

TEN STEPS

the Administration Must Take Now for Immigrant Survivors of Gender-Based Violence

The immigration system is shattered. It will take years to rebuild and avoid the mistakes of the past. In the meantime, there are many policies the new administration has the power to change immediately that will help immigrant survivors of violence.



1

MAKE IT CLEAR THAT SURVIVORS OF GENDER-BASED VIOLENCE CAN QUALIFY FOR ASYLUM. Revoke rules that aim to end asylum for all, and for survivors specifically. Repeal cases decided by the administration, like *Matter of A-B-*, that have unjustly made access to asylum more difficult for survivors.



STOP MANDATING THE PROSECUTION OF IMMIGRANTS. Current procedures require immigration officers to unduly prosecute and detain nearly all individuals coming to the borders, including traumatized survivors with applications for relief.

2

END THE ILLEGAL “REMAIN IN MEXICO” POLICY, also known as the Migrant Protection Protocols, which has sent more than 67,000 asylum seekers to Mexico to wait out the remainder of their cases, where they are at risk of kidnapping, assault, and torture. Allow people arriving at the border to safely seek asylum from within the U.S. again, a right protected under U.S. immigration law.

3

REPEAL THE TITLE 42 POLICY THAT SHUTTERED THE BORDER DUE TO THE PANDEMIC under the guise of unfounded public health concerns and that DHS has used to illegally deny refugees their right to seek asylum.



5

HIRE MORE JUDGES AND OFFICERS to reduce the extreme backlog of asylum cases and improve the quality of application reviews. All new and existing judges and officers should receive trauma-informed training to handle gender-based asylum cases; training should also address diversity and inclusion topics.



RELEASE DETAINED MIGRANTS AND ENLIST COMMUNITY SUPPORT PROGRAMS INSTEAD. Imprisonment is mentally and physically harmful. Survivors instead need access to trauma-informed care, which community support programs are specifically equipped to provide.

7

STOP USING EXPEDITED REMOVAL—FAST-TRACKED DEPORTATION—WITHIN THE U.S. AND AT THE BORDER. If used at all, the preliminary screening interview must be conducted by an asylum officer specially trained to work with survivors of trauma.

9

REPEAL SO-CALLED “SAFE THIRD COUNTRY” AGREEMENTS with Guatemala, El Salvador, and Honduras (the Northern Triangle countries), which the U.S. government has used to outsource our responsibility to extend refuge to victims of persecution. Under these agreements, asylum seekers approaching the U.S. border can be deported to the Northern Triangle to theoretically seek asylum there, where to the contrary, they are at risk of further violence and even death.

4

6

8

10

REPEAL OR STOP ALL PROCEDURAL CHANGES IN THE COURTS THAT VIOLATE DUE PROCESS, which make it harder for immigrants to find legal counsel, arbitrarily block access to relief, and create significant inefficiencies and compound delays.

