

January 19, 2016

Dear President Obama,

The National Taskforce to End Sexual and Domestic Violence (NTF) is comprised of national, state and local leadership organizations and individuals advocating on behalf of sexual assault and domestic violence victims and women's rights. We represent thousands of programs, service providers and community organizations across the country dedicated to making sure that **all** survivors of violence receive the protections and services they need and deserve. For this reason, **we urge you to stop the raids against women and children from El Salvador, Honduras, and Guatemala (Northern Triangle) and ensure the Administration is not sending refugees to further abuse or even death.**

Deporting refugees fleeing gender based violence back to countries where violence against women is rampant is an outright failure to honor our Administration's promise to defend women's and human rights everywhere. These actions are very likely to return women survivors of violence and their children back to the hands of abusers and torturers. Our nation fights gender-based violence globally. Therefore, it goes against our promise as a country to refuse asylum and return women to places where they will face ongoing violence which their government is unwilling or unable to stop.

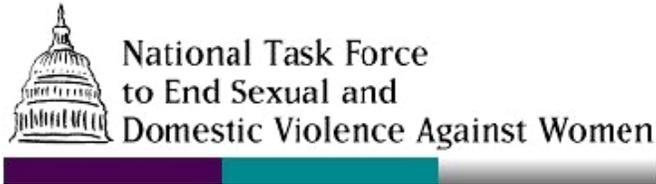
Prolonged domestic abuse and sexual assault without government redress is a primary reason for flight. According to a 2015 study by the United Nations High Commissioner for Refugees (UNHCR) on Northern Triangle women seeking asylum in the United States, prolonged instances of physical, sexual, and psychological abuse in the home are reasons for flight, many initially having sought state protection they never received. According to the United States Citizenship and Immigration Services, an estimated 90% of these families have bona fide claims for humanitarian protection.¹ The Northern Triangle countries have areas that are highly controlled by gangs, and women are often coerced into joining. A woman's duty to gang members is to "provide" sex for the members, and initiation rituals for women consist of being sexually assaulted on a regular basis.

Deportation may result in more domestic violence, more sexual abuse, or even death.

Deportations send women to endure sexual assault and domestic abuse. Honduras and Guatemala have the highest murder rates in the northern hemisphere, with El Salvador at 104 out of 100,000, Guatemala at 36 out of 100,000 and Honduras at 61 out of 100,000. Since January of 2014, at least 83 nationals deported to El Salvador, Honduras, and Guatemala by the U.S. Department of Homeland Security have been subsequently murdered shortly after their return, with 45 murders in El Salvador, 35 in Honduras, and three in Guatemala.²

¹ <http://www.uscis.gov/sites/default/files/USCIS/Outreach/PED-CF-RF-family-facilities-FY2015Q2.pdf>

² <http://www.theguardian.com/us-news/2015/oct/12/obama-immigration-deportations-central-america>



Lack of adequate screening for refugee status. Legal representation is the single most important factor in predicting success in a request for asylum, and those individuals targeted in raids are often those who performed poorly in hearings due to lack of legal representation. Moreover, lack of investigators who can identify traumatized individuals and imperfect methods for conducting “reasonable fear” interviews of women who have suffered severe trauma often cause legitimate candidates for refugee status to fall through the cracks.

Raids generate fear and panic, further pushing survivors into the shadows. The fear and panic the raids provoke will continue to discourage immigrant survivors of domestic violence, sexual violence and trafficking from reporting any abuse to law enforcement and other government agencies. As a result traffickers and abusers will go undetected and will not be made accountable for their actions.

Recommendations:

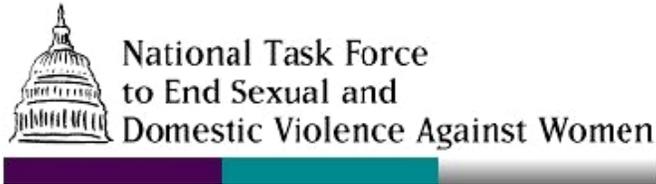
Stop the raids. Make our communities safer by gaining the trust of the immigrant community, not by pushing them further into the shadows. Removing refugees will not make our communities safer. However, gaining their trust to report crime will.

Designate El Salvador, Guatemala, and Honduras for Temporary Protected Status. The Administration has the legal authority to designate the Northern Triangle Countries for Temporary Protected Status (TPS) under “armed conflict,” “extraordinary and temporary conditions,” and environmental disasters provisions of the statute authorizing Temporary Protected Status. Broad use of TPS, authorized explicitly by statute and containing express provisions limiting judicial review, is likely to withstand legal and constitutional challenges.³

Stop returning refugees back to the violence they flee. As the Administration has recently recognized that many mothers and children fleeing the Northern Triangle are refugees, the Administration must treat them accordingly. Before deporting anymore individuals, provide access to an attorney and assign NGOs to provide comprehensive orientation and community based support systems to ensure the administration does not deport those fleeing persecution merely for lack of representation.

Create more comprehensive and trauma-informed interviews that better recognize “credible fear”. Ensure officers conducting the interviews have gone through training that help them employ trauma-informed skills. Ensure women’s children are not present during the interview, and ensure that cultural and language differences do not play a role in clouding the experiences of the women by providing adequate training to conduct the interviews.

³ Report by the Immigrant Legal Resource Center – file:///C:/Users/acarcamo/Downloads/01-13-2016%20Relief%20Not%20Raids%20-%20Immigrant%20Legal%20Resource%20Center.pdf



For these reasons, we urge you to stop the raids, provide services to these women and their children and affirm the intent and spirit of VAWA and our country's values. Thank you for taking this important step to protect survivors of violence globally.

For more information, please contact Grace Huang, Washington State Coalition Against Domestic Violence at grace@wscadv.org, (206) 389-2515 x 209, or Andrea Carcamo, National Latin@ Network: Casa de Esperanza, at acarcamo@casadeesperanza.org, (703) 942-5582.

Sincerely,

The National Task Force to End Sexual and Domestic Violence

CC:

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