

IMMIGRATION AND GENDER-BASED VIOLENCE

Like women across race, nationality, and other marginalized identities, immigrant women are at high risk for experiencing gender-based violence. In addition to the risk of violence, immigrant women experience increased barriers to fleeing abuse due to a complex set of factors. Among those are language barriers, fear or confusion about U.S. legal systems, financial abuse, and social isolation.

Congress created important protections for immigrant survivors of gender-based violence in the Violence Against Women Act (VAWA) with the understanding that abusers often exploit survivors' lack of knowledge about legal systems and use survivors' immigration status as a means to control and coerce them. Special immigration remedies were created through VAWA in 1994 and have been strengthened in each subsequent reauthorization of VAWA.ⁱ

Over the past two and a half years, immigration enforcement policies have had a heightened, significant impact on immigrant survivors of gender-based violence. YWCAs have reported seeing fewer immigrant survivors in shelters, at appointments, or calling their hotlines for support. In addition, survivors are reluctant to report abuse to law enforcement, fearing retaliation, deportation, or detention. These immigration enforcement policies instill fear into survivors who are already experiencing trauma.

As the largest network of domestic violence service providers in the country, YWCA knows all too well the challenges and trauma survivors face. All survivors deserve safety, support, and justice. YWCA will continue to advocate for all survivors and will continue to offer support and resources, call for justice, and work to end gender-based violence.

FACTS

- Immigrant status has been found to have an impact on survivors' help-seeking behavior. A study found that Latinx immigrants were less likely than non-immigrants to seek help for domestic violence from formal agencies (6.9% vs. 14.7%).ⁱⁱ
- Research points to high rates of domestic violence in Asian American homes. In a recent report, 21–55% of Asian women reported experiencing intimate partner violence (physical and/or sexual) during their lifetime.ⁱⁱⁱ
- Almost half (48%) of Latinas in one study reported that their partner's violence against them had increased since they immigrated to the United States.^{iv}
- Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women, 59.5% compared to 49.8%, respectively.^v

Newly arrived immigrant survivors may face additional forms of abuse that other women of color and Native women born in the United States may not, including:

- threats of deportation despite immigration status
- possible language barriers
- lack of knowledge of the American legal system
- threats to report employment status if the survivor works “under the table”
- threats to deport her and keep the children
- withdrawal of petition to complete legalization status
- intimidation by destroying important documents such as an identification card or passport

In addition, there are some barriers that make reaching out for help and obtaining culturally and linguistically appropriate support services more challenging for many communities of color. Equally important to note, these barriers are often also seen as factors for resilience, including:

- cultural barriers/resiliencies
- economic barriers, threat of homelessness, job insecurity
- religious barriers/resiliencies
- fear of law enforcement and other systems, including child protective services

ADVOCACY RESPONSES THAT MAKE A DIFFERENCE

- Ensure that legislation and policies to prevent gender-based violence and to support survivors are inclusive of all victims and survivors, including access to VAWA, U Visa, T Visa, and Battered Spouse Waivers.
- Increase collaboration between community service providers and law enforcement to improve justice system responses to survivors.
- Expand the availability of support services for survivors to address unmet needs.
- Expand the list of perpetrators covered by orders of protection to close the loophole that currently permits abusers to access guns.
- Pass safe leave legislation to allow survivors to take time off from work without penalty to receive medical attention, make court appearances, seek legal assistance, and get help with safety planning for themselves or immediate family members.
- Ensure that survivors of violence have access to culturally and linguistically appropriate services.

ⁱ Futures without Violence. “Background on Laws Affecting Battered Immigrant Women.” Retrieved from futureswithoutviolence.org.

ⁱⁱ Ingram, E. M. (2007). “A comparison of help seeking between Latino and non-Latino victims of intimate partner violence.” *Violence Against Women*, 13(2), 159-171.

ⁱⁱⁱ Asian Pacific Institute in Bender Based Violence. (2017). “Statistics on Gender-Based Violence in Asian and Pacific Islander Communities.” Retrieved from www.apigbv.org.

^{iv} Dutton, Mary; Leslye Orloff, and Giselle Aguilar Hass. 2000. “Characteristics of Help-Seeking Behaviors, Resources, and Services Needs of Battered Immigrant Latinas: Legal and Policy Implications.” *Georgetown Journal on Poverty Law and Policy*. 7(2).

^v Id.