

Factors Creating Communication Challenges between refugees, immigrants, and Law Enforcement:

1. Social norms and non-verbal communications (Gestures, personal space, eye contact, etc...)
2. Verbal communication (Language)
3. Religion (Animal sacrifice, fasting, etc...)
4. Cultural practices (Marriage, FGM and circumcision, corporal punishment, home remedies, etc...)
5. Trust and unfamiliarity with the US system (Law enforcement officers are not the perpetrators, etc...)
6. The aftermath of trauma and war (Violent reactions to unfamiliar or suspicious situations)
7. Fear of seeking help (Immigration issues, cultural taboos, community isolation, personal issues, etc...)

Things to keep in mind when you introduce yourself to your client:

- State your name, title, what your job is, and explain why you are helping the client even if he or she is not the one paying for the services. Explain in simple terms how the system works. (The Federal Government has special money for representations of people who cannot afford a lawyer, etc...)
- Explain to the client who else is on his/ her team of defense, so they do not think that you are betraying them if someone else is in the same room. This helps in building trust between you and your client.
- Explain how confidentiality is important and is respected in this country by lawyers, interpreters, etc...
- Explain also when things are not confidential, and have to be reported by law
- Make sure to always consult with an immigration lawyer

Things to keep in mind when working with refugees and/ or immigrants:

- Know the difference between a refugee, an immigrant and an asylee
- Be aware that if your client does not like what you are telling them, they will not hear what you are saying, and might ask you to explain things again the next time you see them.
- Keep asking your client during the conversation if they have any questions
- Always assume that your client does not understand the legal terms, use simple words and ask questions to ensure that he/ she understands.

- Give yourself more time when working w/ a client who does not speak English (allow extra time for interpreting, small talk to break the ice, etc....)
- It might take time to get the client to open up, and after that things will move faster (like a gum stuck on your shoes, as you move away it stretches and you move slowly, until it breaks off then you can move faster). Keep in mind that what is considered personal vs. what can be discussed with strangers is different in other countries than it is in the U.S.
- Be aware that there are a lot of issues that play a role in having your client feel comfortable in sharing information with you. (Cultural taboos, shame and the effect of the case on the immediate family, extended family, and community, the effect of the case on immigration status, etc....)
- Address refugees fears if they report or cooperate w/ you (isolation from the community, CPS, spouse or family members taking their kids out of the country, financial issues, support of immediate and extended family members, etc....)
- Be aware that there might be some fear of any authority figure and lack of trust, because the government represents the enemy, and law enforcement is the perpetrator to a lot of refugees. Bribes, corruption, and high expectations exist in a lot of countries
- Be aware of the fact that abuse mean different things in different countries
- Be aware of the cultural issues and practices that are unusual to Americans and might raise a red flag or cause problems (animal sacrifice, home remedies, forms of speech, marriage, corporal punishment, living w/ extended family members, etc....)
- Be aware of non-verbal issues related to your client's culture (gesture, personal space, body language, etc....)
- Be accessible even by a phone call at the end of the day (big step for them to call you if they don't speak English), after that Legal Assistant can help
- Be aware that laws are different in other countries especially with custody, domestic violence, divorce, honor killing, discipline, etc....
- Consequences of committing a crime is different for refugees than U.S. citizens; depending on the crime, a refugee might be deported (which represents a death sentence in some cases) vs. going to jail
- Counseling is conducted in English and not in the client's native language, so it does not help.

Things to keep in mind when working with interpreters:

- Always use a trained interpreter, and emphasize on the confidentiality issue. It is the law under Title IV of the Civil Rights Act for any federally funded agency to use a trained interpreter to ensure equal access to services. Never use family members as interpreters, especially children.

- Match the interpreter's dialect and gender to the client's especially in sensitive cases. (Use the "I speak card" to identify your client's language and dialect)
- Meet with the interpreter before meeting with the client, to get the interpreter up to speed on the case. Explain to the interpreter what the case is about, what you are looking for, and make sure that he/ she understands all the terms you are using before you meet the client. Go over the key elements and how you plan to ask the questions (first general questions, then specifics, then we fill in the details, etc....)
- Follow the do's and don'ts when you are working w/ an interpreter (addressing the client not the interpreter, eye contact, seating arrangements, expectations and roles, checking for interpreting accuracy, etc...)
- Use direct short simple sentences. Avoid using idioms, abbreviations, etc...
- Make sure that the responder and the petitioner are not sharing the same interpreter in court
- Revisit important instructions, and have the client repeat it to you to make sure that they understand

Additional important things to do to help you in future cases:

- Build relationships with the different ethnic communities and refugee resettlement agencies for support
- Build a good relationship with the client's advocate, and make sure that they include you in the consent that the client signs, to be able to discuss the case with you.
- Do community outreach programs to educate the different populations about the law in the U.S in order to minimize the conflict between them and law enforcement.