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**The Politics of Inclusion: A Case Study of the Violence Against Women Act  
& Foreign Born Latinas in Washington, DC**

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of  
Philosophy in Political Science

By

Olivia Garcia

2014

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ABSTRACT OF THE DISSERTATION

**The Politics of Inclusion: A Case Study of the Violence Against Women Act  
& Foreign Born Latinas in Washington, DC**

By

Olivia Garcia

Doctor of Philosophy in Political Science

University of California, Los Angeles, 2014

Professor Mark Q. Sawyer, Committee Chair

This dissertation asks: How does the Violence Against Women Act (VAWA) impact Latinas in the Washington, DC area? I contend that this is a new region for Latino/a communities and that Latinas are less likely to report violence against them. By examining the path dependence of the VAWA and the controversy surrounding the 112th VAWA reauthorization bill which has been previously a bipartisan issue in Congress, I assert that Republicans will further marginalize Latina survivors of violence. Through path dependency on the VAWA and qualitative interviews with advocates and Latina survivors, I conclude that VAWA has had positive effects on this particular group of victims. This was a qualitative analysis with primary data where I interviewed direct-service providers and conducted a focus group of foreign born Latina immigrant women who had applied for self petitions or U Visas as allowed by the VAWA. This dissertation brings together literatures from women studies, American and race and ethnicity politics. Other topics that are touched up on include immigration and theories of empowerment. The dissertation ends with a chapter on policy recommendations for policy makers.

The dissertation of Olivia Garcia is approved.

Juliet A. Williams

Barbara Sinclair

Jane Henrici

Raymond Rocco

Mark Q. Sawyer, Committee Chair

University of California, Los Angeles

2014

## **Dedication**

My journey began over ten years ago when I first took a political science course at Beloit College. I was faced with an incredibly powerful woman who made me question everything I thought was true. My academic journey would not have been possible without the initial encouragement I received from the faculty at Beloit, but in particular from Georgia Duerst-Lahti, Bill Flannagan and the Ronald E. McNair program. Since my days at Beloit, I've indebted myself to many wonderful people and scholars including my dissertation committee which consisted of Mark Q. Sawyer, Juliet Williams, Ray Rocco, Jane Henrici and Barbara Sinclair. Thank you for your counsel, unwavering support and patience!

Thank you to the UCLA Department of Political Science, Washington, DC Mayor's Office of Latino Affairs, the UCLA Center for American Politics and Public Policy and the University of Florida. They provided me with important resources particularly as I collected data. A special thank you goes to all of the advocates, organizations and study participants. Your work and courage kept me focused and inspired. ¡Mil gracias! Que sigan adelante.

There are also many other wonderful thinkers and scholars like Leslye Orloff and Nawal Ammar who provided much counsel on the topic and were the first to expose me to dynamics around domestic violence and immigrant women. Cecilia Castillo Ayometzi, James Desveaux, Marisa Abrajano, Menna Demessie, Yamisette Westerband, Marisol Gutierrez Alonso, Denise Montalvo, Nery Morales and Mzilikazi Kone supported me at every step in this endeavor by provided a listening ear and at times wine when I thought I could not move forward. Thank you. Your friendship and support will never be forgotten.

This dissertation would also not have been possible if it weren't for the people who study race, ethnicity, and gender before me such as Cristina Beltran, Pei-te Lien, Lisa Garcia Bedolla, John Bretting, Melissa Michelson, Kimberle Crenshaw and the supportive members of the APSA's Status on Latinos y Latinas Committee. Thanks for guiding me along since my first WPSA conference where I was known as "Georgia's undergrad." Seeing intellectuals of color really motivated me to become one of you and hope this dissertation provides a firm building block on that endeavor.

Lastly, I want to thank my family, my parents, sister and brother, fabulous nieces and nephew, and aunts & uncles for their support and acceptance. Being far from you is always difficult, but it is comforting to know that I could always come home. My close friends like Stephanie Snow Familiar, Donna Montavon, Mike McCormack and many others who reminded me that getting my PhD was bigger than my dissertation, I just had to hang in there.

I'm forever grateful for the encouragement I received and hope this dissertation serves as a reminder that we all have multiple identities that often intersect and whose daily lives cannot be explain by one lens alone, especially as we seek to change and reform existing power structures.

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## VITA/BIOGRAPHICAL SKETCH

Ms. García's specialization is qualitative research given her background in political theory. Specifically, she uses theory to explain real-world issues on gender, race, ethnicity, and issues related to immigration within American politics. As a previous intern and research assistant for Leslye Orloff and Legal Momentum, she is well versed in the area of immigrant women and intimate partner violence. Ms. García has also conducted her own ethnographic research on issues immigrant women face as they seek local, formal and informal support from direct service providers who focus on domestic violence. Ms. García is a native Spanish speaker with experience in developing surveys and interview questions and with qualitative coding with the intent of understanding particular nuances of the target population. Her contributions to within the field of Political Science include analysis on intersectional identities and the importance of understanding those at all points of policy making.

May 2004	University of Arizona, Tucson M.A., Political Science Masters Thesis: <i>Injury as a Mobilizing Factor in Social Movements</i>
December 2001	Beloit College B.A. Political Science & Spanish Literature Thesis: <i>Latino Advocacy Organizations in a Time of Increasing Recognition</i>

### **Fellowships, Honors and Grants**

2013	Marvin Hoffenberg Fund in American Politics
2013	United Nations Graduate Study Program on Women & Gender Equality
2012	UCLA Political Science Department Summer Funds
2009 & 2010	UCLA Graduate Summer Research Mentorship Program in the Social Sciences
2009	Ford Foundation Predoctoral Fellowship Honorable Mention Recipient
2007-2008 & 2010-2011	Recipient of Eugene V. Cota-Robles Four-year Fellowship at University of California Los Angeles
2008 & 2011	National Science Foundation's University of California Diversity Initiative for Graduate Study in Social Sciences Graduate Summer Research Mentorship
2003/2004	Recipient of the American Political Science Association Minority Fellowship
2000	Culture and Language Certification from the Pontificia Universidad Católica del Ecuador. Quito, Ecuador

1999/2000 Winner of Beloit College Venture Grant

**Professional Conference Presentations & Guest Lectures**

Invited Panelist for “Women Taking the Next Step” University of Florida, Women’s Studies Association. April 8, 2014. University of Florida. Gainesville, FL.

“Show Me the Money.” Graduate School Symposium sponsored by the University of Florida Office of Academic Support. April 5, 2014. Gainesville, FL.

“Relevance of Multicultural Centers at University of Florida” for Masters Students in Student Personnel in Higher Education. October 22, 2013. Gainesville, FL.

Keynote Address for Hispanic Heritage Month Opening Ceremony, University of Florida, September 18, 2013. <http://www.youtube.com/watch?v=LzIVTJofKDA&feature=youtu.be>

Invited panelist, “Understanding Hispanic Heritage Month” Gainesville Regional Utilities, September 22, 2013. Gainesville, FL.

The Violence Against Women Act and Local Efforts in Washington, DC” Presented at the Western Political Science Association Annual Meeting, Los Angeles, CA, March 2013.

Report on Status of Domestic Violence Among Foreign Born Latina Immigrants in the Washington, DC Area. Washington, DC Executive Office of the Mayor, Office on Latino/a Affairs. October 23, 2012

“The Violence Against Women Act & Citizenship” Presented at Western Political Science Association Annual Meeting, San Antonio, TX April 2011.

“Nationalism, Aztlán and Chicanismo.” Presented at the American Political Science Association Meeting, Washington, D.C., September 2010.

“Imagined Communities and Social Movement Politics: An Analysis of Aztlán within the Chicano Movement.” Presentation at the National Association of Chicano and Chicana Studies Annual Meeting. New Brunswick, NJ April 2009.

“Voter Ambivalence in Presidential Campaigns” A collaboration with Pablo de la Penia and Maria Kopacz. Poster Presentation at the American Political Science Association Annual Meeting. Chicago, IL September 2004.

“Injury as a Mobilizing Factor for Chicana Social Movement Activity in the Chicano Movement” Western Political Science Association Annual Meeting. Portland, OR, March 2004.

“Latino Advocacy Groups in a Time of Increasing Recognition” Western Political Science Association, Long Beach April 2002 and also presented at the Ronald E. McNair National Conference, Puerto Rico October 2001

**Chapter 1 - Introduction: The Violence Against Women Act and Immigrant Latinas in the  
Washington, DC Metro Area**

There are several main issues with regards to the Violence Against Women Act (VAWA). The first is that it was once a bi-partisan issue, but Republicans and Democrats have disagreed on its reauthorization in the 112<sup>th</sup> and 113<sup>th</sup> Congresses. One of the main areas of contention for the reauthorization of this law is the fact that Senators want to include language that will protect Native Americans as well as lesbian, gay, transgender and undocumented individuals who have sufferance domestic/intimate-partner and/or gender based violence. House Republicans who are the majority party in the 113<sup>th</sup> do not agree or at least they did not agree until February 28, 2013 when they passed the same VAWA bill as the Senate. This discussion of racial and ethnic groups brings up issues of policy implementation and this dissertation investigates by using qualitative methods like path dependency and semi-structured interviews to analyze whether VAWA programs sponsored by Office of Violence against Women funds is meeting the needs of Latina survivors in the Washington, DC metro area. I suspect that although VAWA has been successful in promoting awareness of resources available for domestic violence survivors, VAWA has its limitations and therefore does not provide all the necessary resources for Latinas, the fastest growing population in the U.S., to deal with situations of domestic violence. There is more than can be done and this dissertation promotes the idea that everyone regardless of racial, ethnic, sexual orientation and/or religious background merits equal access to resources that can help an individual either leave or intervene on the cycle of violence.

## **Introduction**

In 1994, the VAWA was signed into law by then-President Bill Clinton. It was a bipartisan effort introduced by Sen. Joseph Biden (D-DE) with over 60 co-sponsors. In the House, the bill was sponsored by Patricia Schroeder (D-CO) and was co-sponsored by 225 House members. The Violence Against Women Act sought to protect victims of domestic/family

violence. The law provided grants to train police officers in investigating and judges on how to prosecute domestic violence cases. It also allowed for immigrant women who were married to legal permanent residents or U.S. citizens to self-petition<sup>1</sup> so as to adjust their immigration status so that their immigration status would no longer be tied to their abuser. Since 1994, the VAWA has been reauthorized without much contention in 2000 and 2005. In 2012, however, the VAWA has not be reauthorized and actually expired in 2011. Moreover, the reason it may not be reauthorized is an ideological divide between Republican and Democrats who are up for re-election.

As I am writing my dissertation, finally after much debate in the House and Senate, Congress has passed a VAWA reauthorization bill on February 28, 2013. The agreement on a bill did not come without dispute. During the 112<sup>th</sup> Congress, an area of contention was the fact some House Republicans sided with Natasha Spivack, the treasurer of Stop Abusive and Violent Environments (SAVE) and owner of an international “marriage service.” She claimed that one of the brides she set up with an American husband defrauded the immigration system by falsely claiming domestic violence (Bassett 2012). The contentions around the VAWA on the 112<sup>th</sup> revolved around special immigrant provisions to VAWA that lead to the blue slip problem are discussed more thoroughly in Chapter 2.

There were also points of tension with the VAWA in the 113<sup>th</sup>, the Senate has passed its version of the VAWA (which was immigrant, Native American and lesbian, gay and transgender friendly by comparison to the House Republican bill introduced in the 112th) and there seemed to be very little debate over its reauthorization within the Senate. The Republican-controlled

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<sup>1</sup> Self Petition is a legal process created by the VAWA that would allow spouses of U.S. citizens or residents who had experienced domestic violence to “self petition” so that they could adjust their own immigration status without being dependent on their abusive spouse.



House of Representatives considered a different version of VAWA where it did not provide the protections afforded to marginalized communities like Native Americans, immigrants and LGBT (Lesbian, Gay, Bisexual and Transgender) communities. The VAWA expired in 2011 and at the moment seems as though the two chambers will be unable to reach a consensus on the issue until February 28, 2013. The VAWA will continue to provide the option for immigrant domestic violence victims to self petition, T or U Visa<sup>2</sup> in order to stay in the U.S.

This sets the stage for my dissertation as I am questioning how the Violence Against Women Act has impacted the way in which battered immigrant women, specifically Latinas,<sup>3</sup> access resources in “gateway areas” like Washington, DC. A gateway area is one that has a rapidly growing immigrant population. With the tension surrounding the VAWA, are local advocates providing services to clients that fall into categories of intersectional identities? This dissertation also examines agencies’ (nonprofits) responses to gender based violence. At a broader level, I examine how VAWA as a policy/law has combated gender based violence. This examination brings up questions on appropriate responses to gender based violence and violence within other marginalized groups, such as *why should anything by government agencies be done* to combat gender based violence at all and why has the VAWA been limited and not extended to marginalized groups the way it has in previous reauthorizations? Finally, why have bipartisan efforts on the VAWA issue of violence against women stopped in the year 2011 and restarted again in 2013? What does the discussion around violence against immigrant and more specifically, Latina women sound like?

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<sup>2</sup> Individuals who have been trafficked (brought to the country against their will for work purposes) can apply for a T Visa. Individuals who have witnessed, been forced to participate or been the victim of a crime may qualify and can apply for a U Visa. For the U Visa, the domestic violence abuser victim does not need to be married to the abuser, nor does the abuser have to be a U.S. citizen or resident.

<sup>3</sup> I use the terms Latino/a interchangeably with Hispanic and do go into a further discussion in the extended version of this chapter.

## Structure for the Dissertation

Most often within political science, research is focused on institutions of government, forms of political participation, measures of democracy and collective organizing to name a handful of topics. Few political science scholars seek to figure out what policies and resources empower<sup>4</sup> individuals not only to participate in U.S. politics but also to become contributing members of society<sup>5</sup>. The focus of this dissertation seeks to understand the Violence Against Women Act, a policy that I believe has helped millions of individuals, but mainly women in dealing with the issues of gender based violence. In order to better understand the VAWA, I analyze it in two different ways. First, I examine the policy, as written in 1994, in its subsequent reauthorizations, including the reauthorization in the 113th Congress. In examining the legislation and the lawmaking process, I am searching for two distinct items: the first is any discussion of immigrant women, more specifically Latinas; and secondly, I'm examining the way in which immigrant women or Latinas are mentioned with regards to the VAWA. Is there any mention of Latinas or more generally women of color throughout the Congressional hearings prior to issues raised in the 113<sup>th</sup>?<sup>6</sup> I would argue that prior to the 113<sup>th</sup>, racial and ethnic identities were not very relevant to VAWA, even though the law expanded to meet the needs of immigrants, Native American women and lesbian, gay and transgender victims of domestic violence.

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<sup>4</sup> I'm defining empowerment as Cruikshank uses it in discussing political strategies. Empowerment (in the context of the left) refers "to act upon others by getting them to act in their own interest" (68).

<sup>5</sup> I operate under the assumption that women should report domestic violence regardless of whether they decide to stay with their abuser. The idea is that if a woman reports her abuse and holds the abuser accountable, they are providing a social service because by reporting, the abuser is less likely to hurt another woman in the future.

<sup>6</sup> Here I am operating under the assumption that it matters who is at the decision making table. This argument is taking from Kathleen Bratton's assertion that when women are in decision making positions, the types of policies passed by legislatures are different (more women friendly) so perhaps asking immigrant women who have experienced gender based violence would be helpful in producing the best legislation for this population.

Secondly, I examine the local responses to gender based violence. Here, I seek to answer the questions of whether immigrant women and more specifically Latinas are left out of decision-making, then whether their needs being met by local advocates? In this section, I am seeking indicators of Kimberle Crenshaw's theory on intersectionality, a concept developed by Crenshaw in which she "consider[s] how the experiences of women of color are frequently the product of intersecting patterns of racism and sexism." (1242-3). For example, Crenshaw found that women of color did not receive the same quality of service in shelters due to their race, ethnicity, immigration status and/or language spoken. Using her theory leads me to the question do the law and local advocates provide assistance in an intersectional way; in a way that takes into consideration the racism, sexism, and other institutional barriers that immigrant Latinas may face in getting help from their domestic violence situation? I use information gathered from my interviews of local advocates to show how advocates within the Washington, DC metro area are interacting with clients. It is my hope to show how advocates are making positive imprints in the lives of Latina survivors of domestic violence and what limitations they encounter as they try to help this population. Besides interviewing advocates, I have also attended events that bring awareness to issues of gender based violence to the Latino/a community as well as support group meetings for Latinas who have experienced domestic violence. These experiences, along with direct service provider interviews, provide me with information to make appropriate policy recommendations. I ask the advocates questions about empowerment, their thoughts on VAWA, if they encourage clients to interact with police and other government officials, and generally what prevents Latinas from leaving their abuser.<sup>7</sup>

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<sup>7</sup> I do not think or advocate that a person has to leave their abuser, but that is generally required in child custody cases for example. So I ask this in this context and am not advocating that a person has to leave their abuser for her/him to get help.

There has been much research on Latinos as an ethnic group. There has also been substantial research on women experiencing domestic violence written mostly by psychologists, legal scholars and advocates. There is, however, little to no research from a political science perspective that addresses Latinas, empowerment and domestic violence. This is where my research project comes in. This project provides a much needed understanding of a common political science term, “empowerment,” and how Latinas, who are quickly becoming a substantial portion of the U.S. population, confront the issue of intimate partner violence. Moreover, this study employs social movement literature, path dependency theory and the theory of intersectionality in order to better understand a pressing social problem that has dominated feminist politics for decades. The significance of this research project is vast given the increasing number of Latinas in the U.S. What scholars know is that the Latino/a population is quickly growing and that Latinas are unlikely to report gender based violence for a variety of reasons.<sup>8</sup> According to the Center for Disease Control’s 2010 national survey, 37.1% of Hispanic women have been the victim of rape, physical violence, and/or stalking by an intimate partner in their lifetime (39). That is over a third of the Hispanic women surveyed, and what makes this issue so compelling is that gender based violence is about power and control and has spillover effects that make this a societal problem rather than one that only happens behind closed doors. As articulated by Villalón, “Gender violence per se,...always tends to be more than that; gender violence tends to be an expression of dominance in its intersection with sexual, racial, ethnic, and class oppression as well as the construction of nationhood and citizenship” (8). Analysis on

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<sup>8</sup> Some reasons other scholars have found on why Latinas do not contact police for assistance include of fear of deportation, language barriers and/or distrust of police and other government officials. See Jenny Rivera and Leslye Orloff.

gender based violence within an already marginalized but growing segment of the population is indicative on what is yet to come for this country.

I have only made general references to gender based violence, domestic violence and violence against women. I will use these terms interchangeably acknowledging that these terms are used differently by various academics, advocacy groups, and other practitioners. I use them interchangeably because the laws in the U.S. have used these terms interchangeably. In another section of the dissertation, I do discuss the origins of these terms and how they affect issues and topics of framing, organizing, and the type of advocacy each term could lead to as well as what is left out by the use of each term. For now, I use the terms gender based violence, domestic violence and violence against women interchangeably.

### **Latinas, Violence and Washington, DC**

There are roughly 292,419 women between the ages of 18-44 residing within the DC area according to the 2010 Census. The Latino/Hispanic population has dramatically increased in the region as well. The U.S. Census describes Hispanic/Latino/Spanish to refer to those of Latin American or Spanish descent.<sup>9</sup> In the Washington, DC area, Hispanic residents make up about 9% of the total population. However, Latinos (the Census does not provide data that is separated by ethnicity and gender) make up about 7-8% of Virginia *and* Maryland. There has been a dramatic increase of Latinos in this part of the East coast since 2000. In 1980, there were roughly 17,000 (2.8% of the total DC population) Latinos residing in Washington, DC. By 2010, that number rose to 54,749 (9.1% of the total DC population).<sup>10</sup> The District, which is fairly small in

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<sup>9</sup> I provide a more detailed discussion on Hispanic and Latino identities in another section in the dissertation. For the purposes of this paper, I refer to Latinas as women who self identify and/or are categorized by others (advocates) as Latinas because of their country of origin, language or racial and ethnic features. See Jenny Rivera's article for further information.

<sup>10</sup> Data sources: U.S. Census Bureau, 2009 American Community Survey. Prepared by the D.C. Office on Planning/State Data Center and the Office on Latino Affairs.

terms of geography, has had to deal with this dramatic increase of Latinos especially since many Virginia and Maryland Latinos/as come to the District for services which stretches their already limited budgets.<sup>11</sup>

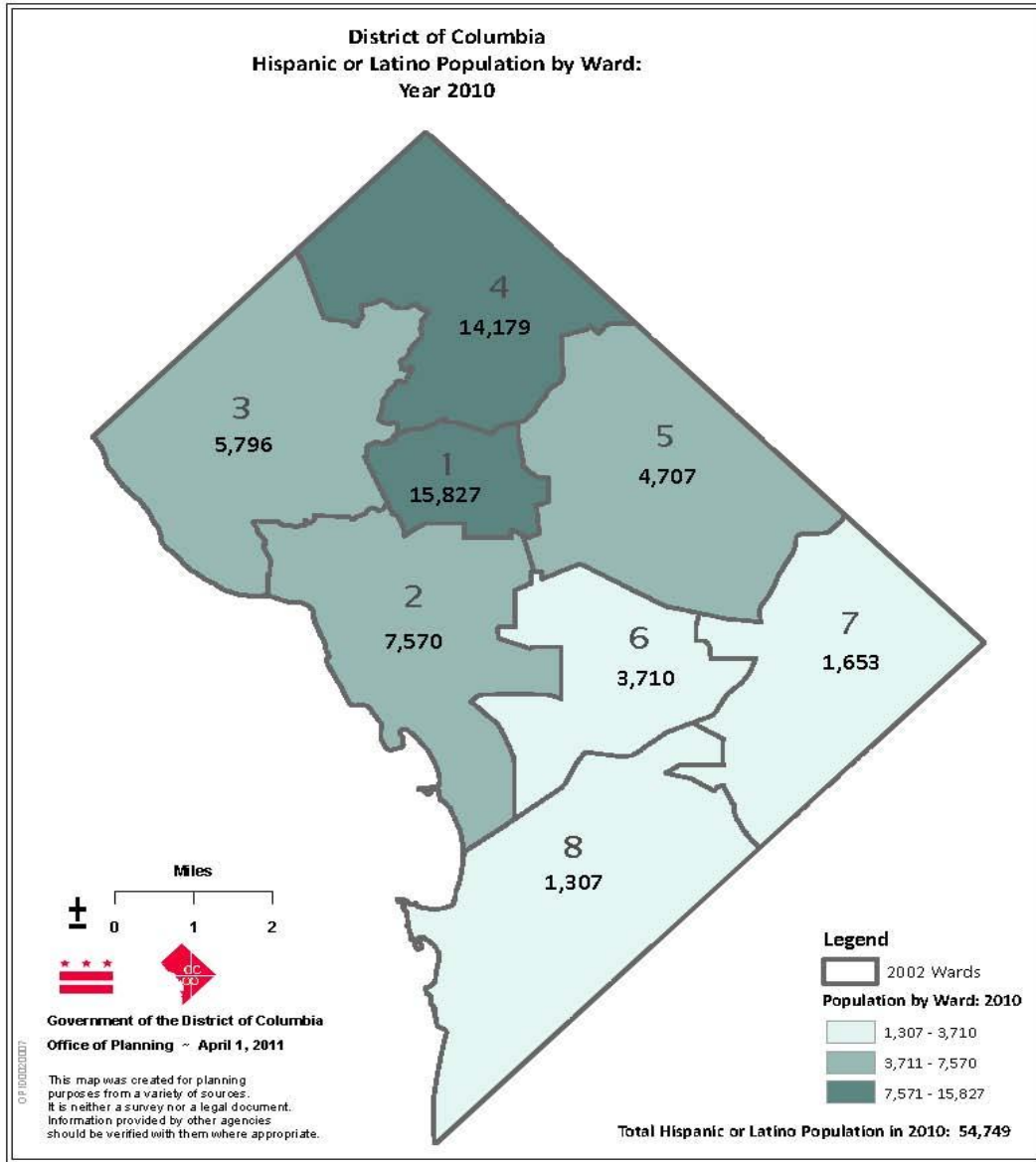
Moreover, the majority of the Latino population speaks Spanish only at home, roughly about 62% according to Census and American Community Survey data. 43.4% of Latinas work within service occupations, while only 36.9% of Latinos (male) do so as well. Lastly, in order to better understand the Latino population that resides within the Washington, DC area, I have included some insight into the various neighborhoods or Wards (as referred to by government agencies). Ward 1 has about 15,000 Latinos according to 2010 Census Report. Ward 4 has 14,179 Latinos. Ward 1 includes the following areas: Columbia Heights, to Adams Morgan's renowned entertainment district, to Howard University, historic U Street and LeDroit Park.<sup>12</sup> Ward 4 includes northeast neighborhoods of Lamond-Riggs to parts of the Chevy Chase community west of Rock Creek Park. Ward 4 stretches from its northern boundary (Eastern Avenue) with Montgomery County, Takoma Park and Prince George's County in Maryland to its southern border with Ward 1 on Spring Road, Ward 5 to the East and Ward 3 to the West. Although the other Wards also have Latino inhabitants, the majority of Latinos reside within Wards 1 and 4. As indicated in Figure 1, Ward 2 has 7,570 Latinos, Ward 3 has 5,796; Ward 5 has 4,707; Ward 6 has 3,710; Ward 7 has 1,653 and Ward 8 has 1,307 Latinos.

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<sup>11</sup> Unlike Los Angeles and other parts of the United States which have established groups of Latinos/Hispanics, this wave of newcomers, regardless of their immigration status, has sought opportunities of upward economic and social mobility. So Los Angeles, although it has an immigrant population, it is not growing as rapidly as Washington, DC. Los Angeles would not be a considered a gateway city.

<sup>12</sup> <http://www.dccouncil.us/wards/ward-1>

**Figure 1: Hispanic or Latino Population by Ward in 2010**



According to Krishnan et al., Latinas are less likely to contact law enforcement for help. “Latina women in the U.S. are less likely to report domestic violence to law enforcement agencies than are Anglo American women” (Krishnan et al. 1997). There is also some debate on whether Latinas experience domestic violence at higher rates than other racial and/or ethnic

groups, but this is in large part due to the lack of data collection based on race and ethnicity. West (2005) argues, “11 percent of white, 17 percent of Latina and 23 percent of Black women reported being a victim of domestic violence. Overall, “nationally representative studies revealed higher rates of partner violence among Blacks, Hispanics, and Native Americans when compared to white Americans” (170). Nonetheless, according to Edelson et al.’s study of Latina and non-Latina women there are “no significant differences between the two samples with regard to the nature and severity of the domestic violence to which they were exposed.” This study took place in two locales, Mexico City and Los Angeles, and indicated that Latina women who had been victims of domestic violence had significantly greater trauma-related symptoms, depression, and lower social and personal self-esteem” (2007, 8). What is agreed upon by scholars is that Latinas, along with other racial and ethnic groups, are less likely to report abuse and violence because they do not know English, are afraid of being deported, do not have the economic means to support themselves, believe the abuser’s behavior will eventually improve and need the assistance of the abuser to care for their children. These are some reasons as discussed by Rivera (1994). So, granted domestic violence should never happen, but when it does Latina women are less likely to seek justice by contacting local law enforcement, which is problematic *and* begs the question, to whom do Latinas turn for help?

As the Latino population increases<sup>13</sup> in the Washington, DC area, advocates who work with survivors of domestic violence find themselves interacting with Latinos/as on a regular basis, more so than in previous years as indicated from my interviews with advocates. Grants from VAWA do not provide organizations with enough funding to hire multi-lingual and culturally sensitive advocates to deal with the Latina (and other immigrant) clients entering and

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<sup>13</sup> I am not only referring to new arrivals, but also as first, second and third generations are having their own children in the U.S.



with the increased immigration rhetoric that is primarily directed at Latinos, DC advocates find themselves in a more hostile social environment as Congress has not reached an agreement on the latest VAWA reauthorization.

It is worth mentioning that another reason Washington, DC was selected as a site for investigation besides its “gateway area” for the Latino population, is because the city is friendly towards immigrants, particularly Latinos/as immigrants. The Office of Latino Affairs (OLA) was created in 1976<sup>14</sup> and responds to and provides outreach to Latino residents and constituents. The OLA runs a Language Access and Advocacy Program to ensure that culturally and linguistically competent city services are provided to the Spanish-speaking population that resides in the District.<sup>15</sup> Given the anti-immigrant and anti-Latino sentiments<sup>16</sup> around the country (in places such as Arizona, Alabama and other southern states), Washington, DC was selected as a location of investigation because it has a growing Latino population and has various government programming aimed at assisting Latinos/as. Lastly, one of DC’s more progressive policies has been on the issue of Secure Communities. Secure Communities is a relatively new protocol enforced by U.S. Immigration and Customs Enforcement (ICE). With this new protocol, local and state police departments send fingerprints of arrested individuals to the Federal Bureau of Investigations (FBI). The FBI then searches its databases to see if the person arrested has the appropriate permission to be in the United States. If the individual does not have the proper

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<sup>14</sup> According to the web page for the Office on Latino Affairs

<http://ola.dc.gov/DC/OLA/About+OLA/Who+We+Are?nav=0&vgnnextrefresh=1>

<sup>15</sup> <http://ola.dc.gov/DC/OLA/Programs+and+Services/Language+Access?nav=1&vgnnextrefresh=1>

<sup>16</sup> Some reports have been produced by the Pew Hispanic Center such as:

<http://www.pewhispanic.org/2010/10/28/iii-discrimination-deportation-detainment-and-satisfaction/> as well as research from the Southern Poverty Law Center found at: <http://www.splcenter.org/get-informed/intelligence-files/ideology/anti-immigrant>, and <http://newamericamedia.org/2012/05/immigrants-greatest-potential-ally---american-women.php>

documentation, then that person is placed in removal (deportation) proceedings.<sup>17</sup> The Washington, DC Metro Police Department (MPD) will comply with Secure Communities in that they will send fingerprints to the FBI, but will not necessarily hold the person so that ICE can pick this person up. Rather, the Metro Police Department's stance on this issue is that only the U.S. Department of Homeland Security (DHS) and subsequently ICE (because it falls under the DHS) can enforce immigration laws. Since the MDP is not part of DHS, it cannot enforce immigration laws and therefore will not hold anyone after MPD has completed its criminal investigation. This is a much more lenient and progressive policy than those cities and states that are anti-immigrant. Washington, DC's more humanistic attitude towards Latinos/as regardless of their immigration status is another reason I chose this as a site for investigation.

### **Understanding the VAWA – the Legislation**

#### ***112<sup>th</sup> Congress & The Violence Against Women Act's Reauthorization***

The Senate heard Bill 1925 (S. 1925) on November 30, 2011. The bill was voted and passed on April 26, 2012. It took roughly five months for the reauthorization to be passed in the Senate. There were a total of 60 co-sponsors to the bill introduced by Senator Leahy (D-VT). The bill passed with a total of 68 Yay<sup>18</sup> votes; 51 Democrats, 2 Independents and 15 Republicans. There were 31 Nay votes, all from Republicans, and one abstention from Senator Kirk (R- Il). It is worth mentioning that there was one amendment added to S. 1925 by Senator Cornyn (R-TX) that provided services for sexual assault victims, like allowing grant funds so that the backlog of sexual assault DNA kits can be tested soon(er). What is most interesting is

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<sup>17</sup> [http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/)

<sup>18</sup> Yay/Nay votes are when the presiding officer states the question and Senators respond with Yay or Nay votes. The Presiding Officer records the answers accordingly. <http://www.senate.gov/general/Features/votes.htm>

that Senator Cornyn voted against S. 1925 so why did he make the amendment if he just planned to vote against the bill?

While the Senate's reauthorization of VAWA was fairly straightforward, the House's response was quite different and somewhat complicated, which is fairly common given the nature of each institution. While there was only one version of the bill and a few amendments to be voted on in the Senate, there were four different House bills of the Violence Against Women Reauthorization Act of 2012 introduced. There were H.R.'s 4271, 4970, 4982, and 5331. H.R. 4271 introduced by Representative Gwen Moore (D-WI) had the most co-sponsors with 97, all Democrats. H.R. 5331 was submitted by Representative Janice Schakowsky (D-IL). Republicans submitted two other bills: H.R. 4970 by Representative Sandy Adams and H.R. 4982 submitted by Representative Judy Biggert (R-IL). In previous reauthorizations, there were not this many versions of the same bill introduced. What I am trying to show is that in the past, the VAWA reauthorizations in both 2000 and 2005 were done through bi-partisan efforts with little to no disagreement, unlike this 2012 reauthorization.

The original 1994 VAWA was passed with unanimous consent in both chambers. The votes were verbal in both the House and Senate, which is indicative of the general agreement on the bill and issue of domestic violence, as well as of the bipartisan effort. There is no clear ideological divide on this issue. The 1994 VAWA provided grants for the training of judges and law enforcement officials, as well as funds to set up a national hotline that a domestic violence victim could call if she needed help. States received funds in the form of block grants, which were used for local shelters and other direct services for victims of gender based violence. More interestingly for the purposes of this dissertation, the 1994 VAWA allowed for immigrant women who suffered domestic violence from a U.S. citizen or resident the ability to petition for

their immigration status. This was a milestone for battered immigrant women who no longer had to be dependent on their spouse to petition for their immigrant status. Rather, a woman who could show that she was in a violent marriage (through medical records, police reports, or other documentation, and that their marriage was entered into with good faith) where the abuser was a U.S. citizen or resident, she could now petition for her own resident status and the abuser could no longer use this power to control the immigrant victim.

Immigrant advocacy groups, according to my interview with Mrs. Orloff<sup>19</sup>, welcomed any relief that could be provided for battered immigrant women. As previously stated, the VAWA passed in 1994 and gave specific protections to immigrant women. “With VAWA, Congress recognized that some battered immigrants were in the U.S. illegally but explicitly sought to protect them anyway through the creation of special routes to lawful immigration status for them, as well as other protections. The purpose of VAWA was to fix a hole in immigration law, and the act allows a battered undocumented woman to petition for lawful status on her own, thereby eliminating the need for the cooperation of a violent spouse” (Lee, 2008). In my interview with Orloff she indicated that the VAWA legislation sought to protect the wives of U.S. citizens and legal permanent residents who were residing in U.S. territory. Orloff explained that the rationale for providing protection only to spouses was equal to what they would have received through the 1986 Immigration Marriage Fraud Amendments where their spouses had to the power to apply for a spousal petition. Essentially the 1994 version of VAWA provided a distinct path to citizenship for women who would eventually have received it anyway from their

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<sup>19</sup> Leslye Orloff is considered the leading expert on battered immigrant women and wrote much of the legislation under VAWA and its reauthorizations on immigrant battered women.

spouses.<sup>20</sup> According to Orloff it was easier to convince House Members<sup>21</sup> to accept safeguards (protections and benefits) for battered immigrant women given that the Senate had already passed their version of the Act. The House version that passed had a total of five provisions designed to protect immigrant women from domestic violence, whereas the Senate bill had none according to Brooks in her overview of the VAWA as a legislative success (1997, 74). The fact that immigrant women provisions were only included in the House bill and not the Senate bill greatly limit the analysis I can provide from the content analysis of Congressional hearings. There is little to no talk of direct battered immigrant women's experiences and even less discussion on the safeguards provided for them. Moreover, according to Orloff, framing the discussion as a women's issue rather than an immigrant one would garner more bipartisan support (2010). The limited discussion of battered immigrant women is quite telling even though it greatly limits data collection.

What is clear, besides the fact that immigrant women were hardly discussed in the original VAWA, is that the law was indeed a victory for the feminist movement. Rivera argues, "...it is not solely particular VAWA provisions working in isolation which make the legislation unique and uniquely applicable to women of color. Rather it is the various sections of the VAWA working in tandem which make the VAWA a gender conscious-gender responsive civil rights law; one which provides legal recourse to all women survivors of domestic violence, regardless of race, ethnicity, culture and/or language" (1995-6, 491). Is this what is actually happening on the ground for Latinas in Washington, DC? One of the purposes of the implementation of VAWA was to educate law enforcement and judicial officials. There was also

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<sup>20</sup> In the 2000 reauthorization, the benefits and protections were expanded to other immigrant women and I while I am familiar with the newer policy, I was most concerned with conducting a policy tracing of the VAWA overall. I do briefly address the reauthorization in the conclusion section of this paper.

<sup>21</sup> The safe guards for battered immigrant women were not in the bill language for the Senate version that passed prior to the House bill. The versions were different and for a list of these differences, see Brooks 1997 page 74.

an increase in nonprofits that provided services and advocated on behalf of survivors immediately after VAWA passed in 1994. It was up to nonprofits to meet the needs of their particular populations. Therefore, many nonprofits focused upon English-speaking women who wanted to leave their abusers. Since then, advocates have become more culturally sensitive by seeking interpreters for their non-English speaking clients, and advocated for clients' safety rather than demanding the survivor leave their abuser. This has been in response to the population they serve rather than being something that was mandated by VAWA. Most importantly for the purposes of my dissertation, Rivera argues that at least theoretically, the VAWA responds to the concerns of both communities of color and women" (1995-6, 467). While I do not disagree, in many ways, the VAWA attempted to provide marginalized communities (including women of color and immigrant women) with some relief from the violence they had experienced; it also has not gone far enough. Moreover, with the contention now surrounding the re-authorization of VAWA in Congress, it begs the question of whether the many individuals who experience domestic/gender based/intimate partner violence will continue to have protections and reliefs afforded to them by the VAWA.

### **Interview Data – What's happening in DC?**

Before I began interviews with advocates, I needed background knowledge of Washington, DC. Moreover, data on women of color and domestic violence are hard to find. At the moment the Center for Disease Control and the National Institute for Justice have funded grants for researchers to conduct two studies on young (19-24 year olds) women of color who have experienced domestic violence. Until those studies are complete, researchers rely on organizational and institutional data collection methods. Obtaining data from institutions, as expressed by Johnson (2008), can be problematic because then researchers only have data on the

predominance of male violence; this data, however, are easily accessible. Johnson states that agency data like that collected from courts, police, or agencies focus primarily on male aggression towards women (18), so this provides some background on the kind of data I have gathered. By reaching out to the Mayor’s Office on Latino Affairs, I was able to obtain information about how many calls the Metropolitan Police Department (MPD) receives that relate to the issue of domestic violence. There are seven police service areas in Washington, DC. See Figure 2.

**Figure 2**

<b>District of Columbia Hispanic or Latino Population Trends: Year 1980 to 2010</b>			
<b>Census year</b>	<b>Total Population</b>	<b>Hispanic or Latino Population%</b>	
	<b>Number</b>	<b>Percent</b>	
2010	601,723	54,749	9.1
2000	572,059	44,953	7.9
1990	606,900	32,710	5.4
1980	638,333	17,679	2.8

As previously indicated, the Latino population in Washington, DC grew substantially between 1980 and 2010. The population jumped from 2.8% of the total population to 9.1% over that time. Figure 3 shows the increase in the Latino population. According to a figure created by the Mayor’s Office on Latino Affairs, the population with the most presence in DC is Salvadoran and then Mexican. The area’s Latino population, a snapshot taken from the 2010 Census, is relatively young with about 35% of the population between the ages of 20-34 years old.<sup>22</sup> While about 50% of the Latino population in the DC area has a Bachelor’s degree or higher, about 20%

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<sup>22</sup> Taken from a table created by the Mayor’s Office on Latino Affairs with data from U.S. Census Bureau and prepared by the DC Office of Planning/State Data Center.

have a high school diploma or equivalent, while 17% has some college and 12.6% of the Latino population has less than a high school diploma.<sup>23</sup>

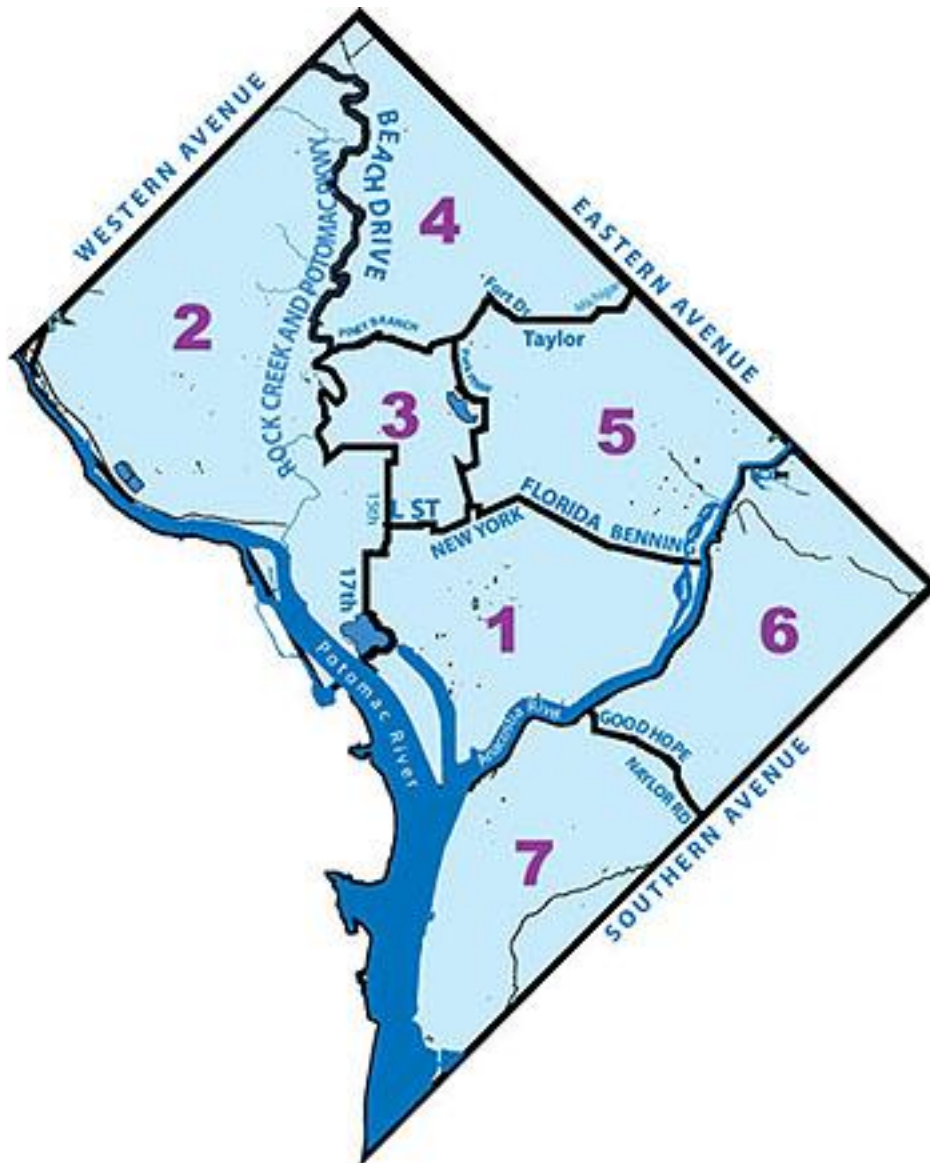
In examining data obtained from the Metropolitan Police Department (MPD) regarding domestic violence incidents, it is necessary to explain their Police Service Areas (PSA), which are numbered differently than Figure 1 from above. Figure 1 outlined the various Wards which are different from PSAs.

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<sup>23</sup> This was taken from a table created by the Mayor's Office on Latino Affairs with data taken from the 2009 American Community Survey which was prepared by the DC Office of Planning/State Data Center.



**Figure 3: Washington, DC Police Service Areas**



A PSA has a team of police officers and officials assigned to it and those officers essentially work predominantly in that area. Figure 2 illustrates how Wards 1 & 4 are referred to as PSAs 3, 4 and some parts of 5. This is relevant to the issue of domestic violence because it relates to the MPD's data collection. The graphic illustrates the various PSA's, which provide a visual comparison with Figure 1's Latino population graphic. Notice that the Latino population in Wards 1 and 4 which are PSAs 3 and 4.

Taking Figure 3 into consideration, see Graph 1. This data show the number of calls the MPD receive with regards to domestic violence. The graph below gives a summary of the domestic violence calls MPD received over the last five years. In the year 2010, the number of domestic violence calls MPD received over the last five years. In the year 2010, the number of domestic violence calls increased across all PSAs, but the reason is unclear. It could have been because of a new policy, better training, or just an outlying year. For PSAs 6 and 7, though, the number of calls is relatively high, at roughly 4,000 for PSA 6 and 4,600 for PSA 7. In 2011, the number of calls lessens across all PSAs, but is still relatively high in PSAs 6 and 7. For PSAs 3 and 4, which I have speculated are the PSAs with the higher number of Latino inhabitants; at the number of domestic violence calls is less than 1,000. Theoretically, this would indicate that Latinas are not calling the MPD for issues of domestic violence, or that perhaps domestic violence is not a problem within the Latino community. This is not the case, however, as the advocates I have interviewed so far have told me otherwise. Each advocate has stated that Latinas do not trust police and therefore do not call them when they find themselves in a domestic violence situation. Latinas, rather than turning to police, seek help from local area nonprofits.

In order to find out which organizations dealt with survivors of domestic violence and how, I was provided with a list of the OLA grantees. From that list, I examined the

organizations' mission statements and if it seemed they would interact with domestic violence victims, I contacted them. For example, Neighbors' Consejo provides services to mainly Spanish-speaking individuals who have substance abuse or mental health problems; rarely do they interact with a domestic violence survivor. Thus, even though they interact with Latinos in the DC area, they were not contacted for my study. The Family Place, on the other hand, deals directly with survivors of violence, so I contacted them via email and by phone. If the organization did not interact directly with survivors of domestic violence, I removed them from my list. I called each remaining organization and asked them if they dealt with domestic violence victims. If the person replied yes, then I would ask to be connected with the person to whom that client is referred. Once connected, I would ask if that person spoke Spanish and where they referred clients that only spoke Spanish. From there I created a list of several organizations that primarily serviced Latinas in the Washington, DC area.

Secondly, I organized an event for the OLA that brought together the various grantees of the OLA who work with Latino/a populations and come across domestic violence victims. In return for organizing this workshop, I agreed to share findings from my pre-screening survey, which asked questions about the number of Latinas/os the advocates interact with and how they generally assist domestic violence survivors. At this event, I was able to pre-screen all the advocates to see if they qualified and would be willing to participate in my study. Twenty four grantee advocates attended the workshop and sixteen completed the pre-screening survey. Of those, I followed up with eleven via telephone, emails and in-person.

There are a total of nine organizations that deal directly with domestic violence victims in the Washington, DC area. Those organizations are: The Family Place, Mary's Center, House of Ruth, SAFE (Survivors and Advocates for Empowerment), La Clínica del Pueblo's group

entitled Entre Amigas, Ayuda, DC Coalition against Domestic Violence (more of a resource network for advocates), Break the Cycle (focused on teen dating violence), and Mil Mujeres. Of those, I have interviewed advocates from La Clinica del Pueblo, The Family Place, Mil Mujeres and SAFE. My goal was to interview at least one advocate from each organization and two from the organizations whose primary clients were Latino/a.

From the interviews, I noticed there was an overwhelming theme that came about: advocates discussed Latinas as immigrant women who were not citizens and came to the U.S. later in life, not necessarily as adults, but as people whose identity was substantially formed by their experiences in their home countries and cultures.

I have interviewed seven advocates (from four of the nine organizations listed above) who deal directly with Spanish speaking clients who have experienced domestic violence and work at various nonprofits within the Washington, DC area. I am in the process of transcribing those interviews and looking for patterns and trends. From my own notes, I have found that these advocates see Latinas who identify primarily through their country of origin, speak Spanish, and are unfamiliar with the cultural and institutional practices of the United States. For example, I have heard from various advocates that Latinas are scared to call the police because they have a general distrust of law enforcement officials. Moreover, some women have lost their children to their abusers because they did not understand what court advocates were saying after the victim contacted the police and/or proceeded with court system. The main concern that advocates have expressed is centers on deportation and Secure Communities. Latinas are concerned that if they call the police for help that they will be arrested along with their abuser and their fingerprints will be sent to ICE. Advocates have acknowledged that Washington, DC is more immigrant-friendly than Maryland and Virginia, but officers could benefit from more training (specifically

in identifying the primary aggressor). The other interesting piece of information advocates have providing me with is the importance of the U Visa option the VAWA provides. Many of their clients have been able to stay in the country through this visa. If the House version of the VAWA reauthorization is approved (rather than the Senate's version), then this may lessen the number of U Visas made available each year as well as change the way the visa would be approved. For example, rather than the U Visa application being scrutinized by an expert in Vermont, the visa application may be sent to a local area immigration center where the administrator may not have extensive domestic violence training. My interview data indicate that Latinas in the Washington, DC metro area are receiving assistance when/if they encounter domestic violence situations, but it is not coming from police, but rather advocates at nonprofit agencies.

The dissertation is divided into four chapters that go into more depth on the topics discussed this far. The purpose of this chapter was to serve as an introduction to the complicated topic of the VAWA and foreign born Latinas. Moreover it was necessary to describe the lay of the land in Washington, DC so as to familiarize the reader with the scope of the research. Chapter 2 analyzes the creation of VAWA and the reauthorizations that followed. The goal of that chapter is to show how the law expanded and began to incorporate language of race and ethnicity as the reauthorizations came about in 2000, 2005 and 2013. Chapter 3 describes the methodologies taken to observe the direct service providers approach to working with foreign born Latinas and the steps I took to gather data from foreign born Latina immigrants. I describe the semi-structured interview process and the coding schema. Chapter 4 discusses the reactions of foreign born Latinas who applied for self petitions or U visas to the process of interacting with police, courts and how the visa has or would impact their lives. I interviewed seven foreign born Latinas who had experienced domestic violence and used the VAWA reliefs to change their

situation. The last chapter provides a conclusion describing what can be learned within the field of race and ethnicity politics through this examination of the VAWA and the intersection of foreign born Latinas in the Washington, DC area.

## **Chapter 2: Changes to the Violence Against Women Act from 1994 - 2013**

## Introduction

In the study of the United States Congress, there are two typical approaches taken. Oleszek and Fenno for example, each focus on the behavior of actual members of Congress and their motivations behind voting in a particular way, falling in line with their political party and the way in which they behave in the home district. Other Congressional scholars focus on Congress as an institution and examine how particular rules or practices influence policy outcomes. Still other scholars who write about Congress focus on issue specific policies. Congress is a complex topic whether studied as a whole or by its various members which change constantly due to electoral politics. To study Congress is typically a numbers game because much of the data that are relevant involve the number of votes, number of party members, number of times a rule was broken. Although I believe those are necessary approaches for studying U.S. Congress, in order to answer my research questions on the Violence Against Women Act, I approach Congress quite differently. The primary goal of this chapter is to better understand the policy narrative of the VAWA and whether that process was provided space for battered immigrant women. Battered immigrant women and the protections the VAWA provides for them became a source of tension in the 112<sup>th</sup> session of Congress. To understand why that happened, it is necessary to see how the VAWA developed over time. This chapter examines how the VAWA expanded protections for immigrant women since its enactment in 1994. I highlight critical changes in the law and attempt to contextualize and explain those changes through a qualitative analysis.

On September 29, 1994, then Senator Joe Biden (D-DE), Chairman of the Judiciary Committee began the first hearing on the implementation of the Violence Against Women Act



(VAWA).<sup>24</sup> The VAWA was incorporated into H.R.3355 titled Violent Crime Control and Law Enforcement Act of 1994 during committee.<sup>25</sup> On this day, Senator Biden states,

“It has been a long hard fight. It has gotten wide bipartisan support. It started 4 ½ years ago with some of the women in this room being the only allies I had in the drafting of this legislation. In the beginning, even many of the women’s groups were not enthusiastic about this.

It is a testament to, I hope, sound judgment and perseverance that not only have we passed the bill, but with overwhelming support, Senator Hatch, the ranking Republican, being a prime cosponsor of the legislation, as well as the vast majority of Republicans and Democrats supporting it.”

That was the case in 1994, however, by 2012, there was little-to-no bipartisanship occurring. In response to H.R. 4970, which was the VAWA reauthorization bill in the 112<sup>th</sup> session of Congress, Leslye Orloff who worked on the initial drafting of the Violence Against Women, specifically the protections for immigrant women, argues that,

“House Republicans are blocking its reauthorization and proposing a dramatic and dangerous rollback in its protection for immigrant victims of domestic violence, sexual assault and human trafficking. The House Reauthorization bill undermines two decades of relief for immigrant victims who suffer continuing abuse at the hands of U.S. citizens or permanent resident spouses or parents.”

The question in understanding the Violence Against Women Act and specifically how it impacts foreign born immigrant Latinas as related to this dissertation is why was there Republican criticism for a bill that had been previously reauthorized without much contention by both Democrats and Republicans? The narrative ends with VAWA being reauthorized early in 2013 which provided various protections for specific racial and ethnic groups. Two questions come to mind. The first is 1) How did this happen and 2) What does this mean for foreign born immigrant Latina women?

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<sup>24</sup> The Senate version of the 1994 VAWA was known as S.11 and the House was H.R. 1133.

<sup>25</sup> <http://thomas.loc.gov/cgi-bin/bdquery/D?d103:3:./temp/~bd74Pv:@@D&summ2=4&/home/LegislativeData.php?n=BSS:c=103>

This chapter seeks to address these two questions by analyzing the immigrant protections afforded in the 1994, 2000, 2005 acts and comparing them with the proposed (and defeated) versions of the VAWA in 2012 (112<sup>th</sup>) and the version of the VAWA that passed in the 2013 session of Congress (113<sup>th</sup>). I am examined the acts for specifics protections (access to and emphasis on providing them services, visas or other resources) for immigrant women within each of the reauthorizations. With regards to the 2012 & 2013 versions, I will examine some of the testimony and one interview with an insider on this policy making.

#### VAWA 1994

When the original VAWA was passed, it was done as part of H.R. 3355 a larger omnibus crime bill. TITLE XVI, Subsection C outlines the immigrant women provisions. There were few immigration women provisions. Essentially, the bill stated that domestic violence was the leading cause of injury to women in the United States between the ages of 15-44 as had been extensively documented with hearings that began in 1992. With regards to immigrant women, Section 1626 allowed for an alien spouse to petition for the right to stay in the country under what is known as the VAWA “self petition.” This allows, “immigrant victims of domestic violence, child abuse, or elder abuse to ‘self petition’ for lawful permanent resident status without the cooperation of an abusive spouse, parent, or adult child.”<sup>26</sup> In order for a battered immigrant woman to qualify for the self petition, the survivor of domestic violence (at the hands of her abusive spouse), had to adhere to the following criteria,

*“be physically present in the United States; has been battered or subjected to extreme cruelty in the United States by a spouse or parent who is a United States citizen or lawful permanent resident; and proves that during all of such time in the United States the alien was and is a person of good moral character; and is a person whose deportation would,*

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<sup>26</sup> Immigrant Policy Center. 2012. “Violence Against Women Act (VAWA) Provides Protections for Immigrant Women and Victims of Crime.” May 7. <http://www.immigrationpolicy.org/just-facts/violence-against-women-act-vawa-provides-protections-immigrant-women-and-victims-crime>

*in the opinion of the Attorney General, result in extreme hardship to the alien or the alien's parent or child.*"<sup>27</sup>

This language is anything but clear. For example what constitutes extreme cruelty, good moral character and extreme hardship? How can a legal permanent resident show proof of these abstract concepts? This were some of the concerns expressed from lawyers like Orloff regarding the burden of proof for the immigrant woman applying for a VAWA self petition. On the positive side, there are no limitations for the number of self petitions that could be granted by the Attorney General. While this was enacted in 1994, it was not implemented until about one year later so many women were waiting for their self petitions to be approved. Even though there is disagreement on particular sections of the law like whether proving extreme hardship is really necessary for this petition (Rothwell 2000, 559; Loke 1996-7, 606), or what constitutes extreme cruelty, the self petition option within VAWA was one of the first steps available to battered immigrant women who were married to legal permanent residents and U.S. citizens for a minimum of three years.<sup>28</sup>

Advocates on behalf of immigrant women who had experienced domestic violence welcomed the self petition option provided by 1994's VAWA. According to Mrs. Orloff, "With VAWA, Congress recognized that some battered immigrants were in the U.S. illegally but explicitly sought to protect them anyway through the creation of special routes to lawful immigration status for them, as well as other protections. The purpose of VAWA was to fix a hole in immigration law, and the act allows a battered undocumented woman to petition for lawful status on her own, thereby eliminating the need for the cooperation of a violent spouse,"

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<sup>27</sup> Violent Crime Control and Law Enforcement Act of 1994" Public Law No: 103-322. September 13, 1994

<sup>28</sup> The first law for battered immigrant women was passed in 1990 when the Immigration Reform Act was passed. The battered spouse waiver allowed for a battered immigrant woman to petition to remove the conditional status of her conditional permanent resident status. Of course, this assumes that the spouse of a battered immigrant woman actually filed paperwork on her behalf. This rarely occurred which is why the self petition was added in 1994.

(Lee, 2008). In my interview with Orloff, she indicated that the VAWA legislation sought to protect the wives of U.S. citizens and legal permanent residents who were residing in a U.S. territory. Orloff explained that the rationale for providing protection only to spouses was equal to what they would have received through the 1986 Immigration Marriage Fraud Amendments where their spouses had to the power to apply for a spousal petition. Essentially the 1994 version of VAWA provided a distinct path to citizenship for women who would eventually have received it anyway from their spouses. According to Orloff it was easier to convince House Members<sup>29</sup> to accept safeguards (protections and benefits) for battered immigrant women given that the Senate had already passed their version of the Act. Collaboration between Congress members and advocates like Orloff had occurred since 1992 when Biden and Boxer attempted to pass the very first version of the VAWA, however because of timing and the fact that the U.S. Senate and House calendars do not necessarily correspond, the House version of the 1994 VAWA had a total of five provisions designed to protect immigrant women from domestic violence, whereas the Senate bill had none according to Brooks in her overview of the 1994 VAWA as a legislative success (1997, 74). There was little mention of battered immigrant women during Congressional hearing and it was the House version of the bill that included immigrant provisions. As indicated by Orloff and consistent with Sinclair's contention, lawmaking is clearly not a simple process, but rather a complicated one, particularly for omnibus bills like the one that had the VAWA section.

The point that I am making here is that the VAWA did not have a linear path as it became a law. It was not merely introduced, referred to committee, read in each chamber and passed. As Sinclair argues, that process rarely happens. For the VAWA to pass it was introduced various

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<sup>29</sup> The safe guards for battered immigrant women were not in the bill language for the Senate version that passed prior to the House bill. The versions were different and for a list of these differences, see Brooks 1997 page 74.

times, there was advocacy that happened years prior to its formal introduction in the 103<sup>rd</sup> Congress. There were closed door negotiations happening with regards to the Violence Against Women Act. For example, in one Senate Judiciary Committee hearing, I found the following statement made by Senator Biden,

“Mr. Schumer: We have one itty-bitty provision in the House bill we would ask you to keep in the Senate bill, which is about immigrant battered women. Mr. Biden: I agree.” (Domestic Violence: Not Just a Family Matter 1994)<sup>30</sup>

This is indicative of the joint-committee discussion between the House and Senate regarding the VAWA. This was the only mention I found as I reviewed VAWA hearings in both the House and the Senate. It is important to mention that one of the reasons Orloff thinks there was so little mention in formal Congressional documents besides the negotiations that happened off the record was because the issue domestic violence and the VAWA was framed as a women’s issue rather than an immigrant. This allowed for bipartisan support (2010) especially given that 1992 was Year of the Woman in Congress with an unprecedented 7 female Senators. Interestingly enough, the same strategy of framing it as a woman’s issue did not work in 2012 when VAWA was not reauthorized but that is discussed in a later section.

#### *VAWA 2000*

At its first reauthorization in 2000, there were substantial changes to the immigrant women provisions to the Violence Against Women Act. Specifically through the Battered Immigrant Women Protection Act of 2000 (which is a section of VAWA), the U Visa and T Visa were created for crime victims of sexual assault and/or trafficking. The U Visa is for immigrants who are victims of a crime and are willing to assist in the investigation or prosecution of a

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<sup>30</sup> This is on page 43 of the printed hearing.

criminal offense. This applies to battered immigrant women in the sense that if they experience domestic violence and/or sexual assault at the hands of their partner, they can qualify for a U Visa if they assist in the prosecution of the perpetrator. This was created as an alternative to the VAWA self petition because many immigrant women were not married to their abusers or their abusers were not legal permanent residents or U.S. citizens. Therefore many women did not qualify for the self petition option if they needed to leave an abusive partner. U Visas qualify for work authorization if their application is approved. This visa is not solely for domestic violence victims, but can be used for a victim of any crime which is why advocates were trying to increase the number of U Visas allotted per fiscal year.

T Visas are for trafficking victims who were brought to the United States by force, coercion or if under 18 for the purposes of forced labor, servitude or slavery. There are 5,000 T Visas allotted for each fiscal year and a noncitizen that is granted a T Visa is protection from removal (deportation). T Visas are less commonly used than self petitions and U Visas in general, but are important in the discussion of the VAWA and its impact on immigrant women since this is a prime example of how the VAWA, similar to other laws, expanded. In 2000, VAWA's reauthorization which included the creation of T Visas and U Visas provided substantial protections for a particularly vulnerable population.

#### *VAWA 2005*

VAWA reauthorization further expanded protections for battered immigrant women. For example, now if a battered immigrant woman was approved for a T Visa, she would and is granted permission to work as well which was not the case with the 2000 VAWA version. This would substantially change the life trajectory for a victim because she would be able to gain financial independence. The 2005 VAWA version also prevents petitioners of U and T Visas

from petition for a visa for her/his abuser.<sup>31</sup> Perhaps the most significant change to VAWA in 2005 was that the Department of Homeland Security could waive prior entry and removal problems for immigrant victims of domestic violence, sexual assault or trafficking so that the victim could overcome reinstatement of removal problems. What would happen is that women would file for deportation relief due to abuse, but would still be on immigration's removal list. A woman could be deported despite the fact that they had filed for deportation relief under the VAWA. According to Orloff, the intent of the VAWA was to protect the immigrant survivor who had experienced abuse so the reenactment of VAWA Visas and self petitions to be reviewed *prior* to an immigrant victim being deported was an important victory for national level advocates involved with the 2005 reauthorization. Lastly, VAWA confidentiality was instated which meant that battered immigrant women could self petition without cooperation (the abuser would have to sign legal documents as well indicating either good moral character and/or that the marriage was in good faith) from their abuser which meant less likelihood of retaliation from their abuser. This is important given that the most dangerous time for a victim of domestic violence is the time right after she/he leaves the relationship.

#### VAWA 2012

This brings us to the VAWA reauthorization passed in the second session of the 112<sup>th</sup>. S. 1925 afforded protections to victims of domestic violence within Native American, LGBT, and immigrant victims. VAWA had expired in September in 2011, but this had not distressed advocates and service providers because they had funds to get them through 2012's fiscal year. The Senate vote on S. 1925 was passed by a with 68 voting for the bill and 31 against it. There

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<sup>31</sup> National Coalition to End Domestic Violence. 2006. "Comparison of VAWA 1994, VAWA 2000 and VAWA 2005 Reauthorization Bill." January 16. [http://www.ncadv.org/files/VAWA\\_94\\_00\\_05.pdf](http://www.ncadv.org/files/VAWA_94_00_05.pdf)

was one abstention.<sup>32</sup> Despite the fact that S. 1925 pass the Democrat controlled Senate, there were three areas of concern for Republicans. Those areas of concerned were expressed in the House version of the VAWA given that the House was Republican controlled. The House version of the VAWA reauthorization (H.R. 4970) was sponsored by Adams (R-FL) and was passed. Those areas of concern consisted of language that would allow programs that assist individuals who identify as LGBTQ specifically to apply for VAWA funds, the increase in the number of U Visas, and allowing tribal courts to have jurisdiction in prosecuting non-Native American men who commit acts of domestic violence on Native American territories.<sup>33</sup> H.R. 4970 as opposed to S. 1925 significantly rolled back protections for immigrant women by not increasing the number of U Visas and notifying the abuser when a battered immigrant woman self petitioned or attempted to remove the conditional portion of a spousal legal permanent residency application due to experiencing domestic violence. Moreover, H.R. 4970 did not allow for tribal courts to have jurisdiction over perpetrators in Native American lands and did not include language that would allow LGBTQ specific service programs to qualify for VAWA funds.<sup>34</sup> H.R. 4970 was passed 222-205. However, given the vast differences with regards to protections for underserved populations (to use the Senate bill language) between the Senate and House versions, the bill died in joint committee.

There are some relevant events that occurred during this time with regards to the VAWA. First, Rep. Adams who sponsored H.R. 4970 served only one term as part of the Tea Parties

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<sup>32</sup> That was Senator Kirk (R-IL).

<sup>33</sup> This is according to my interview with Rosie Hidalgo who served on the National Task Force to End Domestic Violence and was privy to closed door meetings on this issue. Interview was January 11, 2013.

<sup>34</sup> Executive Office of the President. 2012. "STATEMENT OF ADMINISTRATION POLICY H.R. 4970 – Violence Against Women Reauthorization Act of 2012" May 15. Available at:

[http://www.whitehouse.gov/sites/default/files/omb/legislative/sap/112/saphr4970r\\_20120515.pdf](http://www.whitehouse.gov/sites/default/files/omb/legislative/sap/112/saphr4970r_20120515.pdf)



2010 cohort and argued that her bill “cracked down on fraud” (Bassett 2012).<sup>35</sup> The assumption made here is that immigrant victims would lie about being abused in order to get a visa. The immigrant center in Vermont that reviews visa applications reports having little to no fraud when it comes to VAWA Visas and this is in part due to the stringent requirements set in the 1994 VAWA.<sup>36</sup>

Secondly, Natasha Spivack, owner of an international matchmaking company called Encounters International, lobbied heavily for H.R. 4970. It is speculated that she lobbied intensely for H.R. 4970 because it provided a provision that would help prevent immigration fraud since the bill would remove the confidentiality provision forcing an immigrant victim to tell her abuser that she was applying for protected status like a VAWA self petition. She argued that she had been a victim of immigration fraud through her matchmaking agency. It was evident that she has a monetary gain in having Congress roll back protections for immigrant women. As stated by Rosie Hidalgo national advocate for Casa Esperanza (see page 16), “It’s shocking to me that the people who are advocating for these anti-immigrant provisions are the people who have a monetary interest in not holding batterers accountable rather than holding marriage broker agencies accountable. These are the ones reaching out to House Republicans and Republicans are supporting the policies they are pushing.” (Bassett, 2012).

While the fact that Republicans were being lobbied by SAVE (Stop Abusive and Violent Environments), Spivack’s advocacy group, caused them some minor embarrassment in the media because they were obviously being lobbied by someone with a business that did not fully investigate its suitors for patterns of domestic violence, what really prevented the VAWA

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<sup>35</sup> [http://www.huffingtonpost.com/2012/05/08/violence-against-women-act\\_n\\_1500693.html](http://www.huffingtonpost.com/2012/05/08/violence-against-women-act_n_1500693.html)

<sup>36</sup> I am referring to the way an immigrant victim must prove good moral character, that the marriage was entered in good faith and that extreme hardship and cruelty would occur if the victim returned to her home country making the visa necessary.

reauthorization in the 112<sup>th</sup> Congress was the blue slip problem. According to the U.S. Constitution, all revenue raising bills must originate in the House and the U Visa increase in S. 1925 from 10,000 to 15,000 annual visas would generate revenue. Sinclair states, “The Constitution requires that tax legislation originate in the House, the people’s chamber and by custom the House also acts first on appropriations – that is, spending – bills” (2007, 10). When the Senate passed a version of VAWA that expanded the number of U Visas for which immigrant survivors of domestic violence could apply, the House Republican leadership called this a “blue slip” problem. Because S. 1925 (Violence Against Women Reauthorization Act of 2011 *As reported by the Senate Committee on the Judiciary on February 7, 2012*) generated revenue, the bill must be introduced in the House. The Congressional Budget Office researches bills and they concluded that by increasing the number of visas, revenue would be generated so this prevented S. 1925 from being the considered in joint committee because its passage was irrelevant according to Rosie Hidalgo, a national advocate for VAWA who works as a policy analyst at Casa Esperanza, a local resource center and domestic violence shelter in Pennsylvania.<sup>37</sup>

The blue slip problem can typically be resolved quite simply. The Senate could have passed a different version of the bill (without the increase in the number of visas) and the House’s new version of VAWA could have included the revenue generating language (the increase in the number of visas allotted per year). This did not happened with the 2012 VAWA reauthorization. “It sounds complicated, but this is exactly what we did with the transportation bill a couple of months ago,” the Senate Democratic aide said. “[Speaker] Boehner is acting like his hands are tied, but just two months ago they found a way to get the conference” (Gramlich,

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<sup>37</sup> The questions I asked Hidalgo are the same ones that I asked direct service providers highlighted in Chapter 3.

2012).<sup>38</sup> Democrats blamed House Republicans for not passing and not working with them on the VAWA reauthorization.

In early 2013, VAWA was reauthorized without an increase in U Visas, but with the language specifically allowing for LGBTQ programs to apply for VAWA funds, and with tribal courts able to prosecute non-Native American men for domestic violence on tribal lands. This was a re-election year for President Obama. Because elections are high stakes, Republicans argued that Democrats accused Republicans of waging a media ‘War on Women.’ Democrats said that the Republican ‘War on Women’ was evident with their unwillingness to work with Democrats in passing the Violence Against Women Act (Wong 2012). Senator John McCain (R-AZ) stated, “This supposed ‘War on Women’ or the use of similarly outlandish rhetoric by partisan operatives has two purposes, and both are purely politics in their purpose and effect: The first is to distract citizens from real issues that really matter and the second is to give talking heads something to sputter about when they appear on cable television.”<sup>39</sup> President Obama won re-election and little changed: Democrats make up the majority of the Senate and the House is Republican controlled. Republicans were hoping to make more gains during this election; however, once Republicans understood, they should reach out to women and minorities it seems as though they changed their tune. “But the House proposal encountered quick and strong opposition from women’s groups, the White House, Democrats and some Republicans, and on Tuesday, the GOP leadership agreed to give the House a vote on the Senate bill. It passed immediately after the House rejected Cantor’s bill, 257-166, with 60 Republicans voting it [Cantor’s bill that was more like H.R. 4970 than S. 1925]” (Abrams, 2013). The fact that Republicans voted against their party indicate concern about the public image of the party.

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<sup>38</sup> <http://public.cq.com/docs/news/news-000004088503.html>

<sup>39</sup> <http://www.politico.com/news/stories/0412/75664.html>

With regards to co-sponsors of Hispanic/Latino ethnicity for the VAWA that expanded resources for LGBT victims, immigrant women and jurisdiction of the crime on tribal lands, there were 9 Hispanic women in the House of Representatives (there are no Senators) during the 113<sup>th</sup>. Table 1 shows the Hispanic women in office, their party identification and if they co-sponsored the VAWA. The table illustrates how VAWA was an issue divided along party lines despite gender and racial and/or ethnic identity.

**Table 1: Hispanic Women, Party Identification and VAWA Co-sponsors in the 113<sup>th</sup>**

<u>Name</u>	<u>Party Identification</u>	<u>Co-sponsored VAWA in 113<sup>th</sup></u>
Jaimie Herrera Beutler	Republican	No
Michelle Lujan Grisham	Democrat	Co-sponsor
Grace Napolitano	Democrat	Co-sponsor
Gloria Negrete McLeod	Democrat	Co-sponsor
Ileana Ros-Lehtinen	Republican	No
Lucille Roybal-Allard	Democrat	Co-sponsor
Linda Sanchez	Democrat	Co-sponsor
Loretta Sanchez	Democrat	Co-sponsor
Nydia Velazquez	Democrat	Co-sponsor

In 1994, VAWA was framed as a women’s issue as previously stated by Orloff and gender explained the passage of the VAWA, not party identification. Framing in this way helped the VAWA pass especially since 1992 was referred to as “Year of the Woman” and more women than ever before were elected to the United States Congress. (Hawkesworth, et. al., 2001). Hawkesworth et. al., point to the fact that women played a vital role in the passage of the VAWA. The authors’ state,

“Women also intervened successfully to persuade members of the conference committee to preserve key provisions of VAWA included in the Senate version of the bill that had been omitted from the House version. Although no women were appointed to the conference committee, congresswomen launched a bipartisan effort to lobby conferees to preserve the definition of gender motivated crimes

as violations of federal civil rights laws, to retain a provision that enabled abused immigrant spouses of U.S. citizens to apply for legal resident status on their own behalf, and to preserve the higher funding level (\$1.6 billion) for VAWA authorized in the Senate version.”

In the early 1990’s more women were elected to Congress. Because more women were elected to Congress, both male and female Congress members were eager to court women voters generally. VAWA was an important piece of legislation for a variety of reasons, but the fact that so many women were in Congress in the 103<sup>rd</sup> assisted in the unanimous pass in both chambers. Gender helps explain the political context of the VAWA.

Women in Congress explain the political context of the 1994 VAWA, however given that this dissertation focuses on race and ethnicity, it is important to mention that there were 21 Hispanic members<sup>40</sup> in Congress in the 106th when VAWA was being reauthorized. 18 of the 21 were Democrats and two were delegates. There was essentially 1 Republican Hispanic member.<sup>41</sup> Party identification may have played a role in the expansion of VAWA visas incorporated into this year’s reauthorization. The number of Hispanics in Congress was similar to the ‘Year of the Woman’ in that this was the most Hispanic/Latino members in Congress to date. During the 106th two new VAWA visas (described in the next section) were added and I argue this is because of two factors. One factor for this increase in Hispanic representation in Congress is the demographic shift that was highlighted by the U.S. Census. It is important to highlight the number of women and the number of Hispanic members of Congress since this dissertation focuses specifically on Latinas in the United States. Secondly, many other racial and ethnic groups advocated for the Violence Against Women Act such as but not limited to Native

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<sup>40</sup> Almer, Mildred L. 2000. “Membership of the 107th Congress: A Profile” Congressional Research Services. (Available at: <http://congressionalresearch.com/RS20760/document.php>). The Congressional profile stayed the same for the first session of the 107<sup>th</sup> as the 106<sup>th</sup> second session which passed the VAWA.

<sup>41</sup> This is Henry Bonilla of Texas.

Americans, Asian Americans, and African Americans. Women’s groups like the National Organization for Women also played a substantial role in advocating for the VAWA in 2000. According to Orloff, expanding in 2000 was generally easier since the VAWA had shown promise in its effort in combating domestic violence since it was first enacted in 1994. There were some

**What does this all mean?**

*Visas*

Table 2 below describes the expansion of the Violence Against Women Act. When the law first passed in 1994, self petitions were the only form of deportation relief included in the bill. In the 2000 reauthorization, T Visas and U Visas were included into the VAWA which allow for trafficking victims and crime victims (including crime victims of domestic violence) qualify for a visa when victims cooperated with local police to convict the perpetrator. In 2005, there was clarification to the existing visas that allowed for a more confidential process and for work reauthorization permits.

**Table 2: Expansion of Visas & Protections for Immigrants under VAWA**

	<u>Self Petition</u>	<u>T Visas</u>	<u>U Visas</u>
<b><u>1994</u></b>	No limit to number of visas, gets work authorization, can apply for LPR status right away,	Not Exist	Not Exist
<b><u>2000</u></b>	Same as above; No change	severe forms of trafficking, protects from deportation, allows same benefits as refugees (cash assistance, food stamps, and job training), 5,000 allotted every fiscal year, 4 year visa, after 3 years qualifies for LPR if stays in country	10,000 visas per fiscal year, visa is valid for up to 4 years, after 3 years can apply for LPR status, family members also petition are eligible for work permit
<b><u>2005</u></b>	Confidentiality	work authorization, adjustment to removal proceedings	eligible for work permit, prevention from removal

<b><u>2012</u></b>	H.R.4970 - remove confidentiality, remove of specialized visa center in VT, more difficult for victims to become LPR	Same as above; No change	Tension over increase in visas - leads to blue slip problem.
<b><u>2013</u></b>	Same as above; No change	Same as above; No change	No increase on number of visas allotted per year

What is important to take away from Table 2 is how the VAWA has expanded since 1994 and how both the process of a victim of domestic violence obtaining a visa and the number and types of visas have been the contested issues for immigrant women.

U Visas are not solely for domestic violence victims, but rather than crime victim that is assisting in the prosecution of a criminal. Since 2008, when U Visas were actually distributed (despite being authorized in 2000) to qualified applicants by the United States Citizenship and Immigration Services' (USCIS), the maximum number of visas has been used each year and normally this occurs far before the end of the fiscal year. This means that women may stay in violent relationships because there are not enough visas at a particular moment for them to leave their abuser. The cycle of violence is not only detrimental to the victim, but the victim's family including children, as well as society since it can drain resources that everyone is entitled to like emergency care including police protection. Increasing the number of U Visas would benefit immigrant victims of domestic violence. The increase of U Visas was not included in the 2013 of the VAWA because it may be included in an immigration bill instead.

While there is no typical domestic violence situation, there are similarities in the narratives of the women interviewed in Chapter 5 and in the literature on the sections of the VAWA that provide deportation relief for battered immigrants. More often than not, the woman involved in a domestic violence situation had at least one child with the perpetrator. He was often a legal permanent resident or a U.S. citizen who was more familiar with U.S. culture. Prior

to 1994, if an immigrant woman experienced domestic violence, there would be no real option for obtaining a visa to stay in the country. A perpetrator could say, “If you call the police, you will be deported and the children will stay with me” and this was very much the experiences of immigrant women prior to VAWA. After 1994, once policy implementation actually occurred around 1996, women who experienced domestic violence could self petition, which means that without the perpetrator knowing, they could file a petition that would allow them to stay in the country if they could prove they would of good moral character (by being honest with hospital staff and police officers when they reported an incident of domestic violence) and that being deported to their home country would provide extreme hardship such as because the woman left her abusive partner, she could face retaliation if she returned to her/their home country. What is most relevant for the self petition option was that the battered immigrant woman had to be *married* to the perpetrator. Advocate Leslye Orloff found that it was less common for the woman to be the wife of a perpetrator and so she and other advocates and scholars like Nawal Ammar, promoted the idea of the U Visa (and the T Visa which is less relevant to this dissertation) because the U Visa does not require the victim and perpetrator have to be married. So if the woman is living with, dating or has children with someone who is committing acts of violence against her, she can contact police in order to file an emergency protection order in order to be safe from immediate danger. A U Visa requires that a victim cooperate in the prosecution of the abuser. This means that the victim must testify and help collect evidence if asked by the prosecutor which can sometimes be difficult given that the victim might be quite weary of law enforcement and judicial officials given her experiences in her previous home country, be confused by the processes, not understand English well (and before 2000 less direct service providers were trained in cultural competency) or a variety of other reasons.



In 2005's reauthorization, the issue of confidentiality arose. The issue of confidentiality was regarding whether an abuser needed to be noticed that his spouse was filing a self petition. The argument is that the abuser had the right to know that his spouse was claiming he was abusing her. This is concerning given that when perpetrators find out that victims are asking for help, this is when retaliation is high and the woman and her children are in the most danger than previously. This was struck down and a woman could file for a self petition without her spouse knowing. An important note for this reauthorization is that a woman can apply for a work authorization which is necessary for survival given that she can no longer rely on her spouse or abuser for economic support.

What is necessary to consider for this dissertation is that self petitions require the two parties to be married, but U Visas do not. Because U Visas can be used for any crime victim (not specific to domestic violence, but can be used for a victim of identity theft or homicide for example), there is a limited amount of visas allotted per fiscal year and once those have been reached, there are no other alternatives for a woman seeking deportation relief after experiencing domestic violence. A source of political tension is the number of U Visas allotted per year and this might be an issue that is addressed in comprehensive immigration reform rather than waiting for the next VAWA reauthorization.

#### VAWA and Funding

According to the Office of Violence Against Women which is under the Department of Justice that administers all of the grants offered under the VAWA, Washington, DC in 2012 was allotted over \$7 M in federal funds. Because so many advocacy groups are located in Washington, DC, not all of the funds given to organizations in Washington, DC go directly to providing services to victims. Table 3 shows who received federal funding in 2012. What

necessary to notice in Table 3 is that only one of the organizations that I incorporated into this study as a direct service provider for battered immigrant women, specifically foreign-born Latina immigrants was Ayuda. None of the other organizations analyzed in Chapter 3 received VAWA funds for 2012.

**Table 3: District of Columbia Federal Funding under VAWA 2012**

American Bar Association Fund For Justice And Education	Washington	111,202	OVW Technical Assistance FY 2011
<b>Ayuda</b>	<b>Washington</b>	<b>500,000</b>	<b>OVW Legal Assistance for Victims FY 2012</b>
Becky Lee Women"s Support Fund	Washington	275,000	OVW Engaging Men FY 2011
Catholic Legal Immigration Network, Inc. (CLINIC)	Washington	275,000	OVW Technical Assistance FY 2012
DC Coalition Against Domestic Violence	Washington	80,380	OVW State Coalitions FY 2012
DC Office of the Deputy Mayor for Public Safety and Justice	Washington	25,949	OVW Sexual Assault Services Program FY 2012
DC Office of the Deputy Mayor for Public Safety and Justice	Washington	796,202	OVW STOP FY 2012
DC Rape Crisis Center Inc	Washington	117,344	OVW State Coalitions FY 2012
District Alliance for Safe Housing, Inc.	Washington	299,993	OVW Transitional Housing FY 2012
District of Columbia Office of Victim Services	Washington	648,120	OVW Arrest FY 2012
Gallaudet University	Washington	300,000	OVW Campus FY 2012
Latin American Youth Center, Inc.	Washington	297,000	OVW Culturally and Linguistically Specific Services for Victims Program FY 2012

National Center for Victims of Crime	Washington	900,000	OVW Technical Assistance FY 2012
National Network to End Domestic Violence, Inc. (NNEDV)	Washington	1,250,000	OVW Technical Assistance FY 2012
National Network to End Domestic Violence, Inc. (NNEDV)	Washington	500,000	OVW Technical Assistance FY 2012
National Network to End Domestic Violence, Inc. (NNEDV)	Washington	448,855	OVW Technical Assistance FY 2012
POLICE EXECUTIVE RESEARCH FORUM	WASHINGTON	700,000	OVW Technical Assistance FY 2012
Wider Opportunities for Women	Washington, DC	450,000	OVW Technical Assistance FY 2012
<b>Subtotals</b>		<b>\$ 7,975,045</b>	<b>18<sup>42</sup></b>

It is necessary to point out that the organizations that provide services to foreign-born Latina immigrants will not have OVW/VAWA funds. While I could not find data for previous grant years, it is concerning that these organizations might not be financially sustained for the next few years. While it is necessary for the VAWA, as a law to exist, funding is also necessary in order to ensure that victims have the resources they need to cope with the violence they are experiencing. What good are self petitions and U Visas if these cannot be accessed by the people these are supposed to help?

### **Conclusion**

This chapter has highlighted the trajectory of the VAWA since its inception in 1994 and its subsequent reauthorizations in 2000, and 2005 and 2012-3. VAWA was an example of bipartisanship especially when it first passed in 1994 but has since become a controversial issue

<sup>42</sup> <http://www.ovw.usdoj.gov/grant2012.htm#dc>

that has divided Congress, specifically the House of Representatives by party lines. In terms of intersectionality, and how the VAWA relates to foreign-born Latina immigrants, the law points to how at first, immigrant women were not at the margins of the legislation, this is to say that mainstream (white) women were the focus of the legislation. In 1994, funds were not allocated to direct service providers to assist non-English speakers and/or immigrant victims according to Orloff. Crenshaw's analysis on how intersectional identities (women of color with less reliable sources of income for example) relate to the access they have when looking for resources after experiencing domestic violence was quite relevant for foreign-born immigrant Latinas through 2000 through till today. While after 2000, VAWA provides options for battered immigrant women in terms of deportation relief and work authorization through self petitions and U Visas, when funding is not provided to the organizations that provide services to foreign-born Latina immigrants, then the theory of intersectionality resurfaces. Moreover, it is interesting to note that VAWA in the 113<sup>th</sup> session of Congress is an issue around party lines rather than a bipartisan or gender one as it did in 1994 when it first passed. This is evident in the co-sponsorships of the VAWA by Democrat Hispanic women whereas Republican Hispanic women did not align themselves with this issue.

**Chapter 3 - Understanding Local Level Domestic Violence Services and Resources**  
**Available to Foreign Born Latinas in Washington, DC**

This paper addresses one specific component with regards to VAWA: local responses to domestic violence; it is situated within my larger dissertation project, which analyzes the discussion of racial and ethnic identities recently brought about in the Violence Against Women Act's reauthorization processes in the 112<sup>th</sup> and 113<sup>th</sup> Congress in order to understand how VAWA impacts the resources to which foreign born Latinas have access. VAWA was once a bi-partisan issue, but Republicans and Democrats have disagreed on its reauthorization in the 112<sup>th</sup> and 113<sup>th</sup> Congresses at least until February 28, 2013 when VAWA was passed. One substantial area of contention is with regards to the law's expansion to protect particular marginalized racial and ethnic groups. Democrats wanted to include language specific to racial and ethnic groups like Native Americans as well as lesbian, gay, transgender and undocumented individuals who have suffered domestic/intimate-partner and/or gender based violence while Republicans did not. For this paper, I conducted semi-structured interviews to analyze the resources available to foreign born Latina domestic violence survivors in the Washington, DC metro area given that Latinas are the fastest growing population in the U.S. and DC is a particular gateway area for foreign born Latina immigrants. Analyzing VAWA through an intersectional lens and using foreign born Latinas in the DC area as a case study allows for a better understanding and some generalizability of the impact federal policies have on communities of color.

According to the DC Coalition Against Domestic Violence (hereinafter the Coalition), "In 2011, there was a 30% increase in the number of domestic violence intake center clients served who were Latino/a and a 15% increase of foreign born clients also served."<sup>43</sup> Moreover, 91% of domestic violence agencies in DC reported a higher demand for services in 2010."<sup>44</sup>

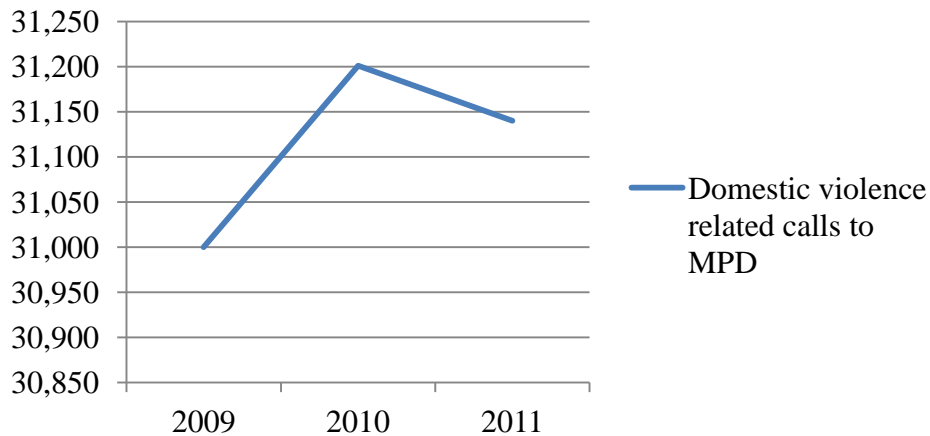
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<sup>43</sup> <http://www.dccadv.org/index.php?pid=65>

<sup>44</sup> [http://www.nnedv.org/docs/Census/DVCounts2010/DVCounts10\\_StateSummary\\_DC\\_Color.pdf](http://www.nnedv.org/docs/Census/DVCounts2010/DVCounts10_StateSummary_DC_Color.pdf)

The Coalition is a collaboration of several Washington, DC direct service providers. They provide member organizations with public policy information and leadership, training and educational materials. I interviewed three of the Coalition’s member organizations because they fell within the scope of this study. These data, compiled by the Coalition that show that over 30,000 domestic violence calls were made to the Washington, DC Metropolitan Police Department (MPD) over the past three years. The details associated with that data is not known because MPD only categorizes calls in a dichotomous way and there is little follow up data collection.

**Graph 1: Domestic violence related calls to MPD**



Although there are roughly 31,000 calls made to MPD per year, this does not mean there are 31,000 incidents. Rather because domestic violence is a complicated issue where it typically takes a woman anywhere from 5-7 attempts to leave her abuser before she is actually successful, these calls do not indicate one particular victim or incident of domestic violence. The number of calls include instances of family disturbances, actual incidents of domestic violence (like assault,

sexual assault, or homicide), or violations of a protection order.<sup>45</sup> The data is convoluted but provides a basis for understanding roughly the dynamics of the problem of domestic violence and the difficulty in obtaining accurate domestic violence statistics. Domestic violence related calls make up roughly 5% of all MPD calls. It is worth mentioning that not all victims contact the police.

Moreover, because police data is categorized around a crime which more often than not results in a physical wound, much of the domestic violence that occurs has an element of power and control which is normally exhibited through psychological coercion. So unless a person has a physical ailment, the likelihood of police making an arrest is slim. Furthermore, the domestic violence call is now categorized as an assault, assault with a deadly weapon or family disturbance which makes counting domestic violence cases difficult based on police data. Therefore, it is important to scrutinize data and utilize multiple data sets in combination to truly understand the issue of domestic violence, particularly in a distinctive geographical space. For the purposes of this section, I use first-hand knowledge to make generalizable conclusions.

There are roughly 292,419 women between the ages of 18-44 residing within the DC area according to the 2010 Census. The Latino/Hispanic population has dramatically increased in the region as well. The U.S. Census describes Hispanic/Latino/Spanish to refer to those of Latin American or Spanish descent.<sup>46</sup> In the Washington, DC area, Hispanic residents make up about

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<sup>45</sup> A protective order is issued by a judge that indicates there has been some kind of physical or emotional abuse (psychological abuse is much more difficult to prove so it is less often a factor for a judge to grant a protection order). There are various kinds of protection orders relevant in Washington, DC including emergency, temporary and civil protection orders. When a person violates the protection order, the individual is supposed to contact the police immediately. If the police find the abuser violating the protection order (like the catch the perpetrator before he/she flees), then the violation of a protection order is a criminal offense.

<sup>46</sup> I provide a more detailed discussion on Hispanic and Latino identities in another section in the dissertation. For the purposes of this paper, I refer to Latinas as women who self identify and/or are categorized by others (advocates) as Latinas because of their country of origin, language or racial and ethnic features. See Jenny Rivera's article for further information.



9% of the total population. However, Latinos (the Census does not provide data that is separated by ethnicity, gender and state) make up about 7-8% of Virginia *and* Maryland. There has been a dramatic increase of Latinos in this part of the East coast since 2000. In 1980, there were roughly 17,000 (2.8% of the total DC population) Latinos residing in Washington, DC. By 2010, that number rose to 54,749 (9.1% of the total DC population).<sup>47</sup> The District, which is fairly small in terms of geography, has had to deal with this dramatic increase of Latinos especially since many Virginia and Maryland Latinos/as come to the District for services which stretches their already limited budgets.<sup>48</sup>

### **Methodology**

In order to understand which services domestic violence survivors<sup>49</sup> have access to, it was necessary to talk with various government agencies and Latino community members in order to compile a list of organizations that provide services to Latina domestic violence survivors. I sorted through the grantee list from the Washington, DC Mayor's Office on Latino Affairs (hereinafter OLA), attended several domestic violence awareness events, and relied on word of mouth of service providers, and Latino community members in order to compile a list of organizations.

The most important piece of information OLA provided me with was their grantee list. This is a list of all of the local area nonprofits to which they have provided grants to over the past few years. I categorized the OLA grantee list in two ways: first I looked for domestic violence

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<sup>47</sup> Data sources: U.S. Census Bureau, 2009 American Community Survey. Prepared by the D.C. Office on Planning/State Data Center and the Office on Latino Affairs.

<sup>48</sup> Unlike Los Angeles and other parts of the United States which have established groups of Latinos/Hispanics, this wave of newcomers, regardless of their immigration status, has sought opportunities of upward economic and social mobility. So Los Angeles, although it has an immigrant population, it is not growing as rapidly as Washington, DC. Los Angeles would not be a considered a gateway city.

<sup>49</sup> I use the terms survivor and victim interchangeably in order to show the active relationship and resistance shown by these women. This is consistent with other scholars like Liang, et. al. (2005).

specific nonprofits and secondly for Latino community based organizations (more generally). The OLA grantee list had a description of each organization and from that description I sorted through the organizations that directly provided some kind of service to Latinos/as and noted if an organization worked with survivors of domestic violence. From there, I examined the organizations web page to see if I could find more information regarding their services and whether or not they assisted foreign born Latina domestic violence survivors. For those organizations that did not have a comprehensive web page, I called and asked if they provided services and if not, to whom they referred someone that might be in a domestic violence situation. From that list I contacted the organization's community outreach staff members and set up initial meetings with them where I introduced myself, my research, and provided them with the Institutional Review Board materials and the pre-screening survey. Typically, the person I met with did not have the authorization to agree to the study, but passed this information along to the organization's Executive Director who could approve participation in the study. Once that person authorized participation, I set up a time for the structured interview that lasted about an hour.<sup>50</sup>

The goal of the interviews was to gain a better understanding of domestic violence within the Latino/a community from people who deal with survivors on a regular basis. I wanted to know what Latino/a meant to a particular organization, if the organization encouraged the victim to contact the police, how bureaucracies like courts and police were viewed by victims, and whether or not undocumented victims came forward without regard for policies like Secure

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<sup>50</sup> The interview questions can be found in the Appendix.

Communities.<sup>51</sup> My goal was to interview at least one advocate from each organization and two from the organizations whose primary clients were Latina.

I was not able to get meetings with all the organizations despite my various emails and telephone calls. I was able to identify nine organizations that interact with Latino/a survivors that have experienced domestic violence.<sup>52</sup> Those organizations are: The Family Place, Mary’s Center, House of Ruth, SAFE (Survivors and Advocates for Empowerment), La Clínica del Pueblo, Ayuda, DC Coalition against Domestic Violence (mentioned at the introduction and is more of a resource network for advocates than a direct service provider), and Mil Mujeres. The table below shows the organizations that did allow me to interview at least two staff members that interact with Latina clients on a regular basis.

**Table 4: Domestic Violence Service Providers for Latinos/as in Washington, DC**

<b>Organization</b>	<b>Participated in study</b>
La Clínica del Pueblo	Yes
The Family Place	Yes
SAFE	Yes
Mil Mujeres	Yes
Ayuda	Yes
My Sister’s Place	Yes
Centro Nia	No
Marys Center	No
House of Ruth	No

*Defining community organizations – how did they fall into the category of domestic violence organization?*

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<sup>51</sup> See page 21 where I discuss Secure Communities as it impacts foreign born Latinas who have experienced domestic violence more thoroughly. Secure Communities is a relatively new protocol enforced by U.S. Immigration and Customs Enforcement where local and state police departments send fingerprints of arrested individuals to the Federal Bureau of Investigations (FBI). The FBI then searches its databases to see if the person arrested has the appropriate permission to be in the United States. If the individual does not have the proper documentation, then that person is placed in removal (deportation) proceedings. [http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/)

<sup>52</sup> I am not including the Washington, DC neighborhood collaborative nonprofits. These are neighborhood specific nonprofits that vary in structure. Some Collaboratives have parenting classes, and English classes, but it varies by Ward (see Chapter 1 for explanation of Washington, DC structure) which is why I did not include them in this study of organizations.

I interviewed at least two individuals from the organizations listed above. Although these organizations each provide some kind of services to foreign born Latinas, their missions differ greatly. There are some organizations that focus specifically on helping domestic violence organizations and just happen to have a Spanish speaker on staff, such as SAFE. This organization is categorized as a domestic violence organization because they really have ways to help foreign born Latinas, but that is not their main focus. The other organizations I came across were Latino cultural organizations, such as The Family Place, Mary's Center, La Clínica del Pueblo and Ayuda that dealt with foreign born Latino/a clients in a variety of ways like by providing classes, or resources that were not connected directly to anti-domestic violence awareness or prevention. I categorized those organizations as Latino organizations and then specified if they had a domestic violence program. It is worth mentioning that the Latino organizations are open to the public. There is no referral, like from the court or Victim Services necessary for anyone to enter and receive at the very least some information about the organization's mission. To be clear I categorized the organizations I found in Washington, DC as either Latino organizations that have a domestic violence specific program or mainstream domestic violence organization that has a focus on domestic violence direct services first and cultural programs, or Spanish speaking staff is a secondary focus.

The reason I categorized the organizations in such a way is because of the way previous literature on this topic has described help seeking services and how particular racial and ethnic groups access those services. According to Sabina et. al., studies have indicated that help-seeking<sup>53</sup> among Latinos and Whites have found that Latinos are less likely to seek help than

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<sup>53</sup> By help seeking I am referring to both informal and formal influences, methods and resources available to women who need support in dealing with a domestic violence, intimate partner and/or gender based violence. This is a consistent definition with Liang et. al. and Sabina et. al.

Whites (2012, 348). Using data from the Sexual Assault Among Latinas, analysis of 714 Latinas, Sabina et. al. show the following results that indicate Latinas who have sufferance domestic violence less often seek from help and when they do, use both formal (police, hospitals, shelters) and informal (family, friends) resources. “The help-seeking profile of victimized women was as follows: 23.3% did not seek any kind of help, 43.8% used only informal help, 7.8% used only formal resources, and 25% utilized both formal and informal resources. Although almost all comparisons were non-significant, the trend reveals that immigrants and those who have a Spanish language preference were less likely to seek certain types of informal help” (2012, 353). One of the questions that arose as I was gathering data was, what agencies are providing services that are available to Washington, DC area foreign-born Latinas? Are service agencies providing formal, informal or a combination of resources and what might those look like?

From what I could find about the organizations in the Washington, DC area, as I worked my way through the OLA grantee list is that there were two types of organizations that interacted with domestic violence victims/survivors. The two types of organizations that I came across were (1) those primarily focused on domestic violence programming and (2) direct services and Latino organizations (organizations that advertised themselves are primarily serving Latinos both U.S. and foreign born) who had programs associated with anti-domestic violence.

**Table 5: Categorization of Organizations that serve as Resources for Latina Domestic Violence Survivors**

<b><u>Organization</u></b>	<b><u>Categorized as</u></b>
La Clínica del Pueblo	Latino org with specific DV program
The Family Place	Latino org with specific DV program
SAFE	DV specific/crisis intervention
Mil Mujeres	Latino org with experience helping DV program
Ayuda	Latino org and very specific DV program
My Sister’s Place	DV program with Latino "experience"

## **La Clínica del Pueblo**

La Clínica is a non-profit, federally qualified health center that serves the Latino and immigrant populations of the Washington, DC metro area. They provide medical services for substance abuse, mental health services, and they also provide patient support services which includes assistance in Services include; HIV case management; housing assistance, referrals for food, clothing, medicine, and medical equipment.

La Clínica has two components that are relevant to domestic violence. The first is an on-going women's health support group for Spanish speakers that meets the fourth Saturday of every month. They discuss women's health care generally, but many of the support group members end up providing social support to women who are experiencing domestic violence. This support group is called Entre Amigas ("Between Friends") and is funded in part by a grant from the Office of Violence Against Women (although the funds have expired). Entre Amigas has had 246 members over the course of the last two years, but not all the women attend each meeting. Attendance is dependent on the women's work and partner situation.

La Clínica also does talks ("charlas") and outreach that is run with the help of Promotoras de Salud – an outreach coordinator, promotoras and the Entre Amigas director go to various locations and provide general women's health talks. From here, they find that women may be experiencing domestic violence and in turn try to help them. Their informal approach to domestic violence (that is, domestic violence is never the central topic for discussion for Entre Amigas or these outreach charlas) lets the victims come forward with their domestic violence experience as they see fit. Because this organization's primary focus is on providing healthcare to the Latino/a community, and they happen to have created a domestic violence program, this organization is categorized as a Latino organization with a specific domestic violence program. This organization's focus is on serving a broader Latino

community, not specifically assisting domestic violence survivors. Because La Clínica has the program Entre Amigas which provides informal support during their group meetings, but also accompanies women to court hearings and other social service agencies, this group is categorized as having a combination of resources available for foreign born Latinas seeking help with a domestic violence situation.

### **The Family Place**

The Family Place is a nonprofit organization that provides a variety of resources to Latino/a families. Some of those resources include English-as-a-second-language (ESL) courses, parenting classes, and early childhood education classes. They also have a support group for women who have experienced or are currently in domestic violent relationships. A relatively new program that has helped The Family Place identify potential domestic violence situations is their program where staffers conduct home visits for families that qualify for their early childhood education classes. It is through this visit that staffers recommend a person to come to various programming like the support group meeting or ESL classes. This organization is categorized as a Latino organization with a specific domestic violence program because this organization is focused on providing services to Latino families rather than have a specific focus on domestic violence survivors. They also have a support group that meets once a week which is why I categorized the type of help they provide for domestic violence victims as informal.

### **SAFE (Survivors and Advocates for Empowerment)**

SAFE has two locations based inside courthouses in Washington, DC. SAFE is a crisis intervention direct service provider with a mix of staffers, and well-trained volunteers. The organization manages a hotline for both English and non-English speakers who may need information regarding their particular situation. For example, SAFE can do safety plans with a victim, help them contact police, assist in lock changes, explain the protection order process to a survivor as well as attend court proceedings for particularly complicated cases. Because SAFE focuses on helping individuals in domestic violence and/or sexual assault crisis, SAFE is categorized as a domestic

violence organization with a Latino/a program component since it is trying to facilitate Spanish-speaking victims with services. Moreover, when a police officer arrives on a scene to a family disturbance/domestic violence situation, the officer is supposed to contact SAFE's hotline so that the organization can inform the victim of her options. This organization is focused primarily on combating domestic violence and has some programs targeted to assist Latino/a domestic violence survivors and although they are nonprofit, they mainly provide formal assistance.

### **Mil Mujeres**

Mil Mujeres ("A Thousand Women") is a nonprofit that specializes in helping undocumented Latinos/as who have experienced domestic violence apply for VAWA self petitions or U visas. They have several staff members and attorneys that work pro bono. The organization is fairly new (less than 10 years old) but occasionally has the resources to accompany someone to court, the police department, or other agencies. They focus strictly on domestic violence so they are categorized as a domestic violence organization; moreover they are focused specifically on helping Latina domestic violence survivors. They provide formal legal assistance.

### **Ayuda**

First, Ayuda ("Help") is based in the Takoma Park and provides various types of legal services to the Washington, DC immigrant community. They assist immigrants with a variety of legal issues including but not limited to: obtaining temporary worker status, knowing their rights about housing and discrimination, fixing their immigration status (helping with asylum or family petitions), domestic violence including self petitions, U Visas for crime witnesses and T Visas for those who were trafficked into the United States. Ayuda has a legal interpretation hotline; if an immigrant is talking with the police or other government official, the immigrant can ask for an interpreter in their



language to be physically present or on the phone. According to the advocate with whom I spoke, Ayuda gets clients mainly through word of mouth, has a high percentage of domestic violence cases that involve Latino families living in the Washington, DC and surrounding areas, and accepts walk-ins for issues dealing with domestic violence. Because Ayuda provides a variety of legal services to immigrant families I have categorized them as a Latino organization with a specific domestic violence program for survivors. Ayuda also recently started a support group meeting, but unlike La Clínica del Pueblo, Ayuda's support group members do not accompany others to court or such agencies. Ayuda provides a combination of services both formal (legal services) and informal (support group) so they are categorized as an organization with a combination of services.<sup>54</sup>

### **My Sister's Place**

This is the oldest organization in Washington, DC that serves domestic violence survivors. The organization has been around since 1979 and has comprehensive programs to assist domestic violence survivors in addressing domestic violence. They have two programs in which a person could qualify for housing: a 30 day program and a 90 day program. To qualify, a victim is typically referred through the Crime Victims Compensation Fund which means the police have been called and protection order has been filed. In each of these programs, a survivor has to comply with specific criteria like seeking employment and abstaining from drugs and alcohol. Shelter is temporary and some counseling is mandated. This organization is categorized as a domestic violence organization with Latino/a programming given that they have a few Spanish speaking employees including a Latina community outreach coordinator. My Sister's Place provides more services if an individual qualifies for their short term housing program. This

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<sup>54</sup> It is necessary to note that one of the participants from Ayuda was formerly at WEAVE (Women Empowered Against Violence) in Washington, DC prior to being employed at Ayuda. WEAVE mismanaged its funds and had all of their grants and staff moved to other nonprofits. This becomes relevant in Chapter 4.

organization has indicated that while they do provide services to foreign born Latinas, the majority of their clients are African American young women and this could be due to the fact that this is the oldest organization that helps women who have experienced domestic violence. The African American population has been substantial in size whereas Latinos/as moved into Washington, DC since roughly the 1980's. My Sister's Place also runs a hotline, but unlike SAFE, they do not have an agreement with the Washington, DC Metropolitan Police Department. MPD must call SAFE's on-call advocacy line whenever they receive a family disturbance/family/domestic violence dispatch.

Here is an updated table on the organizations, their focus and whether the services they provide fall into informal or formal ones.

**Table 6: Formal and Informal Categorization of Organizations that serve as Resources for Latina Domestic Violence Survivors**

<b><u>Organization</u></b>	<b><u>Categorized as</u></b>	<b><u>Formal/Informal</u></b>
La Clínica del Pueblo	Latino org with specific DV program	Combination
The Family Place	Latino org with specific DV program	Informal
SAFE	DV specific/crisis intervention	Formal
Mil Mujeres	Latino org with experience helping DV program	Formal
Ayuda	Latino org and very specific DV program	Combination
My Sister's Place	DV program with Latino experience	Formal

While these organizations can be categorized as providing formal, informal or a combination of resources to foreign born Latinas, the following interview data shed light on the organizations' approaches to particular barriers that have prevented immigrants from seeking assistance with regards to domestic violence. As indicated by Krishnan et. al. (1997), Latinas are less likely to contact law enforcement for help. This is confirmed by Zarza and Adler (2008) who conclude that Latinas are only half as likely to report abuse. Moreover, Orloff (2010), Amar et. al. (2005) and Rivera (1994) argue that some reasons Latinas do not contact police for assistance includes fear of deportation,

language barriers and/or distrust of police and other government officials. This is agreed upon within the literature on immigrant women and gender based/intimate partner/domestic violence. The interview data below address the issues of language, whether direct service providers in Washington, DC advise foreign born Latinas to contact police, and how immigration concerns, specifically Secure Communities, affects Latinas in their search for assistance.

### **Interview Data**

I interviewed 13 direct service providers (at least two from each of the organizations mentioned above) and 1 police officer from the Washington, DC Metropolitan Police Department. I was able to interview 3 people from My Sister's Place, but am not using one of the interviews so as to remain consistent with the interview data – so there are exactly 2 respondents from each organization. I am also not including the data from the police officer given that this paper focuses on direct service providers, not first responders. The goal of these interviews is to better understand the dynamics of domestic violence within the Latino community in Washington, DC. This paper focuses on the responses of direct service providers. I seek to understand what the attitudes and approaches of each organization are in order to understand how the organization interacts with Latina immigrant clients. The interviews were semi-structured with open-ended questions, took about one hour on average, and were held at the interviewee's choice location. Some interviews were in coffee shops, public locations, while others were either in the Center for American Politics and Public Policy or at the service provider's facilities. Interviews were done in both English and Spanish depending on the preference of the interviewee.<sup>55</sup> I was looking for specific indicators within these interviews that

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<sup>55</sup> I did have IRB approval from UCLA. IRB#12-000396

would allude to what it is like for a foreign born Latina to obtain services in order to make the best decision for her and her family with regards to domestic violence.

In total, I asked about 19 open ended interview questions (See Appendix 2), but only a handful of those questions are relevant for this paper. Here I will focus on what cultural awareness means to and within these organizations, the issue of Secure Communities, and whether or not the organization advocates for a foreign born Latina to contact the police since they are typically the first responders in really violent situations. I chose to focus on these questions because they were the most prevalent as I talked with foreign born Latinas, and those involved in helping them deal with their domestic violence situations.

*Question 1 – Is someone on your staff a Spanish speaker? Is that the person who helps with calls about domestic abuse or violence? Would you say that person is familiar with Latino/a cultural practices? In what way? Do you think that matters with respect to handling calls about domestic violence? Why/Why not?*

All of the organizations had at least one person who spoke Spanish and I phrased the question in such a manner so as to ease the participant into a response about culture/cultural practices and what that meant to them and their organization. Of the 13 direct service providers most of them referred to Latino/a cultural practices as the context that surrounds the survivor of domestic violence.

“Culture...it is just awareness that, culture impacts values, practices and beliefs and that is going to impact the way we provide services to someone.” [Respondent 1, from La Clínica]

“...if someone is getting a call from someone who is not raised with the same cultural assumptions and patterns of thinking and is not aware and actively engaged in examining their own assumptions about the way they perceive and communicate with other and perceive the world and make decisions that in can be very easy to misunderstand both where our client is coming from and therefore be able to have actively engage in a productive conversation with the client about their decisions about their own safety.” [Respondent 3, from SAFE]

“Sí, no solo es saber español. Yo creo que, eh, es muy importante, de alguna manera entender la cultura. Como venir de un país latino y entender que es la dinámica entre los

hombres y las mujeres. Si? Hay veces, hablas con la gente, y dicen, es que no lo puedo entender, si le está pegando, como no llama a la policía? Como no hace algo? Y creo que esos factores culturales, económicos no se sociales, hay que entenderlos para poder brindar una ayuda integral.” [Respondent 4, from Mil Mujeres]

Translation of previous quote:

“Yes, it is not only knowing Spanish. I think that, um, it is very important, in some way, to understand the culture. Like coming from a Latin American country and understanding the dynamics between men and women. Yes, there are times, when you speak with people, and they say, I don’t understand, if they are getting hit, why don’t they call the police? How come they don’t do anything? And I think that those cultural factors, economic, and social factors, we need to understand them in order to offer integral help.”

These kinds of responses were typical. Latino/a cultural context in the sense of speaking Spanish<sup>56</sup> is relevant to understanding context, the social location of a foreign born Latina immigrant which is consistent with Crenshaw’s theory of intersectionality.<sup>57</sup> This was the consensus among respondents. Service providers must figure out the particular cultural barriers for each individual foreign born Latina who is experiencing domestic violence. From the interview data, there are no “typical” domestic violence situations. Some survivors are legal permanent residents of the U.S. while others are undocumented, some know English, while others come to the U.S. alone and find themselves being courted by a U.S. citizen only to be abused after they are in a relationship.

There were also other responses like the following that insinuate that the Latino/a culture perpetuates a cycle of domestic violence. One of the last questions that I asked is “Is there anything else that you think is relevant to helping Spanish speaking Latinos folks in the Washington, DC area in combating domestic violence?” The respondent answered,

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<sup>56</sup> I limited my interview questions with Spanish, but I am well aware that other languages are spoken in Central and South American. Many foreign born Latinas may Spanish but also Mayan, Nahuatl, Quechua, Amerindian and many, many other languages.

<sup>57</sup> Kimberle Crenshaw’s theory on intersectionality is the idea that “consider[s] how the experiences of women of color are frequently the product of intersecting patterns of racism and sexism.” (1993, 1242-3). For example, Crenshaw found that women of color did not receive the same quality of service in shelters due to their race, ethnicity, immigration status and/or language spoken.

“Really letting them know that just because this was accepted at home doesn’t mean it is okay. I know we grow up especially as women, we have to be subservient, we have to be the mothers, we have to be the caregivers, and we have to be the cleaning, the cooks. That’s culturally what we’re told of who we are. Which I feel like that’s fine. I can do that. I can cook, I can clean, I can be a mom, I can be a wife, but you have to respect me. You have to treat me right. I think letting them know it’s not okay you know for the person to have five other partners, and give you an STD [sexually transmitted disease]. It’s not okay for them to only give you \$50 a week when their making \$3,000 a month. You need to know what’s fair and what’s not fair. I think it’s really important for them to know that just because we’re in the States and things are done differently I mean we’re not going to try to say that your relationship is just horrible or that it’s supposed to be a certain way because you can’t do that, but let’s work on making them healthy.” [Respondent 13, My Sister’s Place]

There were a few respondents who had similar attitudes and would agree with the statement that domestic violence is sometimes seen as “normal” within the Latino/a culture. However, this does not make domestic violence acceptable, but it is something that needs to be contextually understood as services are provided and this is how the service providers approach culture. They use to determine the context of the abuse.

As Respondent 4 from Mil Mujeres states,

“Lo que pasa es que en Latinoamérica , pues obviamente la violencia doméstica es un factor común, aceptado por la sociedad entonces muchas veces, no todas las veces—esa desprecio de la policía, de determinar si es un crimen o no y la mayoría de las veces dicen no, es una pelea de parejas, el señor le pego a su esposa, no sé, tal vez ella se le merecía, quien sabe que es lo que hizo y aquí con el tema de la deportación, pues ese miedo es, más grande. Porque venimos de una cultura machista y las mujeres no entiende que – mira, a mí lo que más me impresiona, cuando llegan a las mujeres aquí y empiezan a contarte la historia, es que, y la mayoría, no se identifican como víctimas, me entiendes? Ellas no entienden lo de que—que el grito, que el golpe, es violencia y que es un crimen y que ellas están siendo víctimas de un crimen. Entonces pasan entre este proceso durante anos, anos, y anos eh y jamás se les pasa por la cabeza de lo que está pasando está mal. Muchas de ellas toman la violencia como resultado de algo malo que hicieron, entonces ese también es un factor para que no reporten. Si no identifican el crimen y si no se te identifica como víctima, pues no hay nada que reportar.es bien complicado. Es una cuestión no solo de miedo a las autoridades si no una cuestión cultural.”

Translation of previous quote:

“What happens is that in Latin America, well obviously, domestic violence is a common factor, accepted by society a lot of the time, not all the time – the police need to determine if it is a crime or not – the majority of the time they say it is not a crime, just a

fight between a couple, the man hits his wife, I don't know, maybe she deserved it, who knows what she did. And here with the topic of deportation, well it is fear, it is bigger. Because we come from a machismo culture and women don't understand. Look, what most amazes me, when women come here and they begin to tell you their story, the majority, they don't identify as victims, you understand? They don't understand that a scream, a hit, is violence and a crime – that they are being victims of a crime. Then they undergo this process during years, and years, and it never passes through their heads that what is happening to them is bad. A lot of them think of violence as a result of something that they did wrong; this then becomes a factor for them not to report it. If they don't identify the crime and if they do not identify as a victim, well then there is nothing to report; it is complicated. It is a matter of not only fear of the authorities, but also a cultural matter.”

*Question 2 - Do you advocate that the victim also call the police? Why or why not?*

There were mixed responses with regards to this question. The organizations that provide formal resources like Mil Mujeres and My Sister's Place were more committed to telling foreign born Latinas to contact the police. All of the organizations did say that when there was immediate danger and likelihood of bodily harms that the police should be contacted. All of the organizations indicated they try to educate their clients in that police are not supposed to ask about immigration status and must call an interpreter for non-English speakers. However, there were some responses that were cause for concern such as Respondent 5's reply.

Respondent 5, from La Clínica del Pueblo says,

“Mujeres tienen tanto miedo de llamar a la policía porque creen que la migración impactará inmediatamente. Mujeres que llaman por una orden de protección y ellas terminan con la orden contra ellas. 3 casos de mujeres donde los hombres manipularon la situación y este sistema es patriarcal, al favor de siempre para los hombres por problemas de el idioma y comunicación. Las mujeres son victimadas por el sistema. Las mujeres sufren mucho con esa parte, por que cuando llama a la policía viene la policía y el policía no tiene mucha experiencia y le dice, “Oh no, calmase, tranquilícese aquí no pasa nada.” Muchas situaciones donde la policía es culpable, no saben lo que tiene que hacer.”

Translation of previous quote:

“Women are very afraid to call the police because they believe immigration will be immediately contacted. Women that call for an order of protection often end up with a court order against them. There are three women's cases in which the men manipulated the situation and this system is patriarchal – always in favor of the men due to problems of language and communication. The women are victims of the system. The women

suffer a lot with regards to this, because when they call the police and the police come, the police do not have a lot of experience and they say, “oh, calm down, there is nothing happening here.” There are many situations in which the police are to blame; they do not know what to do.”

Respondent 10 from Ayuda had a much more positive response to this question. Respondent 10 says,

“That’s [calling the police] an option that’s presented. We talk about options based on what they tell us and if something has happened in which case they are physically assaulted [something that is a criminal nature] we encourage them to call the police, but often they don’t because of their immigration status. We debunk myths with regards to that. Most people think that DC Police will ask about their immigration status when in fact they are not allowed to. They assume that officers don’t speak Spanish, but they are required to get someone who speaks Spanish either in person or via language line. Most people are scared to call police and usually it’s a last resort. Usually by that point the abuse is so bad that they fear for their lives at that point. We remind them that police are not immigration officers. They cannot ask about immigration status. Letting them know that police are there to kinda help for the most part. If they have experienced problems with the police, then we encourage them to file a grievance.”

And lastly, one respondent, Respondent 7 from Mil Mujeres had praises for the Washington, DC Metropolitan Police. The individual states,

“I mean generally, across the U.S. there’s a fear and mistrust of police usually stemming from immigrants and their experiences in their home countries where it’s a completely different situation, aren’t really trained or don’t really create positive outcomes after contacting them. They’ve heard stories about when police come and they have a couple cigarettes with the abuser and the victim is clearly just suffered domestic violence and they just laugh and then they leave and it’s not handled very, immigrants have a mistrust and that kinda carries over to their experience here in the U.S. Now the DC police in particular, and I’ve had a lot of experiences with police across the country, the DC are by far the best, the best in terms of making it public and their support for immigrants rights and immigrants, and they have an Executive Order that the Mayor periodically signs saying that police will not ask immigration status no matter what happens in a police stop or whatever.”

Generally, it seems as though the reaction to the question about whether direct service providers encourage foreign born Latinas experiencing domestic violence to call the police shows that yes, most providers explore that option when safety planning. The option of calling the police does not come without some additional things to consider like the fact that if police suspect that the children are being abused as well, they must report child abuse to Child



Protection Services and the kids may be placed in foster care as indicated by Respondent 9 from Ayuda. This is a substantial concern for women and this is a new barrier that previous literature does not really address with regards to foreign born Latinas who are seeking assistance.

*Question 3 - What do you know about DC and Secure Communities? Do you think this will affect the Latino community and their willingness to come forward if they have experienced gender based violence?*

For the most part, Washington, DC is pretty immigrant friendly especially when compared to other parts of the United States, it is one of the reasons it was selected as a site for investigation. One example of the city's attempt at immigrant friendliness is the creation of the Office of Latino Affairs (OLA) which was created in 1976<sup>58</sup>. It responds to and provides outreach to Latino residents and constituents. The OLA runs a Language Access and Advocacy Program to ensure that culturally and linguistically competent city services are provided to the Spanish-speaking population that resides in the District.<sup>59</sup> Given the anti-immigrant and anti-Latino sentiments<sup>60</sup> around the country (in places such as Arizona, Alabama and other southern states), Washington, DC was selected as a location of investigation because it has a growing Latino population and has various government programming aimed at assisting Latinos/as. Moreover, one of DC's more progressive policies has been on the issue of Secure Communities. The Washington, DC Metro Police Department (MPD) will comply with Secure Communities in that they will send fingerprints to the FBI, but will not necessarily hold the person so that ICE can pick this person up as indicated by an Executive Order signed by Mayor in October 2011 and

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<sup>58</sup> According to the web page for the Office on Latino Affairs  
<http://ola.dc.gov/DC/OLA/About+OLA/Who+We+Are?nav=0&vgnnextrefresh=1>

<sup>59</sup> <http://ola.dc.gov/DC/OLA/Programs+and+Services/Language+Access?nav=1&vgnnextrefresh=1>

<sup>60</sup> Some reports have been produced by the Pew Hispanic Center such as:  
<http://www.pewhispanic.org/2010/10/28/iii-discrimination-deportation-detainment-and-satisfaction/> as well as research from the Southern Poverty Law Center found at: <http://www.splcenter.org/get-informed/intelligence-files/ideology/anti-immigrant>, and <http://newamericamedia.org/2012/05/immigrants-greatest-potential-ally---american-women.php>

then city council passed a similar law in June 2012 (Zaveri, 2012). Rather, the Metro Police Department's stance on this issue is that only the U.S. Department of Homeland Security (DHS) and subsequently ICE (because it falls under the DHS) can enforce immigration laws. Since the MDP is not part of DHS, it cannot enforce immigration laws and therefore will not hold anyone after MPD has completed its criminal investigation. This is a much more lenient and progressive policy than anti-immigrant cities and states. Washington, DC's more humanistic attitude towards Latinos/as regardless of their immigration status is another reason I chose this as a site for investigation.

However, I wanted to see in fact if the Mayor's Executive Order had any effect in the resources direct service providers gave to foreign born Latinas. I obtained mixed reactions from those I interviewed. For example, Respondent 5 from La Clínica del Pueblo had this to say,

“Lo de la comunidad seguras que tiene la gente atorada. Y que aquí las mujeres oyen que sí. Todo el mundo está muy orgulloso que no hay comunidades seguras en Washington, DC. Las mujeres oyen de que si, que la migra se las llevan si llaman a la policía. Las noticias hablar de una línea y las mujeres llegan con dos y piensan que “No yo oyi en las noticias que si [existe comunidades seguras]”

Translation of previous quote:

That of Secure Communities has the people stuck. Here women hear yes, we have secure communities. All the world is proud that there are not Secure Communities in Washington, DC. The women hear that yes, that if they call the police immigration will take them. The news talks about a helpline and women hear two different stories; they are confused and think “No, I heard on the news that Secure Communities exist.

Respondent 14 from SAFE stated,

“Part of the concern is because of what is happening in neighboring and part of it comes from general misinformation in the community. So I think a lot of the jurisdictions that are actively racial profiling, stopping people just because of the way they look, apprehending people, deporting people, there's been cases of people actually being deported who have documentation. There's also I think a lot of misinformation around Secure Communities and what that means. If someone is going to come knock on your door and deport you, the policing part of Secure Communities I think also is a huge problem. The idea that it is encouraged that if you're a neighbor of someone you should call, if you know something is happening you should access ICE or all of that is really difficult. I think the other aspect of it and I know that we were definitely affected by this

is the media's propensity to react to something fairly quickly and fairly negatively without really understanding the consequences. I mean one of the things that affected us the most was when Secure Communities came out there was one week where advocates got together and met with City Council and City Council was like this is not going to happen here and the Mayor was behind it and even the police chief was backing off. It took us a week to get it [Secure Communities] rectified but in that week the media coverage was very sensationalistic and just all over the place. It took us about a year and a half to recover. Clients think that if you come to the courthouse that they are going to ask you for identification or that they are going to ask you for information which is not the case. They also think that if they call the police, the police are going to ask them about their status. In the District of Columbia they [the police] are required not to unless it is specific to a crime that has to do with that. So I think there's a lot of miscommunication and a lot of media play. I don't think I saw them print a story that showed the City Council be more egalitarian than anybody expected. A lot of their [immigrant] fears are founded especially in the surrounding jurisdictions and I really think that that's also a product of the fact that the community here is very transient. There were several enclaves and as time goes on and gentrification happens they are actually being pushed out to Maryland and Virginia into the surrounding jurisdictions so a lot of them might live there, but work here and receive services here and live in Virginia. It's all over the place."

## **Discussion**

Previous literature on help seeking organizations and resources available to foreign born Latinas has focused on the types of resources and services available. For example, Liang et. al. conclude that "help-seeking is a multilayered experience that varies depending on a broad range of individual, interpersonal, and socio-cultural factors, including individual trauma histories, coercion and intimidation by an abusive partner, identification with cultural and religious groups, access to economic resources, perceptions of and exposure to mainstream formal supports, access to informal supports, and general beliefs about help seeking" (2005, 82). Therefore, organizations need to have a variety of ways in which they connect with their clients, in this case, foreign born Latinas. SAFE, Mil Mujeres and My Sister's Place have more formal approaches in assisting foreign born Latinas. SAFE, although it has a hotline, is located in the court house and provides more crisis intervention than culturally specific assistance. My Sister's Place requires victims to go through Crime Victim's Compensation to access their housing

programs. Mil Mujeres handles formal requests offered through VAWA like the U Visa and VAWA petitions. These agencies deal with local government (since protection orders must be filed to qualify for compensation and most often the protection order follows a police report) in order to reach their victims so they fall under the formal category. A foreign born Latina is less likely to contact one of these agencies directly unless she feels comfortable enough with her language skills or due to the amount of time she has been in the U.S. and is accustomed to dealing with bureaucratic agencies.

La Clínica del Pueblo, The Family Place, and Ayuda have more informal and a combination type assistance structures. These three organizations have created informal spaces so that women can chat with each other about their experiences. Their approach to providing resources to foreign born Latinas is almost a pre-formal resources approach where foreign born Latinas can get and share information. As previous research indicates, both formal and informal resources are necessary because domestic violence is a multilayered experience so when these organizations work together that foreign born Latinas have a better chance of getting the help they need to best deal with their domestic violence situation.

What the interviews of direct service providers from these organizations indicate is that many of the same concerns advocates like Orloff expressed in 1994 when the VAWA was first passed are still occurring (2010). Immigrant women, like foreign born Latinas are still concerned with calling police for help, less likely to contact mainstream domestic violence organizations, and are concerned with being deported if they contact the police or seek formal resources like going to the courthouse to file a protection order. Moreover, the interviews indicate that ideas regarding violence are culturally varied; the population in general is confused about the meaning of Secure Communities and the various roles that different agencies play. More importantly,

there is a palpable fear among the immigrant community regarding detention, family separation, and deportation. Furthermore, the lack of clarity or transparency does not increase immigrant trust, but rather diminishes it. With regards to Latino/a immigrant women and the issue of violence and VAWA, it seems that what is needed is a credible, public, and multi-lingual explanation on behalf of authorities of particular services, programs, and repercussions. I think that it is difficult for immigrants to see the bigger picture and where they fit in, in terms of accessing social programs and seeking help. Consequently, issues of domestic violence continue to be a problem because women do not know where to seek help or are hesitant to do so because they fear the larger social and legal repercussions. What this paper alludes to is that even though the issue of domestic violence has come a long way, there is much work to be done with regards to helping build healthy families and the obstacles Latino families face are compounded because of lack of English proficiency and immigration status.

### **Limitations**

Because my dissertation is focused primarily on Latinas, I tried to interview at least one person from each organization that worked primarily with Latino/as clients or had some connection with the Latino community. Often that meant I was directed to one of the Spanish speaking staff members. At each organization there was at least one person who spoke Spanish. While this leads to sampling bias, it is important to note that the individuals interviewed connected with victims on a more personal level mainly because they were able to understand the cultural nuances associated with foreign born Latinas. They were able to quickly contextualize the particular situation for foreign born Latinas which means they could provide effective assistance.

On September 15, 2011, local domestic violence programs in Washington, DC participated in a national survey sponsored by the National Network to End Domestic Violence and in that one day alone, the service most provided was bilingual<sup>61</sup> advocacy.<sup>62</sup> See table below.

**Table 7: Services Provided by Local DC Programs**

Bilingual Advocacy	58%
Advocacy/Support to Teen Victims of Dating Violence	42%
Emergency Shelter	25%
Legal Representation by an Attorney	25%
Advocacy Related to Public Benefits/TANF/ Welfare	25%
Job Training/Employment Assistance	25%
Advocacy Related to Disability Issues	17%

Moreover, of the services provided, the table below indicates the services that organizations in the Washington, DC area were NOT able to provide. “There were 94 Unmet Requests for Services. Many programs reported a critical shortage of funds and staff to assist victims in need of services such as transportation, childcare, language translation, mental health and substance abuse counseling, and legal representation.” This table shows all the reasons (at times there were multiple) why services could not be met.

**Table 8: Reasons Why Services Could Not Be Provided on September 15, 2011**

58%	Reported not enough funding for needed programs and services
50%	Reported not enough staff
42%	Reported not enough specialized services

<sup>61</sup> I am not implying that Spanish was the only other language for which access was provided for on that day, but rather using the information to show that English is not the primary language for which services are necessary.

<sup>62</sup> Both of these tables were taken from

[http://nmedv.org/docs/Census/DVCounts2011/DVCounts11\\_StateSummary\\_DC.pdf](http://nmedv.org/docs/Census/DVCounts2011/DVCounts11_StateSummary_DC.pdf)

33%	Reported no available beds or funding for hotels
17%	Reported limited funding for translators, bilingual staff, or accessible equipment

At least 17% can really be connected to the issue of language. While each organization had at least one Spanish speaker on staff, there were still many on a given day that were not served and this is just of individuals who sought formal assistance. What about the many women who may not have received help at all?

**Conclusion**

For this analysis, I identified and categorized the type of organizations that provide direct services for foreign born Latinas within the Washington, DC area. I then interviewed two staff members from each organization that primarily dealt with Spanish speaking, foreign born Latinas seeking help with their particular domestic violence situation. Through these interviews, I was able to confirm that foreign born Latinas are still primarily concerned with calling the police for assistance, are afraid of being deported because of Secure Communities, and have cultural and language barriers that prevent them from contacting formal direct service agencies. While the Violence Against Women Act and the anti-domestic violence movement that happened in the early 1970's, there is still much work to be done in the combat against gender based, intimate partner and domestic violence especially for vulnerable populations like foreign born Latinas.

**Chapter 4 - Hearing from Foreign-Born Battered Immigrant Latinas:  
Their Experiences with Accessing Resources.**



In 1999, Leslye Orloff and other domestic violence scholars wrote a manual for organizations. The manual focused on how domestic violence shelters and other organizations/non-profits that interacted with immigrant victims could enhance the assistance they provided for immigrants. The authors state, “Language, culture, social isolation, a lack of understanding about the U.S. legal system, and immigration status are factors that complicate a battered immigrant woman’s ability to leave an abusive relationship” (Orloff et al, 1999, 3). While this was written in 1999, this statement still holds true as evident from the focus group conducted in Washington, DC with 12 participants. According to this set of women, the most prevalent problem for an immigrant woman seeking to leave a violent relationship beyond that of the relationship itself is dealing with the U.S. legal system, particularly if a victim is non-English speaking, lacks cultural awareness, and/or is undocumented.

Crenshaw states that, because of multiple oppressions affecting those who are both women and people of color, it is particularly difficult for women of color (in a variety of contexts) to get assistance. She argues, “Where systems of race, gender and class domination converge, as they do in the experiences of battered women of color, intervention strategies based solely on experiences of women who do not share the same class or race backgrounds will be of limited help to women who because of race and class face different obstacles” (1991, 1246). Using Crenshaw’s theory on intersectionality, I argue in this chapter that despite the increase of legislation with the Violence Against Women Act (VAWA) that provides federal guidelines for assisting women who have experienced and in educating the public against domestic/intimate partner violence, battered immigrant women still very much have trouble finding resources due to their immigration status, racial and ethnic backgrounds, and primary language spoken. This is problematic given that while there are higher reports of domestic violence, this issue is still far

from being eradicated. Using Crenshaw's theory leads me to question and seek answers in this chapter as to whether the law and local advocates provide assistance in an intersectional way, in a way that takes into consideration the racism, sexism, and other institutional barriers that immigrant Latinas may face in getting help from their domestic violence situation. Intersectionality is the theory of converging experiences due to systems of oppression like racism and sexism. In this chapter, the theory takes into consideration the intersections Latinas in Washington, DC experience. Through the focus group, they identify some barriers that prevented them from getting assistance including racism, sexism and immigration status. So while Crenshaw's theory of intersectionality and her pioneering article of "Mapping the Margins" was written in 1991, the issues by the theory of intersectionality are still present in 2013.

In order to find out if that statement and therefore the theory behind it was true, I conducted a focus group, which was the only viable way to access immigrant victims of domestic violence. Because this is a vulnerable group, talking with them one-on-one proved problematic since I was an outsider to their community (because I did not work for and only volunteered within the groups with which immigrant Latinas in DC were familiar). It was also incredibly difficult to meet up with individuals for the following reasons; confidentiality – the nonprofit organizations for which I volunteered could not provide me with workspace so there was no private space to discuss the matters associated with intimate partner violence. The individuals I interviewed were less comfortable coming to my office given that it was located in a non-Latino neighborhood, parking was a problem, and public transportation access was expensive to the study participants. Some individuals could have taken a bus, but that would have been time consuming and something that did not necessarily fit well with their schedules. When La Clinica del Pueblo offered to put together a focus group for me, I jumped at the

opportunity since this group had a built in support network for individuals who have experienced intimate partner violence (see Chapter 3).

## Methodology

### *Recruitment*

La Clinica del Pueblo recruited all the participants using text messaging, emails and word of mouth to communicate with their network. I asked La Clinica del Pueblo to recruit participants that were in the process or have recently completed (they were approved or denied within the last year) a self petition, or a U Visa because they were victims of domestic violence, and experienced the violence within the Washington, DC metro area or received services in Washington, DC. La Clinica merely disseminated this information, provided child care and snacks for the women, and made the interviews one of the activities that women could participate in while other women did a different activity. This group of women meets once a month and so my focus group activity was during this monthly meeting.

### *The Focus Group*

I conducted the focus group entirely in Spanish. The questions asked are in the Appendix (3) of this chapter. I was prepared to conduct the session in either English or Spanish, but the participants requested I run the session in Spanish. The questions are in both Spanish and English and I have translated the responses from Spanish to English for the purposes of this chapter.

The study participants chose to participate and they were made aware of IRB protocol and were given \$25 at the end of the session. I obtained consent from all participants as they provided their initials as I explained what they were signing (they also provided their initials

rather than a signature)<sup>63</sup>. As I explained the IRB process, when something was unclear, rather than the women asking me for help, they asked each other, and there were moments when one group participant explained privacy for example. It was clear from body language, and their willingness to participate that they all understood the process in which they were to participate and La Clinica has a reputation of allowing researchers into their facilities for such purposes.

There were roughly 12 participants that stayed for the entire 70 minute session despite the miscommunication on the time the focus group would begin.<sup>64</sup> There was a mix up with the communication because, staff member told the women to arrive at 9:30 AM, thinking that they would arrive by 11 AM since these women normally arrive late to these gatherings given that many of them work, are the primary care takers of their children or elderly individuals and do not always have reliable transportation. Some of the women came late and had to go in and out of the room, however, this was because they needed to feed their children or take personal calls that related to their children or work. However, the 12 participants were consistent in their participation, particularly at the end of our session when they got to share whatever they wanted about their experience with police and judges as they sought visas provided to immigrant victims by the VAWA. The study participants stayed with me for a few minutes after the session to make sure I added extra information that they thought was important (the information was not relevant to the study).

### *Data*

I took notes as well as audio recorded the session and pulled answers to the relevant questions from the audio transcription as well as my notes. It was interesting and emotionally

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<sup>63</sup> This was done because in a previous conversation with Dilcia Molina, I found out that many of their clients could not read in either English or Spanish while others had advanced degrees. It was clear that my study had to be suitable for a wide range of women.

<sup>64</sup> The hour-long session refers to just the study questions, not the explanation of IRB.

exhausting. The session lasted only about an hour, and it seemed as though the women did not necessarily want to stop. Once they opened up about their experiences, the information flowed.

The most relevant questions asked during this focus group were the following:

Q1: How long have you been in the United States?

Q2: After you applied for the U visa or self petition, how long did it take for you to receive a reply?

Q4: Did you experience domestic violence in Washington, DC?

Q5: Did the domestic violence begin in the United States or in your home country?

Q7: What was the toughest/most challenging/most complicated part of applying for a U visa/self petition?

Q8: Did you receive any of the following: a) Legal services; b) Housing services; c) Counseling/Therapy?

Q9: How has the decision for the approval or denial of the U visa/self petition impacted your life? The life of your children and family members?

Each question is explained below. I explain the rationale behind asking each question and the kinds of replies that I expected. For Q1, I wanted to capture how long women were in the United States in order to gauge how comfortable they felt and if they knew they could call the police upon experiencing domestic/intimate partner violence. I was not expecting a particular time frame for women to have lived in the United States. Q2 was used to better understand the process of applying for a visa under VAWA because there was a point where although the law had passed, women were not receiving visas in a timely manner caused additional burdens on them. Q2 is “After you applied for the U visa or self petition, how long did it take for you to receive a reply?” Moreover, this relates to the practicality of those reviewing/granting VAWA visas and the time frame for where women receive visas. Q4 & Q5, which ask if the victim experienced domestic violence in their home country, the U.S. or both. These questions are relevant in a variety of ways – first, it is often said that domestic violence is part of a cycle where if children witness violence between family members like a mother and father or a parent and child, then the cycle is likely to repeat itself. These questions were targeting whether the women

in this focus group were part of a cycle that actually began in their home country. They all answered that they had experienced domestic violence in their home country and the violence continued in the U.S. even when they changed partners. Q6: About how long did the abuse occur before you asked for help? This question leads to issues of acculturation and whether women knew they were able to access resources in order to deal with their abuser, and felt comfortable enough or the violence was severe enough to call the police. I would expect women to answer no, that they did not call the police the first time the abuse occurred, but after the abuse became more severe and life threatening to either themselves or their children. Q7: What was the toughest/most challenging/most complicated part of applying for a U Visa or self petition? This question is relevant because while VAWA allows for immigrant resources, the reality of receiving either economic or work relief may be quite different than what VAWA intends to do for battered immigrant women. Q8 was “Did you receive legal services, housing services, and/or counseling/therapy?” and this leads to a better understanding of which resources these particular immigrant women accessed. I would have expected less of them to take advantage of housing services like shelters, but all of them to have used legal services and maybe even split on counseling services. And finally, Q9 asks “How has the decision for the approval or denial of the U visa/self petition impacted your life? The life of your children and family members?” These last two questions were asked in order to discover if in fact VAWA provides relief for battered immigrant women and in what ways.

With regards to Q1, all the women had been in the United States somewhere between 7 and 10 years. When I asked this question, I followed the interview questions, so I the following answers “About 5 years, Less than 10 years or more than 10 years” (among other options which can be found in Appendix 3). This was early on in the interview and respondents were still

skeptical of me, but from my notes and the transcript, most women had been in the United States approximately 10 years give or take a year. The women’s responses to Q2 indicated that about 7 of the 12 respondents answered they had waited for more than 1 year to receive a response regarding their application for a U Visa or self-petition. There was only one respondent who received a response under a year.

The participants were from a variety of countries including Mexico (2), Panama (1), Venezuela (2), El Salvador (3), Honduras (1) and Peru (1). This was Q3. There were 3 women did not answer when I asked this question. I asked the women how long they had been in the U.S. and all of them answered that they had been in the country more than 5 years. There were two participants who had been in the U.S. for more than 10 years. When I asked how long they had to wait after they had completed the self petition or U Visa application, they answered that the wait was more than 1 year. Only one woman waited less than one year but she has been in the U.S. for about 10 years. All 12 participants answered this question. Some of the participants were still waiting for their visas when this focus group was done in May 2013.

Q4 and Q5 were meant to capture where the violence occurred (if within the Washington, DC area and essentially where the violence had begun. Because many of the respondents had similar answers, I summarized the responses in Table 1 below.

**Table 9: Responses to Q4 and Q5**

<b><u>Question</u></b>	<b><u>Responses</u></b>
Q4: Experience violence in DC?	Yes except for 1 of the 12 participants
Q5: Did violence begin in home country?	Yes for at least 10 of them

Some of the respondents experienced verbal abuse and stalking in Washington, DC although they lived in surrounding counties outside of Washington, DC. It is worth mentioning

that all of the respondents received services within Washington, DC and this could be because the majority of Spanish-speaking service providers are located with The District given its fairly progressive policies (See Introduction, Chapter 1).

The group’s answers to Q6-Q9 are much more complicated than Q4 and Q5 so I pull citations that best capture the group’s sentiments on each question. I address Q6 towards the end of this chapter because the group did not answer this question directly when I asked it, but rather alluded to this question as the discussion progressed. Here is a table outlining Q6-Q9. The reasons I ask these questions are self explanatory as I was seeking to understand their experiences with the U Visa and self petition process as well as in obtaining direct services.

**Table 10: Questions 6-9 Asked to Focus Group**

Q6: About how long did the abuse occur before you asked for help?
Q7: What was the toughest/most challenging/most complicated part of applying for a U visa/self petition?
Q8: Did you receive any of the following: a) Legal services; b) Housing services; c) Counseling/Therapy?
Q9: How has the decision for the approval or denial of the U visa/self petition impacted your life? The life of your children and family members?

*Themes*

There were common themes this group shared with me and some of those stories are disturbing given that their stories of domestic violence all happened within the last 5-8 years. First, none of them knew English or at least felt comfortable enough with their English or understanding of U.S. culture to call police the first time the violence occurred. The abuser had convinced the victim that if she called the police, she would be arrested, taken away from her children and deported. Women were scared to leave their kids with the abusers so they were more likely to stay in the relationship.



Secondly, police became involved in their situation in some way. At times the children got involved and either the children called the police themselves or spoke up when the police arrived to explain the situation so that the abuser would not manipulate the police officers since he spoke more English and was more culturally aware of practices. Third, the men often said they were defending themselves and that is why they were “acting out [acting violent].” According to the respondents, many of the men shifted the blame back to the victim rather than taking responsibility for their actions. Lastly, some of them had positive interactions with police, but they all explained that there had to be a culturally sensitive police officer either a woman or Spanish speaker and then the case would be taken more seriously - that is the woman was addressed by the officer. This was the case with several of the women who told their stories. This is concerning because it points to a cultural bias (intentional or not) and practice on behalf of police officers. The women also said that having a female officer was more relevant to their situations than having interactions with a Spanish speaking officer or someone who was of their same racial and ethnic background.

## Results and Analysis

### *Results*

Below I pull quotations from the focus group that address each of the questions above in order to shed light on the experiences of battered immigrant Latinas (foreign born) within the Washington, DC metro area.

With regards to Q7 which asked about the most difficult aspects of applying for a U Visa or self petition. Some of the responses included:

“Bueno para mí es que handa uno en veces sin rumbo, que lo mandan a un sitio a otro sin alguien quien lo quiera representar como un abogado. Lo hacen ir y venir. Yo fue a un

lugar y que ha lo cerraron y se llamaba WEAVE<sup>65</sup> y allí me tuvieron por un año la aplicación y para nada. Y de allí estuve en limbo y tuvimos que andar averiguando y supuestamente ya estaba por versurarse del papel, el de la policía o de la corte y ese era el temor es que me iba quedar sin nada y a veces uno no tiene un trabajos buenos y gastando y si para uno de trabajar quien me paga la renta?

The translation is, “Well for me, it is that sometimes you are without direction, you get sent here and there without anyone wanting to represent you like a lawyer. They make you come and go [run around]. I went to a place that has since closed called Weave where they held onto my application for a full year and for nothing. Then I was in limbo and I had to keep looking for help because supposedly my paper from the police or judge was going to be voided so I was scared I would end up with nothing. And sometimes you don’t have a good job but have lots of expenditures and if one doesn’t work, who’s going to pay my rent?”

Another participant stated, “Yo estoy aplicado por VAWA, yo me escape de la violencia domestica por que este señor no me dejaba salir, y era Norteamericano y yo vivía en Delaware y aya, no, no, no, cuando me escape ósea, estaba tan sangrada y cuando yo quería parar un caro, por miedo no paraban pero había una señora que me trajo a la Casa Maryland. En la Casa Maryland me mandaron aquí a Washington, DC a Weave. El problema es que tuvieron mi solicitud y me llamaban a cada rato y yo tenia que estar viniendo y era un gasta para ir y venir. Pero en mas de un año no mandaron la solicitud. Me hicieron perder el tiempo y después el me dijo que donde sea que estuviera me iba encontrar y matarme. Después se junto con una mujer y ella dijo que me iba deportar.”

The translation of this is, “I am applying through VAWA (self petition) and I escaped domestic violence from a North American man who wouldn’t let me leave the house and I lived in Delaware at the time. When I escaped, I was so bloody that as I tried to get a car to stop no one would because they were scared of me. Finally a woman stopped and took me to the House of Maryland where I was then referred to Weave in Washington, DC. The problem is that my VAWA application sat there for a year and they made me lose time. I had to come see them every time they called and it costs money to come and go. Meanwhile he would call me and say he would find me wherever I was and kill me. He then took up with another woman and she said she would have me deported.”

Another focus group participant stated, “El proceso es difícil. Lo que pasa es que yo ha tenido el apoyo de Entre Amigas [the support group under La Clinica del Pueblo. See Chapter 3 for more information.] por que te acompañan a la corte por que la mayoría tiene problemas con el ingles y por lo menos tenemos ese apoyo a si sea de alguien que de agarre la sweater y que esta allí y ese apoyo lo tenemos por Entre Amigas y es importante por que no sabemos donde ir. Somos inmigrantes, no conocemos las leyes no manejamos el idioma, y por lo mas o menos te orientan.”

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<sup>65</sup> WEAVE stands for Women Empowered Against Violence and is discussed in Chapter 3.

The translation of this statement is, “The process is difficult. What happens is that I’ve had the support of Entre Amigas (Between Friends) and they’ve accompanied me to court because the majority of us have problems with our English, and at least we have support in that they’ll tug at your sweater and be there for you, and that support is important because we don’t know where to go. We’re immigrants, we don’t know the laws or the language and more or less they [Entre Amigas] help orient us.”

These three respondents highlight the confusing, time-consuming and costly process of applying to a self petition (under VAWA) and a U Visa. The last respondent emphasizes how lost a person can feel as well. Two of them had negative experiences because of Weave’s mistreatment of funds that eventually put the nonprofit out of business; all three statements illustrate that applying for a VAWA self petition or U Visa is not an easy process by any means. There are time limitations, financial investments and confusion that contribute to a traumatic experience.

Q8 refers to the types of services that women obtained as they sought their VAWA self petition or U Visa. This helps to understand if particular resources were made available to them given that Crenshaw in her theory of intersectionality highlights how some shelters are unable and unwilling to take immigrant clients in because of the level of work those clients need in terms of language accessibility, and complicated immigration status.

**Table 11: Types of Services Accessed by Focus Group Participants**

<u>Services</u>	<u>Number of People</u>
Legal	7
Housing	2
Counseling /Therapy	11

The numbers illustrate how many respondents utilized each of these services. The majority of clients accessed Counseling/Therapy which makes complete sense given that La Clinica del Pueblo has a mental health component to it and Entre Amigas is a support program for immigrant women who have experienced intimate partner violence (see Chaper \_).

Q9 is asked participants about how their approval or denial of a U visa or self petition has impacted their lives. Below are some of their responses to this question.

“A cambiado mucho.”

“It has changed a lot.”

“El permiso de trabajo hace milagros.”

“The work authorization provides miracles.”

“Cambio mucho. Yo tengo maquina de coser y hago sandalias porque no pude encontrar trabajo en otro lugar. Cuando yo no aplicaba en McDonalds, me dijeron que no por que después a nosotros nos dan multa. Yo no podía trabajar por que no tenia un permiso de trabajo. Después que recibí mi permiso para trabajar, me trataron con un cariño y me decían, “Oh welcome. Follow me.” Pero yo tengo muchos gastos y no puede tomar el trabajo en McDonalds. Mi hijo necesita terapia porque esta preocupado porque yo tengo cancer, pago renta y tengo que mantener mi hija que se vino ilegalmente pero la violaron en el camino y ella se regreso a Honduras. Entonces yo tengo que mantenerla. Si se sienta lindo cuando alguien tiene un permiso y puede trabajar y se le abren muchas puertas por que si le llaman la gente cuando aplican por trabajo y eso cambia mucho a uno.”

The translation of this is, “It changed a lot. I have a sewing machine and I make sandals because I couldn’t find a job in another place. When I would apply at McDonalds, I was told no because then I would be fined. I couldn’t work because I did not have a work authorization card. When I got my card, I was treated warmly and was told, “Oh welcome. Follow me.” The problem [with the McDonald’s job] is that I have too many expenses so I couldn’t take the McDonalds job [because of the low pay]. I have a son who needs therapy since he’s worried about me because I have cancer. I pay rent and I have to support my daughter (send money) who was raped when she came here illegally. She returned to Honduras. Because of this I have to support her. It feels great when you have work authorization and you can work because many doors open for you and people actually call you back when you apply for a job. It changes a person a lot.”

“Y lo bueno es que la gente Latinas, nosotros no no quedamos sentadas. Cuando me llevo el permiso yo estaba brincando y saque me licencia de ‘home care’. Eso hace una gran diferencia – el permiso de trabajo.”

Translated, “And the good thing is that the Latino people don’t stay sitting down. When I got my work authorization I was jumping up and down and I got my home care license. It made a huge difference – the work authorization did.”

This then led the conversation in a different way, one that I did not anticipate but provided much insight into racial and ethnic identities and the way this particular group of women perceive themselves as second class people in the United States. The women made

reference to a talk some of them had attended where a woman asked why an immigrant woman needed a driver's license if she didn't even drive. The women had this to say on the matter.

“De la charla, es claro que nosotros podemos entrar a un edificio federal pero si nos sirve como una identificación para que nos puedan atender en estos edificios.”

The translation is, “From the talk, it is clear that we *can* enter federal buildings but it [a driver's license] would provide us with identification so that we'll actually receive services once we're inside.”

Another response was, “Se necesita una identificación, una driver's license, no ID en este país para hacer todo y si no tienes te ven como si no debes de estar allí. La cedula de mi país no era suficiente para recoger a mi hijo de la escuela aunque les hablaba en ingles. Se siente feo.”

“You need an identification card, a driver's license, not an ID in this country to do anything and if you don't have one you are looked at like you don't belong there. My country's ID card wasn't sufficient to pick up my son from school even though I could request him in English. It feels ugly.”

And some one jumped in and said, “...Pero racismo...hay mucho racismo en este país.” Everyone in the room nodded their head as I wrote in my notes.

This is indicative of how the wider discussion and implementation of comprehensive immigration reform affects the lives of immigrant women (particularly this group) applying for deportation relief under VAWA. While VAWA self petitions and visa opportunities provide an avenue for spectacular life changes for many women, the law does not exist in a vacuum, but rather the bureaucracy of actually obtaining a work authorization, an identification card or driver's license makes the everyday struggles of battered immigrant women that much more heightened, traumatic and visible.

The women in the group indicated that many of them called the police *and then* sought help with nonprofit groups like La Clinica del Pueblo. The group participants indicated that their interactions with police were not exactly positive. Many of the women say that what made the difference for them when they called the police was the presence of a female police officer, not

necessarily a Hispanic or Latino/a officer. Several of them indicated that when a male officer arrived, no one was arrested, the abuser and the victim were separated but that's about it. When a female officer arrived, she would often take the time to get the victim's side of the story whereas the male officers took the side of the perpetrator. The quotes below highlight these sentiments.

“Cuando llego la policia el me dijo que no lo iba arrestar [al el]. El me dijo, “Pero tu no tienes nada.” Y después llego una mujer y dijo que si se lo iba llevar. Si ella no hubiera llegado, yo lo llevaría pero en el medio del camino de dejaría ir. Ella no hablaba español pero teníamos una primita del que se estaba quedando con nosotros y ella me ayudo a traducir y ella mismo le llamo a la policia cuando ojo lo que estaba pasando. Entonces cuando llego la policia, los niños les dijeron lo que había pasado.”

Translated, “When the police arrived, the officer told me he [the perpetrator] would not be arrested. He told me, ‘But you don’t have any marks on you.’ Then a female officer arrived and said they were going to take him. If she hadn’t arrived the other officer (first officer on the scene) would have arrested him but let him go down the road. The female officer did not speak Spanish but we had a little female cousin of his staying with us and she translated and she herself was the one who called the police when she heard what was going on. Then when the police arrived, the children told them what was going on.”

“Lo que pasa es dificil por que tu llamas porque tienes miedo verdad? Pero acuérdate que tu quieres seguir viviendo en las sombras. No quieres poner cargos [y se enojan digo alguien en el grupo] y ahora es mi deber hacerlo pero tu tienes miedo. Pero tenemos que entender que no todos los policías están entrenados en reconocer la violencia domestica y no todos tienen el interés de ver un poquito mas aya. Ósea vinieron y dijeron que todo estaba bien y se fueron y no vieron lo que estaba pasando.”

The translation of this statement is, “What happens is that it is difficult because you call [the police] and you are scared, right? But you have to remember that we want to keep living in the shadows [because we’re here without documentation] and so you don’t want to file charges and they get mad, but I have to press charges because that’s my responsibility even though I am scared. We have to understand that not all police officers are trained to recognize domestic violence or have an interest in domestic violence to see past the obvious. The police would come and they would say that everything was fine and they would leave without seeing what was really happening.”

These quotations from the focus group represent the experiences shared by the women in the group. They were quite weary about calling the police and only did so at life threatening points of their abuse cycles. The helpfulness of the police really depended on how the particular officer responded upon arrival. The women had a range of officers who individually were

helpful, but on the whole, the group was distrustful of police officers because they were scared they would be deported. The second quote best captures the sentiment of the group when she stated that victims are scared, but call the police out of necessity, but they really just want to keep living in the shadows.

### *Analysis*

Besides the responses provided above, the focus group participants shared other relevant pieces of information as this chapter seeks to understand their experiences as it relates to VAWA and the theory of intersectionality. I first address the problematic associated with Women Empowered Against Violence (WEAVE). Many of the group participants shared stories of WEAVE and how this Washington, DC nonprofit group shut down because they mismanagement of funds. Their shut down caused many of them a host of problems for battered immigrant women who relied on WEAVE's expertise in assisting them obtain their visas or VAWA self petitions including but not limited to: a loss trust of service providers, the expiration for their documents (from police officers and judges necessary for self petition and U visa applications), out-of-pocket expenses spent as immigrant women had to go back and forth to WEAVE for in case (mis)management, and time, the women lost time that was spent waiting for a response with regards to their application status. Lastly, women were re-assigned to a new direct service provider and to re-start the process all over again including re-telling their story. Many of the women who first sought help through WEAVE were disillusioned by the process. I would expect that many of the women that had such experiences with WEAVE did not seek additional help, but rather stayed in the shadows and possibly in abusive relationships. Their impressions of WEAVE and I quote, "WEAVE fue una fraude" which translates into "WEAVE was a fraud."

There were some positive experiences that the group mentioned but those revolved around particular individuals not nonprofits organizations. All of the clients (minus one) had great things to say about a few individuals from Mil Mujeres, and one of the counselors at Ayuda. What I found through the focus group is that it is individually people who can make a substantial difference in the lives of domestic violence/intimate partner violence victims. So while VAWA as a law that seeks to be inclusive to racial, ethnic marginalized groups as well as and non-U.S. citizens, it is *the implementation* of the law on the ground by particular individuals that can make a substantial difference in victims' lives.

Let me add responses to Q6 which asked participants about the length of time they experienced abuse prior to asking for help. Many of them said that they waited years and some women in the group said that the abuse was still on-going. All of the women said that they experienced domestic violence in their home countries prior to their arrival in the United States. Consistent with the existing literature on domestic violence, when the abuse starts to affect the children (this is to say that children begin to psychologically process what is going on), the women begin to look for ways out and search for information regarding immigration status first. It is through this group's social networking that information is passed along and women are connected to resources. Of course, La Clinica del Pueblo is a well-known resource for immigrants and immigrant women so this particular group of focus group participants, particularly after having gone through some kind of visa or self petition process is very knowledgeable on the issue of domestic violence, assistance (like shelters, counseling services, etc) available to them and how to support each other. While most of them waited years before asking for help, they are aware the danger that they put themselves in and advocate that domestic



violence is not merely about a physical aspect, but rather the psychological and emotional threats and mind games used as tools by the perpetrator to maintain power and control over the victim.

This is the other concerning reveal from the focus group. Many of them waited years before asking for help and did so only when they arrived in the U.S. and children witnessed the abuse.

### *Limitations*

While I was able to collect an abundance of data, there were many obstacles and limitations with getting information directly from battered immigrant women who have applied for visas or self petitions. I describe those limitations here. First, the women in this focus group were weary of me. This is true at least in the beginning of the focus group because although they had seen me at La Clinica del Pueblo, they did not know what information I was really requesting. It took the group meeting a while before they actually opened up to me, but once they did, they had similar stories to one another. I mention the problems that I had recruiting individuals for interviews early in this chapter and explain why a focus group was the best option for gathering information. Lastly, many of the participants received services from Washington, DC area anti-domestic violence service providers, but they did not necessarily reside within The District. This does not take away from the results provided in this chapter since I was seeking to capture the voices of battered immigrant, foreign-born Latina women who received services within Washington, DC. While I accomplished this, the data I collected is limited in that I do not have the extensive stories of each individual participant the way in which, for example, Villalon captures in his research in Texas. This chapter does highlight the limitations associated with receiving assistance for foreign-born Latinas, but ideally with more resources like time and money, I would have liked to do extensive individual interviews that could have captured their

experiences over time rather than a snapshot. While this was not the ideal sample size or circumstance, there was a substantial amount of information that I obtained from this group that is relevant to the understanding of intersectionality and the Violence Against Women Act.

### *Additional Findings*

As in this dissertation, I seek to incorporate both a top-down and bottom-up analysis on the advocacy and lived realities of individuals who utilized benefits provided through the VAWA, it is necessary that I highlight this additional information provided by the group participants. What they would like to see in terms of education and information dissemination is a media campaign similar to the commercials that immigration attorneys show on Spanish-language media (radio and television) stations. The women made the argument that they see commercials for immigration attorneys saying they will take any case, yet when some of these women reached out to such immigration attorneys, they were charged \$75 to share their story and to be told that they did not have a case without calling police or because they were in the United States without proper documentation. Focus group participants suggested that, if there were media campaigns explaining resources associated with domestic violence, fewer of them would remain in abusive relationships out of the fear of being deported. Perhaps part of comprehensive immigration reform could include a national campaign on how domestic violence perpetuates people living in the shadows.

### Conclusion

This chapter highlights how battered foreign-born Latinas who have some connection with La Clinica Del Pueblo responded to questions posed regarding the process of applying for a U visa or self petition under the VAWA, interactions with direct-service providers, and general experience as they sought help after experiencing domestic violence within the United States. I

use Crenshaw's theory of intersectionality in order to better understand how systems of race, gender class and immigration status intersect as foreign-born, Latina immigrant survivors of domestic violence seek assistance in order to survive their abusive relationships. What I found from the 12 group participants was that the problems associated with immigrants seeking help from their abusive relationships are still relevant despite the expansion of the Violence Against Women Act that was originally passed in 1994. According to group participants, they are still afraid of calling the police and even of entering federal buildings, and are confused by the process of applying for U visas and/or self petitions. From the information provided by this focus group, it is evident that experiences of battered immigrant Latinas within the Washington, DC area can be multifaceted. As women seek assistance through direct service providers, they experienced some moments of additional stress due to their immigration status, racial and ethnic background, lack of English proficiency, and understanding of U.S. judicial and cultural practices. This is consistent with what Crenshaw first highlighted in "Mapping the Margins" (1991). With VAWA passed in 1994 and enacted in 1996, it is interesting to note that immigrant women are having similar experiences to those of women place prior to the VAWA. While VAWA is a piece of legislation that seeks to encompass the experiences of women, and while particular individuals have greatly assisted and changed the lives of the women that participated in this focus group, there are still systems of oppression that make getting assistance incredibly difficult.

## **Chapter 5 - Conclusion**

The issue of gender based violence, despite the VAWA and research indicating that it is a major social and world-wide problem, is still quite prevalent. It is a problem because as argued by Joe Biden, one person thinks is acceptable to beat and control another because of that person's gender. It was argued by Joe Biden that domestic violence is a hate crime because a woman is being beaten by an intimate partner due to the fact that she is a woman. He argued,

“I’m the guy who wrote the Violence Against Women Act. And I said that every woman in America, if they are beaten and abused by a man, should be able to take that person to court--meaning you should be able to go to federal court and sue in federal court the man who abused you if you can prove that abuse. But they said, “No, for a woman, there’s no federal jurisdiction.” And I held, they acknowledged, I held about 1,000 hours of hearings proving that there’s an effect in interstate commerce. Women who are abused and beaten and beaten are women who are not able to be in the work force. And the Supreme Court said, “Well, there is an impact on commerce, but this is federalizing a private crime and we’re not going to allow it.” I think the Supreme Court was wrong about that decision.” (Couric, 2008).

The statement above is in regards to how there is federal hate crime jurisdiction that would allow an individual who is beaten because of faith or sexual orientation, but there is no protection for a woman who is beaten. The statement above is indicative of the patriarchal structure of both the judicial system and society as a whole. Biden's statement indicates how a woman abused by a boyfriend or other intimate partner cannot sue because domestic violence is still considered a private crime a crime that does not involve the state. If one person beat another, that person could file both criminal and civil suits against that person, but for those involved in an intimate relationship, a civil suit based on being a particular gender is not merited. The fact the state does not recognize domestic violence as a crime against someone because of their gender, is just one of the constraints in combating domestic violence. For battered immigrant women, there are so many obstacles and this dissertation highlights many of those obstacles.

What the VAWA provides though, is a federal government commitment to the eradication of domestic violence. However, arguments like the one made by the Supreme Court in *United States v. Morrison* in 2000 illustrate the inherently patriarchal system that often time prevents victims from getting the help and services they need. The evidence of patriarchy that I am offering is the argument that domestic violence is a private crime. This argument has been made various times indicating that because domestic violence happens behind closed doors and that what occurs between two people (typically thought of as a man and a woman) is not a state interest. Given that women were once seen as property, the fact that domestic violence was a private matter makes sense. The court in this case, did not want to interfere in “domestic” relationships and argues that this is not a crime. However, combating domestic violence has been shown to be state interest given the level of productivity that is lost by women. Biden alluded to this as well in his argument of the civil rights section of the VAWA that would allow victims to sue their abuser under the assumption that the abuse is due to his/her gender.

So in 1994, with the creation of the VAWA, women who had experienced domestic violence were given some protection and resources by law. There was an investment made to combat gender based violence as the VAWA generally directed police officers to take these reports seriously and investigate them as serious crimes. The VAWA provided grants for police officers and judges so that they would know how to identify domestic violence crimes. The VAWA attempted to change the way society viewed the problem of domestic violence. Patriarchal and racist systems, however, persisted despite the implementation of VAWA throughout the United States and continue to be obstacles when women seek assistance from first responders, direct services providers and even family and friends within their social networks. While I would argue that obstacles exist for all victims, I am specifically referring to some of the

obstacles faced by battered immigrant women. An example of discrimination would be when police do not take the complaint seriously because the victim does not know English, or being dismissed by lawyers or shelters because of their lack of citizenship or not wanting to be separated by their children when fleeing an abuser and therefore not provided housing/shelter assistance. I should make clear that while I am generalizing here, there is no typical scenario for a battered immigrant woman as my research has shown in Chapter 4. The generalizations I have provided in this dissertation are for theoretical interest rather than practical ones and I do not seek to trivialize the experiences of anyone by any means.

What I found from my interviews with direct service providers and foreign-born immigrant Latina women is consistent with other literature on Latinas (both foreign and U.S. born) with regards to their experiences with domestic violence. Given that the VAWA passed in 1994 and was implemented roughly in 1996. I would have expected to find different results - perhaps more progress having been made in the area of services for immigrant victims of domestic violence. I did not expect to find the same themes as initially expressed pre-VAWA.

#### Contributions through Intersectionality Theory

Crenshaw uses the term intersectionality in three ways; structural intersectionality which she argues is the “ways in which the location of women of color at the intersection of race and gender makes our actual experiences of domestic violence different from that of white women” (p 1245), political intersectionality is the second focus and she argues that feminist and antiracist politics have paradoxically helped to marginalize the issue of violence against women of color and lastly, Crenshaw discusses representational intersectionality which is the way in which women of color are represented in popular culture. Crenshaw uses all three forms in different ways to discuss the marginalization of women of color when race and gender are discussed. She

argues that when race is discussed, that group rarely takes into consideration the point of view of women because the group is focused on the color line. A similar process occurs in feminist group spaces where white<sup>66</sup> feminism is discussed and when they are, their experiences are in a juxtaposition to how white women's life experiences. Crenshaw draws attention to the intersectional identities like women of color by discussing resources for non-white women seeking help from an abusive relationship. Like Orloff (1999) and Rivera (1995), Crenshaw shows how particularly in the 1990's when scholarship on domestic violence was at its peak, policy implementation focused on the experiences of white women. For example, the few shelters that existed pre-VAWA were prepared to help English-speaking Anglo women, but were less prepared to help non-English speaking, brown or black women with undocumented status. This dissertation highlights how VAWA, one the policies that directly influences resources available across the country for battered women, sought to ensure that immigrant women also had resources available to them. This is one way in which VAWA sought to be more inclusive. The dissertation shows what being more inclusive actually looks like on the ground through the experiences of direct service providers and foreign-born Latinas in the Washington, DC area.

I therefore take the theory of intersectionality, but do not divide it into three categories as Crenshaw does. Rather, I discuss it as a whole because I argue that structural, political and representational intersectionalities together lead to disempowerment of battered immigrant (foreign-born) Latinas as they seek help from an abusive experience. I find evidence of all three categories throughout this dissertation. I argue that intersectionality theory is missing from the VAWA legislation and that *begs* the question of whether direct service providers provide services in an intersectional way to foreign-born Latinas seeking assistance from a domestic

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<sup>66</sup> By white, I am referring to Anglo-Saxon, non-racial or ethnic minority.



violence situation. I assumed when I started this project that overt language in the law directed towards Latinas, immigrant victims and those foreign born would be the only way to provide safeguards for immigrant victims. My thought process was that inclusion of intersectionality, that is to say, actual explicit language regarding immigrant women of color would be evidence that intersectionality theory was part of the legislation drafting process and therefore part of the political process. As this dissertation shows, that assumption was flawed and in fact, I believe that I have found the opposite to be true.

As written in Chapter 2, I did not find any language within the VAWA at which immigrant women were thoroughly debated or discussed during the initial 1994 VAWA, its reauthorization in 2000 or 2005. It was not until 2012 that immigrant victims (of domestic violence) entered the political conversation and they entered in the discussion in having deportation relief removed from the VAWA. I argue that this is evidence of what Hector Amaya calls citizenship excess. “Citizenship excess theorizes that citizenship is inherently a process of uneven political accumulation and that unevenness follows ethno-racial lines” (2013, 2). He argues that from 2005 to present, the discourse of nativism<sup>67</sup> has dominated our news landscape (91). Because Latino/a immigrants as a whole (victims of domestic violence or not), have been both pushed down into lower/second-class citizenship *and* there’s a “go back home” sentiment on anyone not racially and ethnically white through both nativist media and culture, I contend that anti-immigrant sentiments that made their way to the VAWA discussion had nothing to do with providing continued resources for battered immigrant women. The VAWA became tangled in an anti-Latino/a/immigrant debate. However, the fact that such a vulnerable population (battered immigrant women) were put into more danger, it was easy for both women and

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<sup>67</sup> Nativism is defined as “opposition to a minority on the basis of their foreignness (Amaya 2013, 5).

immigrant advocates to sell the narrative that Republicans were both anti-women and anti-Latino. Although comprehensive immigration reform has not happened, the VAWA from 2013 secured more resources for both battered immigrant women.

Timing and agenda setting theories within the field of public policy and administration are useful in understanding the policy making process of the VAWA. However, this dissertation is not as concerned with timing and agenda setting theories, but rather the point of this dissertation as to point the structural, representation and political ways immigrant women victims were *not* included in the discussion or debates at the broader level. I would have expected to find some sorts of records on the discussion of self petitions and visas made available for immigrant women who have experienced domestic violence prior to 2012 not because lawmakers were against provided support for women but rather because helping a marginalized population was the right thing to do. This was incredibly naïve, but this was the idea when I began this research.

What I found was that there was almost no record of a discussion concerning the deportation reliefs and other resources available to immigrant women (let alone specifically to women of color, foreign-born Latinas or anyone else). To me this was indicative of a lack of understanding of the population for which the law provided resources which as a student Political Science did not make sense to me because I had learned that what is discussed is just as important as what is *not* discussed. So why weren't immigrant women discussed within the Violence Against Women Act?

This led me to investigate and interview one of the primary writers of the immigrant women provisions of the VAWA. As stated in the introduction, Leslye Orloff was heavily involved at various levels within the original drafting of the VAWA and it's subsequent

revauthorizations. My conversations both formal and informal with Leslye Orloff, now head of the National Immigrant Women's Advocacy Project housed at American University Washington's College of Law, led me to understand the history of the immigrant women provisions in the VAWA. Plenty of conversations were had behind closed doors by feminist groups, immigrant rights groups and other lawmakers, particularly in 1994 and 2000. So there was agreement in including provisions that allowed immigrant women to self petition, and later qualify for T and U Visas. What was interesting to me was how Orloff came about advocating for immigrant women. As an immigration lawyer working at Ayuda (the same nonprofit organization whose direct service providers I interviewed in Chapter 3) in Washington, DC, she came across numerous cases daily seeking refuge from abuser husbands and spouses. This was in the late 1980's/1990's. Orloff noticed a pattern of the clients that were seeking services from Ayuda. Without generalizing, she noticed that many of these victims did not speak English, could not obtain legal or other support like shelter services, and depending on their violent spouse or partner for their legal status, economic support and/or childcare. Orloff in networking with other lawyers and people, who helped women obtain resources when dealing with a domestic violence situation, created a network of direct service providers and scholars who worked with and recognized a particularly vulnerable population living in the United States, but in the shadows. Orloff worked at Ayuda for many years and so I saw it fitting to tell part of the narrative of what has happened within Washington, DC with regards to assisting immigrant women who experienced domestic violence. What I found from this research is that unlike when Orloff was working at Ayuda, immigrant women have access to more resources than they did then. Because of the deportation relief and other resources (like culturally competent shelters and extensive training for judges, law enforcement officials, first responders, and direct service

providers), immigrant women have some saving grace that they did not have pre-VAWA when many women were dying at the hands of intimate partners. That said, this research shows that many of the same barriers for women to obtaining assistance in the late 1980's/early 1990's are still very much in place despite VAWA having been in place in 1995, almost twenty years later.

As evident from the focus group data provided in Chapter 4, foreign-born Latina immigrant women still report feeling discriminated against from police, judges, and some direct service providers. This is consistent with Orloff witnessed in the early 1990's and what led her to advocate for federal legislation that would provide resources to women experiencing domestic violence. If women still have similar experiences to what they did before the VAWA then does the VAWA even make a difference in the lives of foreign born immigrant Latinas, particularly in Washington, DC - a geographic space that has seen an increase in migrants in the last few years. Moreover, Washington, DC is where Orloff began advocating for battered immigrant women, so questioning a politically progressive geographic space and the place where much advocacy began made sense as I started this research project. This however brings us to the question of does VAWA truly make an impact especially given the evidence provided in the introduction of this dissertation regarding the number of domestic violence calls received by MPD?

This question is addressed in Chapter 4 and there are two relevant pieces of information that came out from the focus group. The first is that because of the VAWA women feel like they have options; as if they have resources (although often times, those resources are difficult to find). Secondly, women who participated in this focus group indicated that one person can make a difference, a police officer, direct service provider or a judge can dramatically change the perspective of the victim. This indicates that the training that Orloff provides helps change the attitudes of people who make decisions on domestic violence cases and can have a positive effect

on the life of the victim despite the outcome of the legal case. Focus group participants indicated that they want to be heard and respected and when one more person provides this, then they feel empowered – as if they have a voice and their voice matters.

The VAWA is important because it has dramatically changed the ways in which people react to the issue of domestic violence. Domestic violence was considered a private issue, where police would not respond to 911 calls that were of a domestic nature. The VAWA has provided resources like hotline phone numbers, shelter services, a domestic violence unit within a police department, family and criminal court judges competent in issues of domestic violence. While domestic violence is still a social problem, the VAWA provides some relief for all people like Native American women, individuals who identify as gay, lesbian, homosexual and/or transgender, as well as undocumented. I argue that while explicit language specifically protecting women of color and/or immigrant women (especially in the 1994 version of the VAWA) is absent, it can save the lives of battered immigrant women. I would also argue that because of the VAWA, I was able to obtain Washington, DC Metro Police Department data on domestic violence whereas when Crenshaw wrote “Mapping the Margins” she was unable to do so. Domestic violence was not seen as a priority, nor a crime and the VAWA changed not only the transparency of executive and judicial branches of local, state and federal government on this issue, but it changed attitudes and saved lives.

This research began when I read Crenshaw's piece on intersectionality because it dramatically changed the way I viewed American politics. I have always been fascinated with the law and issues of race and ethnicity. Moreover, I agree with Rivera (2) when she states that, “Racism and discrimination based on national origin, ethnicity, culture and language have been ignored even within the feminist rank and file, and have been used as vehicles for the furtherance

of a feminist agenda even in the face of the adverse impact of such strategies on communities of color and women of color” (469) which is why I chose to use Crenshaw’s term of intersectionality. It best captures the multiple structures that play a role in preventing immigrant women of color the help they need when it comes to domestic violence. Although there are scholars who prefer other terms besides intersectionality like interlocking, multiple consciousness or intersectional-type, the idea of incorporating or at least allowing a space for the life experiences other than those in power, is necessary because the demographics of the United States is changing. Individuals no longer fall into merely one identity category, but rather there has been an increase in U.S. Census data that indicate individuals use their racial and ethnic backgrounds as well as pan-ethnic labels.<sup>68</sup>

If people use multiple categories for self identification and we know this translates into political activity. However, as people of color seek political reform, what Crenshaw outlines as the problem still holds true for Latina foreign born immigrant women who experience intimate partner violence. Racism alone does not explain the experienced oppression of these women interviewed in the dissertation. Neither does sexism. Intersectionality theory best captures their experiences and it is because of how Crenshaw explains her position. She argues, “Among the most troubling political consequences of the failure of antiracist and feminist discourses to address the intersection of race and gender is the fact that to the extent they can forward the interest of ‘people of color’ and ‘women,’ respectively, one analysis often implicitly denies the validity of the other. The failure of feminism to interrogate race means that the resistance strategies of feminism will often replicate and reinforce the subordination of people of color and the failure of antiracism will frequently reproduce the subordination of women. These mutual

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<sup>68</sup> <http://www.pewhispanic.org/2012/04/04/when-labels-dont-fit-hispanics-and-their-views-of-identity/>

elisions present a particularly difficult political dilemma for women of color. Adopting either analysis constitutes a denial of a fundamental dimension of our subordination and precludes the development of a political discourse that more fully empowers women of color” (1252). Through this research, I have found that although the VAWA did not explicitly have language (or debate for that matter) relating to the resources that would be made available to women of color, immigrant women or both, the law’s still helps immigrant women, particularly as the law has expanded over the years.

#### Implications of Law for Battered Immigrant Foreign-Born Latinas

This dissertation adds and more thoroughly explores how immigrant status affects a woman’s ability to obtain help in coping with domestic violence. I focused primarily on the points where VAWA, as a law has expanded in creating opportunities for immigrant victims to apply for deportation relief under the self petitions, or U Visas for which VAWA allows since its inception in 1994. What this dissertation shows is the interesting narrative that allowed for immigrant protections to be included in the VAWA, and how those protections play out as direct service providers and immigrant women seek to utilize resources afforded to them by VAWA. The Washington, DC metro area was the focus of the research for a variety of reasons and the dissertation illustrates that Washington, DC foreign-born immigrant Latinas have a strong anti-domestic violence support system. By support system I am referring to nonprofits that provide services to Spanish (and other Latin American language) speakers, support groups and social networks and friendly laws and law enforcement officials that actually seek to prosecute domestic violence rather than those who wish to sweep it under the rug. As the VAWA is questioned due to its lack of effectiveness, it is necessary to consider the ways in which it is necessary for a particularly vulnerable population that for better or worse resides within the

United States. Moreover, Chapter 3 highlights the types of organizations that are providing direct services to foreign-born Latina immigrants who experience domestic violence. That chapter emphasizes how a mixed approach of both formal (police, hospitals, shelters) and informal (family, friends) resources are necessary so that foreign-born immigrant Latinas get the assistance they need to survive domestic violence. What the interviews of direct service providers from organizations that provide direct services to battered immigrant women indicate is that many of the same concerns from 1994 are prevalent today. Immigrant women are still weary of calling police, are less likely to contact mainstream domestic violence organizations, and are concerned with being deported and having their children removed if they contact the police or seek formal resources like going to the courthouse to file a protection order.



## Appendix 1: Questions for Leslye Orloff

### **Questions for Leslye Orloff, Immigrant Women Program of Legal Momentum (formerly known as the National Organization for Women Legal Defense and Education Fund**

1. You pioneered the immigrant protections in VAWA 1994 & 2000. How did immigrant women get thrown into the mix? I ask this because I noticed that the immigrant women sub-section is in the House version of the Act to Control Violent Crime, but not the Senate version. Who advocated for this section to be incorporated? Who didn't want special immigrant protections?
2. Who were some of the organizations and people that pioneered along with you? Were they mainly immigrant advocacy organizations or women's organizations? Is this when the National Network to End Domestic Violence was created – so that advocates would be informed about what was happening with the policy?
3. Can you list and describe the 3 major obstacles in getting the immigrant women section to stay in the final version of the bill?  
  
-Would you agree that the most contentious part of getting VAWA (not just immigrant protections) passed was the issue of funding? This is what former Congresswoman Patricia Schroeder argues. Would you agree?
4. If I wanted to get a better understanding of the history of VAWA (for all women) and the particular space that was carved for immigrant women, with whom else should I speak?
5. Is it concerning to you that battered immigrant women have a different citizenship path than other immigrants? Why is it okay for them to receive special treatment?

## **Appendix 2: Interview Questions for Study Respondents**

1. Do you see/hear about women needing help regarding domestic violence?
2. If yes, on what occasions? Who gets those calls? What steps are taken? How did you and your group come to work on these issues? What's the best thing that you find comes out of this work? The worst? The most in need of improvement?
3. What are the demographics just of the women who need help for domestic violence? If you don't know, would someone in your agency be able to tell me? If not, why is this information not kept?
4. Is someone on your staff a Spanish speaker? Is that the person who helps with calls about domestic abuse or violence? Would you say that person is familiar with Latino/a cultural practices? In what way? Do you think that matters with respect to handling calls about domestic violence? Why/why not?
5. Does your organization have any (other) activities to respond to issues of domestic violence within the Latino/a community? Among all communities?
6. What resources can your group provide someone who is in (and possibly looking to get out of) a domestic violence situation? What other resources would you say would be helpful? Does your group have plans to add those resources? Why/why not? Are there items a Latina especially needs, in comparison with other women?
7. Should the victim have certain documents on hand before or when seeking support? Anything else you'd recommend to someone who's in that situation? How do you get that information to Latino/as about that? Again, are there items a Latina especially needs, in comparison with other women?
8. What are the next steps after contacting your organization for help can the victim expect? Any differences among victims with respect to that?
9. Do you advocate that the victim also call the police? Why or why not? Again, any differences among victims with respect to that?
10. Can you tell me about the population you serve? Specific demographic information? If not, why is that information not kept? If yes, does it include whether or not the women you're helping are also trying to complete an educational degree or certificate? [it's something in which I have an interest.]
11. Does your organization seek to empower your clients?
12. Would you say that clients are distrustful of people or other agencies that might be able to help them? Could you elaborate on trust/distrust? Why do you think this might be? How do you and your agency deal with this?

13. For those clients who involve government/bureaucratic agencies, what advice do you normally give those clients?
14. Do they ever feel traumatized/revictimized by re-telling their story to various service providers?
15. Do you follow what is happening with VAWA at the federal level? If so, what can you tell me about that?
16. Do you have many clients that use VAWA's self petition? T Visas? U Visa options?
17. Do you think what's happening with VAWA at the federal level an ideological divide?
18. What do you know about DC and Secure Communities? Do you think this will affect the Latino community and their willingness to come forward if they have experienced gender based violence?
19. Can you define gender based violence [or intimate partner violence or domestic violence – whichever the advocate/respondent uses in interview]?

### **Appendix 3: Immigrant Latina Interview Questions**

Please answer the questions below to indicate whether you qualify for this study. This will take about 5 minutes.

If, after the prescreening questions, it turns out you do qualify for this study, then you will receive confidentially forms. After the interview is completed, you will you receive compensation. The interview will take no more than 1 hour.

#### *Prescreening Questions*

1. Did you apply for a U visa or self petition? \_\_\_\_\_ Yes \_\_\_\_\_ No  
*Usted aplico por una U Visa or VAWA? \_\_\_\_\_ Si \_\_\_\_\_ No*
2. If no, why not? \_\_\_\_\_  
*Si no, por que no? \_\_\_\_\_*
3. What date did you apply? \_\_\_\_\_  
*Que fecha aplico? \_\_\_\_\_*
4. Have you received a reply on your petition or application? \_\_\_\_\_ Yes \_\_\_\_\_ No  
*Usted ha recibido una respuesta sobre su aplicacion por la visa?*
5. Did an organization help you in the application process? If so, which organization?  
*Le ayudo alguna organizaci3n para aplicar a su visa? ¿Cual?*  
\_\_\_\_\_  
  - a. Can you tell me the name of the person who helped you?  
*¿Me puede decir el nombre de la persona que le ayudo en esa organizaci3n?*
  - b. \_\_\_\_\_

[Note to interviewer: Participant must answer Yes to question 1, supply an answer to question 3, and Yes to question 4 in order to qualify for this survey.]

*Interview questions*

1. How long have you been in the United States? \_\_\_\_\_  
*¿Cuanto tiempo tiene usted en los EEUU?*  
*Menos de 1 año* \_\_\_\_\_  
*Menos de 3 años* \_\_\_\_\_  
*Como 5 años* \_\_\_\_\_  
*No se* \_\_\_\_\_  
*Menos de 10 años* \_\_\_\_\_  
*Más de 10 años* \_\_\_\_\_
2. After you applied for the U visa or self petition, how long did it take for you to receive a reply? \_\_\_\_\_ 3-4 months, \_\_\_\_\_ 6 months, \_\_\_\_\_ 9 months, \_\_\_\_\_ 1 year, \_\_\_\_\_ More than 1 year  
*Más de 1 año* \_\_\_\_\_
3. What country are you from? \_\_\_\_\_  
*De que país es usted?* \_\_\_\_\_  
*El Salvador* \_\_\_\_\_  
*México* \_\_\_\_\_  
*Honduras* \_\_\_\_\_  
*Bolivia* \_\_\_\_\_  
*Chile* \_\_\_\_\_
4. Did you experience domestic violence in Washington, DC? \_\_\_\_\_ Yes \_\_\_\_\_ No  
*¿Paso la violencia domestica en Washington, DC?*  
*¿Cuantas veces paso antes que busco ayuda?* \_\_\_\_\_
5. Did the domestic violence begin in the United States or in your home country?  
\_\_\_\_\_  
*Comenzo la violencia (gritando, empujes, una chachetada, o golpes) en su país o cuando lluegaron a los EEUU?*
6. About how long did the abuse occur before you asked for help? \_\_\_\_\_  
*¿A quien le pedio ayuda?* \_\_\_\_\_
7. What was the toughest/most challenging/most complicated part of applying for a U visa/self petition?  
*¿Que fue lo más difícil del proceso de aplicar a la visa U o self petition?*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Did you receive: *Usted recibio servicios legales? Aceso con donde vivir? Terapia?*

a) **Legal services:** \_\_\_\_\_ Yes \_\_\_\_\_ No b) **Housing services:** \_\_\_\_\_ Yes \_\_\_\_\_ No  
c) **Counseling/Therapy:** \_\_\_\_\_ Yes \_\_\_\_\_ No

9. How has the decision for the approval or denial of the U visa/self petition impacted your life? The life of your children and family members? *¿Como ha afectado la aprobación o negación de la visa a usted, su vida y su familia?*

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10. What would you like to tell women who might be in your similar situation? *¿Ustedes que les contarían a otras mujeres que están pensando en aplicar a la visa U o VAWA?*

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Extra Notes:

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