Statewide Teach In - Immigrants’ Rights

Protecting Victims and Children

I  VAWA (Violence Against Women Act)

A) created by Congress in 1994, subsequently reauthorized & expanded

B) to address domestic violence, sexual assault, & other crimes against women, but covers all victims of these crimes (men, women, children, LGBTQ, Native American women, college students, and immigrants)

C) provides services & remedies for victims

II  What is the VAWA Self Petition?

A) An immigration remedy for victims of domestic violence who are married to a LPR or citizen (or within 2 years of marriage ending)

B) Who is eligible:

1) Includes women, men, and same-sex marriages

2) Children or parents of abuser may also be eligible

C) Allows eligible immigrants a way to petition for lawful status (a green card) on their own and without relying on their spouse to do so

D) Allows work authorization

E) Confidential process
F) Victims must show:

1) Good-Faith marriage (not exclusively for immigration benefits)
2) Married to LPR or US Citizen
3) Battery or Extreme Cruelty
4) Residence with Abuser at some point
5) Good Moral Character

III Why is it important?

A) Immigrant women may face a more difficult time escaping abuse due to their immigration status.

B) Immigrant women often feel trapped in abusive relationships because of immigration laws, language barriers, social isolation, and lack of financial resources.

C) It’s another way that abusers can gain power and control over their victims – see Power and Control Wheel (refusing to file, threat of deportation, report to police, loss of custody)

IV How can you help?

A) Help them gather important documents (for them and children)

1) Birth certificates
2) Passport, IDs
3) Copy of marriage license, invitation
4) Photos of wedding, marriage, family
5) Photos of abuse
6) Text messages, emails
7) Affidavits from friends, family, DV program
8) Criminal records

B) Refer them to Resources

1- An Immigration Attorney
2- DV Program - Centre County Women’s Resource Center
3- Others – see Resource List

C) Be a safe person for them to talk to
Power and Control Wheel for Immigrant Women

- **Physical Abuse**
  - Isolation
    - Isolating her from friends, family, or anyone who speaks her language
    - Not allowing her to learn English
  - Emotional Abuse
    - Lying about her immigration status
    - Writing her family lies about her
    - Calling her racist names
  - Economic Abuse
    - Threatening to report her if she works "under the table"
    - Not letting her get job training or schooling
  - Sexual Abuse
    - Calling her a prostitute or "mail order bride"
    - Alleging she has a history of prostitution on legal papers
  - Using Citizenship or Residency Privilege
    - Failing to file papers to legalize her immigration status
    - Withdrawing or threatening to withdraw papers filed for her residency
  - Threats
    - Threatening to report her to Immigration to get her deported
    - Threatening to withdraw the petition to legalize her immigration status
  - Using Children
    - Threatening to take her children away from the U.S.
    - Threatening to report her children to Immigration

**Power & Control**

- Beating, throwing her down
- Twisting, arn, tripping, biting
- Pushing, shoving, hitting
- Slapping, choking, pulling hair
- Using a weapon against her
- Punching, kicking, grabbing