



National Task Force to End Sexual and Domestic Violence Against Women

The National Task Force to end Sexual and Domestic Violence opposes any legislation that would harm victims of domestic violence and sexual abuse by pushing them further back into the shadows and reinforcing their fear of deportation when reporting crime to local law enforcement agencies. All residents need to have the trust and confidence in their local law enforcement agencies, but especially immigrant survivors of domestic violence, sexual assault, stalking, and trafficking. There is a real, integral fear of deportation that keeps immigrant victims from coming forward and reporting abuse. Without the ability to trust local law enforcement, victims do not report crimes, witnesses abstain from coming forward with information, perpetrators go unpunished, and abuse continues. Abusers and traffickers know that the fear of deportation exists and count on that fear to keep victims silent. As a result of victims' silence these criminals remain on our streets and continue to be a danger to our communities. Below are stories compiled from different domestic violence advocates around the country, illustrating the need to maintain and foster trust between the immigrant community and local law enforcement agencies.

Fear of reporting crime because of possible deportation means a rapist is free.

“I have a client who was hit on the head and raped while unconscious on her journey to the United States. When she finally made it to her destination, she was held against her will by a man who had promised to take her to her family's home. Instead of taking her to her family, she was forced to endure repeated abuse and rape at the hands of this person. Her abuser and rapist had broken the telephone cord to make sure that she could not communicate with anyone. On one occasion she was able to fix the phone cords and called the police. When law enforcement arrived, the abuser held a knife to her back and threatened to harm her. The officer talked to the abuser and left without an attempt to question the victim. She finally was able to run away after a year, but she never reported the man due to fear of being deported. She believed no one would help her due to her immigration status. As a consequence, her rapist and abuser is still free.”

~Story from a sexual assault victims advocate in South Texas

Fear of reporting crime because of possible deportation means abuse continues for years.

“A woman and her son who arrived at the Casa de Esperanza shelter had been abused by her husband. This woman was aware that the physical and psychological abuse toward her and her son were punishable by law, but she was very afraid of contacting any services from the government, including the police, child protective services, and attending a clinic, because she believed they would all report her to immigration and was afraid of being deported. As a result, she and her son endured abuse for many years until she crossed paths with Casa de Esperanza. Right now she has a VAWA self-petition, which was designed to protect her from fear of deportation, but still at times is afraid of being deported. This fear of deportation by contacting the police is something that is very common in a lot of the women I work with here at Casa de Esperanza who are undocumented.” ~ *Recorded story from an advocate in Minnesota*



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“Areli endured abuse from her husband for two years before she decided to call the police. She was always scared to call the police because others always said that if somebody who was undocumented called the police they would get deported. Areli recalls two incidents in which she suffered physical abuse and wanted to call the police but abstained from it due to fear of being deported. On the first incident, her husband hit her in the legs so hard to the point they were black and blue due to bruising. The second time her husband punched her many times with a close fist and threw their three month old child into the crib. Although Areli was terrified, she was scared of seeking help and risking being deported and leaving her child with her abuser. Areli finally decided to call the police after her husband threw her down a staircase and strangled her. She called because the fear for the safety of her child and hers was greater than her fear of being deported.” ~ *Story from a domestic violence advocate in the Twin Cities, MN*

“Leydi endured physical abuse in [sic] the hands of her partner for about three years. Her partner punched her, and strangled her on various occasions. She recalled at least four incidents in which she wished to call the police, but did not do so because she was afraid of being deported if she called. After leaving her abuser, Leydi moved in with her father for about two years. Her father punched her and hit her with a belt, leaving bruises all over her body. As a consequence, some co-workers noticed her injuries and after realizing she was being abused at home they encouraged Leydi to call the police and seek help. She finally decided to report to the police because it was her last resort to safety.” ~*Story from a domestic violence advocate in the Twin Cities, MN.*

Victims often find themselves as the defendants in criminal cases and streamlined into the deportation proceedings because of language and cultural barriers between them and law enforcement officials

“Julia endured domestic violence for years in [sic] the hands of her partner and father of her two kids. Julia’s partner left her for another woman. One night Julia was at the same party as her ex and his new girlfriend. To avoid any altercations, Julia decided to leave with her two children. When she tried to pull out of her parking spot, she realized that her ex partner’s new girlfriend had parked right behind her and so close to her car to the point that she hit her car accidentally. Julia’s ex-partner called the police immediately to report Julia and requested child protection services to come. Julia was unable to tell her side of the story because she does not speak English. As a consequence, the police arrested her and reported her to immigration, and [she] was put in deportation proceedings. I accompanied her to the criminal court hearings to try to help explain that the incident had been a ‘set up.’ Thankfully, her criminal defense attorney was able to lower the charge to a misdemeanor which helped her avoid being immediately deported. She was eventually able to hire an immigration attorney to get her cancelation of removal.” ~ *Recorded story from an advocate in Minnesota*



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Many survivors of domestic violence are discouraged from reporting abuse because they have witnessed friends or family members be deported as a consequence of the police working closely with ICE

A domestic violence victim got up the courage to access the civil court system for a protection order that she desperately needed to protect herself and her children. Unbeknownst to her, she had an arrest warrant for unpaid parking tickets. After she successfully got her protection order, the sheriff arrested her. While in custody, the sheriff sent her information to ICE. ICE requested a detainer that the sheriff honored. The victim was deported from the United States and the perpetrator of the violence got full access/custody of the children. The victim's friend, who also needs a protection order, refuses to petition for a protection order because she is reasonably afraid the same thing will happen to her. One arrest and deportation can create a domino effect on the mechanisms that are put into place by systems in order to help victims." ~ *Story from an advocate in Kansas*

Fear of deportation upon contacting law enforcement means emergency services for others are not solicited and key eye witness accounts are never reported

"Areli was driving and witnessed a pedestrian suffering some type of attack that required medical emergency. Areli wanted to call the police, but she was too afraid of being asked for her immigration status if she called, so she abstained from calling." ~*Story from a domestic violence advocate in the twin cities, MN*

"A volunteer at Casa de Esperanza stopped at a gas station and while getting snacks he overheard a couple arguing. The man got very loud and was swearing and made violent gestures towards the woman. He (the volunteer) was very bothered by this and felt someone should intervene and/or call the police. However, because he is undocumented he did not feel he could do either. He ended up waiting around until he saw someone notify the gas station manager because other bystanders were not doing anything either." ~*Story by employee of Casa de Esperanza, a DV organization in the Twin Cities, MN*

Reporting crimes could save others from being harmed in the future . . . if only fear of deportation didn't play a role in the decision to report

"Client was undocumented when she entered the country as a young girl with her family, which settled in a rural Texas county. Client's father was a chronic abuser toward all family members: the client, her siblings and her mother. Client's mother wouldn't call police because she feared deportation and was concerned that authorities would not help her because the family was undocumented. After some seven years of physical abuse, client was sexually assaulted by her father. Although the client was only 14 years old, she courageously contacted the police, who arrested her father. Thereafter, her father was sentenced to 10 years in prison." ~ *Story from an advocate in Fort Worth, TX*



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A prime example of how to build trust within the immigrant community to keep everyone safe

"Client, who married in 2009, was abused by her husband throughout their 5-year marriage. The client never reported the abuse to police because she was undocumented and had previously been through deportation proceedings. As such, she associated police with deportation. Client's husband, a US Citizen, used her undocumented status to further isolate her and continue his abuse, which was severe enough to result in his arrest for assault family violence three times in three different cities during the course of their marriage. Each time the police became involved, the call was made by a concerned neighbor. In January 2014, after yet another instance of abuse reported by a neighbor, the police removed client from the marital home and placed her with a domestic violence shelter. The shelter provided information to client about the process of immigration relief for domestic violence victims. Client, who received a protective order against her husband and obtained a divorce, has a U-Visa application pending. Most important, the client is no longer afraid of contacting police if she is in danger." ~ *Story from an advocate in Fort Worth, TX*

Survivors of domestic violence, sexual assault, and trafficking rely on advocates for support and education. An advocate's knowledge that the police will help, and not deport, survivors is key in encouraging the advocate to refer the survivor to law enforcement.

"A client came to meet with me. She was referred to my program by her only friend in America, someone she had only known for a few weeks. Her husband is physically abusive. During the last incident, she wanted to call the police but she was fearful she would be deported due to stories she has heard from people she works with. She has two children, a young son who was the product of her current marriage, and a teenaged daughter from a previous relationship whom she brought to America. She recently fled her marriage and came to our shelter. She is worried about her husband finding her and having her deported. She is scared of being sent back to Russia but agreed she would call the police if she were in danger from her husband only after I gave her education that the police will not report her to ICE ." ~ *Story from a Family Violence Service provider advocate in Beachwood, OH*