenous, legal standards must be respected and enforced. Using “culture” such as the Latino machismo as a rationale or justification for domestic violence, sexual assault, or other types of crimes, is dangerous and misleading. Too often this defense relies on stereotypes that violence against women, for example, is an integral and accepted element of certain cultures. Unfortunately, such violence is pervasive in all cultures, and almost all cultures have systems—informal or formal—to curb it. Therefore, cultural considerations should not lead to different enforcement of the law, but rather to a more effective and knowledgeable interaction with both victim and perpetrator.

Definitions of “victim” can also be quite different. Assistance agencies may focus on providing services to current victims, thereby narrowing their definition of “victim.” Dee BigFoot of the University of Oklahoma Health Sciences Center gave the example of a young white teacher on a Hopi reservation who molested 156 male children. Now the reservation may have the third generation of victims/abusers molesting the next generation of victims. Who are the victims? Who should be served by assistance programs? Often, assistance programs may not take into account the impact of historical victimization of marginalized groups. This does not inherently mean that programs should simply broaden the scope of their work so that it is diluted beyond effectiveness. Rather, an organization’s structure and staff should integrate into their programs an awareness of historical and social contexts.

In addition, it is important to avoid labeling individuals as “rape victims” or “survivors” when they do not identify as such. In an empowerment approach, advocates use the language of the individuals with whom they are working.

Gay men who are victims of domestic and sexual violence constitute another group whose members are often not viewed as victims. Shelters for victims of domestic abuse are almost always closed to men. In fact, a man calling such a shelter is likely to be met with suspicion. The suspicion is not unfounded, as one purpose of these shelters is to shield women from their abusive (male) partners. However, gay domestic violence victims have far fewer resources open to them as a result.

Barrier #3: Misinformation about Victim Assistance Programs

Whether programs are based in private agencies, police departments, or prosecutors’ offices, many people simply do not know that assistance exists for victims. Others are not clear about the role these programs play in the larger criminal justice system and often make the assumption that the system will not work in their favor. If this lack of information is compounded by a distrust of authority, it becomes less likely that people will take advantage of the services available. Furthermore, social services and public assistance programs are often not marketed to the people who need them most. It is important that advocates are aware of the multiple services available in the community so that they can assist clients in accessing what they need.

Barrier #4: Location of Victim Service Programs

Some services for victims are only accessible by car, although many victims of crime have little or no income, do not own a vehicle, and cannot spare the money for a taxi. Public transportation systems are often prohibitively cumbersome, unreliable, and unaffordable for victims. Furthermore, in rural areas, public transportation may be non-existent.

Other programs are located in intimidating areas within government buildings, social service agencies, police headquarters, and even the local prison. Given some individuals’ distrust of government, many victims are apprehensive about visiting such neighborhoods. Additionally, many programs are located in

neighborhoods that may seem foreign, inaccessible, or irrelevant to many victims in need. For example, individuals living in poor communities may not know about or consider accessing services if they are located in a wealthy or suburban area. Individuals living in poverty may question “what do they know about my life and what I need?”

People with physical disabilities are perhaps some of the most vulnerable to crime. When program offices are not wheelchair accessible or do not have TTY machines, a great number of victims are precluded from receiving adequate service.

Geography can pose an additional challenge to programs. It can be difficult to implement targeted outreach initiatives if the specified cultural community is dispersed throughout a large region, rather than clustered in a few well-defined neighborhoods. Programs located in rural settings often have access to far fewer local resources than their urban counterparts. This can impede their ability to serve a broad client population.

Barrier #5: Victim Compensation

Victims can be compensated for loss in four areas: medical expenses, mental health, lost wages, and funeral expenses. While compensation programs are beneficial, many victims find they have to pay out-of-pocket at the time of service and then await reimbursement. Many victims cannot afford to pay up-front for services. Waiting for reimbursement can prevent them from accessing the services they need. Victims of crime who are on public assistance are not entitled to compensation for lost wages or medical expenses, because they already receive financial support from the government, despite the inability of these limited funds to cover even basic needs let alone expenses incurred because of rape. This poses a challenge to those working with this population, as that leaves victims with little incentive to seek out services which would be helpful in ways other than lending monetary support.

Barrier #6: Limited Resources

Although the victims' rights movement has earned more attention and financial support for crime victims in the past, resources are still limited. Economic and political support for victim services ebbs and flows. Many agencies are shortstaffed and trying to maintain their core services. Therefore, they often do not have the time or resources to devote to new outreach programs. More outreach, as needed as it might be, yields more clients, and many providers are reluctant to add to their already high case loads. As a result, some programs are less likely to spend their limited resources and energies recruiting more clients when they do not have the capacity to serve them once they do access services. Often, resources are not set aside for supporting programs such as child care, and this severely limits the ability of some victims to fully benefit from the program.

Barrier #7: Poverty

Sexual violence can lead to poverty. Poverty in turn can place individuals at greater risk of sexual violence. While it is important to understand and address the limited resources of the rape crisis movement, it is also important to consider the limited resources to which victims and survivors may have access. An individual cannot heal from rape if his or her basic needs are unmet. In an empowerment model of advocacy, it is important to meet clients where they are at, not where we think they should be. It is important to identify and build upon their resources, strengths, and hopes and advocate for economic justice for all.

Barrier #8: Language

Communication is a cornerstone to assisting victims of crime. Without clear two-way communication, the law enforcement officer, the prosecutor, or the victim advocate cannot understand the victim's needs,

and the victim cannot make use of the wide array of resources available. The first stumbling block to successful communication is language. Many victim service programs are hiring multi-lingual staff members, translating their materials into a wide variety of languages, and making use of interpreters. These are important and effective tactics that more and more programs are employing to bridge the communication gap. There are difficulties that still arise, however, even with the use of these methods. A staff member who speaks certain languages may become the only person in the agency serving a particular population. This not only overloads the staff member, but it denies his/her colleagues the opportunity of learning to work with this segment of their community. Translated materials reach more people, but they do not reach the illiterate members of that language group.

Additionally, it is not only important to translate material, but to also consider the way in which services are being presented. Courts and agencies use interpreters on a regular basis. While many translators are excellent, some insert their own interpretations and opinions into the dialogue, thus impeding clear communication. Lynn Hecht Schafran of Legal Momentum (formerly NOW Legal Defense Fund) offers an example of a Korean woman who was raped by two men. An interpreter was hired for the trial, and was seen chatting with the two accused men, laughing and even pointing at the woman. It is highly probable that the translations offered by this interpreter were biased in favor of the accused perpetrators.

Sometimes the structures in place to exchange and receive information do not reach all victims of crime: As the director of Intervention Services at Seattle Rape Relief (SRR) comments, "Recent immigrants do not use the telephones (and therefore hotlines) like we do, especially to relate a personal violation of this type."² The method in which an initial telephone call is answered can be pivotal for the victim who is calling. Voice-mail technology can seem distant or confusing to some. If an agency does not rely on voice-mail, the person answering the telephone is often the first contact person within the agency. This initial conversation is crucial in setting the tone for the subsequent interactions and service delivery.

An interviewee shared an example which illustrates the importance of these early conversations: In recommending a program for African-American women, a black woman assured a friend of hers that once she got past the white woman who would answer the call, she would be put in contact with the African-American support group.

Barrier #9: Lack of Diversity on Program Staff

Many victim assistance professionals cite the efforts of their agencies to reflect community demographics on their staff. While there can be effective and meaningful service delivered across cultures, members of a multi-cultural and multilingual staff can educate one another and make the services appear more accessible and approachable to all victims. Efforts to recruit a diverse staff (in addition to simply recruiting a diverse volunteer corps) send a message to victims and their families that the police department, prosecutor, or agency is committed to effectively serving the community. Maintaining a multicultural staff also offers the opportunity to model effective and positive cross-cultural working relationships. An over-reliance on this strategy is dangerous, however. Often a service provider and a victim may be categorized as part of the same cultural group, but other key differences such as education level, length of time in the U. S., particular country or region of origin, age, or gender might erect similar or even exacerbated barriers to effective service delivery. It is important to recognize and respect the diversity within diversity and to avoid assumptions based on race, ethnicity, socioeconomic status, ability/disability, age, religion, gender, or sexual orientation.

VICTIM AND PROVIDER BELIEF SYSTEMS

Barrier #10: Distrust of the Criminal Justice System

In most instances of crime, it is the police who are the first point of contact with the criminal justice system, and the result of this encounter often determines the victim's further interactions with other divisions of the justice system and victim service agencies. Police relations with racial, ethnic, and other minorities has historically been controversial, often rising to national attention as a result of specific incidents: e.g., the videotaped beating of Rodney King by Los Angeles police, and the subsequent trial and resulting riots; the Liberty City riots following the acquittal of police officers who were accused of beating to death an African-American man in Miami; and the more recent ongoing case against Brooklyn police officers accused of beating and torturing Abner Louima, a 33-year-old Haitian man. As a result, many members of marginalized communities distrust the criminal justice system and the police in particular.

Many refugees and immigrants have seen police brutality and government corruption in their own countries and bring with them a belief that the judicial system does not exist to help them, but rather to hinder them. As a result, they are less likely to turn to and trust the criminal justice system in the United States, especially when their own personal biases towards the police are reinforced by images of police and community dissension, in the media and even in their neighborhoods. Private victim service agencies are perceived to be a part of the larger criminal justice system, so even those providers are impacted by this wide-spread mistrust.

On Native American reservations, there are governing and autonomy issues. If a major crime is committed on a Native American reservation, the Federal Bureau of Investigation assumes jurisdiction, even if that crime is committed within a family. The result is that the whole force of the government is behind the investigation, trial, and sentence, rather than a smaller police department, a county court, and a local jail. In an effort to shield themselves, their families, and their communities from intervention by the federal government, some victims are less likely to seek assistance from the criminal justice system, or from any program associated with the system.

According to Mary Kovener of Victims 2000, reporting mandates for the disabled are similar to those for child abuse. Disabled victims of abuse or neglect may be reluctant to seek help for fear of being perceived as incompetent and relocated to a nursing home or other care facility.

Barrier #11: Fear of Deportation

Undocumented immigrants who are victims of crime are hesitant to contact an authority of any type for fear of being deported. Many immigrants may fear accessing health care because of anti-immigrant legislation requiring health care providers to deny non-emergency care and report suspected undocumented persons...³

Immigrant and refugee women who are dependent on their husbands for their legal status will be much less likely to take steps to remove themselves from an abusive marriage. Often, batterers or perpetrators of other crimes can use this as leverage over their victims. The Violence Against Women Act of 1994 provides some protection for women in such situations. The immigrant section of the act states that a spouse or child of a U.S. citizen or legal permanent resident who is the victim of battering or "extreme cruelty" in the home can file a petition with the Attorney General. If it is determined by the Attorney General that deportation "would result in extreme hardship to the alien," the victim will not be deported. However, there is not yet widespread knowledge and understanding of the law, and the fear of

deportation brings with it the fear of being separated from one's children, bringing difficulties or shame to families in the country of origin, and leaving an established support network in the United States.

Barrier #12: Loyalty to Own Cultural Group(s)

If someone has been victimized by a member of his/her own cultural group, there may be a hesitancy to report crimes or talk about them outside of the cultural community, as this could be viewed as a betrayal of one's community or "airing dirty laundry." If it is widely known that a crime is being committed within a particular group, it can be viewed as a source of weakness. Groups that, due to societal discrimination, have had the need to assert their own cultural identity, political voice, and civil rights will be even more reluctant to open their communities to external examination. This might be a factor in the choice made by some African-American women, who, finding themselves in a violent relationship, refrain from reporting their abusive partners (especially if they are men), given the negative experiences of many African-American men in their interactions with the criminal justice system.

Barrier #13: Shame and Taboo

Each culture has its taboos, and certain types of crime can bring shame upon victims. Many women are terribly ashamed if they are sexually assaulted or battered by their partners. In some instances, women may not be assured of family or community support. One interviewee cited instances of some Latina women confiding in church officials and being told to "go home and be a good wife."

There are instances in almost all cultures when a woman who has suffered domestic abuse, rape, or sexual trafficking is believed to be at fault. For example, an Indian woman in the United States refused to leave her abusive marriage until her younger sister in India had found a husband, for fear that her own actions would reflect poorly on her sister. Men who are victims of domestic violence or sexual assault are often ashamed of their inability to protect themselves— such victimization conflicts with conceptions of masculinity and strength. Victims of elder abuse often suffer at the hands of their children. They can feel deeply ashamed and guilty as a result of their children's behavior. This shame can prevent victims from reporting crimes or from being open about the details of the assault. If police actually do get a call from some of these victims, it is likely that the situation is extreme.

Barrier #14: Cross-Cultural Communication

Although language is often the most apparent and challenging barrier to communicating with crime victims, there are many other aspects of communication that can either impede or facilitate service delivery. In fact, it is estimated that almost 80 percent of our communication is done non-verbally. Gestures, body language, eye contact, smiles, laughter, and needed personal space can all contribute to misunderstanding or miscommunication. Providers and victims can assume that words and gestures have a set meaning. Although both parties may speak English, words such as victim, crime, compensation, community, pain, fear, and justice may have very different implications for different people. Modes of expression can also differ from culture to culture. In many cultures, the way one is introduced or referred to communicates a level of respect and regard. While some people might talk very directly about what they feel or need, others rely on the context and indirect references to express meaning. In some Native American tribes, for example, storytelling and oral history have tremendous importance.

People with cognitive disabilities are particularly vulnerable to crime. When working with individuals with cognitive disabilities, it is important to ensure they understand their rights and the process ahead. "Our methods for understanding what someone understands are not great," says Lisa Nerenberg of the Goldman Institute on the Aging. Non-verbal communication is as important as language. Smiling,

silence, gestures, nodding, eye contact, and touch can have different meanings in different cultures, and providers must be aware of both the messages they may be sending and their interpretations of others' non-verbal signals.

Barrier #15: Prejudice

Prejudice and preconceived notions about groups of people can impede a provider's capacity for compassion. Although prejudice can be blatant, it is more often a subtle manifestation of the misinformation taught and reinforced through families, media, school, and lack of exposure to difference. For example, a provider might make the assumption that a person with a strong accent is uneducated or poor; that a man who is a victim of rape is gay; that someone who is on public assistance does not have the intelligence or ability to understand the legal system; or that a gay victim of domestic abuse is not monogamous.

Another manifestation of prejudice is the tendency to lump all members of a cultural group together, rather than viewing them as individuals influenced by a variety of dynamic and interactive forces. The generalization of entire groups of people relies on stereotypes and defining people as "other" or "different" and somehow "less than" the mainstream. It is not difficult for most members of marginalized groups to distinguish when they are the victims of prejudice.

Not only does stereotyping impede the provider's ability to discern a victim's needs, but it also serves to break down the trust and mutual respect that are essential to effective service delivery.

Barrier #16: Expectations of Service Provider's Role

Whether service providers work through a police department, a prosecutor's office, or a private agency, there will be differing expectations among victims of that provider's role and scope of responsibilities. The potential discrepancy between the provider's and victim's expectations can be compounded when the interaction takes place across cultures. For instance, some people may expect that the service provider will offer holistic and broad assistance: providing transportation, assisting the victims with past due bills, participating in a parent-teacher conference, inviting the victim to dinner, helping them learn English, or accompanying them to family gatherings. Others might expect that the service will be much more narrow and targeted: talking only about the crime and legal proceedings; and if conversation strays to the emotional impact of the crime, family coping strategies, or potential difficulties with money, some victims might feel embarrassed or exposed. These differing expectations can result in misunderstanding, disappointment, defensiveness, anger, and a breakdown of trust.

Barrier #17: Grieving and Healing Processes

Culture is central to the process of grieving, expressing pain and fear, and healing. Those who work with victims are often not aware of the variety of paths to healing. "All crisis intervention methods and counseling modalities are based upon specific philosophies of suffering and healing. Approaches that are derived from conventional Western theories are most prevalent in victim services."⁴ For example, empowering a battered woman usually consists of building independence and self-sufficiency. A battered women's program for Asian women in San Francisco was criticized for nurturing dependent relationships. In fact, according to Brian Ogawa, author of *Color of Justice*, one of the most painful ramifications of leaving an abusive spouse for many Asian women is the feeling that they are disconnected and cut off from their community.

The program in San Francisco sought to build new connections and provide women with a support network and sense of fellowship.

One interviewee said that some Native Americans speak about pain and grief in images, dreams, and symbols. A service provider listening for descriptions of “feelings” may not hear the messages her/his client is communicating.

Parsons writes, “Ethnicity...shapes how the client views his or her symptoms, and the degree of hopefulness or pessimism towards recovery. Ethnic identification . . . determines the patient’s attitudes toward his or her pain, expectations of the treatment, and what the client perceives as the best method of addressing the presenting difficulties.”⁵

Barrier #18: Conceptions of Privacy

Many people feel that certain types of crimes such as sexual assault and domestic violence should be dealt with within a family or community. “Victims may feel that sexual assault is an issue to be resolved by the family, the clan, or the ethnic or racial community, not by professionals or public agencies.”⁶ Victim assistance providers must acknowledge that there are times when this approach is best for the victim and family. What is important is that victims get what they need and do not suffer needlessly due to lack of support, knowledge, or resources. If victims seek out services, it is important that those working with them do their best to respect the victim’s sense of privacy.

Barrier #19: The Role of the Family

Many victim service providers tend to focus on the needs of an individual victim rather than the extended family or community. However, there are times when the family is highly impacted by the crime committed against one of its members. “...Social and cultural factors have a strong influence on family life. They shape attitudes and create expectations about family relationships and responsibilities. They affect whether or not family members live together and provide care to one another.”⁷ For instance, it is possible that a family would prefer to send a representative in lieu of the victim to talk to the police, prosecutor, or victim advocate. Family expectations are particularly relevant in cases of sexual assault, child abuse, and elder abuse.

An interviewee suggested that some African-American women have trouble with many programs designed for battered women. Often the implicit message in these programs is, “I’m good and he’s bad.” To many women, family is important and that sort of judgment, however subtle, is disturbing.

One interviewee talked about the importance of family to women from India living in the United States with abusive spouses. While in India there might not be enforced laws in place to curb violence against women as in the U.S., there are neighbors and family in close proximity that will intervene and stop the abuse. Women living in the U.S. are often more isolated from family, and neighbors may be hesitant to intrude, as they might feel that domestic disputes are private. Concepts of privacy and family are quite different.

Diversity Wheel



Diversity may be defined as the mixture of apparent and invisible psychological, physical and social characteristics, as well as life experience, that affect our view and interaction with the world, including but not limited to:

- Race
- Ethnicity
- Nationality
- Religion
- Culture
- Location
- Language
- Learning style
- Educational experience
- Political affiliation
- Sex
- Real or perceived gender identity or expression
- Sexual orientation
- Economic class
- Social class
- Mental/physical ability

It is important to recognize our own perception of diversity, and not minimize or demoralize others' personal characteristics and/or life experiences.

A diverse group, community, or organization is one in which a variety of social and cultural characteristics exist. Those who are affected by sexual assault are numerous and diverse. As such, we strive to be aware of and sensitive to diversity in preventing sexual assault and assisting victims of sexual assault.

Advocating for Victims with Disabilities

Examples of People First Language	
Say:	Instead of:
• People with disabilities.	• The handicapped or disabled.
• He has a cognitive disability (diagnosis).	• He's mentally retarded.
• She has autism (or an autism diagnosis).	• She's autistic.
• He has a diagnosis of Down syndrome.	• He's Down's.
• She has a learning disability (diagnosis).	• She's learning disabled.
• He has a physical disability (diagnosis).	• He's a quadriplegic/crippled.
• She's of short stature/she's a little person.	• She's a dwarf/midget.
• He has a mental health diagnosis.	• He's emotionally disturbed/mentally ill.
• She uses a wheelchair/mobility chair.	• She's confined/wheelchair bound.
• He receives special ed services.	• He's in special ed.
• She has a developmental delay.	• She's developmentally delayed.
• Kids without disabilities.	• Normal or healthy kids.
• Communicates with her eyes/device/etc.	• Is non-verbal.
• Customer	• Client, consumer, recipient, etc.
• Congenital disability	• Birth defect



Ten Things to Remember

When Communicating with People with Disabilities

- 1) Look and speak directly to the person rather than communicating with them through their companion.
- 2) Shake hands with the person.
- 3) When meeting a person who is visually impaired, identify yourself and those with you.
- 4) Provide assistance only when the offer has been accepted.
- 5) Address people who have disabilities by their first name, only when extending the same familiarity to others.
- 6) Wheelchairs and other apparatus are part of an individual's personal space. Don't lean or hang onto this equipment or the person who uses it.
- 7) Listen attentively when talking to a person who has difficulty speaking. Be patient and wait for the person to finish rather than correcting them or finishing off their sentences. If you haven't understood something, ask the person to repeat it.
- 8) When speaking with a person who uses a wheelchair or crutches, place yourself at eye level to facilitate the conversation.
- 9) To get the attention of a person who is deaf, tap the person on the shoulder or wave your hand. For those who read lips, face a light source and keep hands, food, and cigarettes away from your mouth when speaking.
- 10) **Relax.** Don't be embarrassed if you happen to use terms such as "See you later" or "Did you hear that?" And don't be afraid to ask questions when you're unsure what to do. Ask the individual about the best way to communicate if you are unsure.

Tips for Working with Sexual Assault Survivors with Disabilities

- Each individual is different in terms of skills and needs. Do not make assumptions about a person's abilities based on his/her appearance. Do not be afraid to ask the person what support they need from you.
- Go slow in getting information out about the sexual abuse/assault incident(s). Remember that many individuals with disabilities have been told not to talk about it. They may feel very embarrassed and uncomfortable.
- Include information and education on self-protection and assertiveness to reduce the risk of future victimization. This may include how to know when a situation is dangerous, how to say no to unwanted sexual activity, and the importance of telling someone what happened.
- Involve parents, caregivers, spouses, intimate partners, or family members if the survivor consents. They will need information about what to expect, how to help the individual with healing, and basic information about sexual abuse. They often have misconceptions about who is to blame and what the survivor should have done or have not done.