

Collaborating for Equitable Language Access for Survivors of Sexual Assault: (1) Interpreter Services for Forensic Clients



Ana Paula Noguez Mercado, LL.M, M.A., LL.B.
Flor Castellanos Sanchez, B.A., M.A.
Angelita Olowu, BSN, RN, SANE-A, SANE-P
Hannah Chin, MSW

July 22, 2021

Acknowledgement & Disclosures

- This presentation was made possible in part by funding provided by an award from the Office On Violence Against Women, U.S. Department of Justice Grant No. 2018-SI-AX-K002 and an award from the **Office for Victims of Crime, U.S. Department of Justice** Grant No. 2018-V3-GX-K061. The opinions, findings, conclusions, and recommendations expressed in this presentation are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women or the Office for Victims of Crime.
- The International Association of Forensic Nurses is accredited as a provider of nursing continuing professional development by the American Nurses Credentialing Center's Commission on Accreditation.
- The planners, presenters and content reviewers of this presentation disclose no conflicts of interest.
- Upon attending the course in its entirety and completing the course evaluation, IAFN members will receive a certificate that documents 2 hours of nursing continuing education.

Presenters

Ana Paula Noguez Mercado,
LL.M, M.A., LL.B
Interpretation Training and
Technical Assistance Coordinator



Flor Castellanos Sanchez B.A., M.A.
Founder and Director
of Speakworthy Language Services



Presenters

Angelita Olowu BSN, RN,
SANE-A, SANE-P
Forensic Nursing Specialist
IAFN



Hannah Chin, MSW
Forensic Interview



LEARNING OUTCOME

Participants of this webinar will have an increased knowledge on the importance of language access for patients experiencing sexual violence, as well as the Ethical and Guiding Principles that support both interpreters and clinicians in providing effective and meaningful communication



Collaboration is Essential



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Intimate Partner Violence

The term "intimate partner violence" or IPV describes physical violence, sexual violence, stalking, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

©Center for Disease Control and Prevention (CDC)

Domestic Violence

The term "Domestic Violence" or DV describes the use of physical violence, sexual violence, psychological harm, and other abuse behaviors against another that takes place within a household.



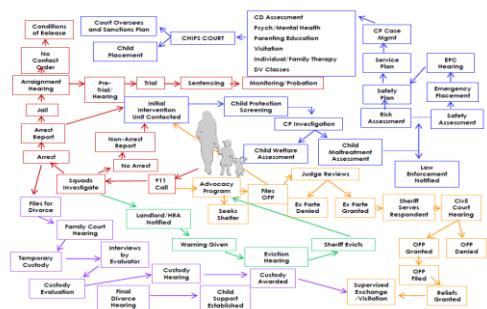
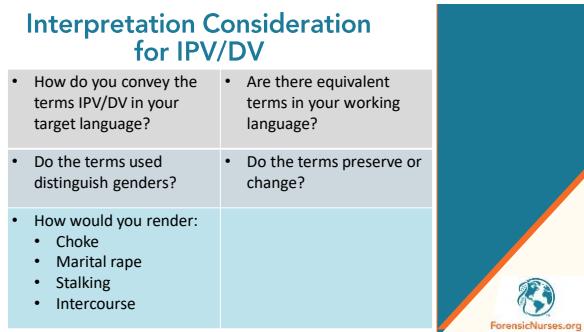
IPV/DV Dynamics

In both instances, there is an ongoing, debilitating pattern of abuse behavior used against another individual to maintain power and control over them.





Prevalence & Incidence





Sexual Violence

Sexual violence is defined as: any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.

-World Health Organization

Prevalence & Incidence



Interpretation Consideration for Sexual Violence (SV)

Language shaping responses

- a. Seduced vs. raped
- b. Victim blaming
- c. Using consensual language to describe assaultive acts
- d. Portraying violence

Interpreting

- a. Ensuring accurate interpreting
- b. Preserving the account of events



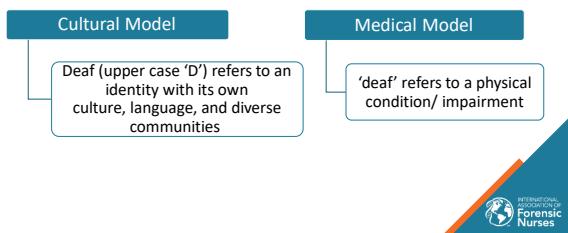
Who are Individuals with Limited English Proficiency (LEP)?

Individuals with LEP are those individuals who do not speak English as their primary language and have a limited ability to:

- read
- write
- speak or
- understand English



Who are Deaf or Hard of Hearing (HoH) Individuals?



Who are Deaf or Hard of Hearing (HoH) Individuals?

- Deaf and hard of hearing is often understood as a disability issue, but it is also a cultural and language identity
- English is usually a second language for people who are born Deaf
- **LEP and D/HoH intersect!**





Why Language Access?

• Legal Mandate

- Title VI of the 1965 Civil Rights Act
- Executive Order 13166
- ADA



• Ethical Mandate

- Ensuring access beyond convenience
- Victim Centered Services

What is Meaningful Access?

Defined in the DOJ's own Language Access plan as:

"Language assistance that results in accurate, timely and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed or inferior, as compared to programs or activities provided to English proficient individuals"



Impact of Compliance

- Exercising legal rights
- Accessing victim services
- Communicating with the MDT
- Navigating the process
- Participating fully in relevant proceedings
- Filing for protection orders, custody, divorce, and child support.



Introduction to the Forensic Interview (FI)



Introduction to the Medical Forensic Exam (MFE)

Purpose of the Exam

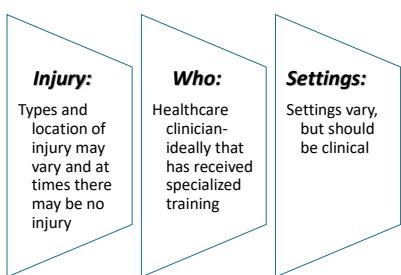
- Address the healthcare needs of the patient
- Promote the health and wellbeing of the patient
- Address the needs of the justice system



Medical Forensic Exam Process

- Informed Consent and Assent from
- Complete medical history
- History of events related to IPV/DV/SV
- Complete physical assessment and treatment
- Evidence collection
- Planning for safety, follow-up care, and resources

Medical Forensic Examination



Cross-Language Communication Tools & Roles

| In-language support (direct communication) | Translation (facilitated communication) | Interpreting (facilitated communication) |
|---|---|---|
|  |  |  |



Shadowing/ Interpreting Activity

Instructions:

- 1) The facilitator will read a paragraph.
- 2) Listen intentionally and do not take notes!
- 3) Once the facilitator is done speaking, repeat the message in English.
 - Interpreters can render the message into one of your working languages.





Poll Question

What percentage of the message were you able to repeat/render accurately?



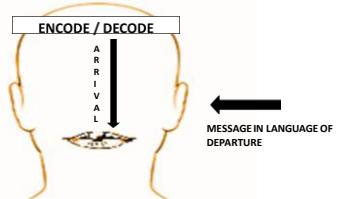
- a) 0-25%
- b) 25-75%
- c) 75-100%

Chat Question

What did you find challenging about this exercise?

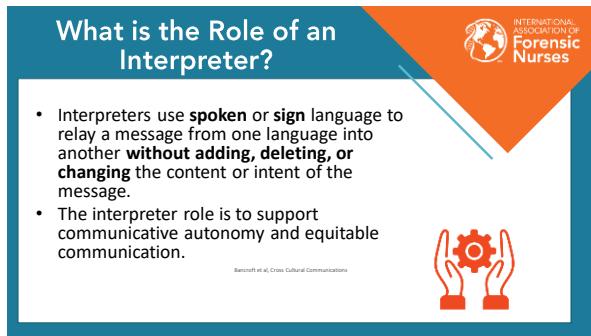


Brain Function in Spoken Interpreting



What is the Role of an Interpreter?

- Interpreters use **spoken** or **sign** language to relay a message from one language into another **without adding, deleting, or changing** the content or intent of the message.
- The interpreter role is to support communicative autonomy and equitable communication.





Interpreter Certifications

Spoken Language:

Certifying and Accrediting Bodies:

- American Translators Association (ATA)
- State and Federal Administrative Offices of the Courts
- National Association of Judiciary Interpreters (NAJIT)

Registered – Depends on Court Specializations:

- Legal
- Medical
- Educational (Washington)

Legal implications for interpreters working in the FI and MFE settings



Poll Question

What reason would interpreters need trauma-informed training?

- a) To better understand the affects of trauma on forensic proceeding in communities with LEP
- b) Because of their own experience with trauma
- c) Because a trauma informed approach is a trend in victim services



Trauma Considerations

- Interpreters have power and privilege
 - Interpreters should be aware of their own biases when interpreting
 - Interpreters should be trained in interpreting for IPV/DV/SV – not everyone may be able to do this.
 - Interpreters may also experience vicarious trauma



Vicarious Trauma



<https://www.rewire.org/are-you-experiencing-vicarious-trauma/>



Ethical Guiding Principles for Interpreters Working Outside the Courtroom

1. Accuracy
 2. Integrity
 3. Impartiality
 4. Professionalism
 5. Confidentiality
 6. Scope of Practice
 7. Impediments to Performance
 8. Ethical Violations
 9. Professional Development



Research. Educate. Lead.



Principle # 1- Accuracy

"The interpreter shall render complete and accurate interpretation or sight translation, without altering, omitting or adding anything...and without explanation."



Research. Educate. Lead.



Principle #2- Integrity

Complete honesty in all aspects of your professional life.



Research. Educate. Lead.



Principle # 3- Impartiality & Conflict of Interest

- "The interpreter shall be impartial & unbiased & shall refrain from conduct that may give an appearance of bias or conflict of interest...."
- "The interpreter shall disclose ... any real bias or interest in the parties or witnesses ..., or any situation or relationship that may be perceived ... as a bias or conflict of interest...."





Principle #4- Professionalism

- Appropriate Dress
- Well-modulated Voice
- Timely Appearance
- No Inappropriate Behaviors



Principle #5- Confidentiality

- In all interpreter codes
- Sensitive subject matter
 - Legal
 - Medical
 - Mental Health
 - Shelters
- Physical danger
- Small, close-knit communities





Principle #6- Scope of Practice

- Interpreters are not licensed therapists, medical doctors, attorneys, or cultural anthropologists.
- Interpreters should NEVER offer legal advice or cultural advice.

Research. Educate. Lead.



Principle #7- Impediments to Performance

"The interpreter shall...assess his or her ability to deliver interpreting services. When the interpreter has any reservations ...the interpreter shall immediately convey that reservation to the court."

- Linguistic
- Environmental
- Bias
- Physical
- Terminological
- Fatigue

Research. Educate. Lead.



Principle #8 Duty to Report Ethical Violations

- Request for you to break the law
- Requests for you to breech your ethical duties as an interpreter
- Any observance of any of these behaviors in others



Research. Educate. Lead.



Principle #9 Professional Development

"The interpreter shall continually improve his or her skills & knowledge & advance the profession through activities such as professional training & education & interaction with colleagues & specialists in related fields."

Checklist for Interpreter Services in Forensic Settings

| Interpreter | Provider |
|-------------|----------|
| | Pre |
| | During |
| | After |



Checklist Handout

| Interpreter Services in Forensic Settings Brief Checklist | |
|--|---|
| Interpreter | Provider |
| Planning for the session | Planning for the session |
| <ul style="list-style-type: none"> 1. Obtain patient details 2. Review familiar with session protocols and personal communication style 3. Request Pre-lesson with Provider | <ul style="list-style-type: none"> 1. Determine if interpreter is needed or desired and know how to request an interpreter. 2. Request Pre-session with interpreter. 3. Confirm interpreter's availability and confirm interpreter's information matches request. 4. Inform interpreter in advance about the nature of the proceeding. |
| During the session | During the session |
| <ul style="list-style-type: none"> 1. Perform introduction (bilingually addressing the client first in their language) 2. Encourage client to speak directly to interpreter 3. Use a modulated tone of voice that reflects the client's needs 4. Ask for a break if the session takes longer than an hour (interpretation/transliteration/bilingual/interpreting teams) 5. Respect the boundaries of the interpreter role 6. Do not step outside of the interpreter role | <ul style="list-style-type: none"> 1. Allow the interpreter time to conduct their professional interpretation without interruption. 2. Check for understanding from time to time if using very complex language or jargon. 3. Monitor the interpreter's performance, behavior and reactions. 4. Monitor the client's reactions to the interpreter's performance. 5. Monitor for possible communication barriers between client and interpreter. 6. If you are having trouble communicating through the interpreter, ask the client if they would prefer to communicate using problems, consider working with a different interpreter. |
| After the session | After the Session |
| <ul style="list-style-type: none"> 1. Debrief 2. Practice Self-Care (short term & long term) | <ul style="list-style-type: none"> 1. Support Interpreter's Self-Care |



Closing Reflections

Think about:

1. **one commitment** relating to **language access and communicative autonomy**
2. **one commitment** relating to **trauma-informed interpreting** that you can make and implement in the next month.



Questions.....



Interpretation Technical Assistance & Resource Center (ITARC) Resources



- Interpreter Skills Building Training for Bilingual Individuals
- Language Access Planning and Compliance
- Interpreting for DV/SA Victims
- Interpreting for LGBTQ Victims and Survivors
- Cultural Responsiveness
- Technical Assistance on
 - Systems Advocacy
 - Language Access Planning and Protocols
 - Identifying qualified and certified interpreters

Additional API-GBV Resources



- Resource Guide For Advocates & Attorneys On Interpretation Services For Domestic Violence Victims, 2016: <https://www.api-gbv.org/resources/interpretation-resource-guide/>
- Survivors With Limited English Proficiency: Barriers To Access: <https://www.api-gbv.org/resources/survivors-with-limited-english-proficiency/>
- Serving Individuals Who Are Deaf, Hard Of Hearing Or Deaf-blind And Do Not Use American Sign Language, 2015: <https://www.api-gbv.org/resources/deaf-blind-hard-of-hearing/>
- Guiding Principles for Interpreters in cases involving Domestic Violence, Sexual Assault, Sexual Abuse and Human Trafficking: <https://apinstitute.box.com/s/ogflrvfy6v6l25f9fh2z7plxx31ngzh>

Contact Information

- Ana Paula Noguez Mercado
Email: anoguez@api-gbv.org
 - Flor Castellanos Sánchez
Email: flor@speak-worthy.com
 - Angelita Olowu
Email: adolowu@forensicnurses.org
 - Hanna Chin
Email: hannah.j.chin@gmail.com



Future Webinars In This Series

- Collaborating for Equitable Language Access for Survivors of Sexual Violence: (2) A Healing-Centered Approach to Interpreter Services for Forensic Clients
July 29th 3p-5p EST
 - Collaborating for Equitable Language Access for Survivors of Sexual Violence: (3) Interpreter Services During the Forensic Interview
August 12th – date pending
 - Collaborating for Equitable Language Access for Survivors of Sexual Violence: (4) Interpreter Services During the Medical Forensic Exam
August 31st - date pending



www.SAFEta.org Resources

Access to telephone or personalized e-mail technical assistance from the International Association of Forensic Nurses.

Email: contact@safeta.org
Professional Resource Line: 1-877-819-7278





Thank you for joining us today!!
