

## SUPPORTING IMMIGRANTS AND REFUGEES IN CALIFORNIA MEANS FOCUSING ON RISK FOR DOMESTIC VIOLENCE

*Findings from our qualitative study of service providers and programs serving recently arriving immigrants and refugees show that domestic violence is a major concern for this population.*

### Background on Immigration in California

Immigration in California has tripled in the period of 2020 to 2022<sup>1</sup>, and California can expect to see a continuation of newly arriving immigrants and refugees with the expiration of Title 42 policies, which allowed the US to turn away asylum seekers due to concerns regarding COVID-19 management<sup>2,3</sup>. Many new immigrants are coming from regions plagued by conflict and/or gender-based violence including Central America, Afghanistan, Haiti, and Ukraine<sup>4</sup>. These experiences can increase vulnerability to and increase the risk of new immigrants experiencing violence in the US, especially intimate partner violence (IPV) against women<sup>4-10</sup>.

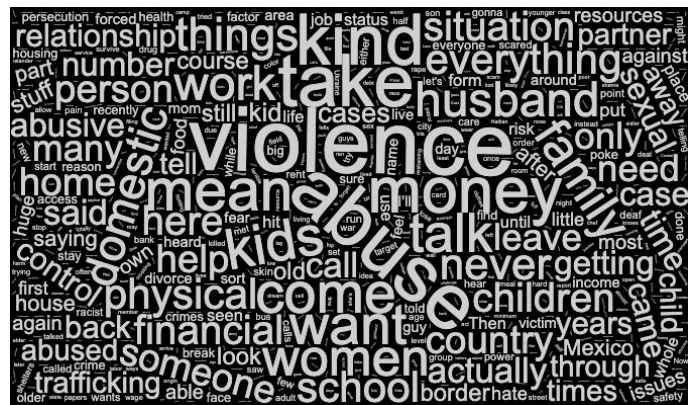
### Our study on violence against immigrants and refugees in California

We conducted a qualitative study with 31 providers of healthcare, education, and social services working with newly arriving immigrants and refugees in California. We asked questions about their clients' experiences of violence in their countries of origin and in the US. This brief focuses on responses to the high numbers of newcomer immigrants and

refugees experiencing violence perpetrated against them after their arrival in the US.

### Findings

Participants reported various experiences of violence in the family, in the workplace, and in public spaces. However, as seen in the word cloud developed using responses from participants on this question (Figure 1), they most often discussed violence in domestic partnerships and relationships. In addition to physical violence, we found that economic abuses, immigration-related abuses, and use of children to control partner were also common.



**Figure 1:** Word cloud of responses to types of violence experienced by immigrant and refugee clients. Words of larger size demonstrate more frequent use.

## EXAMPLE QUOTES

<b>Physical Abuse</b>	<i>“So the beatings started more, and so [a friend] gave her my number and she would send me text messages only... She’ll send me pictures, where he broke her fingers, and he would not take her to the doctor.”</i>
<b>Economic Abuse</b>	<i>“Abuse like financial control, is very common. They don’t have their credit card; they don’t have a bank account, they don’t know how to operate anything, they’re given a small amount of money to run the family expenditures [to pay for] everything.”</i>
<b>Immigration-Related Abuse</b>	<i>“I don’t see as many weapons (used in immigrant IPV cases). Knock on wood. Less weapons. More verbal threats. If you say this, then you know you lose your visa or I’ll take away the kids. A lot of threats, verbal and emotional threats.”</i>
<b>Control through Children</b>	<i>“He controlled everything finances, schedule, where they were living, how they are raising their kids, had to all go through him. He was very physically abusive as well as psychologically abusive. The fear from them is always well you know what’s going to happen to my kids (if I leave)?”</i>
<b>Co-occurring with Child Abuse</b>	<i>“The violence against children is everything from just abuse and manipulation of the children through to murder of the children as the ultimate thing that will forever destroy the non-abusive parent, because it does.”</i>

## HOW CAN SERVICE PROVIDERS, GOVERNMENT AGENCIES, AND POLICY-MAKERS BEST HELP IMMIGRANT SURVIVORS?

### Training and Technical Assistance

Victim advocates, health care providers, attorneys, and government agencies (e.g., courts, law enforcement, prosecutors, child/adult protective services, labor enforcement) need training to be able to:

- Conduct early and continuous screenings of all noncitizen immigrant and refugee clients to identify survivors of crime and/or abuse eligible for Violence Against Women Act (VAWA)<sup>11</sup>, T or U visa<sup>11</sup>, or Special Immigrant Juvenile Status<sup>12</sup> immigration relief.
- Build and sustain collaborative partnerships with organizations with expertise serving immigrant victims<sup>13</sup>. These partnerships must be established so that immigrant and refugee victims receive the help and support they need to file for crime victim-based immigration relief and secure access to all the publicly funded benefits and services they are legally eligible to receive.

- Receive regular trainings on best practices for providing trauma informed<sup>14</sup>, language accessible<sup>15</sup>, and culturally sensitive services based on legally correct information<sup>16</sup> to immigrant and refugee survivors of crime and abuse.

Government, foundation, and private funders need to fund experts on immigrant survivor’s legal rights to provide training and case specific technical assistance to support professionals serving immigrant victims of intimate partner violence, sexual assault and other crimes.

### State Laws That Improve Protections and Access to Justice for Immigrant and Refugee Survivors

State legislators should pass laws that make it easier for immigrant and refugee victims of crime and abuse to receive the help and support they need to be able to leave abusive homes and workplaces. Several states including California have

enacted some of these laws, but few states offer the full range of needed protections to all eligible immigrant survivors. These forms of humanitarian immigration relief were created by Congress to help immigrant crime victims and to promote efforts of state governments and courts to hold offenders accountable. Examples of state laws that greater numbers of states should pass include:

- Require signing of U visa certifications and T visa declarations within specific timeframes by law enforcement, prosecutors, judges, child and adult protective services agencies and other state agencies involved in enforcing state laws including labor and housing<sup>17</sup>.
- Grant state issued driver's licenses and state government issued identification cards to all state residents without regard to immigration status, including VAWA, T and U visa, and Special Immigrant Juvenile Status (SIJS) applicants<sup>18,19</sup>.
- Provide access to state funded public benefits to immigrant family violence victims (domestic violence, child abuse, child neglect) and to immigrant victims who have filed or are in the process of filing VAWA self-petitions, U visa, T visa, SIJS, and/or work authorization for abused spouses of work visa holder cases. Currently the state funded benefits programs states most commonly offer to immigrant victims include Temporary Assistance for Needy Families (TANF), subsidized health care for children, pregnant women or domestic violence victims, and food assistance<sup>18,19</sup>.

### **The U.S. Department of Homeland Security (DHS) Must Continue to Take Actions That Reduce Backlogs in Immigrant Victim Case Adjudications and Speed Up Access to Work Authorization and Deferred Action**

Over the past three decades immigration protections for immigrant victims of domestic violence, child abuse, sexual assault, stalking and human trafficking have expanded to offer protections to a broad range of immigrant victims who suffer crime and abuse perpetrated in the United States. However, the delay from filing to receipt of work authorization and formal protection from deportation through deferred action is significant. Timelines range depending on the case type, from 18 months to 5 years. While waiting, many immigrant victims of domestic and sexual violence perpetrated at home and in the workplace are unable to leave their abusive situations<sup>7</sup>. By continuing to staff and train adjudicators, moving all crime victim cases to the specially trained HART (Humanitarian, Adjustment, Removing Conditions, and Travel Documents) Service Center, and by moving swiftly to issue final regulations and policy manual chapters for the VAWA, T and U visa programs, DHS will significantly improve the lives, safety and well-being of immigrant survivors and their children and play an important role in improving victim and community safety.

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## PROPOSED CITATION

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