

# **The Victimization and Vulnerabilities of Immigrant Children: The Importance of English Proficiency**

by  
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## **The Problem**

**The social, economic, and political debate on U.S. immigration policy is heated and controversial. Although the debate concerns a complex social issue, often discussed with biased views as well as conflicting information, there are some data which are certain.**

Although much of this debate focuses on the 12 million “illegal” immigrants, there are currently over 19 million documented immigrants in the United States. Mostly left out of this debate are the 15 million children living in immigrant families. Many live with undocumented parents, but an estimated 10 million immigrant children are U.S. born citizens. As U.S. citizens, immigrant children are entitled to public services, aid, and assistance; however, their undocumented parents typically do not interact with public agencies for fear of deportation.

Nevertheless, immigrant children, especially the Latino/a and Asian-American population, like their parents, are greatly impacted, often detrimentally, by this controversial political and social issue. Twenty percent of the child or adolescent population in the United States is represented by Latinos and Asian-Americans. This proportion of Latino/a and Asian-American children in our nation is expected to rise to thirty three percent by the year 2050. Three out of five Latino children and four out of five Asian-American children live in families that have at least one parent who is a first-generation immigrant. In other words, about sixty percent of Latino/a and eighty percent of Asian-American children are, or have a parent, that is a non-native English speaker.

Because of recent immigration trends, children with immigrant parents—whether documented or not—are the fastest growing segment of the nation’s population. The well-being of immigrant children is clearly influenced not only by the legal status of their parents, but also by the family income and structure, parental work patterns, educational attainment, and level of English proficiency. However, the role of immigration-related characteristics, such as English proficiency, needs further attention. Although there is no official language in the United States, language is at the core of the social and policy debate over immigrants’ impact on American culture. In turn, many of the factors associated with the victimization and vulnerability of immigrant children are associated with English proficiency.

Limited English proficiency is linked to the adverse treatment and experiences of immigrant children and their families in many social domains such as education, criminal justice, manmade and natural disasters, and public health. In educational institutions, immigrant children with low English speaking capabilities are often subjected to negative and detrimental treatment by all members of the school community. In the criminal justice domain, immigrant children and their families are more vulnerable to crime for fear of approaching the law enforcement authorities. In the area of disaster research, in the wake of hurricanes Andrew and Katrina, language barrier problems arose in the simple process of filling out FEMA assistance forms, which furthered the

delay of disaster relief for immigrant children. In the public health domain, the lack of English proficiency is linked to restricted access to health care, services, treatment, and medication. As a result, immigrant children are vulnerable to discrimination, and potentially victimized, due to their limited English proficiency.

## **The Research Evidence**

**The lack of English proficiency for immigrant children is associated with a number of detrimental social and institutional experiences within the United States.**

### **Education and the vulnerabilities of immigrant children**

Within the last decade, there has been an estimated twelve percent increase in the overall student population in our nation. However, there has been an eighty-four percent increase in the limited English proficiency (LEP) immigrant student population within the same time frame. Since 1970, the number of children K-12 who speak Spanish at home doubled from 3.5 to 7 million, while the number of children speaking Asian languages tripled from 0.5 to 1.5 million.

In the daily experiences of immigrant children, English proficiency is associated with a number of student experiences within U.S. schools. Immigrant children with thick or heavy accents and low English speaking capabilities are often subjected to negative treatment such as discrimination, ridicule, and harassment from other students, teachers, and school administrators. LEP students are often placed in classes or academic tracks far from the mainstream classes. Their parents are less able and likely to effectively help children with homework and participate in school activities. In addition, English proficiency acts as a barrier for participation in some school-based extracurricular activities. Teachers are less likely to communicate with LEP immigrant children's parents for exemplary or problem behavior. The grade assignment and placement of LEP students are often based on grouping students with LEP in the same class to serve as interpreters for each other which often results in immigrant students intentionally being assigned to the wrong grade.

Most researchers have indicated that the U.S. educational system is not providing adequate resources to effectively educate immigrant children. In addition, only one sixth of higher education institutions prepare teacher candidates to effectively meet the educational needs of LEP students. There are some educational policies and programs that have attempted to address the needs of immigrant students, such as offering English to speakers of other languages (ESOL) programs and teachers and bilingual education, but ESOL programs are not found to be effective. It usually takes five years for immigrant children to learn "academic English." However, most ESOL programs are only offered for two or three years. This suggests that most immigrant students are only attaining "conversational" English speaking skills in American schools. As a result, LEP children are disadvantaged and setup for failure in the U.S. educational system. LEP students have more hurdles and barriers to overcome in their pursuit of educational access and success.

## **Criminal justice and the vulnerabilities of immigrant children**

Although in August 2000, President Clinton issued Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, a number of findings reveal the vulnerabilities of the LEP immigrant community in terms of their contact with the criminal justice system. Immigrant victims are turned away when they try to report a crime at a police precinct because of their limited English proficiency. Trials are often delayed, especially in jurisdictions where immigrants represent a relatively smaller percent of the community, because a qualified interpreter cannot be found for a witness or defendant with LEP. Criminal justice agents and representatives such as police officers, lawyers, intake officers, and others indicate that they spend much less time and effort with the LEP immigrant population because of their frustration with the language barrier. The immigrant victim's privacy is usually compromised because police officers often include neighbors or family members to interpret the victim's case.

The lack of English proficiency increases the vulnerability of crime for immigrants in three prominent ways. First, immigrant children and their families may not have the ability to communicate their concerns or fears to legal authorities because of their insecurity or lack of the language skills necessary for such communication. Second, immigrant children believe that their LEP could be interpreted as an indicator of their legal residential status. In other words, both immigrant children and adults often do not report a crime to legal authorities, or to the police, for fear it would complicate legal and citizenship matters for themselves and their families. Third, immigrant children, as victims and offenders, who have LEP receive inadequate and inefficient service, attention, and assistance in comparison to native English speakers. Language barriers make it much harder to build trust with victims and clients who come into contact with the criminal justice system. It is difficult for immigrant parents with limited English skills to advocate for their children. As a result, immigrant children and their families who do not speak English proficiently may be more vulnerable to crime, violence, and injustice.

## **Manmade and natural disasters and the vulnerabilities of immigrant children**

The White House, the U.S. Congress, and state and local governments have made emergency preparedness one of their highest priorities. However, most of the governmental and public agencies that are responsible for ensuring the safety of all human life have made insufficient efforts to address the LEP families and their children. Studies find that only one-third of the agencies offer information on emergency preparedness, mitigation, evacuation, and recovery in languages other than English.

Immigrant parents and families are not obtaining accurate and reliable information across the emergency management spectrum of mitigation, preparedness, response, and recovery which is essential for surviving disasters and emergencies. In the wake of Hurricane Andrew, many migrant workers and immigrants could not fill out Federal Emergency Management Authority (FEMA) assistance forms because the documents issued were in English. In addition, few federal agents sent to assist South Florida victims with their recovery spoke Spanish while no agents spoke Haitian Creole. FEMA's inability to provide forms and assistance in different languages to non-English speaking applicants in South Florida resulted in serious complications in FEMA disaster relief services to immigrant families and children.

Immigrants are rendered more vulnerable to the negative effects of disasters due to language based communication problems. In the disaster response stage, limited English language skills are found to delay or disable emergency response processes for the immigrant population. Latinos and Asian Americans faced barriers during Hurricanes Andrew and Katrina, compounded by issues of language, culture, and their status as undocumented or uninsured residents. Subsequently, delays in governmental disaster assistance and relief services seriously hindered the disaster recovery of immigrant children and their families.

### **Public health and the vulnerabilities of immigrant children**

A number of findings indicate limited English proficiency increases vulnerabilities to the well-being and health of immigrant children. Researchers find that LEP immigrant children are at greater risk of intubation when they have asthma, have longer waits for emergency care, and they are more likely to experience an adverse medication reaction resulting from problems in understanding instructions that are written only in English.

Often immigrant children and their parents do not have the English language proficiency to read or to complete many of the necessary forms and documents in order to receive health care attention, assistance, and services. Immigrant children and their parents might not understand outreach health and safety messages, be aware of public insurance programs and prevention programs, or be able to complete an application for Medicaid. Furthermore, immigrants with LEP are often less acculturated and have poorer educational backgrounds than those with stronger English language skills. Limited English-speaking immigrant parents report that communication with their child's physician is often complicated by language barriers.

### **Recommendations and Solutions**

Most of the immigrant children in the United States are legal residents and citizens regardless of their parents' legal status. As a society, we must recognize the rights and entitlements of these children as U.S. residents and citizens of our nation. Because there is no official language in the United States, we must be inclusive of residents who are foreign-born as well as those whose native languages are other than English. In order to deal with the social problems linked to immigrant children and English proficiency, we must address the inadequacies and inequities in many of our social institutions by offering services, assistance, and care to children whose first language may not be English. Most importantly, it is imperative for policymakers, educators, and administrators to acknowledge immigrant children's vulnerabilities to victimization, exploitation, and discrimination in the institutional domains of education, criminal justice, disaster and emergency management, and health in order to appropriately care for immigrant children in our society.

Public and private agencies (schools, juvenile and family court systems, law enforcement, medical care providers, and social services) that are responsible for educating, protecting, and providing care must acknowledge the vulnerability of the immigrant children they serve. Administrators and civil servants must act with the knowledge that immigrant children are

apprehensive about expressing their ills and problems for fear of placing themselves or their families in “trouble,” regardless of the children’s legal status.

The following are policy recommendations which are applicable for many social institutions that come into contact with any LEP child within the immigrant population. Principals, teachers, police and intake officers, judges, criminal prosecutors, disaster and emergency managers, and health care providers can initiate and sustain a strategic planning process for overcoming language barriers that is appropriate for the children that they serve. The resulting policy should be documented in a language access plan, which includes institutional or agency policy, methods for overcoming language barriers, training for staff, and outreach to the LEP community and immigrant population.

### ***Education***

- Establish access and resources for schools to hire qualified and bilingual staff to coordinate policy matters, monitor, report problems and provide technical assistance needed to serve the needs of LEP immigrant students and their families.
- Require staff development and training for staff at the school district and school site levels related to addressing the needs of LEP students.
- Extend additional financial resources to schools to better support and effectively manage ESOL programs.
- Acquire cultural sensitivity training and investigate how to handle language barriers and cultural differences in regards to testing, curriculum, instruction, and parent and school relations.
- Provide access to interpreters for teachers and staff in order to communicate with immigrant students’ parents about educational opportunities and advancement.
- Require all school districts to offer all essential documentation and forms in multiple languages.

### ***Criminal Justice System***

- Implement a language access plan, which includes agency policy, methods for overcoming language barriers, training for staff, and outreach to the LEP community.
- Ensure professional standards in criminal justice agencies that hire interpreters by testing, training, and monitoring their employees on a regular basis.
- Provide written notices of legal and human rights in multiple languages.
- Provide additional resources to hire qualified bilingual staff to coordinate policy matters, monitor, report problems and provide technical assistance needed to serve the needs of LEP immigrant families with their legal cases.
- Legal and court documents such as notifications, warrants, tickets, subpoenas, and the like also need to be issued in the native languages of the immigrant child and his or her parents.
- Technology should be used to overcome language barriers in the field for police and probation officers.
- Pool resources across agencies to lower costs and improve the quality of translation and interpretation services.

### ***Manmade and Natural Disasters***

- Hazard and emergency warnings and other notifications must be disseminated in the native languages of the community members that emergency managers serve.
- Emergency managers must offer information about emergency and disaster preparedness, mitigation, evacuation, and recovery in languages other than English.
- Emergency managers should incorporate bilingual staff to establish community.
- First responders must have access to either interpreters or at least personal digital translators in order to effectively communicate, aid, and assist survivors of a disaster.

### ***Public Health***

- Health care providers can be trained and taught fundamental phrases and terms in order to communicate with their immigrant children patients and parents.
- Health insurance and medical forms and drug prescription labels and directions should have translations in immigrant children's and parents' native language.
- Society should invest in the medical education of bilingual people and offer financial incentives such as additional pay for bilingual staff members.
- Community based outreach health care centers should be established, with bilingual staff, in order to ensure immigrant children's participation in health insurance programs.
- Health care institutions and hospitals can offer training for community members to become qualified medical interpreters in order to assist their neighbors, colleagues, and friends who are LEP immigrant children through a medical crisis.
- Outreach workers and organizations should promote access to health care that includes education about the availability of language assistance.

### **Key Resources**

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## **About the Author**

Anthony A. Peguero is an Assistant Professor of Sociology at Miami University, Ohio. He received his Ph.D. from University of Miami, Florida in 2006. He is interested in adolescent victimization, and particularly, in how schools serve as contexts of socialization, social learning, and youth violence. His research also focuses on the vulnerability and exposure to violence of children and immigrants.