

Immigration Remedies for Victims of Domestic Violence

Too often an abusive spouse, partner, or parent will threaten his or her immigrant relative with deportation. Immigration can be a very powerful tool of abuse. There are many different remedies for immigrant victims, which include:

VAWA Self-Petitions: This is a special petition for battered immigrants who are married to or are children of U.S. citizens or Legal Permanent Residents. A battered immigrant can file an immigration petition without the sponsorship of the batterer. As a result of this petition, the victim and her children can qualify to become Legal Permanent Residents and be able to obtain work permits.

U Visa: This is a special visa for victims of crimes, such as domestic violence, to encourage immigrant victims to participate in the investigation and prosecution of the crime. Through this visa, the victim might be eligible for a work permit with the possibility of becoming a Legal Permanent Resident.

Special Immigrant Juvenile Status: This is a special route of adjusting to legal status for undocumented children who are in the foster care system and who have been abandoned, neglected, or abused. Undocumented children who are in foster care may become Legal Permanent Residents.

How can the Battered Immigrant Project HELP YOU?

- Are you an immigrant who has been abused by your spouse or boyfriend?
- Are you an immigrant who has been abused by your parent?
- Are you an immigrant who is gay or lesbian and has been abused by your partner?
- Are you a service provider who knows of a battered immigrant who needs assistance?

The Battered Immigrant Project can:

- Provide counsel and advice on immigration remedies for victims.
- Assist in filing immigration petitions
- Provide basic advice and counsel on basic family law questions.
- Refer immigrant victims to domestic violence service providers and legal services providers.
- Provide training and advice on battered immigrants to domestic violence service providers and other social service providers.

CALL 1-800-968-4046

Contacting the Battered Immigration Project

If you have been abused by your spouse, partner, or parent, please call toll-free at

1-800-968-4046

or email at

BatteredImmigrantProject@umich.edu

All conversations are confidential. Immigrants need not fear being reported to Immigration.

The Project Attorney speaks English and Spanish, but if you or your client speak another language, we will find an interpreter for you.

Sponsors of the Battered Immigrant Project

The Battered Immigrant Project would like to thank the generous support of the following foundations:

- Arcus Foundation Gay & Lesbian Fund
- John E. Fetzer Fund, Kalamazoo Community Foundation
- Kalamazoo Community Foundation
- Michigan State Bar Foundation
- Nokomis Foundation

Farmworker Legal Services



BATTERED IMMIGRANT PROJECT

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Rev. 10/11/2004

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What is the Battered Immigrant Project?

The Battered Immigrant Project is a project begun in 2002 to advocate for and represent battered migrant farmworkers in Michigan on immigration issues.

Beginning in September of 2004, the Battered Immigrant Project has expanded to serve **ALL** immigrants in the State of Michigan who are otherwise eligible in terms of income and other qualifications.

The Battered Immigrant Project provides the following services:

1. Provides advice on immigration law for immigrants who suffer from domestic violence.
2. Assists victims of domestic violence in filing immigration petitions
3. Refers victims to domestic violence service programs and other social service providers.
4. Provides advice on basic family law issues (divorce, custody) and referrals to legal services programs if necessary.

The Battered Immigrant Project also collaborates with domestic violence service providers, legal advocates, and other social service providers through training, technical assistance, referrals, and general advice.

Domestic Violence - How Does It Affect Immigrants?

If you are an immigrant, domestic violence may come in many forms. While domestic violence includes physical violence, there are so many more ways that your spouse, partner, or parent can abuse you.

Forms of Domestic Violence

- **Physical Violence:** Your spouse or partner hits, slap, kicks, or punches you.
- **Immigration Threats:** Your spouse or partner is threatening to deport you or call Immigration.
- **Using the Children to Make Threats:** Your spouse or partner is threatening to take your children, because he or she is “legal.”
- **Sexual Abuse:** Your spouse or partner forces you to participate in sexual activity that you do not want to.
- **Emotional Abuse:** Your spouse or partner makes you feel guilty for what you do or don’t do.
- **Isolation:** Your spouse or partner won’t let you work. You might not be allowed to leave the house.

There are many other forms of violence. The above examples are a sample of how immigrant victims can be affected.

As a Domestic Violence Victim, Where Can I Get Help?

You do not have to live with violence! There are people and agencies that can help you.

Domestic Violence Shelters: Every community usually has agencies that just help women, men, and children escape from violent situations. They can give you a safe place to stay after a violent incident. If you do not want to stay at a shelter, they can also help you with counseling and advice on your violent relationship.

If you want to find a domestic violence shelter in your area, call the **National Domestic Violence Hotline at 1-800-799-7233**. This is a 24-hour multilingual hotline dedicated to giving emergency information and advice.

Other Community Services: Communities also have other services, such as the Family Independence Agency and other social service agencies that can help you with food, shelter, and other economic assistance.

Legal Services: Many communities also have free legal services that can advise you on your legal rights in a domestic violence situation.

For More Information: If you would like more information about what help is available, please call the Battered Immigrant Project.

What Can I do to Escape the Violence?

If you or someone you know is living in a violent relationship, you or your friend does not have to stay. You might have fears about seeking help because you are undocumented or are in the process of becoming legal. Your abuser might have told you that because you are “illegal” or undocumented you don’t have any rights.

THIS IS NOT TRUE!!!!

IF YOU ARE IN IMMEDIATE DANGER, GET OUT OF YOUR HOUSE AND GET HELP. IF YOU ARE IN DANGER BUT CANNOT LEAVE, CALL 911.

- **Call the Police:** The police should not ask about your immigration status. The police should not deport you.
- **Call a Domestic Violence Shelter:** They will not only provide shelter, but also counseling and other services.
- **Get a Personal Protection Order:** This is an order from a judge which prohibits contact between you and your abusive spouse / partner. The domestic violence shelter can help you get an order.
- **Obtain a Divorce or Custody of Your Children:** Whether or not a person is undocumented, every person can get a divorce or decide custody of their children.