



*Protecting Immigrant  
Women and Girls  
Fleeing Violence*

Statement of the Tahirih Justice Center:

**HOUSE COMMITTEE ON THE JUDICIARY**

**SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND SECURITY**

**Reauthorization of the Violence Against Women Act**

March 7, 2019

---

The Tahirih Justice Center (“Tahirih”) respectfully submits this statement on the Reauthorization of the Violence Against Women Act (VAWA) to the United States House Committee on the Judiciary, Subcommittee on Crime, Terrorism and Homeland Security.

Tahirih is a national, nonpartisan advocacy and direct services organization that has assisted over 25,000 immigrant survivors of gender-based violence over the past 22 years. The immigrants we serve have endured horrific abuses such as rape, domestic violence, and human trafficking, and are seeking protection under our laws so that they may break the cycle of violence for themselves and their children.

**Background**

Congress enacted VAWA in 1994 with strong bipartisan support. The law must be renewed every five years, providing a critical opportunity for legislators to improve upon its provisions and demonstrate the country’s ongoing commitment to ending violence against women. We seek reauthorization of VAWA with modest improvements so that Congress may commit to protecting all survivors of violence in the U.S.

VAWA provides critical tools to combat violence against women, including domestic violence, dating violence, sexual assault, and stalking, and helps survivors rebuild their lives while holding perpetrators accountable.<sup>i</sup> It provides funding for community violence prevention programs, urgent response mechanisms like hotlines and rape crisis centers that help women escape violent situations, and critically important legal assistance.<sup>ii</sup>

**Immigrants Face Added Vulnerabilities to Violence**

In particular, Congress has long recognized that immigrant survivors of violence face unique vulnerabilities and barriers to escape. These may include language,

**ATLANTA**

230 Peachtree Street NW  
Atlanta, GA 30303  
Tel: 470-481-4700  
Fax: 470-481-7400  
Atlanta@tahirih.org

**BALTIMORE**

211 E. Lombard Street  
Suite 307  
Baltimore, MD 21202  
Tel: 410-999-1900  
Fax: 410-630-7539  
Baltimore@tahirih.org

**GREATER DC | NATIONAL**

6402 Arlington Boulevard  
Suite 300  
Tel: 571-282-6161  
Fax: 571-282-6162  
TTY: 711  
Falls Church, VA 22042  
GreaterDC@tahirih.org  
Justice@tahirih.org

**HOUSTON**

1717 St. James Place  
Suite 450  
Houston, TX 77056  
Tel: 713-496-0100  
Fax: 713-481-1793  
Houston@tahirih.org

**SAN FRANCISCO BAY AREA**

881 Sneath Lane  
Suite 115  
San Bruno, CA 94066  
Tel: 650-270-2100  
Fax: 650-466-0006  
SFBayArea@tahirih.org

tahirih.org

education, culture, access to public services, isolation from family or other support networks, and familiarity with the system. Survivors from countries where domestic violence is legal or rarely prosecuted may not even know that it is a crime in the U.S. Commonly, abusers use their victims' lack of immigration status as a powerful tool of abuse, and use fear of deportation to control them.

For example, Tahirih client Norma was only 15 years old when she was abducted, raped, and forced into marriage by a violent older man who threatened to kill her family if she refused. At 20, Norma fled to the U.S., and began a new life. Years later, she fell in love and married a U.S. citizen who was smart, charismatic, and handsome. But it didn't take long for him to start beating and raping Norma. When she finally built up the courage to leave, Norma's husband used her and her children's undocumented status to exploit, intimidate, and threaten her. He promised to have them deported if they called the police, and he destroyed Norma's personal documents to prevent her from filing for immigration relief on her own. He removed her name from their shared bank accounts, canceled her credit card, and eventually forged her signature on a document transferring full ownership of their house to his name. He showed Norma that he could take everything from her, and made her fear reaching out for help as much as she feared him. Norma's voice got smaller and smaller.

Just when Norma started to give up, a member of her church congregation noticed that she needed help and offered her a place to stay for nothing in return. She connected Norma to a domestic violence support group at the Houston Area Women's Center, where she was referred to Tahirih. Norma's neighbor lifted her up, community resources connected her to a path forward, and Tahirih helped her access protection under VAWA.

### **VAWA Protections for Immigrant Survivors**

VAWA allows immigrant survivors to apply for immigration status based on proof that they have been victimized in the United States. It seeks to deter abusers and create incentives for immigrant survivors to report crime and cooperate with law enforcement. When survivors come forward, they are not only protecting themselves from further harm, but they are protecting their children, potential future victims, and others in their community. VAWA also protects the confidentiality of survivors so that their abusers cannot find out that they are taking steps toward safety and independence. This is critical in protecting them from potentially fatal retaliation by abusers, an all too common reality.

The VAWA self-petition allows an immigrant survivor of violence to confidentially file for legal permanent residence, and is often undertaken while the survivor is still living with her abuser. The process is exhaustive and rigorous. The applicant must prove, among other things, that battery or extreme cruelty occurred within the marriage, and is usually asked for extensive supporting evidence. About half of all applications are approved, which means only a few thousand survivors per year are granted lawful status on this basis.

Victims of specific crimes, including domestic violence and human trafficking, may apply for a U visa if they have cooperated with the investigation or prosecution of those crimes. Applicants for U visas obtain a certification from a law enforcement agency that confirms their cooperation, and additional evidence is often required. The annual cap on the number of U visas that may be given is woefully inadequate to meet the needs of survivors of violence. Still, this form of relief is extremely important for survivors as well as law enforcement agencies.

When perpetrators abuse victims with impunity, the safety of all Americans – including U.S. citizens – is at risk. This is readily apparent in the case of mass, indiscriminate shootings and law enforcement officer homicides. In recent years, researchers have noted that a striking number of perpetrators of these crimes have a history of domestic violence.<sup>iii</sup> If victims do not feel safe reporting abuse to law enforcement, their abusers remain at large and free to commit crimes against others. In one example, a client’s U.S. citizen abuser faced criminal charges for grand larceny, DWI, burglary, and assault on a police officer. By contrast, when immigrant survivors do feel safe to come forward, they serve as a tremendous asset to law enforcement, their communities, and potential future victims.<sup>iv</sup>

Similarly, the T visa protects victims who are in the United States as a result of human trafficking. The T visa often provides a safety valve for victims who wish to report critical information to U.S. authorities attempting to combat transnational trafficking. Without the T visa, many victims would fear deportation to their home countries, where traffickers’ networks often await them. One Tahirih client survived severe abuse at the hands of a U.S. citizen who was also engaged in sex trafficking of young girls. She reported him to the police, and went on to serve as a key witness to help federal prosecutors secure a conviction. He is currently serving a prison sentence.

## **Conclusion**

This session, Congress has the opportunity to reaffirm its commitment to survivors’ safety and press for a robust reauthorization of VAWA while making a few modest updates. Advocates began working with members on reauthorization in 2017, knowing that VAWA would expire in September 2018. Unfortunately, Congress failed to reauthorize the Act, a cornerstone of our nation’s response to the epidemic of violence against women in the modern era. As the #MeToo movement has shown, anyone can be a victim of gender-based violence, whether sexual assault, stalking, family violence, or domestic abuse. It is critical that VAWA is now reauthorized so that life-saving protections are available to all who need them.

---

<sup>i</sup> <https://www.thehotline.org/resources/vawa/>

<sup>ii</sup> <https://static1.squarespace.com/static/57d7477b9de4bb8b14256cf4/t/5aff082a562fa7af0f272b67/1527114133485/Critical+Role+of+VAWA-Victim+Services-3-2108+%281%29.pdf>

<sup>iii</sup> “Men Who Strangle Women Also Kill Cops”, Domestic Violence Report, Vol. 19, No. 6, August/September 2014, p. 85. <http://www.orlandosentinel.com/opinion/os-ed-letters-domestic-violence-elevated-to-national-security-threat-20171110-story.html>

<sup>iv</sup> “Immigrant Crime Fighters: How the U Visa Program Makes US Communities Safer”, Human Rights Watch, July 3, 2018. <https://www.hrw.org/report/2018/07/03/immigrant-crime-fighters/how-u-visa-program-makes-us-communities-safer#>