

Decolonizing Gender-Based Violence Advocacy: The Development of an Undocumented Survivor Resource Training

By Zulema Aleman

ABSTRACT. The field of advocacy for the end of gender-based violence has constantly grown. Some could say that there is continual action taking place at multiple levels to ensure the protection of survivors, but the direction is often influenced by the perspective of those in positions of power. Regardless, both the social and legal movements have focused primarily on gender and often disregarded how other social identities, such as immigration status and race, intersect with sexual violence and thus create a range of experiences. The undocumented community is one of these groups who face higher rates of gender-based violence due to multiple systems of oppression. In order to address this issue holistically, specifically within the university setting, the advocacy field needs to be informed of the range of experiences of undocumented immigrant survivors, the steps towards cultural competency that need to be taken, and the unique support and resources needed to advocate for this community. This training seeks to be part of the solution by providing education to campus communities in the following areas: (1) foundational knowledge regarding the undocumented community, (2) cultural considerations, and (3) expanding awareness of resources available across the university, county, state, and nation.

Gender-Based Violence in the University Environment

It has been reported that 20 to 25% of college women experience rape or attempted rape during their time in college (Black, Basile, Breiding, Smith, Walters, Merrick, Chen & Stevens, 2011). This statistic is commonly known as the “one in five college women” statistic in universities. In addition to this statistic, gender-based violence is considered to be the most underreported violent crime in the United States. Less than 5% of completed and attempted rapes of college students are reported to campus or local law enforcement and in 80 to 90% of sexual assault cases the survivor knows their perpetrator, which plays a role in the survivor deciding to report and pursue justice (Karjane, Fisher & Cullen, 2005).

Federal and State-level Legal Action

Since the 1990s there have been various legal efforts to end gender-based violence on campuses and therefore provide a safer learning environment. An example can be found in the Student Right to Know and Campus Security Act of 1990 which requires (1) for federally funded higher education institutions to give timely warnings of possible threats to the campus community; (2) to keep a log of crimes reported within 60 days; (3) to keep crime statistics from up to eight years; and (4) to make available an annual security report to both prospective and current students as well as staff and faculty (Karjane, Fisher & Cullen, 2005). This act was later renamed to “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” in honor of the college student who was a victim of rape and murder and whose parents pursued a lawsuit to hold colleges accountable. This act is now commonly referred to as the Clery Act.

Title IX is another example of a measure taken to promote a safe learning environment for college students, especially with the inclusion of gender-based violence under Title IX. This federal law protects students in federally funded institutions from gendered discrimination. The creation of the “Dear Colleagues Letter” issued by the United States Department of Education Office for Civil Rights in April 2011, under the Obama Administration, stresses that sexual assault is a form of gender-based discrimination that is actionable under Title IX (Karjane, Fisher & Cullen, 2005).

As of 2017, with the appointing of Mrs. Betsy DeVos as the Secretary of Education under the Trump Administration, it was announced that she would be reviewing the Obama-era guidance on campus sexual assault. She has expressed concern that the current policy denies due process to students who have been accused, therefore favoring and protecting perpetrators on college campuses. This potential change in how to interpret Title IX and the way gender-based violence is handled in higher education institutions has left survivors uncertain of their protection on their campuses. This uncertainty creates a barrier to seeking resources even to the most privileged.

The Undocumented Community and Gender-Based Violence

Even though gender-based violence is a phenomenon that affects people of all backgrounds and identities, historically, marginalized communities experience it at higher rates, with immigrant women being two times more likely to experience gender-based violence (Tahirih Justice Center, 2017). While gender-based violence is already an underreported crime, undocumented immigrants face additional and unique factors that can influence their decision to report, such as

their residency status and cultural and religious beliefs (The White House Council on Women and Girls, 2014).

In a group of Latina immigrant survivors of intimate partner violence from the Central Coast of California who were surveyed on reasons to why not disclose their abuse and seek help, 98.4% of the participants who were undocumented listed a fear of detainment and deportation by the police as one of the primary reasons. In support of this finding, a survey done by a coalition of national organizations involving 700 victim advocates and attorneys found that 78% of the immigrant survivors who were in contact with the victim advocates and attorneys had concerns about contacting the police. In one case, a 16-year old survivor attempted suicide due to fear that her offender would report her and her family to Immigration and Customs Enforcement (Asian Pacific Institute on Gender-Based Violence, et al., 2017). This community finds themselves in a paradox where the institution that holds their protection and key to justice is the same one who could detain them due to their residency status.

Financial stability is another key influencer that affects the decision an undocumented survivor might make about seeking resources and protections. For example, if a survivor is financially dependent on an abusive partner, there is an additional barrier for them to achieve an independent and safe life. In the data collected from the group of Latina immigrants in the Central Coast of California it was found that more than 80% of the participants made less than \$24,001, with 23% of them reporting no independent income at all (Aleman, 2017). This creates a situation where undocumented survivors, who often have children, have decide to either stay in an abusive household or fall into poverty and potentially homelessness (Zorza, 1991; Baker, Cook, and Norris, 2003; Browne and Bassuk 1997; Moe, 2007).

Even if an undocumented survivor generates their own an income, due to their documentation status, the job opportunities available are ones with low wages, little to no benefits and a labor-intensive environment, which makes them more vulnerable to sexual violence in the workplace (Bergman & Cediel, 2013). An example of this can be seen in a study done in San Diego with undocumented immigrant workers, 17% of 826 employees reported some kind of physical threat, which in several cases included sexual violence from supervisors (Zhang, Spiller, Finch & Qin, 2014). ASISTA, an advocacy group focused on immigrant survivors of gender-based violence, surveyed 100 immigrant women in Iowa and found that 41% had reported unwanted touching, 30% reported receiving sexual propositions while at work, and 26% reported being threatened to be fired or demoted if they defended themselves from the advances from their superiors (Yeung & Rubenstein, 2013). Undocumented survivors require financial stability in order to have access to basic human needs such as food and housing, but they must remain in a place where sexual violence is prevalent, whether that be their home, their workplace, or both.

The Undocumented Community and Legal Action

In our society, there are different legal protections available to undocumented survivors in order to ensure their safety and prosecute offenders. Three forms of relief for undocumented survivors, intended to alleviate the factors that make undocumented survivors most vulnerable to sexual violence, will be emphasized in this section. Through receiving work authorizations, creating a path towards citizenship, and gaining access to public benefits, undocumented survivors can work toward creating a safe and independent life for themselves and their family.

The first form of relief is The Violence Against Women Act of 1994 (VAWA) which provides a form of relief for non-citizens who have been victims of gender-based violence perpetrated by a citizen who is related to them, such as their spouse, child, or parent. Through the “Self-Petitioning” process, a survivor can petition for work authorization, citizenship for themselves and qualifying family members, and other public benefits that will support them in gaining independence from their spouse, parent or child. In order to be considered for this, survivors must provide proof of the abuse or assault (Immigration Center for Women and Children, 2017).

In 2000, Congress introduced the U Nonimmigrant Visa (U-Visa) under the Victims of Trafficking and Violence Protection Act with the reauthorization of VAWA in 2000. This visa protects immigrant workers who are survivors of sexual assault in the workplace. Like the “Self-Petitioning” process through VAWA, the U-Visa provides undocumented survivors a path towards citizenship for themselves (and qualifying members) and other public benefits, as long they contribute to the investigation of their sexual assault and prosecution of the perpetrator (National Immigration Law Center, 2010).

The third form of relief is for those in a university setting, which can include both students and employees. Title IX, which was defined previously, cannot retaliate against undocumented survivors for their residency status and should treat all students, regardless of their immigration status, equally. Title IX can actually protect immigrant students from retaliation from other parties involved if they report to the office (Jahangiri, 2017).

Although there are forms of relief for immigrant survivors available it does not mean all immigrant survivors have access to or qualify for them. The social identities they exist in, the social culture they live in, as well as their

independent feelings and experiences can prevent them from reaching out to these resources.

Steps Needed Towards Culturally Competent Advocacy

Even though legal action exists towards ending gender-based violence and providing support and resources on college campuses and beyond, it is important to push for programs and advocacy work that focus specifically on the undocumented community and for intensive research and resources to include the specific racial and ethnic groups that could fall into this category. Programs should work with cultural competency as the center and should pay attention to the range in experiences, languages, and religions. These topics are necessary to build inclusive advocacy work and decolonize gender-based violence.

Often times in advocacy work, the individual experience of the undocumented survivor community goes overlooked, and this leads to stereotyping. In order to best support this community, it is vital to work from a lens that does not homogenize the “undocumented survivor” identity. An immigrant survivor’s country of origin, access to a path towards citizenship, language proficiency, location in the United States, social economic status, range of abilities, and class are all identities that can affect how one might experience gender-based violence, as well as what protections they have access to (Reina, Lohman, & Maldonado, 2014). As posed by Reina and her fellow researchers, the historical, political, and economic context as well as the intersections of various identities (e.g. race, class, gender, and sexuality) need to be taken in consideration when advocating and being a resource to the undocumented community. Therefore, in order to provide resources and advocacy for this community, it is essential to dismantle the homogenous perspective of immigrants and the

“undocumented survivor” experience, as it does not exist as a singular experience.

Due to differences in experiences, the needs of undocumented survivors differ when it comes to resources required in recovery and legal advocacy. For example, it is essential to provide advocates who speak various languages as well as resources for this variety in language. When 92 intimate partner violence resource agencies were surveyed, 25% of agencies had no services available in other languages for their clients. Half of these agencies also reported that their clients’ native language was one other than English (Medina & Vasquez, 2004). Explored by Reina and her colleagues in their research, the intersections of an individual’s identities and the contexts in which gender-based violence occurs must be taken into consideration in order to provide robust and culturally competent advocacy before those resources are available.

Choi, Elkins, and Disney (2016) found that undocumented survivors reach out to faith communities before other advocacy-focused resources and thus, the inclusion of the faith community is essential to reach these communities. This can be done by providing resources to religious institutions and creating partnerships with local religious leaders. Through outreach and education of local religious institutions of various types, this community can find advocates within their own group who can empathize at a deeper level than advocates who come from more privileged identities.

Introduction of Intervention at Cal Poly, San Luis Obispo

The intervention described below was initially started as a senior project in 2017 which sought to fill in the gap in culturally competent resources for undocumented survivors of gender-based violence at California Polytechnic State

University, San Luis Obispo (Cal Poly). Through my role as the first-ever Undocumented Student Liaison at Safer (Cal Poly's confidential resource for sexual assault, intimate partner violence, and stalking), I began researching and developed curriculum and resources to improve services for undocumented student survivors of gender-based violence. This culminated in the 60-minute Undocumented Survivor Resource Training, which has since been updated and offered multiple times as a supplemental training for staff, faculty, and students at Cal Poly.

Participants

The participants for this presentation have varied but remained members of the Cal Poly community, specifically those involved in diversity and inclusion efforts at the university. In the initial stages of development (January 2017 to May 2017), the training was exclusive to Safer-affiliated students. Safer is the gender-based violence education, prevention, and advocacy resource at Cal Poly.

In June 2017, the training's audience was extended to individuals across the university who were affiliated with the UndocuAlly Working Group through their training series. The UndocuAlly Working Group (previously named Undocumented Student Working Group) is a working group on campus established in 2015 and focused on creating an "UndocuFriendly" Cal Poly through their trainings and events, as well as support of the development and opening of the Cal Poly Dream Center. Since January 2018, this training was offered to the wider campus community as a supplemental training to the main training series by the UndocuAlly Working Group.

Training

There were 27 slides used for the 60-minute training. (See Appendix A for excerpts and a link to the full set.) This training was meant to be informative and interactive. It can be divided into six major topics, which include: (1) Introductory material to gender-based violence and the undocumented community, (2) Research on this topic both at a national and local level, (3) Cultural considerations in this field of advocacy, (4) Understand legal basics and forms of relief for immigrant survivors, (5) Immediate steps participants can take to support this work, and (6) Resources available on campus, in the county, and nationally.

Supplemental Material

There are three items that are supplemental to the training. The first was an adapted Power and Control Wheel (see Appendix B). The general Power and Control Wheel is a tool used to demonstrate the ways an abusive partner can use power and control to manipulate a relationship by giving specific examples of how tactics like emotional, financial, and psychological abuse are used. The wheel was reformatted to highlight the unique situations undocumented survivors are in when involved in an abusive relationship.

The second item was a two-page summary titled, “Key Findings: 2017 Advocate and Legal Service Survey Regarding Immigrant Survivors” (Appendix C). This handout, published in May 2017, is used to supplement the main activity and give a narrative to the training.

The third item is an informative pamphlet for participants to take with them (Appendix D). The pamphlet includes graphics regarding the undocumented survivor community, an excerpt from research quoted in the presentation, contact information to resources available in

the county, state and nation for undocumented survivors, as well as steps individuals can take to be a more effective ally.

Procedure

In early 2017, the 2016-2017 Safer staff received a 60-minute training on introductory material of the undocumented students population, as well as the undocumented survivors population. Due to the amount of information covered, it was determined that a focused training on being a resource to undocumented survivors was needed as part of the campuses initiative of diversity and inclusion. With the guidance of the UndocuAlly Working Group and Safer, I began to do independent library research in order to create foundational knowledge. At the time, this information did not exist publicly at Cal Poly, and many were unaware about the experiences of undocumented survivors and the resources they need. This training went through several revisions to adapt to the political climate surrounding undocumented immigrants and gender-based violence since it was first created and continues to change.

The most recent version of the training is 60 minutes long. The beginning of the training is focused on introductory content and takes six minutes to complete. The second slide is used to review the objectives of the training, which included: (1) Examine the context of undocumented/immigrant survivors in the world of SA/DV advocacy; (2) Understand the role of cultural competency within SA/DV advocacy; (3) Understand Legal Basics — Common Forms of Relief for Survivors, (4) Identify next steps to support undocumented students who are survivors and; (5) Recognize resources available to undocumented survivors at a county, state and national level. After introducing the objectives for the training, key terms are reviewed as

introductory information about gender-based violence and the undocumented community.

The next portion of the training is focused on the current climate and includes the main activity of the training. It begins with slide 5 and takes 15 minutes to complete, with active participation from the attendees. Slide 5 features headlines from news stories published from February 2017 through January 2018, which give examples of the experiences undocumented survivors have had under the Trump administration. These headlines are used to support the main activity, and take a look at specific research done by seven national organizations focused on gender-based violence and immigrant survivors. The National Network to End Domestic Violence, ASISTA Immigration Assistance, Casa de Esperanza: National Latin@ Network, Asian Pacific Institute on Gender-Based Violence, National Alliance to End Sexual Violence, Tahirih Justice Center, National Domestic Violence Hotline collected data from April 12 to April 25 of 2017 by surveying 715 advocacy centers and attorneys from 46 states in order to better understand how current immigration enforcement policies and the push for stronger enforcement efforts under the Trump Administration has affected immigrant survivors.

Participants are asked to get into groups with people around them and review the handout titled “Key Findings: 2017 Advocate and Legal Service Survey Regarding Immigrant Survivors,” and then discuss their thoughts and initial reactions with their group for 5 minutes. This handout covers quantitative data such as percentages and ratios, as well qualitative data in the form of statements from attorneys and advocates on their clients’ narrative. After having time to discuss with the people around them, slide 7 which displays the key findings is introduced and the groups are brought back to the larger group to have share out

what they had discussed, to the extent that they feel comfortable doing so.

Since this information is new to a lot of people, some participants might not know how to express their thoughts and reactions. In order to help start the discussion, the facilitator should share their initial reaction or a statistic they found surprising in order to encourage others to share. Additionally, allowing space for silence is important. Participants are also encouraged to respond to each other and ask clarifying questions during this section. Time can be extended, if necessary.

Following the group discussion, statistics regarding Latina immigrant survivors of intimate partner violence in the San Luis Obispo County are reviewed put this this experience in perspective and bring it closer to home. This portion takes 7 minutes to cover. The data shared was gathered by RISE, the county's gender-based violence prevention and resource center, in 2015 and then published in an article titled "The Complex Intersections of Being a Latina Immigrant Survivor" (Aleman, 2017). The article discloses information regarding the abuse 78 Latina immigrant survivors had experienced, why they had not disclosed to anyone about it, as well as their reported income, primary language and residency status. All of this information was utilized to demonstrate how these experiences are not foreign to our county, and action needs to be taken.

The section that follows the political climate covers cultural considerations in gender-based violence survivor advocacy. This section takes approximately 10 minutes to complete. This section serves to remind participants that in order to wholly be a resource to undocumented survivors; it is essential to understand the role of intersectionality within gender-based violence and how culture can play a role. The Power and Control Wheel, along with quotes from Dr. Sujata

Warrier and research from Angelica S. Reina, is used to aid a discussion about the economic, political, and historical context in which gender-based violence occurs. The discussion also explores how race, gender, class, and sexuality (among many other identities) have an impact on the type of abuse a person may receive and the resources that are available to them. The work of Dr. Warrier and Reina are also used to discuss how culture must be taken into consideration without stereotyping. As this section can be hard to understand, participants are given time to ask clarifying questions.

The next portion of the training takes about 10 minutes to complete and covers common forms of relief for survivors. Two common forms of relief are covered, as well as their limitations. The Violence Against Women Act (VAWA) is the first legal resource discussed with participants. The “Self-Petitioning” process that was added to VAWA allows undocumented survivors to petition for protection from the government through stay and employment authorization, a path towards citizenship and government benefits, which all allow for survivors to be able to start independent and safe lives. The U-Visa is discussed as other available legal resources. This resource came from the reauthorization of VAWA in 2000 through The Battered Immigrant Women Protection Act of 2000. The U-Visa is focused more on sexual assault occurring within the workplace and its benefits, requirements of eligibility and limitations are discussed. To wrap up this section, participants are reminded that they are not expected to become legal experts and the reason why we share this information is for them to be aware that resources do exist. Participants are encouraged to refer individuals to confidential resources and legal experts in the county, and a list is displayed and explained.

The last section of this training takes about 7 minutes to complete and shares how participants can be a resource. Mandated reporting is explained to participants, as many participants might be employed through the university and therefore be considered mandated reporters. Safer is offered as a resource for participants if they have additional questions. Immediate steps participants can take are also shared in ways they can be a resource. The steps cover information such as creating a welcoming and inclusive environment, furthering their education on the topics by taking other trainings, staying updated on news, seeking resources from groups on and off-campus and remembering that they do not have to become a legal expert, as confidential resources are readily available on and off-campus.

The training is wrapped up by going over local and state resources and going over national resources focused on immigrant survivors, as well as contact information for on-campus advocates and resources, such as Safer, the UndocuAlly Working Group and the Dream Center.

Results

Since being incorporated as a supplemental training to the UndocuAlly Training Series by the UndocuAlly Working Group, participants have not been given the opportunity to formally evaluate this training. Instead, indicators such as attendance and the review and approval of the UndocuAlly Working Group members have been used to measure its success.

This training has been offered three times privately to Safer staff, volunteers and volunteers in training as well as members of the campus community who are affiliated with the UndocuAlly Working Group during the 2016-2017 academic year. The three times it was offered, attendance

was very high, to the point where there were no seats and participants had to stand in the back. This training was offered again in January 2018 as part of a campus-wide Teach-in through the Office of University Diversity and Inclusion and attendance reached 45 participants. This training was asked to be presented again to the campus community in April 2018 in the continuation of the campus-wide Teach-in, due to its popularity and success.

In February 2018, the most updated version of this training was presented to the UndocuAlly Working Group and the overall feedback was positive. They provided feedback such as extending the training's duration and providing additional information about the undocumented community since this training is open to anyone on campus and some participants might not have foundational knowledge. The latter feedback was adapted prior to the April 2018 presentation.

Discussion

Being a survivor or victim of gender-based violence in college is a common narrative for many, and the undocumented community is not exempt from being part of the statistic. Establishing resources catered to this community and their unique needs as well as providing and institutionalizing trainings for advocates which educate them on the resources available to this community is necessary in order to ensure this field of advocacy is decolonize. This training intended to highlight how other social identities besides gender intersect with sexual violence in order to ensure many more marginalized communities are served. .

Though this training was not formally evaluated, the push by the Office of University Diversity and Inclusion and UndocuAlly Working Group to have this material available

for the campus community as well as the reception to the training the various times it was offered showed that this information was something not a lot of people had knowledge about, even if they were involved in this field. Various participants have reached out after each presentation to discuss what they had learned and said they felt confident in being a resource if someone who was undocumented disclosed that they were a victim/survivor of sexual violence.

Limitations and Solutions

The main limitation of this training is that it has not been formally evaluated, so it is difficult to say it is as successful as we believe it to be. By creating a pre- and post-evaluation form for participants, data could be gathered that could be helpful to better evaluate and improve this training. The pre-evaluation form could ask participants questions about their knowledge on the undocumented community, gender-based violence at large and resources available. This would give a baseline for the level of knowledge of the participants who take this training. The post-evaluation form could show a learning curve of the participants by asking their ratings in the usefulness of the material and training as a whole, and ask how comfortable they feel being a resource to undocumented survivors.

Another limitation is the length of this presentation. Though an hour is ideal in the university setting, as many staff, faculty, and students might not have more time to spare due to their busy schedules, expanding this training even by 30 minutes could improve it, as it would provide more time for discussion, reflection and the addition of the pre- and post-evaluation. It could also give space to discuss non-legal forms of reliefs such as shelters available for a survivor, food

pantries in the area, and other support that can help a survivor begin an independent and safe life.

The last limitation is the audience of the training. Even though this training was offered three times to individuals who were part of advocacy efforts at the university, the rest of the times it was offered, it did not have audience from advocacy organizations. It is beneficial for outsiders to know this information and be aware of how they can be a resource, as someone could disclose to them in their lifetime. In order to ensure that this transformation is institutionalized though, advocacy organizations should work towards ensuring that this type of curriculum becomes embedded and constant in their trainings for their staff every year, and therefore provide this community with more active support.

Conclusion

The inclusion of the undocumented community in gender-based violence advocacy is crucial in order to move towards the liberation of all people from sexual violence. This training seeks to be part of that liberation and the decolonization of the field of advocacy in order to move towards ensuring marginalized groups, such as the undocumented community, are aware of their rights and protections, as well as all available resources that can alleviate the violence they experienced. By educating advocates and allies of the undocumented community, more awareness on cultural competency and resources and a better understanding of the community can occur. Formally evaluating this training, expanding the length of the presentation, and ensuring this becomes part of the curriculum in advocacy organizations would improve the support available to the undocumented community when it comes to gender-based violence.

Zulema Aleman is a Cal Poly Alumni, with a Bachelor's of Science in Psychology. As someone who comes from a mixed-status household, Zulema has focused her career in serving the undocumented community and doing research on the intersection of gender-based violence and documentation status, with a focus on Latinas. She is currently serving a year as an AmeriCorps CSU STEM VISTA where she supports undocumented students through her roles as the Coordinator of the UndocuAlly Working Group and the Student Support Lead at the Dream Center.

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Appendix A:

The full slide presentation can be found at:
www.scribd.com/document/379197002/Decolonizing-Gender-based-Violence-Advocacy

Please contact zulema.alemann@gmail.com for a copy of the full training including handouts in Appendix C and D.

Excerpt from training slides:

Figure 1:

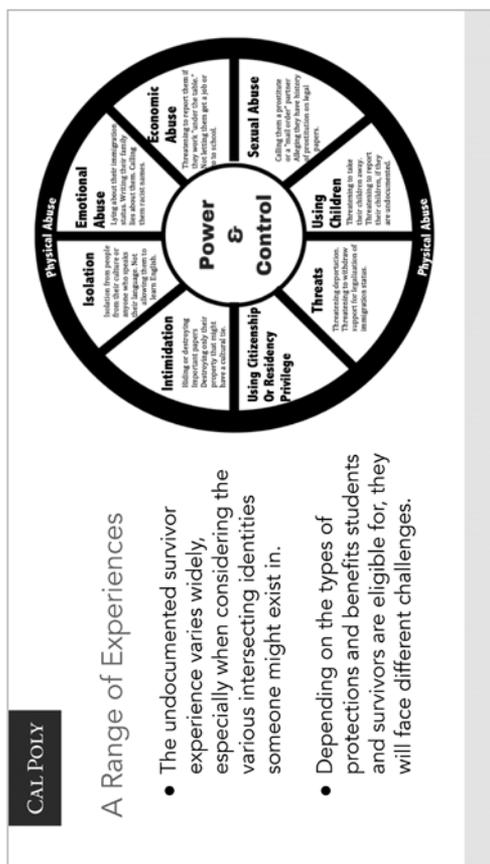


Figure 2:

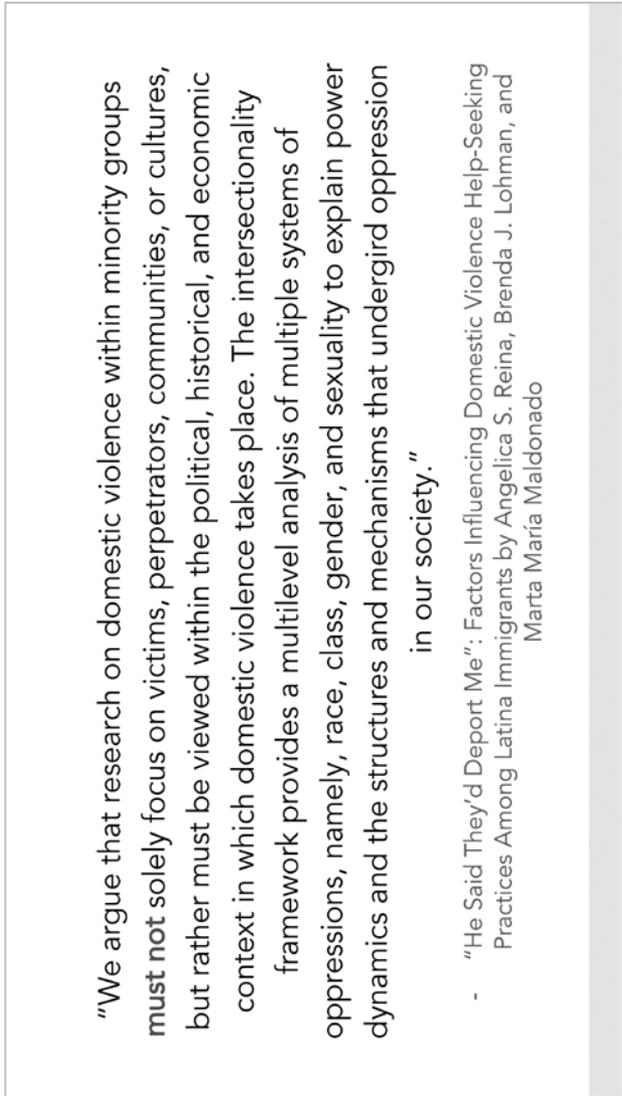


Figure 3:

CAL POLY

Legal Basics: Wrap-up

- You are not responsible for becoming a legal expert.
- Refer students to confidential resources and legal experts such as:
 - Safer (Cal Poly Campus)
 - RISE (Off-Campus)
 - Amber Heffner; Immigration Attorney in SLO County

U Visa
(2000, Victims of Trafficking and Violence Protection Act)

VAWA
(1994, 2013)
Self-Petitioning

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Figure 4:

CAL POLY

Immediate Steps

1. Create a welcoming environment by:
 - a. Getting to know the resources available through the Dream Center and Safer.
 - b. Become an ally + advocate through trainings offered by Safer and the UndocuAlly Working Group.
 - c. Place Safer and UndocuAlly stickers + resources in your office and space on campus.
 - d. Being aware of the language you use when discussing issues of gender-based violence and immigration
2. Staying informed on immigration and gender-based violence related news.
3. Seeking clarification from Safer and the UndocuAlly Working Group, if necessary.
4. Feeling comfortable referring students to legal + confidential resources
 - a. "I cannot offer legal advice, but here are resources that will help."

More information at: <https://safer.calpoly.edu/faculty-and-staff>

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Appendix B:

Power and Control Wheel:

Forms of Domestic Violence that Immigrants Experience



Adapted by Future Without Violence // www.futurewithoutviolence.org

Appendix C:

KEY FINDINGS

2017 Advocate and Legal Service Survey Regarding Immigrant Survivors

Congress created important protections for immigrant survivors of domestic violence, sexual assault, and human trafficking in the Violence Against Women Act (VAWA) and Trafficking Victims Protection Act (TVPA) in the previous legislation, but survivors often report a victim's lack of immigration status as a barrier to increased engagement of local and state law enforcement to initiate immigration enforcement efforts. There had a significant impact on immigrant survivors of domestic violence and sexual assault.

Many advocates are hearing from immigrant survivors that they have increased fear and concern about reaching out for help. In some places, advocates are reporting a decrease in immigrant survivors contacting their agencies for assistance. Advocates and advocates who work with survivors have reported that they are uncertain how to advise immigrant survivors about what happens if they call the police or go to court.

To better understand these concerns, a coalition of national organizations set out a survey to the field on April 12 – 25, 2017 asking for their feedback. In total, 712 advocates and attorneys from 46 states and the District of Columbia completed the survey.

Is your agency observing a change in the number of immigration-related questions from survivors?

"SURVIVORS HAVE A LOT OF QUESTIONS ABOUT HOW THEY CAN SAFELY PLAN UNDER THE NEW ADMINISTRATION... SOME CLIENTS EVEN QUESTION WHETHER OR NOT THEY SHOULD SUBMIT THEIR PETITIONS TO IMMIGRATION."

Increase	62%
No change	24%
Other	7%
Decrease	7%

Are immigrant survivors sharing with your agency that they have concerns about contacting police?

78%
Yes

"SURVIVORS ARE CONCERNED THAT THEY WILL BE DEFINED IF THEY MAKE A POLICE REPORT OR CALL 911. A 16-YEAR-OLD SURVIVOR ATTEMPTED SUICIDE BECAUSE SHE WAS CONCERNED THAT HER OFFENDER WOULD REPORT HER AND HER FAMILY TO ICE."

"CLIENTS ARE AFRAID OF CALLING THE POLICE BECAUSE THEY BELIEVE THAT THEY WILL BE REPORTED IF THEY DO. ESPECIALLY IF THEIR ABUSER IS A U.S. CITIZEN. THEY THINK LAW ENFORCEMENT WILL LISTEN TO SOMEONE WHO IS A CITIZEN OF THIS COUNTRY MORE THAN TO AN UNDOCUMENTED PERSON."

Survivors' Fear of Seeking Legal Remedies

3 OUT OF 4 ADVOCATES

report that immigrant survivors have concerns about going to court for a matter related to the abuser/offender.

"NEWS REPORTS OF VICTIMS BEING ARRESTED WHEN THEY SHOW UP FOR COURT DATES ARE CREATING VERY HIGH ANXIETY"

"AFTER THE NEWS BROKE THAT A WOMAN WHO WAS FEELING FOR AN ORDER OF PROTECTION AGAINST HER ABUSER WAS DEPORTED, MANY OF MY CLIENTS BECAME CONCERNED THAT SOMETHING SIMILAR WOULD HAPPEN TO THEM."

"A RESIDENT OF THE SHELTER WAS NOT COMFORTABLE APPLYING FOR A TRO (TEMPORARY RESTRAINING ORDER) AGAINST HER ABUSER BECAUSE SHE WAS AFRAID HE WOULD CALL IMMIGRATION ON HER. THIS IS REAL... AND NOW LEGITIMATE FEAR."

Human traffickers, perpetrators of sexual assault, including sexual abuse in the workplace, and domestic abusers prey on vulnerable immigrants, and often tell their victims that seeking assistance from the police or courts will result in survivors' deportation. Congress underscored the importance of ensuring that immigrant victims know that they can reach out for help and that there are protections in place to help them access safety and justice. It is important to strengthen this commitment and ensure that policies do not drive victims and witnesses into the shadows and undermine their safety.

43%

of advocates worked with immigrant survivors who dropped civil or criminal cases because they were fearful to continue with their cases

ADVOCATE PARTNERSHIP

ADVOCATE PARTNERSHIP

ADVOCATE PARTNERSHIP

ADVOCATE PARTNERSHIP

ADVOCATE PARTNERSHIP

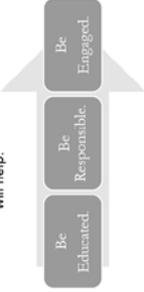
Melissa Torres, National Network to End Domestic Violence, advocates@necdv.org
 Cecelia Friedman Lewis, USDF Immigration Enforcement, cecelia@usdf.org
 Jennifer L. Galt, Immigration National Network, info@immigration.org
 Kristin Moore, National Network to End Sexual Violence, info@nnesv.org
 Julia Papp, English Language Center, english@elc.org
 Kristin Papp, National Network to End Sexual Violence, info@nnesv.org
 Kristin Papp, National Network to End Sexual Violence, info@nnesv.org

CONTACT INFORMATION

Appendix D:

On Being a Proactive Ally

1. Create a welcoming environment by:
 - a) Getting to know the resources available through resource centers like the Dream Center and Safer.
 - b) Become an ally + advocate through trainings offered by Safer and the UndocuAlly Working Group.
 - c) Place Safer and UndocuAlly stickers + resources in your office and space on campus.
 - d) Being aware of the language you use when discussing issues of gender based violence and immigration.
2. Staying informed on immigration and gender-based violence related news.
3. Seeking clarification from Safer and the UndocuAlly Working Group, if necessary.
4. Feeling comfortable referring students to legal + confidential resources
 - a) "I cannot offer legal advice, but here are resources that will help."



Additional Resources

** Resources with an asterisk are not confidential*

Cal Poly Resources

- Safer (Cal Poly)
<http://safer.calpoly.edu>
- Title IX Office*
<https://equalloppportunity.calpoly.edu>
- Dream Center*
<http://dreamcenter.calpoly.edu>
- UndocuAlly Working Group*
<http://undocually.calpoly.edu>

SLO County Resources

- RISE (SLO)
<http://rise slo.org>
- Stand Strong
<https://standstrongnow.org>
- Amber Heffner, Immigration Attorney
<http://www.amberheffnerlaw.com>

State Resources

- California Coalition Against Sexual Assault
<http://calcasaa.org>

National/Immigrant Focused Resources

- Casa de Esperanza: National Latin@ Network
<http://nationallatinonetwork.org/>
- Asian Pacific Institute on Gender-Based Violence
<http://www.apigbv.org/>
- Tahiri'h Justice Center
<https://www.tahirih.org/>

Gender-based Violence and Undocumented Immigrant Survivors

Resource Handout By:
UndocuAlly Working Group

In Collaboration with:
Cal Poly Dream Center
Office of University Diversity & Inclusion





Protections Exists for Undocumented Survivors

- Title IX Investigation
 - U-VISA
 - VAWA Self-petitioning
 - T-VISA
- Contact confidential resources to receive guidance:**
- Safer (Cal Poly) <http://safer.calpoly.edu>
 - RISE (SLO) <http://rise.slo.org>
 - Amber Heffner, Immigration Attorney <http://www.amberheffnerlaw.com>

"Each victim is not only a member of their community, but a unique individual with their own responses. The complexity of a person's response to gender-based violence is shaped by multiple factors."

- Dr. Sujata Warrior, Director of New York State Office for the Prevention of Domestic Violence

The Complex Intersections of Being a Latina Immigrant Survivor: How Multiple Systems of Oppression Enable Intimate Partner Violence

Zulema Aleman, 2017

"Looking into the experiences of Latina immigrants allows for a deeper understanding of intimate partner violence within marginalized communities... During this political climate, undocumented survivors might decide to not file a domestic violence case, but still could benefit from other resources... [which could be] ways that a survivor can get away from an abusive partner and begin building their own life. Expanding the subjects of our research is essential as it allows for translation into advocacy for more effective and culturally sensitive organizations."

