

# NATIONAL COALITION AGAINST DOMESTIC VIOLENCE

## IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

### WHY IT MATTERS

Domestic violence is a complex problem in any community. However, the effects of abuse on immigrant victims living in diverse communities can be magnified due to cultural differences and fear of seeking assistance. These influences can create barriers for immigrant victims of domestic violence who, because of their immigration status, may face a more difficult time escaping abuse. Such barriers may include lack of knowledge of legal protections, language barriers, fear of the police, cultural pressures and social isolation.<sup>1</sup>

### DID YOU KNOW?

- A New York study shows that between 1995 and 2002, 57% of foreign born women were victims of intimate partner femicide in New York City.<sup>2</sup>
- Married immigrant women experience higher rates of physical and sexual abuse than non-married immigrant women.<sup>3</sup>
- In a study of Latina women in the Washington, D.C. metropolitan area, 27% of the battered immigrant women surveyed stated their fear of being reported to immigration authorities as their primary reason for remaining in an abusive relationship.<sup>4</sup>
- A recent study in New York City found that 51% of intimate partner violence victims were foreign born, while 45% were born in the United States.<sup>5</sup>
- 72.3% of battered Latinas surveyed reported that their spouses did not file an immigration petition on their behalf even though 50.8% of them were qualified to have such petitions filed.<sup>6</sup>
- 20% of 54 undocumented Filipinas living in the San Francisco area reported having experienced some form of domestic violence.<sup>7</sup>

### BARRIERS TO SEEKING HELP<sup>8</sup>

- **Language Barriers**– An inability to communicate may prevent immigrant victims from seeking legal assistance, emergency shelter or other services. For example, victims may not be able to communicate with police responding to an emergency call; batterers may take the opportunity to distort, minimize, or deny the abuse; or abusers may tell the police that the victim initiated the violence resulting in the victim's arrest. Unfortunately, most courts, shelters, hotlines and social service agencies have limited access to interpreters, further isolating the victim from necessary services.
- **Perception of Law Enforcement/Legal System**– Victims may have negative experiences with law enforcement in their country of origin or may distrust the U.S. legal system because of misinformation from abusers.
- **Fear of Deportation**– Abusers may threaten victims with deportation if they complain about abuse, threaten to leave, or threaten to call the police for help. Victims often fear deportation because it may jeopardize the financial or immigration status of the victim and/or children or lead to being ostracized or abused by the victim and/or abuser's family.
- **Cultural/Religious Issues**– Some religions and cultures have strict guidelines for gender roles which may lead victims to conclude that they do not have the right to disobey or leave their abuser. Some religious leaders may instruct victims to remain in abusive relationships. Victims may feel alienated or alone in emergency shelters or when seeking domestic violence services.

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The Public Policy Office of the National Coalition Against Domestic Violence (NCADV) is a national leader in the effort to create and influence Federal legislation that positively affects the lives of domestic violence victims and children. We work closely with advocates at the local, state and national level to identify the issues facing domestic violence victims, their children and the people who serve them and to develop a legislative agenda to address these issues. NCADV welcomes you to join us in our effort to end domestic violence.

## TACTICS USED TO CONTROL IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE<sup>8, 9</sup>

- **Isolation**– keeping the victim isolated from family, friends, community and religious leaders or people that speak the victim’s language; not allowing the victim to learn English.
- **Threats**– threatening to report the victim to INS or threatening to withdraw a petition to legalize immigration status. The abuser often threatens to seek sole custody of the children if the victim reports the abuse or attempts to leave.
- **Intimidation**– hiding or destroying important papers such as passports and green cards, documentation for the children, destroying victim’s only property from the country of origin such as mementos or photographs.
- **Citizenship or Residency Privilege**– failing to file papers to legalize immigration status, lying to the victim that her immigration is legal and/or withdrawing such papers altogether.
- **Economic Abuse**– not letting the victim obtain job training, work or schooling; threatening to report the victim for working “under the table;” taking money the victim wants to send abroad to family; forcing the victim to work illegally.
- **Emotional Abuse**– lying about immigration status, threatening to harm the children or other family members, calling the victim racist or abusive names.

## IF YOU NEED HELP

- If you or someone you know is in an abusive relationship and wants help, call the National Domestic Violence Hotline at 1-800-799-SAFE or visit [www.ndvh.org](http://www.ndvh.org). Advocates with the National Domestic Violence Hotline understand immigration issues and can provide translators for more than 140 languages, 24-hours a day.
- For more resources and to become involved in helping protect battered immigrants please contact the National Network to End Violence Against Immigrant Women at [www.immigrantwomennetwork.org](http://www.immigrantwomennetwork.org).

## WHAT YOU CAN DO TO HELP

- Inform immigrant victims of violence of their right to self petition without the help of their abuser as mandated by the Violence Against Women Act (VAWA).
- Refer non-citizens to immigration law experts, not the U.S. Citizenship and Immigration Services. Also, have immigrant victims talk to an immigration advocate specializing in domestic violence about their immigration status.
- Call or write your US Representative and Senator and request that they reauthorize VAWA in 2005 with strengthened provisions to protect battered immigrants and their children.
- For more information on VAWA, go to [www.ojp.usdoj.gov/vawo/laws/vawa/vawa.htm](http://www.ojp.usdoj.gov/vawo/laws/vawa/vawa.htm), [www.vawa2005.org](http://www.vawa2005.org) or [www.ncadv.org](http://www.ncadv.org).

## SOURCES

<sup>1</sup> Family Violence Prevention Fund. *The Facts on Immigrant Women and Domestic Violence*. <http://endabuse.org/resources/facts/Immigrant.pdf>.

<sup>2, 5</sup> New York City Department of Health Bureau of Injury Epidemiology. *Femicide in New York City: 1995-2002*. [http://www.nyc.gov/html/doh/downloads/pdf/ip/femicide1995-2002\\_report.pdf](http://www.nyc.gov/html/doh/downloads/pdf/ip/femicide1995-2002_report.pdf).

<sup>3</sup> Dutton, Mary; Leslye Orloff; and Giselle Aguilar Hass. 2000. “Characteristics of Helping-Seeking Behaviors, Resources, and Services Needs of Battered Immigrant Latinas: Legal and Policy Implications.” *Georgetown Journal on Poverty Law and Policy*. (7) 2.

<sup>4</sup> National Electric Network on Violence Against Women (VAWnet). *Immigrant Victims of Domestic Violence: Cultural Challenges and Available Legal Protections*. [http://www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR\\_immigrant.pdf](http://www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR_immigrant.pdf).

<sup>5</sup> New York City Department of Health Bureau of Injury Epidemiology. *Femicide in New York City: 1995-2002*. [http://www.nyc.gov/html/doh/downloads/pdf/ip/femicide1995-2002\\_report.pdf](http://www.nyc.gov/html/doh/downloads/pdf/ip/femicide1995-2002_report.pdf).

<sup>6</sup> National Electric Network on Violence Against Women (VAWnet). *Immigrant Victims of Domestic Violence: Cultural Challenges and Available Legal Protections*. [http://www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR\\_immigrant.pdf](http://www.vawnet.org/DomesticViolence/Research/VAWnetDocs/AR_immigrant.pdf).

<sup>7</sup> Asian and Pacific Islander Institute on Domestic Violence. *Southeast Asians: Filipina Facts and Statistics*. <http://www.apiahf.org/apidvinstitute/GenderViolence/Filipino.htm>.

<sup>8</sup> American Bar Association. *Civil Legal Assistance for Battered Immigrants*. ABA Commission on Domestic Violence Continuing Legal Education Teleconference May 23, 2001. Continuing Legal Education Teleconference– Materials. <http://www.abanet.org/domviol/textualmaterials.doc>. Family Violence Prevention Fund. *Barriers*. Battered Immigrant Women Toolbox. <http://endabuse.org/programs/printable/display.php3?DocID=113>.