

CHAPTER 2 -- CULTURAL COMPETENCY TRAINING

Chapter Highlights

Developing cultural competency skills will improve your staff's ability to work effectively with battered immigrants of diverse cultures, language groups, and countries of origin. This chapter offers the following techniques and suggestions for the creation of agency-wide cultural competency training programs:

□ **SUGGESTED TRAINING STRATEGIES**

- ✓ Building agency support for cultural competency training.
- ✓ Combining cultural competency training with a staff retreat.
- ✓ Using multiple training techniques to compensate for the different ways that staff members process information.
- ✓ Locating a facilitator.
- ✓ Inviting members of the immigrant community to participate.
- ✓ Cross-training with allied immigrant-based agencies.
- ✓ Making cultural competency an ongoing goal of the agency by designating a staff member to be in charge of future training and continuing education programs.

□ **TOPICS TO BE COVERED DURING TRAINING EVENTS**

- ✓ Oppression, stereotypes, and misconceptions.
- ✓ Myths and facts about immigrants.
- ✓ Cultural barriers that battered immigrants may experience when trying to access a domestic violence program.
- ✓ Understanding immigrant cultures.
- ✓ Understanding the legal rights and special needs of battered immigrants.
 - Rights of immigrant women
 - Relevant immigration legal information
 - VAWA (Violence Against Women Act) immigration provisions
 - Public benefits concerns for battered immigrants
 - Culturally competent safety plans

CHAPTER 2

CULTURAL COMPETENCY TRAINING

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As highlighted in the previous chapter, cultural barriers frequently prevent battered immigrant women from seeking the assistance of domestic violence programs. This is particularly the case when battered immigrants are from cultures, religions, or socioeconomic classes that differ from those of an agency's staff. To overcome these barriers and offer meaningful assistance to battered immigrants, shelter staff and domestic violence service providers should be trained to improve their cultural competency. Culture can be defined as the concepts, habits, skills, languages, institutions, beliefs, etc. of a given group of people. Cultural competency refers to the development of skills that one can use to behave in a culturally appropriate way with this given group. This involves sensitivity to cultural differences, the use of appropriate cultural symbols when interacting and communicating with members of diverse populations, and the acceptance of cultural differences in an open, genuine manner.¹ By utilizing these skills, staff will be better equipped to understand domestic violence from the perspective of battered immigrant women. They will further be better able to create an atmosphere in which immigrant women can safely discuss their experiences, needs, fears, and concerns.

An effective training program should examine issues about oppression and privilege. It should encourage advocates to become more aware of their own biases and prejudices so that they can effectively assist women from other cultures. It should further address the stereotypes and misconceptions that staff may have about working with immigrants, the barriers that immigrant women face to accessing domestic violence services, the cultures of immigrant women in your agency's service area, and the special legal/social service needs that battered immigrants may have. Several strategies exist for conveying this information to your staff. This chapter will first outline these strategies. This will be followed by a more detailed discussion of specific training topics.

TRAINING STRATEGIES

There is no single method that is necessarily best for training staff, interns, and volunteers to be culturally competent. The strategy that you ultimately choose will depend on your agency's internal and community resources, the nature of the immigrant community in your area, and the individual learning styles of your staff.

¹From Iowa Coalition Against Domestic Violence Training Materials.

To develop a successful training program, it is recommended that you consider the course of action listed below:

- 1) Ensure that there is an agency-wide commitment to assisting and empowering battered immigrant women. Structural changes that occur after training will be much more manageable if the staff are unified around this issue.²
- 2) If possible, hold the training program during a staff retreat outside of the office. The information that needs to be explored in the training sessions may be intense, particularly with regard to such issues as oppression and stereotypes. A more informal environment gives staff some space to relax, interact more freely between sessions, and enjoy the change in scenery. When having shorter follow-up events, consider doing them over a brown-bag lunch.
- 3) Use a multifaceted approach to train staff as each member may process information in a different way. A successful training program mixes lectures, discussions, videos, and written materials with role plays and group projects. Interactive training methods that force staff to walk in the shoes of battered immigrants are helpful as well. This could include having staff imagine that they are in a foreign country where they do not speak the language and are unfamiliar with the laws. Have them think about what it would be like to rely on another person to translate for them and explain how things work. They should then imagine what it would be like if this person were harming them and how they would feel about trying to get help in this country. Ask them how they would want to be treated or assisted by service providers.³
- 4) Training programs that require staff to discuss their personal values and feelings about oppression can often be emotionally cathartic. Be supportive of this process, but do not let it take over the event. Instead, make sure that staff are given the support they need during sessions to channel these feelings into effective advocacy work when they return to the shelter or service program.⁴
- 5) Locate a facilitator with expertise in group dynamics, domestic violence, immigrant issues, and diversity training. If possible, try to find someone from the local immigrant community. If resources are limited in your area, contact your state coalition or national advocacy groups that work with battered immigrant women for more

²Valli Kanuha. *Women of Color in Battering Relationships*. Women of Color: Integrating Ethnic and Gender Identities in Psychotherapy. Ed. Lillian Comas-Diaz and Beverly Greene. 449 (1994).

³Grace Huang. Columbia Legal Services, Olympia, WA. Consultation - 7/17/98.

⁴Mary Ness and Maria Pendarski. *Diversity Awareness and Outreach: Building Bridges Through Understanding*. 16 (1992).

information.⁵ It is also important to have experts participate in the training who are not a part of the immigrant community. The reason for this is that the group may be more open to discussing their personal issues and doubts with someone whom they can identify with.

6) If possible, consider inviting elders, leaders, or other members of the immigrant community, particularly those with an interest in or experience with domestic violence, to participate in the training event.⁶ These persons can be called on to provide input into the development of the training materials and curricula, to lead actual training sessions, and to assist with locating a facilitator. Your staff should offer to conduct community education programs and training events for immigrant community organizations in exchange for their assistance with this training and with your community outreach efforts. Community leaders may often be uninformed about domestic violence issues in their community and could deny or be defensive concerning this problem. If this proves to be the case, work with immigrant rights agencies and attend interagency meetings with these groups. This will encourage the creation of trust between community leaders and your agency. Immigration service providers may also be able to advise you as to who could be an appropriate community leader to involve in cultural competency training.

7) Seek the advice and support of immigrant rights agencies in your community and across the state, if necessary. These groups could be another source of facilitators, individual session leaders, resource materials, and successful outreach strategies. Cross-train with these agencies and other allied professionals in exchange for their services. Your agency will benefit from their knowledge of the immigrant community, immigration law, and cultural issues. They will in turn benefit from your expertise with the dynamics of domestic violence. Sharing information builds trust, collaborative working relationships, and ultimately improves the quality of client services. Moreover, as greater numbers of shelters and domestic violence service providers create links with immigration organizations, these connections can help immigrant and migrant women obtain continuous assistance if they need to move to and work in different jurisdictions.⁷

⁵Good resources include: Immigrant Women Program, Legal Momentum, at (202) 326-0040. Family Violence Prevention Fund. Tel: (415) 252-8900. Address: 383 Rhode Island Street, Suite 304, San Francisco, CA 94103-5133, and the National Immigration Project of the National Lawyers Guild. Tel: (617)227-9727. Address: 14 Beacon St., Suite 602, Boston, MA 02108.

⁶Beth Richie. *Understanding Family Violence Within U.S. Refugee Communities: A Training Manual*. Refugee Women in Development (RefWID), Inc. 1988. 6.

⁷Leslye E. Orloff and Rachel Rodriguez. *Barriers to Domestic Violence Relief and Full Faith and Credit for Immigrant and Migrant Battered Women*. Migrant Clinicians Network. 5-6 (1997).

You may either want to schedule an event at which several organizations participate or tailor shorter presentations to individual groups. When preparing training presentations, include such topics as the definition of domestic violence, myths and facts about abuse, the role of your program, community resources available to victims, the dynamics of power and control in violent relationships, power and control used against immigrant victims, immigrant community concerns, cultural issues, immigration law, public benefits law, and special issues for immigrants that arise in family court cases.

8) Attend statewide and national conferences if local support is limited. This is a good opportunity to locate model training materials, meet with experts, and improve the structure of your training program.

9) Make cultural competency training an ongoing part of agency programming by holding continuing education programs and maintaining a library of training materials and other information. Decorating the agency with culturally diverse posters, crafts, and artwork will help make your shelter or program feel more inviting to battered women from diverse cultures. Be sure that posters about domestic violence portray victims from a wide range of ethnic identities so that residents and staff can identify with them. Good sources for these posters include the National Coalition Against Domestic Violence, the Family Violence Prevention Fund, and educational catalogues used by primary and secondary school teachers. Create a bulletin board with updated training and cultural information.⁸

10) Designate a staff member to be in charge of continuing education programs and future training events within your agency for new staff members. This person can also be an agency liaison and coordinator for cross-training events, serve on working groups around relevant issues (such as immigrant rights or welfare rights), organize joint service delivery to battered immigrants with area agencies, and advise the staff of new information as it is received.

OPPRESSION, STEREOTYPES AND MISCONCEPTIONS

During training, staff should be encouraged to look at how oppression and privilege have affected their lives and their work in the domestic violence advocacy community. They should process through any biases, prejudices, and stereotypes that they may have about immigrant women.⁹ It is difficult and uncomfortable to analyze

⁸Mary Ness and Maria PendarSKI. *Diversity: Awareness and Outreach; Building Bridges Through Understanding*. 17 (1992).

⁹Sujata Warriar, PhD, and JoEllen Brainin-Rodriguez. *From Sensitivity to Competency: Clinical and Departmental Guidelines to Achieving Cultural Competency*. Family Violence Prevention Fund. 4 (no date).

personal feelings and beliefs, particularly if these could be viewed as "politically incorrect." However, these feelings can limit the creation of positive working relationships with battered immigrants if they are allowed to persist in a domestic violence program. As a result, they must be properly addressed and broken down. To facilitate this process, ground rules should be established to allow each staff member to share freely and honestly. It may be valuable to do trust building exercises before beginning any discussion as well.

When conducting the training program, start your first session with the development of working definitions of prejudice, stereotypes, oppression, and privilege. Tailor these toward the needs and experiences of the group. The following is a suggested framework for this and is based on the model used by the Artemis Center for Alternatives to Domestic Violence in Ohio:¹⁰

PREJUDICE - To prejudge or have negative feelings about a person or group based on misinformation, ignorance, assumptions, or stereotypes.

STEREOTYPE - A generalization about an entire group that is based on distorted cultural norms, cultural misunderstandings, or a real/perceived characteristic of an individual member of that group.

OPPRESSION - The impact of assumed and unjust superiority that entitles persons or institutions to dominate, exclude, discriminate against, abuse, etc. a group that is perceived to be inferior. Personal, cultural, and institutional manifestations of oppression are typically expressed through "-isms" (i.e., racism, sexism, heterosexism, ageism, classism, etc.)

INTERNALIZED OPPRESSION - the conscious or unconscious belief that the stereotypes and lies about you or other members of your race, gender, age group, class, religion, etc. are true.

PRIVILEGE - Advantages, entitlements, benefits, responsibilities, assumptions, choices, and expectations that are granted based on membership in a culturally dominating group. This membership is usually determined at birth.

Once definitions have been constructed through the contributions of each staff member, ask them to think about how these ideas have affected them personally throughout their lives. Invite them to think about the following questions:

¹⁰ *Open Minds, Open Doors: An Advocates Guide for Reducing Barriers and Enhancing Services to Clients with Diverse Access and Cultural Needs.* Artemis Center for Alternatives to Domestic Violence. no page (no date).

Have they experienced discrimination or harassment because of class, ethnicity, race, religion, gender, or sexual identity?

What "-isms" have they confronted in school, at home, in their neighborhoods, at church, etc.?

How have the feminist values or other ideological beliefs of staff members been affected or transformed by oppression and privilege?

How have these concepts affected the way they approach and understand domestic violence?

What privileges do staff members knowingly or unconsciously encounter in their daily lives?

What is it like to feel oppressed in some ways and privileged in others?

How do staff feel when working with people who are different in some way than they are?

Encourage staff to share personal life experiences around these issues and their feelings about oppression. Supplement larger group discussions about these topics with smaller group activities, reading materials, and creative activities. Sometimes the most vivid images of oppression come from artwork, poetry, or journal entries. Make sure that discussions validate and reinforce the experiences of staff members.

After completing this personal analysis, shift the focus of the discussion toward immigrant women. Have staff think about how oppression, internalized oppression, privilege, power, and discrimination affect immigrant women and their relationships to service providers. Ask staff to share stereotypes, myths, or misconceptions that they may have heard about immigrants through friends, the media, or politicians. If staff members are not verbally forthcoming with information, ask them to anonymously write down their thoughts and pass them to the facilitator to be shared. Remind staff that the point of this exercise is to connect their experiences with oppression to those encountered by battered immigrants. This sensitizes the staff and unravels the barriers that oppression could otherwise uphold. Staff could consider the following myths and realities about immigrants:

MYTH: Immigrants are untrustworthy.

REALITY: Immigrants are no more or less untrustworthy than any other group of individuals. This myth is based on fear, prejudice, and misconceptions that U.S. -born persons may have about immigrants.

MYTH: Immigrants are to blame for America's economic problems.

REALITY: The United States was created in great part through the economic achievements of immigrants. Immigrants who come to this country have built successful businesses and have made significant contributions to government and society. They encourage their children to make the most of available educational

opportunities and fill jobs that would otherwise be left vacant. For example, the U.S. agricultural industry depends heavily on the labor of immigrants.

MYTH: Immigrants are lazy and only come to the United States for welfare benefits.

REALITY: Immigrants come to the U.S. in search of work and many flee war, poverty, political persecution, or domestic violence. They do not come to the United States to freeload off the welfare system. In fact, immigrant welfare recipients only represent approximately six percent of those persons who receive public benefits and are not permitted by law to access most benefits that are freely available to U.S. citizens.¹¹

MYTH: Immigrants marry U.S. citizens just to get green cards.

REALITY: The vast majority of immigrants marry U.S. citizens and lawful permanent residents because they intend to build a life together with their spouses. They marry in good faith, live together, and have children together. The INS prosecutes very few marriage fraud cases each year. Of the thousands of immigrants who applied for immigration legal relief in 1995, only 366 persons were convicted of fraud charges relating to false statements on immigration documents, including statements based on marriage.¹²

MYTH: Immigrants come from cultures where domestic violence is permissible.

REALITY: Domestic violence crosses all cultural boundaries, but no culture inherently supports violence. Rather, it is patriarchal structures that exist within a culture that tacitly support or condone domestic violence. At the same time, many cultures also have built-in support systems that counter the violence and support victims.

MYTH: Immigrants are poor.

REALITY: Not all immigrants who arrive to this country are necessarily poor. Immigrants may bring with them considerable wealth and skills that make them employable in higher paying professions. For example, in 1995, the INS granted work permits to approximately 59,000 immigrants with professional or technical skills (including engineers, lawyers, and scientists).¹³

¹¹George Soros. *Legal Immigrants Deserve a Safety Net*. New York Times. A27 (8/22/97).

¹²U.S. Immigration and Naturalization Service. *Statistical Yearbook of the Immigration and Naturalization Service, 1995*. U.S. Government Printing Office. Washington, DC. 178 (1997).

¹³U.S. Immigration and Naturalization Service. *Statistical Yearbook of the Immigration and Naturalization Service, 1995*. U.S. Government Printing Office. Washington, DC. 69 (1997).

MYTH: Immigrants are people of color.

REALITY: While INS figures suggest that the majority of immigrants entering this country are people of color, persons from traditionally white countries emigrate to the U.S. every day and are just as likely to be victims of domestic violence. According to INS statistics, immigrants from these countries make up approximately 18 percent of all persons admitted into the United States by the INS.¹⁴

MYTH: Immigrants are not educated.

REALITY: Many immigrants who come to the United States are educated or highly educated. Because they may not speak English fluently or may not be familiar with the way that U.S. culture and laws function, many wrongly presume that they are uneducated. Even those immigrants with less education are very resourceful and hardworking contributors to U.S. society.

MYTH: Immigrants are heterosexual.

REALITY: Not every immigrant entering the U.S. identifies as being heterosexual. Immigrants from more conservative countries may be forced to remain in the closet because of safety concerns or fear about being ostracized from their families and friends.

MYTH: Immigrants have many children and cannot control their fertility.

REALITY: Some immigrants may come from countries where birth control is not easily accessible or are a part of religious faith or culture that does not empower women to use family planning. In some cases, immigrants may have more children because they need these children to help support the family. Battered immigrants may also not use birth control because they fear that they will be beaten by their abusers for doing so.

MYTH: Immigrants do not take care of their children.

REALITY: People from different cultures use different techniques in child rearing. Most of these techniques are equally valid and effective. Some cultures put children to bed at fixed early bed times while others may allow children to stay up longer with adults. In some cultures, dinner is served at 6:00 p.m. and for others at 10:00 p.m. Some parents hire babysitters to assist with child care. Other parents can rely on members of their cultural community to fulfill this role.

¹⁴ *ibid.* 22.

MYTH: Immigrants will not use the legal system in their safety planning.

REALITY: Many immigrants come from countries with ineffective or corrupt legal systems and may be hesitant to use the U.S. system as a result. Those who do not have a legal immigration status may also fear that they will be deported when seeking assistance. However, with the support and assistance of trained advocates, many immigrants overcome these fears and successfully involve the legal system in their efforts to end violent relationships.

MYTH: Immigrants have an immigration status which is inflexible and unchangeable.

REALITY: Immigration laws are not static. Rather, they constantly change as new legislation is enacted by the U.S. Congress. For example, immigrants who enter this country illegally may find that they are able to legalize their status through future amnesty provisions. Immigrants who enter the United States legally can adjust their immigration status over a duration of time that can be anywhere from six months to five years (depending on how they enter the United States and who is petitioning for them).

MYTH: Immigrants are undocumented.¹⁵

REALITY: Not all immigrants are undocumented. Many enter this country legally through petitions by family members or employers. For example, in 1995, over 460,000 immigrants entered the United States through family-based immigration petitions.¹⁶ Immigrants may also enter the United States as refugees and have the right to apply for political asylum.

MYTH: Immigrants do not deserve to be here.

REALITY: The United States is a country of immigrants. To say that a particular immigrant does not deserve to be here would be to discount the cultural heritage of most citizens of this country (who are descended from immigrants). Immigrants who come to the United States bring with them cultural traditions that enrich this country. Moreover, they are often fleeing political or economic conditions that are the result of negative conditions in their home countries.

¹⁵"Undocumented" is the proper term to use when referring to persons who do not have permission from the Immigration and Naturalization Service (INS) to be in the United States. The term "illegal alien" is degrading and should not be used to describe any human being.

¹⁶U.S. Immigration and Naturalization Service. *Statistical Yearbook of the Immigration and Naturalization Service, 1995*. U.S. Government Printing Office: Washington, DC. 19 (1997).

MYTH: Immigrants should only speak English.

REALITY: While it is often easier for immigrants to navigate through the U.S. system with some knowledge of English, English is not required to be spoken as a matter of law in the United States. The English-only movement that has appeared during the last few years stems from racist and anti-immigrant attempts to prevent others from freely expressing their cultural traditions.

MYTH: Immigrants should give up their cultural roots and become true Americans.

REALITY: What does it mean to be a true American? Why should a particular group be forced to give up cultural traditions and conform to the supposed ideal of the true American? To require newly-arrived immigrants to conform to the concept of a true American is unfair and discounts the cultural contributions that all immigrants make to the United States.

As this discussion progresses and staff are presented with the above information, it is helpful for the facilitator to show how these ideas are rooted in oppressive ideologies. The staff should then be asked to imagine what it would be like to encounter these stereotypes in their own lives. This exercise is intended to validate the principles that staff and clients are all harmed by oppression, that oppression means different things to different individuals, and that there is no hierarchy of oppression. Any form of oppression that staff or clients have experienced and been hurt by is equally valid and important. Emphasize that these prejudices and myths are taught and therefore can be unlearned.¹⁷ Explain as well that unwritten rules in the U.S. can have a major impact on the lives of immigrants and lead to the creation of the stereotypes listed above.

After discussing these concepts, it is important to discuss how these sessions relate to the culturally competent relationships that staff ultimately want to have with immigrant shelter residents and clients. The hope is that if staff members are conscious of the existence of oppression and the pain that it can cause, they will be more likely to take direct action to prevent this from interfering with their work. They will recognize that they have privileges and power that immigrant women may lack. They will use these privileges in a positive manner to advocate on behalf of a battered immigrant only when that person cannot otherwise do so.

¹⁷ *Open Minds, Open Doors: An Advocate's Guide for Reducing Barriers and Enhancing Services to Clients with Diverse Access and Cultural Needs.* Artemis Center for Alternatives to Domestic Violence. 2 (no date).

At the same time, staff will be less likely to inadvertently impose their values on the client because they will take the time to seek out and validate the immigrant client's strengths, fears, and needs. They will be more likely to look for culturally appropriate solutions to problems and respect the decision-making capabilities of immigrant women. Finally, they will take as many steps as possible to keep false constructions and misconceptions about immigrants from negatively affecting their work.¹⁸ They will be more effective advocates for immigrant women with government or justice system personnel who use anti-immigrant stereotypes to deny protection, benefits, or services to battered immigrant clients. It is important that advocates evaluate personal issues that they may have and begin to work on these with the support of other program staff before having contact with clients.

CULTURAL BARRIERS TO SERVICES

In addition to understanding how prejudice, myths, and stereotypes can limit services to immigrants, staff members need to be familiar with the major cultural barriers that battered immigrants may face when trying to access a domestic violence program. They should know how to diffuse these barriers as well. Such barriers include language and cultural sensitivity concerns, a lack of community support, duty, and shame.¹⁹

First, battered immigrants are often concerned that if they go to a shelter or domestic violence program, there will not be anyone available who can speak their language or understand their needs. They may be afraid that they will be discriminated against or that they will not be able to live according to their traditional beliefs while in the shelter. To address these concerns:

Train staff to reassure immigrant clients that any woman can utilize your services and that interpreters will be located if no staff with language capabilities are available.²⁰

¹⁸See Leslye E. Orloff and Minty Siu Chung. *Overcoming Cultural Barriers*. AYUDA, Inc. 5 (1996).

¹⁹*Ibid.* 5. See also Leti Volpp and Leni Marin. *Working With Battered Immigrant Women: A Handbook to Make Services Accessible*. Family Violence Prevention Fund. 13-14 (no date).

²⁰In the state of Iowa, shelter advocates are given cards to put by their hotline phones that contain useful Spanish phrases that someone who does not speak Spanish can be read to a Spanish-speaking caller. These are particularly useful for shelters who do not have bilingual advocates or if the bilingual advocate is away from the shelter. Some of the phrases include: "Si usted está en peligro, llame al 911. (If you are in danger, call 911)" "La persona que habla español no está aquí ahora. Ella regresa en una, dos, etc. horas. (The person who speaks Spanish is not here right now. She will return in 1, 2, etc. hours)."

Create shelter protocols that account for the differing needs of battered immigrants (see Chapter 5 for more information).

Present your services in a culturally competent light when conducting outreach (see Chapter 6 for more information).

Use training sessions to brainstorm on outreach programs and shelter protocols that could make your program's services more hospitable to immigrant women.

Second, battered immigrant women frequently find little support in their community or among family members or friends when they disclose their stories of abuse.²¹ The community may deny that domestic violence is a problem among its families. As a result, there may be a scarcity of services and resources in the immigrant community. It is emotionally difficult for a battered immigrant to free herself from a violent relationship if she risks losing community support or being ostracized by her relatives and neighbors.

To assist immigrant women who may feel completely isolated from their traditional sources of support, staff can do the following:

Help women look for alternative resources if no programs are available in the immigrant community. These resources could include friends, other battered women they meet through your program, support groups, counselors, or employers.

Recognize that the process of distancing oneself from a community identity is very difficult.

Respect that the client may not be ready to leave her batterer and face potential public humiliation from her community. Remind her that your services will always be available to her and offer to assist her with safety planning.

If a battered immigrant has come forward and fears that she has placed herself in danger of community reprisals, let her know that you are concerned about her safety and advise her to seek safe shelter immediately. If she is not yet ready to leave, help her obtain a protection

²¹ Sonia Parras-Konrad. ICADV (Iowa Coalition Against Domestic Violence). Major Barriers Multicultural Victims Face in Seeking Services from Domestic Violence Agencies: Battered Immigrant Women in Iowa.

order that does not require her to leave her abuser (see Chapter 9 for more information).

If the client has friends and/or relatives who recognize the danger of domestic violence and are willing to help her, offer to provide information to these individuals. The more they know about the dynamics of domestic violence, the more effective and understanding they will be as support persons.

Third, battered immigrants may face religious and social expectations that their duty as wives and mothers is to keep the family together, regardless of the emotional and physical cost to themselves.²² If they grew up in abusive homes and saw their mothers fulfill this role, there may be additional pressure on them to do so. If a staff member encounters this situation, it is recommended that s/he:

Learn how to explore the cultural roots of these beliefs and explain to clients that no culture inherently supports violence. Rather, it is the attitudes and behaviors of individual members of a culture that keep domestic violence in existence.

Recognize that informing clients that they have choices may be a difficult concept if that is not their reality. It may help instead for new clients to seek the support of staff who share their cultural background or domestic violence survivors from their cultural community.

If possible, encourage battered immigrants to seek religious resources which will address their beliefs and provide needed services. However, before doing so, be certain that you are aware of the place of worship's views on domestic violence. The staff should become familiar with clergy from a variety of religious denominations in the community who take a supportive stance on the issue of domestic violence and would welcome referrals of battered immigrant women. Sending a battered immigrant woman to seek support from a minister or religious leader who does not handle domestic violence issues appropriately can increase the danger to her. Agency outreach efforts to groups that serve immigrants in your community should include outreach to and education on domestic violence for religious groups in your area as well.

Fourth, immigrant women may feel deeply ashamed of leaving their batterers and may blame themselves for the violence. To assist clients, staff can:

Work through feelings of guilt and shame with the client by exploring movies and books in which battered immigrants have come to terms with

²²Leslye E. Orloff and Minty Siu Chung. *Overcoming Cultural Barriers*. AYUDA, Inc. 5 (1996).

these feelings (contact local ethnic organizations or the National Resource Center on Domestic Violence 1-800-537-2238 for more information and possible materials).

Encourage clients to attend support group meetings at your shelter or program with other residents, including residents of their cultural background. If possible, battered immigrants should be placed in a separate therapy group with other women who speak the same language.

Language and culture play important roles in therapy and the group process can be altered if translation is occurring. If this is not possible, battered immigrants should be encouraged to participate in group counseling and other programs open to all program participants. Many battered immigrants are able to fully participate in support groups with the help of bilingual staff and/or paid or volunteer interpreters that your program can help identify.

Respect the confidentiality concerns of immigrant residents in the support group setting. If a client is in a support group with members of her cultural community, she may fear that her problems will be disclosed to that community. She may also fear that she will be judged by her own alleged cultural standards. Confidentiality and freedom of expression need to be promoted and supported by staff and support group participants.

Remind battered immigrant women that their feelings are valid and that violence is never their fault.

Recognize that you may be the first person that a battered immigrant entrusts with her story and be empathetic.

Do not impose a Western feminist perspective on the client if this is completely foreign to her as this could be viewed as insulting or insensitive. Instead, work with the client to help her find ways to curb violence that will work for her within her cultural context.

Fifth, battered immigrant women may see reaching out for help as a sign of weakness. Again, this is especially the case if they saw their mothers silently endure domestic abuse. Training sessions should teach staff to respond to this issue in the following manner:

Remind battered immigrant clients that seeking help is a sign of strength and commend them for taking the courageous step of coming to your shelter or program in the first place.

Make sure that clients with these feelings are given the opportunity to participate in culturally competent therapy or support groups that work through these issues.

Remind immigrant clients that it is acceptable and their right to ask for help if they or their children are in danger.

If resources are available in the immigrant community, encourage your client to seek those out as well and work closely with staff at immigration-based organizations to coordinate services and ensure that battered immigrants receive the help they need.

Provide domestic violence training to staff at immigrant organizations to ensure that when your agencies work together, clients receive consistent, not contradictory, assistance. Plan cross training events so that your agencies can work together and learn about each other's services. You may want to invite members of other agencies to pizza-networking lunches or events where food (including food from ethnic communities) will be served.

IMMIGRANT CULTURES

In order to be better advocates, staff must receive training about the immigrant cultures represented in their community. Staff should collaborate with immigrant community advocates to learn about:

the history of the immigrant's home country

migratory patterns to the U.S.

religions, languages, political beliefs, mannerisms, social constructions, values, foods, arts, crafts, and habits.

the role of women as defined by this community. Are women required to be veiled in public? Do they come from countries where genital mutilation is a cultural tradition or where such customs as dowry murders or sati (where a widow commits suicide by jumping into her husband's funeral pyre) are condoned?²³

how domestic violence is traditionally perceived and resolved.

²³Nadera Shalhoub-Kevorkian. *Tolerating Battering: Invisible Methods of Social Control*. International Review of Victimology. Vol. 5. 4 (1997).

Knowing this information will prepare staff to help immigrant women who may be deeply traumatized and need more in-depth services and advocacy.

Furthermore, understanding cultural behaviors can prevent the staff from jumping to conclusions or acting discourteously in the day to day operations of a shelter. For example:

It is common for mothers from some Central American countries to feed their children their first meal of the day at one or two o'clock in the afternoon and the evening meal at eight or nine. During the day, they allow their children to snack whenever they like.²⁴ Staff who are not aware of this may make the mistake of filing a child neglect report because the children are perceived to not be "properly" cared for.

In Southeast Asian cultures:

It is considered rude to touch someone on the head because the head is considered the most sacred part of the body.²⁵

A smile may mean many things - pleasure, scorn, shame, or indifference.

Using waving or beckoning motions in some cultures may be considered rude as well.²⁶

Being aware of these cultural differences will promote respect between a staff member and his/her immigrant client. If there is any question as to certain cultural beliefs, values, or mannerisms, contact the Anthropology department of your local university, local cultural community groups, national ethnic organizations, or look for relevant information on the Internet.

While training focuses on the culture of a woman and its role in a domestic violence situation, the staff should remember that culture is only one factor that shapes a person's response to victimization. Even though a victim is part of her community, she is also a unique person with an individual response to domestic violence. Thus, while a staff person's knowledge of the client's community is helpful, s/he must be

²⁴Mary Ness and Maria Pendarski. *Diversity: Awareness and Outreach; Building Bridges Through Understanding*. 72 (1992).

²⁵Ibid. 38.

²⁶Ibid. 39.

careful to avoid making incorrect assumptions about the victim and her options. For example, do not assume that all immigrant women are heterosexual, even if they have male partners. Be prepared to work with gay women who may not be out for survival or immigration purposes and who may not identify with the term lesbian.²⁷ It should be emphasized to the staff that although they will be working with immigrant women or women of a specific cultural background, domestic violence occurs in all communities, regardless of the ethnicity of the survivor.²⁸ Finally, even if your staff have received training on the major immigrant communities in your area, staff must be aware that they will very likely encounter immigrant women from other cultures who may be isolated from any cultural community in your area. The training program discussed in this chapter and the cross-cultural interviewing techniques discussed in Chapter 3 will prepare staff to work with battered immigrants who come from a broad variety of cultures.

SPECIAL NEEDS OF BATTERED IMMIGRANT WOMEN

The final component of the cultural competency program is to develop staff expertise in legal and social service issues that directly affect battered immigrant women. Many battered immigrants do not realize that the court system, the police, immigration legal provisions, shelters, and public benefits (depending on the state where the battered immigrant resides) are tools that they have the right to use whether or not they leave their batterer. Staff should first be taught the basic rights of battered immigrants and methodologies for explaining these rights in a culturally sensitive manner. These rights are the same for all immigrant women, including undocumented immigrant women. These rights include:

The Right to:

- ✓ live without fear and violence in their home.
- ✓ seek protection from the police and the courts.
- ✓ have their abusers criminally prosecuted.
- ✓ get a restraining order from the court.
- ✓ be awarded child support and custody of their children.
- ✓ leave anyone who hurts them physically, emotionally and/or sexually.
- ✓ obtain shelter when trying to leave an abusive relationship.
- ✓ receive emergency medical services if hurt or injured.

²⁷Anna Nelson-Perry. *Immigrant Women*. Open Minds, Open Doors: An Advocate's Guide for Reducing Barriers and Enhancing Services to Client with Diverse Access and Cultural Needs. Artemis Center for Alternatives to Domestic Violence. 21-22 (no date).

²⁸Mary P. Koss et al. *No Safe Haven: Male Violence Against Women At Home, At Work, and the Community*. 45-58 (1994).

- ✓ be informed about immigration legal options.
- ✓ get help from shelters and community-based social service agencies regardless of immigration status.
- ✓ obtain public benefits for U.S. citizen or lawful permanent resident children.
- ✓ obtain public benefits because of abuse and their relationship to a U.S. citizen or lawful permanent resident batterer.
- ✓ get food from emergency food banks.
- ✓ make decisions about their own lives.²⁹

It may be very difficult to explain the legal remedies available to battered immigrant women as many immigrants fear that the courts will be corrupt, that they will be deported, or that the police will not help them.³⁰ Explore during training the differences between legal systems in this country and those in the home country of the local immigrant community (this information can be found on the Internet through human rights web servers that discuss country conditions.) If an immigrant client seems reluctant to involve the court, teach staff to explain how the legal process works in contrast to what the client might be familiar with. When discussing this issue with a client, staff should be aware that:

Many immigrant clients may come from countries with civil law systems where courts do not permit oral testimony and only accept written and sealed affidavits.

These legal systems may consider the testimony of a man to be more credible than that of a woman.

Money or political clout may determine judicial outcomes in these countries.

Advocates need to work more thoroughly with immigrant clients to help them understand that it is acceptable for them to personally tell their story of abuse to a judge in open court.³¹ Clients should know that the U.S. judicial system is impartial and that it considers acts of domestic violence to be crimes. Let your client know that it is

²⁹Adapted from Southern Arizona Legal Aid Brochure and Women's Information Service (WISE) Brochure: Rights and Options for Immigrants and Refugees. Ayuda Training Materials.

³⁰Leslye E. Orloff and Rachel Rodriguez. *Barriers to Domestic Violence Relief and Full Faith and Credit for Immigrant and Migrant Battered Women*. Migrant Clinicians Network. 15 (1997).

³¹Leslye E. Orloff, Deanna Jang, and Catherine F. Klein. *With No Place To Turn: Improving Legal Advocacy for Battered Immigrant Women*. 29 FAM.L.Q. 315-16 (1995).

her right to get a protection order, that she can still live with her batterer if she chooses, and that the police are available to assist her.

An immigrant woman's concerns about the police should not be taken lightly. It is common for immigrant communities to have a generalized fear of law enforcement, particularly when they come from countries or live in U.S. neighborhoods where there has been a history of police brutality. Some battered immigrants may fear that the police will report them to the INS and have them deported. They may also be concerned that their batterer will be deported if they call 911 to report the abuse. Finally, the police may not be very responsive to domestic violence calls in general. To assist battered immigrants who have these concerns and improve the response of the local police department, staff should:

Find out if there have been instances of police harassment against immigrants in the community. If this has been and/or continues to be a problem, offer to work with community and civil rights groups to improve relations between the police and the community. Support initiatives by the local police department to hire recruits from the immigrant community and increase its language resources.

Familiarize themselves with local mandatory arrest laws or pro-arrest policies. Find out whether the police are actually following these laws and if these laws are being applied differently when an immigrant victim calls for help. Domestic violence coalitions are a good resource for this type of information.

Find out whether the prosecutor's office in your county has a no-drop policy concerning domestic violence cases and what the prosecution rate is for mandatory domestic violence arrests. This is very important for a battered immigrant client as a conviction for a domestic violence crime or the violation of a protection order can result in her batterer's deportation (see Chapter 10 for a more detailed discussion of this issue). Note that simply having a protection order filed against a batterer is not considered to be grounds for deportation. Advocates will need to work closely with battered immigrants by doing safety planning and lethality assessments to help battered immigrants decide when to file charges, when to enforce protection orders, and whether they can safely cooperate in their abuser's prosecution (see Chapter 10 for more information).

Use the above information when working with the client and help her determine the pros and cons of calling the police. Determine under the given circumstances what the balance of safety versus immigration concerns is (see Chapter 10 for strategies concerning this issue). If

possible, encourage the client to put her family's safety first and emphasize the importance of police reports for her domestic violence and immigration cases.³²

If the police response to domestic violence calls tends to be less than favorable, explain this to the client and explain that you cannot guarantee that her interaction with the police will be positive. Try to cultivate relationships with individual police officers who are bilingual and concerned about domestic violence issues. If a client feels that she has been mistreated, file a complaint with the police department. No matter what the police response is, teach your clients to get the names and badge numbers of all police officers who assist them. In many cases, this information will be on the officer's business card.

Offer to give cultural competency and domestic violence training to police officers and prosecutors.

Teach the client how to use 911 and explain to her what kind of information the operator will ask for. This is especially important if the battered immigrant does not speak English or has recently arrived to the country.

Immigration Relief

In addition to addressing client concerns about the U.S. legal system, staff must understand that immigration status and fears about deportation affect the safety and well-being of battered immigrant women. It is therefore important that staff be sensitive to immigration issues and be able to provide the basic information to clients that is outlined below. It may be helpful to invite an immigration attorney to facilitate this part of the training.

Some major issues that staff need to be knowledgeable of are:

- 1) **Shelter Reporting Requirements:** Domestic violence shelters and programs are not required to inquire into the immigration status of residents and are explicitly exempt from any reporting requirements imposed by immigration laws. Thus, they have no obligation to report undocumented clients to the INS (see Chapter 7 for more information).

³²Anna Nelson-Perry. *Immigrant Women*. Open Minds, Open Doors: An Advocate's Guide for Reducing Barriers and Enhancing Services to Clients with Diverse Access and Cultural Needs. Artemis Center for Alternatives to Domestic Violence. 21 (no date).

- 2) **Reporting Requirements of Other Agencies:** The only governmental or non-governmental agencies required to report persons they know to be in the United States unlawfully are welfare agencies, particularly those administering TANF funds who are required to submit reports to the government on a quarterly basis. (See Chapter 12 for applicable guidelines). Advocates should accompany battered immigrants applying for benefits. Battered immigrants must not seek benefits that they may not qualify for. Further, when they apply for benefits on behalf of their U.S. citizen children, an advocate should accompany them to ensure that they are not questioned about their own immigration status (See Chapter 12 for more information).³³ Courts, police officers, non-governmental programs, hospitals, and health care programs have no legal obligation to inquire into immigration status or report undocumented immigrants to the INS.
- 3) **Staff should never call the INS to verify a client's status.** If a staff member calls to inquire about the immigration status of a client who turns out to be undocumented, the INS could arrest the client for being illegally present in the U.S. The consequences of being arrested are very grave. Your client could lose access to immigration relief under the Violence Against Women Act (VAWA), could lose custody of her children, could be cut off from resources in the United States, and could be deported. Contact an immigration attorney to assist your client in assessing what, if any, immigration benefits she may qualify for.
- 4) **Clients should be allowed to self-disclose their immigration status.** Clients should be reassured that immigration information is confidential and that their statuses will not alter the services that the shelter or agency provides them.
- 5) **Clients should be informed that they can bring any immigration problems that they have to agency staff who will in turn help them set up a consultation with an immigration attorney, accredited representative, or trained immigration advocate.**
- 6) **Staff should be acquainted with basic immigration law and specific immigration and welfare provisions that apply to battered immigrants.** These provisions include the immigration laws under the Violence Against Women Act (VAWA), battered spouse waivers, and the special access to welfare benefits that certain battered immigrants have been granted. General immigration concepts are discussed below. For more specific information, contact an immigration attorney in your area, Immigrant Women Program, Legal Momentum at (202) 326-0040, or the National Immigration Project of the National Lawyer's Guild at (617) 227-9727. (See Chapter 8 of this manual for more detailed information on VAWA as well).

³³Leslye E. Orloff and Rachel Rodriguez. *Barriers to Domestic Violence Relief and Full Faith and Credit for Immigrant and Migrant Battered Women*. Migrant Clinicians Network. 12 (1997).

A battered immigrant may have one of the following immigration statuses when she arrives at your program:

- A) **Lawful Permanent Resident (LPR):** An LPR has the right to live and work permanently in the United States. All LPRs have a "green card" and should be able to show you this card during an intake interview. If an immigrant recently received permanent residency and does not yet have her actual card, she should be able to show you a Social Security Card or a stamp in her passport that denotes her LPR status. If your client's card has been destroyed by her abuser, she can obtain a replacement card. LPRs are allowed to apply to the INS to bring certain relatives to the U.S. and can apply to become citizens after being in the U.S. for five years or three years (if married to a U.S. citizen).
- B) **Conditional Resident** - A conditional resident is an immigrant who has recently emigrated to the U.S. and applied for immigration status through a U.S. citizen/LPR family member. The immigrant must be a conditional resident for two years, after which the spouse can file a joint application for permanent residency. If the immigrant's application is based on a marriage, the spouse and immigrant must complete an interview proving that the marriage is in good faith before LPR status will be granted. If this is not possible because of domestic violence, the immigrant can file a battered spouse waiver (see below). While an immigrant has conditional residency, she may work and reside legally in the United States. If a battered immigrant shows you a conditional residency card, she should be referred to an immigration attorney to file a battered spouse waiver.
- C) **Asylee** - This is an immigrant who fears returning to their home country because of a well-founded fear of persecution based on race, religion, political beliefs, nationality, or membership in a particular social group. Immigrants must apply for political asylum in the U.S. embassy of their home country or upon arrival in the United States. All political asylum claims are adjudicated by the Immigration and Naturalization Service. Immigrants in deportation or removal proceedings can have their asylum case decided by an immigration judge. If an immigrant wins asylum, s/he can work legally in the United States and apply for lawful permanent residency. This person should also be able to show you a temporary or permanent "green card" during the intake interview.
- D) **Non-immigrant visa holder** - A visa is a document that gives an immigrant permission to enter the United States to work, study, or travel for a finite period of time. Relatives being brought into the United States by U.S. citizens or LPRs must also receive a visa to first enter the country. Visas are usually obtained from the U.S. embassy in the immigrant's home country.

- E) **"Out-of-status" immigrants** - These are immigrants who have overstayed their visas and are in the United States illegally. By allowing their visas to expire, this group is often barred from obtaining immigration relief and may be deportable. If a battered immigrant comes to your office with this type of status, contact an immigration attorney or expert immediately.
- F) **Undocumented immigrants** - These are immigrants who entered the United States without legal documents giving them permission to do so. These persons are not able to legally work or live in the United States and if caught by the INS, are immediately deportable. In the past, immigration laws have occasionally allowed undocumented immigrants who entered the United States by a certain date to legalize their status under blanket amnesty laws. To find out what options are available to an undocumented client, contact an immigration attorney or expert. An undocumented client who is married to a U.S. citizen or LPR may qualify for VAWA relief (see below).

IMMIGRATION QUESTIONS AND ANSWERS

1) How does someone obtain legal immigration status?

Legal immigration status is most commonly obtained through petitions filed by employers, petitions filed by U.S. citizen or LPR relatives (family-based petitioning - most common method), applications filed for political asylum that are approved by an immigration judge, and VAWA self-petitions (see below). If a client has been naturalized or received permanent residency status, her abuser cannot take this status away from her. However, if she is a non-citizen who is found guilty of a crime, she may be subject to deportation(see Chapter 10).

2) What is deportation or removal?

Deportation, now referred to as removal, is the legal process whereby the INS removes an immigrant from the United States. This could occur while someone is crossing the border illegally or can happen in the United States if an immigrant overstays her visa, is caught working illegally during an INS raid, allows her conditional work permit to expire, or is reported to the INS by a private citizen. Deportation is not automatic. All immigrants who are arrested by the INS have the right to a deportation hearing before they are returned to their home country. To prevent deportation from taking place, an immigrant may be able to apply for suspension of deportation or cancellation of removal. **Clients with upcoming deportation hearings need to be represented by an immigration attorney.** If the client wins her deportation case, she will receive legal permanent residency.

3) What is family-based petitioning and how does it work?

A family-based petition allows a lawful permanent resident or a U.S. citizen to petition the INS on behalf of relatives who want to enter the U.S. This process works as follows:

The family member files the petition for his/her relative with the INS and it is processed by the U.S. embassy in the home country of the relative (this is referred to as consular processing).

If the relative meets the requirements to enter the U.S., his/her petition is approved and s/he is issued a visa to enter the U.S. legally. S/he can then apply to become a permanent resident.

During the petitioning process, the relative in the U.S. must file an affidavit of support. This affidavit is an agreement with the INS that the U.S. citizen or lawful permanent resident will act as the relative's financial sponsor.

It is important to note that the person who files the petition has the power to decide when he will file and the relative is dependent on his sponsorship. This person also has the ability to withdraw his petition at any time during the process. Were this to happen, the relative would be left in the United States without a legal immigration status and could be deported. In abusive relationships, this power often traps battered immigrants and keeps them from getting help for fear of losing their status.³⁴ Battered spouse waivers and VAWA immigration relief are designed to assist immigrants experiencing this problem.³⁵

4) What is a battered spouse waiver?

The battered spouse waiver applies to women who have conditional residency. These are women whose abusive spouse chose to file a family-based petition and affidavit of support for them, but who were married to their spouse for less than two years at their visa interview. Conditional residents must complete a successful interview along with their spouse before an INS official two years after the conditional green card was issued. Immigrant women with conditional residency who are battered

³⁴ *Assisting Immigrant Survivors of Domestic Abuse: VAWA Immigration Relief, Public Assistance, and Other Legal Concepts*. Centro Legal. 3 (1998). Leslye E. Orloff et al. *VAWA Provisions that Protect Battered Immigrant Women and Children*. AYUDA, Inc. 1 (1998).

³⁵ Leslye E. Orloff et al. *VAWA Provisions that Protect Battered Immigrant Women and Children*. AYUDA, Inc. 1 (1998).

by their U.S. citizen or lawful permanent resident spouses can file a battered spouse waiver asking the INS to waive the interview requirement and proceed with their immigration petitions without the participation of their spouses.³⁶ After the battered spouse waiver is approved, the immigrant can apply for lawful permanent residency.

5) What immigration assistance does VAWA provide?

The Violence Against Women Act (VAWA) helps battered immigrants whose U.S. citizen or lawful permanent resident husbands have not filed family-based petitions for them. Under VAWA, battered immigrants can self-petition for their green cards by themselves and can obtain legal relief if they find themselves in deportation proceedings. **As a result, they do not have to depend on their batterer to help them obtain legal immigration status.** Approved VAWA petitions give battered immigrants legal immigration status, eligibility for certain public benefits, and work authorization. The INS is required to keep all information contained in self-petitions confidential and cannot tell the abuser that a self-petition has been filed.³⁷

To qualify for VAWA remedies, immigrants must be:

- An abused spouse or former spouse of a U.S. citizen or lawful permanent resident
- An abused child of a U.S. citizen or lawful permanent resident
- A nonabusing parent of a child abused by the child's U.S. citizen or lawful permanent resident other parent.³⁸

To win a VAWA self-petitioning case, the battered immigrant must prove that:³⁹

- 1) she is married to or the child of the abuser at the time of filing the self-petition.
- 2) his/her spouse or parent is a U.S. citizen or lawful permanent resident.
- 3) she is currently residing in the United States.

³⁶ *Assisting Immigrant Survivors of Domestic Abuse: VAWA Immigration Relief, Public Assistance, and other Important Concepts*. Centro Legal. 3 (1998).

³⁷ *Ibid.* 3. See also Leslye E. Orloff et al. *VAWA Provisions that Protect Battered Immigrant Women and Children*. AYUDA, Inc. (1998).

³⁸ Leslye E. Orloff et al. *VAWA Provisions that Protect Battered Immigrant Women and Children*. AYUDA, Inc. 2 (1998).

³⁹ Leslye E. Orloff et al. *VAWA Provisions that Protect Battered Immigrant Women and Children*. Ayuda, Inc. 2-4 (1998).

- 4) she has resided in the United States with the citizen or lawful permanent resident spouse (or parent).
- 5) she was battered or subjected to extreme cruelty during the marriage.
- 6) she is a person of good moral character
- 7) her removal would result in extreme hardship for her or her child.
- 8) she married her spouse in good faith.

After the VAWA self-petition is filed, an immigration judge will determine whether it contains the necessary elements of a VAWA case and issue a *prima facie* determination. This *prima facie* letter can be used by a battered immigrant to qualify for certain public benefits. Battered immigrants may then be required to submit additional information before the INS Service Center in Vermont will approve their petition. All evidence is provided to the INS in written form through affidavits and documentary evidence. No hearing is required. If the client's VAWA case is approved, she will receive an approval notice and deferred action status. **Deferred action guarantees that the INS will take no action to deport the self-petitioner and will grant her work authorization.**

Battered immigrants married to U.S. citizens are then immediately eligible to apply for permanent residency in the United States or through consular processing. Battered immigrants who are married to lawful permanent residents are required to wait up to five years to obtain LPR status under VAWA. However, this group can live and work legally in the United States while they wait. Up until January of 1998, battered immigrants could adjust their status without having to return to their home country to file the paperwork with the U.S. embassy there. This provision, known as 245(i), has expired and immigration advocates are currently working to have it reinstated for battered immigrants.

For more information about VAWA cases, please see Chapter 8. If staff members believe that a battered immigrant in your program may qualify for relief under VAWA or the battered spouse waiver, consult with an immigration attorney who has experience working with VAWA cases or a VAWA expert. If you need help identifying an immigration attorney in your state who can assist with a VAWA case or help finding a VAWA expert who can supervise your helping a client prepare a VAWA case, call the resources listed below.⁴⁰

⁴⁰For more assistance with VAWA cases, contact - Leslye Orloff or Janice Kaguyutan of Ayuda (Washington, DC) (202) 387-0434, Gail Pendleton of the National Immigration Project of the National Lawyer's Guild (Boston) (617) 227-9727, or Leni Marin of the Family Violence Prevention Fund (San Francisco) (415) 252-8900. VAWA training materials for advocates are available from Ayuda, the National Immigration Project of the National Lawyer's Guild, and the Family Violence Prevention Fund. Other good resources include Rosa Fregoso of the Legal Aid Foundation of Los Angeles (213) 640-3904, Terry Helbush of the National Immigration Project of the National Lawyer's Guild (San Francisco) (415) 421-0860, Kathleen Sullivan (San Francisco) (415) 771-6011, Laura Martinez of the Legal Aid Society of Central Texas (512) 476-7244 x334, and Anne Benson of the Northwest Immigrant Rights Project (Seattle)

Public Benefits

The process of obtaining public benefits for battered immigrants can be difficult and it is important for staff to be aware of recent changes in welfare laws. These laws reduce access to public benefits for many immigrants but actually **expand access to public benefits for battered immigrants abused by U.S. citizens and lawful permanent resident spouses and parents.** Moreover, recent guidelines from the U.S. Attorney General confirm that battered immigrants who do not qualify for benefits for themselves can safely seek benefits for their U.S. citizen, lawful permanent resident, and qualified alien (an immigrant who is legally authorized to apply for public benefits) children without being required to disclose information about the parent's immigration status to welfare workers (see Chapters 11 and 12 for further public benefits information). Unqualified battered immigrants can generally qualify for emergency funds from churches, synagogues or the Red Cross to cover rent, utilities, and phone bills for a few months. Some battered immigrants with U.S. citizen children may qualify for food stamps for their children as well.

Safety Plans

Finally, staff need to be trained to assist clients with the development of culturally competent safety plans. You may use the safety plans developed specifically for use with battered immigrant women in the appendix to this manual.⁴¹ A safety planning brochure is included that is for use by the client. The second and longer version is for staff to use with immigrant clients. It is important to remember that these plans should:

guarantee the victim the right to self-determination and allow her to choose the options that she feels most comfortable with.

create a method for securing and making copies of documents and information that the client will need to prove her VAWA immigration case (including her green card, marriage certificate, wedding pictures, police reports, medical records, and copies of her husband's immigration papers. A complete checklist of evidence that is needed to prove a VAWA case is included in Chapter 8).

(206) 587-4009.

⁴¹ An emergency safety plan has also been developed by Sonia Parras-Konrad of the Iowa Coalition Against Domestic Violence and has been translated into Spanish. For more information, call: (515) 244-8028.

encourage the battered immigrant to obtain a protection order that will remove her abuser from the family home or that will grant her access to the marital home with police assistance (if she has fled to another location) to remove documents, clothing, and other important evidence. The protection order may alternately order the abuser to turn over needed documents in open court before the judge. All battered immigrants can obtain protection orders. For immigrants who qualify for VAWA relief, a protection order is an important form of evidence for a VAWA case.

Protection orders are particularly effective for battered immigrant women married to immigrant abusers. Abusers born abroad are often more complicit with protection orders because they come from countries in which law enforcement officers are greatly feared. Out of concern for negative consequences to their immigration status, many curb their abuse as well.

CONCLUSION

By undergoing cultural sensitivity training, your staff will be equipped with the techniques and knowledge they need to better serve battered immigrant clients. Having a better understanding of battered immigrant women will sensitize staff to immigrant women's life experiences and enable them to listen to client fears and needs without judgment. A battered immigrant woman's chances of surviving violence and securing a safe and comfortable life for herself and her children are greatly improved when staff are trained to effectively assist and empower her.

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