FOREWORD

Dear Friends,

Can you imagine being abruptly ejected from the United States — and leaving behind your home, your children, your job, your bank account, and everything else you’ve spent years to build? Can you imagine what your children would feel when they arrived home and you’re gone?

Deportation can be a cataclysm for families and communities, destroying decades of hard-earned assets and rupturing family development. But with advanced planning, immigrant families can prevent an enormous amount of this damage.

That’s why Appleseed is proud to present an updated version of its 2012 Manual, “Protecting Assets and Child Custody in the Face of Deportation.” This one-of-a-kind resource is designed for immigrants and those who work with them; the host of attorneys, nurses, social workers, religious workers who are stepping up in challenging times.

Appleseed’s Manual will help families develop plans in advance to deal with critical financial and family issues in the event of deportation, arrest, and other family emergencies. It will help immigrant families deal with child custody and related children’s issues, personal finances, assets and personal property, remittance payments, wages and benefits, business issues, and taxes. And it includes special guidance for family and children’s issues, including professional advice for parents to help their families deal with painful psychological issues, and for immigrant survivors of domestic violence and sexual assault.

Make no mistake: for vulnerable immigrant families, advance planning can make all the difference. Once an immigrant is detained or deported from the United States, navigating a legal proceeding or managing assets is much more difficult, or even impossible, especially since immigration laws bar immigrants from reentering the United States after deportation for several years.

We are grateful to our pro bono law firms, volunteer psychologists, translation companies, and more than 20 nonprofit partners across the country who wrote, researched, proofread, and translated this manual into Spanish. We could simply not have done it without you. Thank you so much to Adams and Reese LLP, the Asian Pacific Institute on Gender-based Violence, ASISTA, Ballard Spahr LLP, BGBG Abogados, Cooley LLP, Directum Translations, Hogan Lovells LLP, Mexico Appleseed, the Mexico
City Department of Labor, MomsRising/MamasConPoder, Norton Rose Fulbright, O’Melveny & Myers, The William Alanson White Institute Center for Public Mental Health, and White & Case for your commitment, careful drafting, and counsel during this process. We are also deeply grateful to the Annie E. Casey Foundation and the Ford Foundation for their support of these efforts.

Immigrants come to the United States to build a better future and to unite with family members. Most have lived in the United States for many years, paying taxes and joining the daily life of their communities. Over time, immigrants buy homes, start businesses and build personal assets. When they build better lives, they make our country stronger.

That’s why this Manual is a labor of love for all who worked on it. We are committed to fairness and compassion for the millions of immigrants living in our country. Our hope is that you can use this resource to help them build better lives.

Sincerely,

Annette LoVoi, Director, Financial Access and Asset Building, Appleseed
Disclaimers

Each Chapter is intended to provide generalized information on a particular topic. In many cases, laws may differ from state to state. Therefore, this information is not intended to replace state-specific legal assistance. Nothing in this manual is intended to create an attorney-client or fiduciary relationship.

Appleseed recognizes and understands the legal term “alien,” used to describe any person born in another country to parents who are not American and who has not become a naturalized citizen, but is living or staying in the United States. However, throughout this Manual, we will primarily use the term “immigrant” in place of the term “alien” based on AP Stylebook guidance and the recommendations of our partners. The exception will be when citing laws, codes, or regulations that specifically use the term “alien.”
5. Considerations for Survivors of Domestic Violence and Sexual Assault

Immigrant survivors of domestic violence and sexual assault, and the advocates that serve them, have been deeply concerned about the effects that the administration’s executive orders will have on a survivor’s ability to seek safety and protection. This chapter addresses the following issues:

- Intersection between Immigration and Domestic Violence and Sexual Assault
- Immigration Benefits
- Resources Related to Immigrant Victims of Crime
- Impact of Executive Actions on Survivors of Gender-based Violence
- Resources for Survivors

Intersection between Immigration and Domestic Violence and Sexual Assault

Abusers and perpetrators often use a survivor’s immigration status as means to maintain power and control in relationships.¹ This can happen in instances where the survivor may be undocumented or where a survivor may rely on an abuser to obtain or maintain legal status. Some examples of this include:

- Threats to have the survivor deported if they reach out for help or call the police;
- Threats to withdraw paperwork to secure immigration status or lying about the status of applications for immigration benefits;
- Compelling a survivor to commit acts that would negatively impact their ration status;
- Threats to take away children because a survivor does not have secure immigration status; or

• Withholding important documents from the survivor including immigration benefit applications and identification documents like passports, birth certificates of children, etc.²

Furthermore, an immigrant survivor may face linguistic, cultural, or other difficulties accessing services or help. For example, an immigrant survivor may not know what resources and services are available due to isolation by the abuser, or else may not feel comfortable reaching out to law enforcement or the courts based upon experiences in his or her home country.³ Survivors may also feel that reaching out for help may result in immigration-related retaliation from the abuser.⁴ Furthermore, language access remains a significant barrier for survivors seeking protection. In a 2013 survey completed by the National Latin@ Network: Casa de Esperanza (the “Network”) and the National Domestic Violence Hotline, 31% of Spanish-speaking survey respondents reported that they encountered language barriers accessing services.⁵ In addition, immigration eligibility restrictions may limit survivors’ access to critical safety net resources.

To address this important problem, the Network and the Asian Pacific Institute on Gender-based Violence (APIGBV) have Language Access Toolkits to help service providers create and implement a proactive language access plan to assist all survivors, regardless of the language they speak.

National Latin@ Network Language Access Toolkit:
http://nationallatinonetwork.org/lep-toolkit-home.

APIGBV’s Interpretation Technical Assistance & Resource Center:
http://www.api-gbv.org/organizing/interpretation.php

Another barrier that immigrant survivors may face in accessing certain community services is that some services may have certain identification document requirements to be eligible for their programs. In the above

² For more information, see Futures without Violence. “Immigration Power and Control Wheel.” Available at: http://www.thehotline.org/wp-content/uploads/2016/08/Pow er-Control-Wheel.pdf.
⁴ Id.
mentioned survey conducted by the Network and the National Domestic Violence Hotline, some respondents noted that they had problems accessing shelters and “Several women reported being denied other critical services (including housing, food assistance and medical help) because they did not have proper identification.” While there may be some immigration status restrictions for certain services, there are often services available in the community that have no immigration eligibility requirements, such as domestic violence shelter and advocacy programs, rape crisis centers and other crime victim services. And indeed, some service providers have erroneously placed additional requirements regarding access to their programs by certain categories of immigrant survivors.

The Department of Housing and Urban Development, the Department of Justice and the Department of Health and Human Services issued a joint letter to address the problem of inconsistent and disparate treatment of immigrant survivors. This letter reminds agencies that there are certain services that are available to everyone regardless of immigration status if the services are necessary to protect life or safety. These programs include but are not limited to:

- Short term shelter for homelessness or for victims of domestic violence;
- Soup kitchens and community food banks;
- Crisis counseling and intervention programs; services and assistance relating to child protection, adult protective services, violence and abuse prevention, victims of domestic violence or other criminal activity; and
- Medical and public health services necessary to protect life or safety.7

All survivors, regardless of status, have the right to:

- Obtain a protection order against their abusers;
- Seek legal separation, divorce, custody and financial support; and
- Report a crime committed against them.8

We wish to highlight that all immigrants, regardless of status, have these basic rights related to protection and safety. However, in the sections below

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6 Id at 7.
we will explore how the executive Orders (defined below) create a chilling effect on a survivor’s willingness and ability to exercise these rights.

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**Immigration Benefits**

In 1994, Congress created the Violence Against Women Act (VAWA), which contained special protections for abused immigrants who were married. VAWA created a self-petitioning process in order to provide protection for abused spouses and children of U.S. citizens (USCs) or legal permanent residents (LPRs) or abused parents of U.S. citizen adult children. By doing so, Congress recognized that providing immigrant survivors who were experiencing domestic violence with protection against deportation allows them to seek protection without fear of abuser retaliation.⁹

In 2000, Congress created additional protections for victims of human trafficking (T visas) and victims of other serious crimes (U visas) as part of reauthorization, to “strengthen the ability of law enforcement agencies to detect, investigate, and prosecute cases of domestic violence, sexual assault, trafficking...and other crimes...committed against aliens, while offering protection to victims of such offenses in keeping with the humanitarian interests of the United States.”¹⁰ Some of these benefits are described below.

**VAWA Self-Petitions**

A VAWA self-petition is a way for domestic violence survivors who have a certain relationship to a U.S. citizen or legal permanent resident abuser to leave an abusive relationship without fear of immigration-related repercussions. The requirements are:

- Spouse or child of USC or LPR or parent of adult USC son or daughter;
- Suffered battery or extreme cruelty;
- Joint residency with the abuser;
- Can show good moral character; and
- For petitions based on marriage: applicants must show they entered the relationship in good faith

If a VAWA self-petition is approved, then the applicant will be eligible for work authorization and may apply for legal permanent residence. Depending on the survivor’s relationship with the abuser, a VAWA applicant may also have the ability to include other family members as derivatives on the application (e.g., minor children of an abused spouse).

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**U Visas**

Congress had a dual purpose when it created the U visa: to provide law enforcement with a tool to investigate and prosecute crimes and to provide victims who report them with protection. The requirements for a U visa are:

- **Victim of Qualifying Crime (including domestic violence, sexual assault, stalking, witness tampering, extortion, felonious assault, kidnapping, sexual exploitation, and others),**\(^{11}\)
- **Suffered substantial physical or mental abuse as a result of victimization;**
- **Had information about the crime;**
- **Was, is, or will be helpful in the investigation or prosecution of the crime.**
  A signed form from a designated certifying agency attesting to the applicant’s helpfulness in the investigation or prosecution is required;
- **The crime occurred in the US or violated US law; and**
- **Is admissible or eligible for a waiver.**

**Benefits:** If a U visa is approved, then the applicant will obtain a 4-year visa, which will provide work authorization and the eventual ability to apply for permanent residence. Applicants may also include certain family members as derivative beneficiaries in their applications.

**Important Note on U visas:** Currently, the number of available U visas is capped at 10,000 annually, and the cap applies to principal applicants only. The U.S. Citizenship and Immigration Service (USCIS) has met the cap every year since 2009. However, USCIS continues to process U visa applications even after the cap has been met. If a U visa application is acceptable but no visa is available because of the cap, the case is placed on a waitlist. If a case is on the waitlist, then USCIS will issue a 2-year work permit based on deferred action status, which is renewable until the time a visa becomes available.

Currently, there is a significant backlog of U visa applications. As of May 2017, USCIS is processing initial U visa applications that were filed on June

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\(^{11}\) A full list of qualifying crimes can be found INA 101(a)(15)(u)(iii): Abduction, Abusive Sexual Contact, Blackmail, Domestic Violence, Extortion, False Imprisonment, Female Genital Mutilation, Felonious Assault, Fraud in Foreign Labor Contracting, Hostage, Incest, Involuntary Servitude, Kidnapping, Manslaughter, Murder, Obstruction of Justice, Peonage, Perjury, Prostitution, Rape, Sexual Assault, Sexual Exploitation, Slave Trade, Stalking, Torture, Trafficking, Witness Tampering, Unlawful Criminal Restraint, and Other Related Crimes, including any similar activity where the elements of the crimes are substantially similar. (Also includes attempt, conspiracy, or solicitation to commit any of the above and other related crime).
This means that it may take nearly 3 years for a U visa’s applicant to receive an initial review.

**T Visas**

Like the U visa, the T visa was created to give law enforcement a tool to investigate and prosecute human trafficking and to provide protection to victims. The requirements for a T visa are:

- Victim of a severe form of trafficking (including labor and sex trafficking);
- Physically present in the U.S. or territories on account of the trafficking;
- Complied with reasonable requests for help in the investigation or prosecution of trafficking. **Note:** In these cases, unlike the U visa, there is no requirement for a signed form from a certifying agency; and
- Would suffer extreme hardship if returned to the home country.

**Benefits:** If a T visa is approved, then the applicant will obtain a 4-year visa, which will provide work authorization and the eventual ability to apply for permanent residence. T visa applicants may also include certain family members as derivative beneficiaries in their applications.

**Work Authorization for Abused Spouses of A, E (iii), G and H Visa Holders**

VAWA 2005 provided for work authorization for abused spouses of certain nonimmigrant visa holders, in particular A, E(iii), G and H visa holders.** See INA Section 106.**

USCIS finally implemented this protection in 2017. Abused spouses must show that they:

- Are or were married to a A, E(iii), G and H visa holder (special protections if there was the death of the principal visa holder, loss of status due to abuse, or a divorce within 2 years before filing);
- Entered the U.S. as a derivative spouse;
- Were subject to battery or extreme cruelty; and
- Currently reside in the U.S.

**Benefits:** Survivors may receive work authorization for a limited period of time, which may be renewed in certain instances, but this benefit, by itself, does NOT establish a way to obtain legal permanent residence in the U.S.** For more information on this benefit, visit USCIS website at https://www.uscis.gov/i-765v.**

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13 See INA Section 106.

14 For more information on this benefit, visit USCIS website at https://www.uscis.gov/i-765v.
Resources Related to Immigrant Victims of Crime

KIND, Freedom Network, ASISTA, Tahirih Justice Center: Chart of Immigrant Options for Victims of Crime,

DHS Blue Campaign Library has materials related to immigration options for survivors of crime. The entire library is available at https://www.dhs.gov/blue-campaign/library, and there are two important resources below:


NOTE: A qualified attorney or accredited representative with experience working with survivors of violence should determine a survivor’s individual eligibility for these forms of relief. Advocates should avoid making any guarantees about eligibility for relief for survivors as there may be individual facts in an applicant’s case that would affect his or her application for relief. At the end of this chapter, there is a services directory for referrals of survivor’s immigration cases.

Impact of Executive Actions on Survivors of Gender-based Violence

Please note that as of October 2017, both the Enforcement Order and the Travel Ban mentioned below have been challenged in various courts. Substantial portions of each Order have been stayed. The section below has NOT been updated (since June 2017) to reflect the current legal status of the orders.

The administration’s Executive Orders on immigration have had a profound and specific impact on immigrant survivors of violence. This section will: explore which provisions of the Executive Orders most directly impact immigrant survivors of gender-based violence in the United States; discuss the impact of these provisions; identify special protections for survivors related to immigration enforcement actions; and provide some additional resources to assist survivors in the current climate.
Executive Actions
On January 25 and 27, the Administration released three immigration-related Executive Orders related to immigration enforcement on the border; immigration enforcement in the interior of the U.S., and the other related to the travel and refugee ban. All three of these Executive Orders impact survivors of gender-based violence.

Travel and Refugee Ban
This Executive Order of January 27th related to a travel ban on visa holders from seven Muslim-majority countries and a halt in processing refugee applications. This order was revised in March 2017 to bar travel from six Muslim Majority nations seeking new visas and also halted the US. Refugee admission program. While this Order has been stayed by pending litigation in the Ninth Circuit, this Order, if ever implemented, would certainly impact survivors of gender-based violence seeking protection in the United States as refugees, leaving them without the possibility of entry and open to further persecution.

Exterior Enforcement Memo
This Executive Order of January 25th relates to the creation of a border wall as well as a massive increase in detention facilities and immigration officers at the Southern border of the United States. It also calls for an expansion of the use of expedited removal, and encourages the use of 287(g) programs, which promote the cooperation of state and local law enforcement authorities and immigration enforcement personnel. This Order would have a significant impact on women and children who are fleeing domestic and sexual violence in their home countries, especially in the Northern Triangle countries of Guatemala, Honduras and El Salvador, and seeking protection within the United States. Expanding the use of detention facilities re-traumatizes survivors and limits their ability to find effective representation and fully present their cases.

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15 For a comparison of what changes were made from the initial to the revised travel and refugee ban memo, see Kim Soffen and Darla Cameron, “What Trump changed in the new travel ban” Washington Post (March 6, 2017). Available at: https://www.washingtonpost.com/graphics/politics/trump-compare-travel-ban/.


17 See note 11 at page 5.

Interior Enforcement Memo
This Executive Order of January 25 contains new enforcement priorities for removal, encourages the use of 287(g) programs which promotes the cooperation of state and local law enforcement authorities and immigration enforcement personnel, calls for consequences for places designated as “Sanctuary” jurisdictions, and the hiring of new ICE agents. This is the Order that most directly impacts an immigrant survivor of gender-based violence in the United States, as discussed below.

Expansion of Immigration Enforcement Priorities
The broad enforcement priorities presented in the Interior Enforcement Memo may result in immigrant survivors of gender-based violence being detained and/or removed before they have a chance to apply for immigration benefits for which they may be eligible. This includes survivors who may have a criminal record or immigration violations connected to the violence they have suffered.

Threats to Sanctuary jurisdictions and the promotion of 287(g) programs create a chilling effect on survivors reaching out for help.
If survivors feel that calling the police or going to the courthouse for help will result in their deportation or being separated from their families, this will only further drive them into the shadows. There have been reports out of Los Angeles, Houston, and Camden County New Jersey that reports of crimes from Latino populations have decreased.

Chuck Wexler, Executive Director of the Police Executive Research Forum recently stated, “The reason police chiefs are so concerned is that an unreported domestic violence case can become a reported homicide if police are not alerted,” Wexler said. “It’s only a few months since the national perspective has changed, but I think most police chiefs would agree that for those who have large immigrant communities, this will definitely make them reticent about interacting with the police if they’re involved with witnessing a crime or are a victim.”

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21 Id.
On May 17, 2017, New York Attorney General Eric Schneiderman in collaboration with the consultation with the Attorneys General of California, Oregon, Rhode Island, Washington, and the District of Columbia, released a report entitled “Setting the Record Straight on Local Involvement in Federal Civil Immigration Enforcement: The Facts and The Laws” which seeks to address the Administration’s misconceptions about “Sanctuary” policies. This report illustrates the damage that can be done in the community if there is entanglement between state and local law enforcement agencies (LEAs) and immigration. Specifically, it states:

“Many experienced sheriffs and police officers have found that LEA involvement with federal immigration enforcement drives immigrants in their communities behind closed doors, thereby decreasing the likelihood that crimes will be reported, trials will go forward, and criminals will be prosecuted. Put simply, many LEAs have a sound basis for concluding that their communities are less safe when an immigrant who witnesses a shooting does not call the police, or does not come to court to testify against the accused, for fear that he or she will be detained.”

Weaken Existing Protections:
The T and U visa programs in particular offer important mechanisms for local law enforcement to help fight crimes and hold perpetrators accountable. Threats to Sanctuary jurisdictions and the encouragement of increased collaboration between state and local police and immigration enforcement diminishes these tools by making immigrant survivors less likely to reach out for help.

Courthouse Enforcement
While not specifically mentioned in the Administration’s immigration-related Executive Orders, the Department of Homeland Security has stated that it will continue to consider enforcement actions at courthouses. On February 9, 2017, a survivor of domestic violence was arrested inside a courthouse after receiving a protection order against her abuser. This story received nationwide attention and raised serious concerns for survivors and their advocates regarding whether going to the courthouse for help would be a risk for survivors who are undocumented. For example, shortly after

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23 Id. At 14.
the report of that arrest, the Denver City Attorney reported that their office had to dismiss four separate domestic violence prosecutions because the undocumented victims were afraid to continue with the case for fear of deportation. Other prosecutors nationwide have echoed this concern. For example, in April 2017, twelve prosecutors from California wrote a letter to DHS Secretary Kelly and Attorney General Sessions stating that courthouse arrests “deter residents concerned about their immigration status from appearing in court — including as crime victims and witnesses — jeopardizing effective prosecution of criminals.”

Impact on Survivors

On May 18, 2017 a coalition of organizations released the results of a survey of domestic and sexual assault survivor advocates regarding their work with immigrant survivors.

- The survey documents that 78 percent of advocates reported that immigrant survivors expressed concerns about contacting police.
- Similarly, three in four service providers responding to the survey reported that immigrant survivors have concerns about going to court for a matter related to the abuser.
- Finally, 43 percent of advocates worked with immigrant survivors who dropped civil or criminal cases because they were fearful of continuing with their cases.

Available Rights and Protections Related to Survivors and Enforcement

VAWA Confidentiality

The reauthorization of VAWA in 2005 created special protections regarding a survivor’s information as well as special provisions related to immigration enforcement actions at places where a survivor is likely to go to seek help. In particular:

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28 The survey was sponsored by seven national organizations including Asian Pacific Institute on Gender-Based Violence (APIGBV), ASISTA, Casa de Esperanza: National Latin@ Network, National Alliance to End Sexual Violence (NAESV), National Domestic Violence Hotline (NDVH), National Network to End Domestic Violence (NEDDV), and Tahirih Justice Center. Survey results available at: http://www.tahirih.org/wp-content/uploads/2017/05/2017-Advocate-and-Legal-Service-Survey-Key-Findings.pdf.
29 Id.
a. Prohibition on disclosure to a third-party of any information relating to a survivor who is a VAWA self-petitioner, U visa or T visa applicant, with certain limited exceptions.\(^{31}\)

b. Employees of DHS, the Department of Justice, and Department of State are prohibited from using information provided solely from an abusive spouse or parent (including any family members living in the same household as the survivor) as the basis for making an adverse determination of admissibility or deportability, unless the survivor has been convicted of certain crimes.\(^{32}\) This provision also applies to T and U visa applicants.

c. DHS must certify that it has complied with the VAWA confidentiality provisions when an enforcement action of a survivor occurred at domestic violence shelter, family justice center, rape crisis center, supervised visitation center, victim services provider or a community based organization or at a courthouse if a survivor is there for a matter related to the abuse he or she has suffered.\(^{33}\)

Willful violations of these VAWA Confidentiality provisions carry certain penalties, including disciplinary action and a civil penalty of $5,000 for each violation.\(^{34}\) If survivors believe there was a violation of these protections, they may file a report with the DHS Office of Civil Rights and Civil Liberties (OCRCL), and OCRCL will begin an investigation into the matter. For more information, see OCRCL website here: [https://www.dhs.gov/violence-against-women-act](https://www.dhs.gov/violence-against-women-act). If you suspect a violation of VAWA confidentiality provisions, please also contact ASISTA at [questions@asistahelp.org](mailto:questions@asistahelp.org) so that they can help monitor trends where this is occurring.

For more information regarding DHS Guidance on VAWA confidentiality provisions, see ASISTA’s website at [www.asistahelp.org](http://www.asistahelp.org)

**ICE Memoranda Related to Survivors**

ICE had created special processes for victims and witnesses with regard to immigration and enforcement actions. Most notably, an ICE Memo from June 17, 2011 called for prosecutorial discretion to be exercised when ICE encounters victims of domestic violence, sexual assault, or human

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\(^{31}\) See 8 U.S.C. § 1367 (a)(2) & (b).

\(^{32}\) See 8 U.S.C. § 1367 (a)(1). The criminal activities that would preclude this from applying are found at 237(a)(2) of the Immigration and Nationality Act; 8 USC 1227(a)(2).

\(^{33}\) See 8 U.S.C. § 1229(e).

\(^{34}\) See 8 USC 1367(c).
trafficking. Despite language to the contrary in the Executive Orders and subsequent implementing guidance, ICE has indicated that this memo is still operational. Despite this assertion, advocates are reporting that this memo is not receiving adequate consideration by certain ICE District Offices. In addition, ICE has not yet issued a formal announcement to the field and to stakeholders regarding its effectiveness. Such an announcement would be instructive to clarify how ICE should consider a person’s status as a survivor of domestic violence, sexual assault or human trafficking in their enforcement and detention determinations.

Furthermore, there are special memoranda with regard to removal actions and stays of removal for applicants with pending applications and those who are applying for U visa status.

These include:

- **ICE Parental Interest Directive** *(discussing how prosecutorial discretion should be exercised for primary caretakers of US citizen or LPR children)*
- **September 24, 2009 ICE Guidance to Field Office Directors re: Adjudicating Stays of Removal for U Nonimmigrant Status** *(providing guidance on the treatment of stay requests for U visa applicants)*
- **September 25, 2009: ICE Guidance to OPLA on U visa Applicants in Removal Proceedings or with Final Orders of Removal:** *(providing guidance to ICE for U visa applicants in removal proceedings or with final removal orders)*

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August 20, 2010: ICE Memo on Guidance Regarding the Handling of Removal Proceedings of Aliens with Pending or Approved Applications or Petitions (providing guidance to ICE to request that USCIS expedite cases that are pending).

ASISTA and APIGBV would be very interested in knowing survivors’ experiences when encountering ICE. If you have a story on the effectiveness of these memos, please fill out the survey here: http://bit.ly/ASISTA_ICESurvey or contact questions@asistahelp.org

Enhancements to Safety Planning and Systems Advocacy

Advocates often work with survivors of domestic violence and sexual assault to create a safety plan to remain safe if they are experiencing an abusive relationship. Safety planning can be done in several different areas, including if there are children in the home, if a survivor still lives with the abuser, or if a survivor is planning on leaving. If a survivor is undocumented or depends on an abuser for immigration status, there should be additional considerations with regard to safety planning given potential ICE enforcement actions.

As survivors should do when safety planning for abusers, immigrant survivors should also identify when they could encounter ICE and develop a plan on how they will respond in such situations. For instance, in anticipation of any possible encounters with ICE, they should carry with them their attorney’s business card or a copy of a letter from an immigration legal services provider, such as the "No ICE letter" on the special Survivor Safety section of ASISTA’s website (see below for link). Similarly, the ILRC Family Preparedness Plan and CLINIC’s Manual on Knowing Your Rights with Law Enforcement will help identify other issues survivors should resolve in anticipation of encounters with ICE (see links below).

In addition, it is important that service providers for survivors of domestic and sexual assault are consulted about immigration issues in your community to develop and share resources, for cross-training around confidentiality and safety planning, and for partnering on advocacy strategies.

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Resources for Survivors

National Sexual Assault Hotline: 1.800.656.HOPE

Women’s Law: National Network to End Domestic Violence
www.womenslaw.org
State/Local Resources:
https://www.womenslaw.org/find-help

National Human Trafficking Hotline:
Website: https://humantraffickinghotline.org/
Phone: 1-888-373-7888

Immi (online resource developed by Immigration Advocates Network (IAN) and Probono Net): https://www.immi.org

Women Step Forward (a project of We Belong Together, National Domestic Worker Alliance & IAN):
https://www.womenstepforward.org/ and
https://www.mujereshaciadelante.org

Immigration Advocacy Network Legal Services Directory:
https://www.immigrationadvocates.org/nonprofit/legaldirectory/

Immigrant Defense Project: www.immdefense.org

VAWnet (NRCDV):
http://vawnet.org/sc/immigrant-women-and-domestic-violence
http://vawnet.org/sc/immigrant-women-and-sexual-violence

Immigration Safety Planning

ASISTA page on Survivors at Risk of Removal
http://www.asistahelp.org/en/access_the_clearinghouse/working_with_survivors_at_risk_of_removal/

Asian Pacific Institute on Gender-based Violence:
http://www.api-gbv.org/

IRLC Family Preparedness Plan:
Available In Spanish here:
https://www.ilrc.org/plan-de-preparaci%C3%B3n-familiar

https://cliniclegal.org/resources/know-your-rights-law-enforcement