Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

https://www.vera.org/blog/in-silence-and-in-fear-what-baby-hope-teaches-us-about-immigrant-victims-and-witnesses-of-crime

Public Facing Advocacy Writing

Someone was empowered to speak up. In New York City, home to what many claim to be the most opinionated voices in the country, we often take for granted that people will talkthat theyll share their stories, scream out during an emergency, and tell it like it is. But in the case of Baby Hope, it took two decades for someone, an anonymous tipster, to speak up about a horrendous crime. Now that theres finally an arrest in the 22-year-old cold case, law enforcement and the public want to know why it took so long for someone to speak up. The likely answer: this little girls community lives in fear, and no one felt safe enough to speak up.

It was the summer of 1991 when 4-year-old Baby Hope was found dead in a cooler. None of her family members reported her missing. According to several media sources, the police struggled to find witnesses, family members, or anyone who could shed light on what happened.No one stepped forward. No one called to identify the little girl, Anjelica Castillo, who appeared on English and Spanish police flyers that were plastered throughout the neighborhood. Even today, with a suspect in custody, members of the family are still reluctant to speak. Among immigrant communities, there is a pervasive fear that speaking or working with law enforcement (police or prosecutors) will result in deportations of those who come forward and even their friends or family. If this fear exists in New York City, which prides itself on its diversity, it seems likely that other serious unsolved crimes lurk in parts of the country with punitive immigration enforcement practices. Silence has become a dangerous and an all too common way of dealing with crime and victimization in immigrant communities.

To combat this silence, federal and local efforts are underway to empower immigrant victims and witnesses of crimes to work with law enforcement, particularly police departments. I have worked on severalprograms that provide police with practical tools for engaging immigrant communities. While there are some resources for police, there remains a gap in assistance for prosecutors to effectively reach immigrant victims and witnesses of crime. The limited research and literature on this topic suggest that crimes involving new immigrants are inherently difficult to solve and require a new prosecutorial approach and set of skills.

Prosecutors face several challenges. There is virtually no guidance for how prosecutors and their colleagues can effectively navigate and overcome language, cultural, and other related barriers commonly associated with serving immigrant communities. Such challenges are compounded by a common lack of knowledge of the U.S. justice system among immigrants, in addition to fear and mistrust of justice actors. These challenges significantly impede prosecutors efforts to identify victims, charge crimes accurately, sustain continued victim and witness cooperation, and hold perpetrators accountable.

The progress made among police working with immigrant communities suggests ways to surmount the challenges prosecutors face. These include developing field-informed, practical resources --such as, trainings, model policies, and information about promising practicesto prepare prosecutors to work effectively with victims and witnesses from all segments of their communities.

Baby Hope teaches us that immigrant victims and witnesses of crime are still suffering in silence, afraid of being deported for cooperating with law enforcement. We have a duty to prepare all law enforcement officials to build meaningful relationships with these immigrant communities to dispel that fear, so they can feel empowered to speak out, and keep their communities safe.

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