

For Help Call:

National Domestic Violence Hotline

1-800-799-SAFE (7233)

1-800-787-3224 (TTY)

Interpreters are available in many languages. Calls cost nothing. Call anytime.

Police-911

Call the police if you think you or your children are in danger. If the police ask about your immigration status or where you were born, you do not have to answer.

Medical Emergency-911

The emergency room in any public hospital must give you emergency medical care, even if you are undocumented or do not have insurance.

For help locating an immigration lawyer, call the National Immigration Project of the National Lawyer's Guild (617) 227-9727 x2

Your Local Legal Services Agency:

Multi-Ethnic Domestic
Violence Project

(410) 534-8800

A program of The Women's Law Center of Maryland, Inc. and the Maryland State Department of Human Resources

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RIGHTS AND OPTIONS FOR BATTERED IMMIGRANT, MIGRANT, AND REFUGEE WOMEN



Regardless of immigration status, you have the right to be safe in your own home and to leave anyone who is physically, emotionally, or sexually abusive to you.

*You have the right
to make your
own decisions
about your life.*

*No one has the right
to hurt you or
your children
in any way!*

Does Your Spouse or Partner . . . ?

- Hit, punch, slap, or kick you, your children, or your pets?
- Threaten to hurt or kill you?
- Make you feel like a prisoner in your own home?
- Make fun of you and insult you in private or in front of others?
- Make you have sex when you do not want to?
- Threaten to report you to the INS and have you deported?
- Threaten to take your children away?
- Control where you go and who you can see, talk to, or write to?
- Control your access to money, take your money away from you, or make you say how you spend every penny?
- Stop you from getting a job or learning English?
- Refuse to file immigration papers for you or threaten to withdraw these papers?
- Withhold or destroy your passport and other personal documents?
- If you answered "yes" to any of these questions, you may be a victim of Domestic Violence.

It is Not Your Fault!

You are not alone. There are places you can go and things that you can do to protect yourself.

Myths and Facts About Domestic Violence

- MYTH: Domestic Violence only occurs in American families.
FACT: Violence occurs in families of every culture, nationality, religion, class, race, and socioeconomic background. Believing myths about domestic violence prevents immigrant women from accessing the help they need.
- MYTH: Immigrant women experience domestic violence differently than American women.
FACT: Being afraid, injured, humiliated, or feeling controlled are human emotions. Everyone experiences the effects of violence the same way, regardless of culture.
- MYTH: Women are responsible for the violence against them.
FACT: Violence is a learned behavior that abusers use to resolve conflicts. You are not responsible for your abuser's violent behavior and do not deserve to be treated this way. Although an argument may trigger your abuser's anger, what he does with his anger is his responsibility.
- MYTH: Violence is caused by alcohol or drug abuse.
FACT: There is a high rate of alcohol/drug abuse among men who batter. However, there is no relationship between the two problems. Many men who batter do not drink heavily and many substance abusers do not beat their wives. Batters may use alcohol or drug abuse as an excuse for their violence instead of taking responsibility for their behavior.

MYTH: Battering only occurs in low-income families.

FACT: Domestic violence affects women of all classes, cultures, races, ages, and occupations. Middle class women, however, may have more resources available to them and may therefore be less likely to seek help from shelters and other public services.

MYTH: Battering is a family matter.

FACT: Domestic violence is a crime regardless of the relationship between people. You deserve the same protection and help that any victim of assault, battery, or rape would receive.

MYTH: It is easy for battered women to leave their abusers.

FACT: Leaving one's abuser is very difficult. Women may realistically fear that they will be killed or severely injured by their batterer if they leave. They may not be able to support themselves. They may want to keep the family together. They may be afraid of being ostracized from their community, and there may not be culturally sensitive domestic violence resources where they live. All of these factors make it difficult for battered women to leave their abusers.

*You have the right to get
a restraining or protection
order from the court.*

A protection order is a document issued by the court that can protect you and your children from future abuse by your spouse, partner, or family member.

Protection orders can forbid your abuser

from hurting you, assaulting you, coming near you, your house, or your children, or having any contact with you, your children, or other family members. You can have your abuser removed from your home and ask that he return any personal belongings of yours or those that you jointly own that he may have taken away.

Through a protection order you can also obtain child support and have legal custody of your children while the order is in effect.

You do not have to leave your abuser to obtain a protection order. If you choose to continue living together, you can obtain an order that requires your abuser to not assault, harass, or threaten you and to participate in a certified batterer's treatment program.

In your protection order, you can also request that you abuser turn over documents and information that you may need to win your VAWA self-petition immigration case and get your green card without your abuser's cooperation.

You have the right to get a Protection Order **even if you are undocumented.** You do not have to answer questions about your immigration status for the police to enforce your order.

*You have the right to
get safe housing at a
Domestic Violence Shelter.*

A shelter is a safe secret home where you and your children can stay when you leave an abusive relationship. Shelters provide food, free housing, counseling, and can help you

get legal advice. You can find a shelter by calling your local domestic violence program or the National Domestic Violence Hotline- (800) 799-SAFE. Shelter services are **FREE**. You do not have to pay money to get these services.

All domestic violence shelters are required to assist you, even if you are undocumented. Because shelters provide emergency services to protect your safety, they cannot discriminate against you because of your country of origin, your immigration status, your ethnic background, or your language ability.

*You have the right to obtain
emergency food, emergency medical
care, and public benefits that you
or your children may qualify for.*

If you are a battered immigrant abused by your U.S. Citizen or lawful permanent resident spouse, you may qualify for public benefits. Speak to someone at your local domestic violence program to find out if you qualify. If your children are U.S. Citizens or lawful permanent residents, you may apply for benefits on their behalf and cannot be required to disclose your immigration status.

If you are asked about your immigration status when you apply for benefits for your qualified children, you should answer "I am not seeking benefits for myself."

*You have the right to consult
with an immigration attorney
about immigration options that
are available to you.*

If you do not understand what your immigration status is, call an immigration attorney. Your local domestic violence program can help you find an immigration attorney.

IF YOU ARE

- Married to a US Citizen or a Lawful Permanent Resident (LPR) and
- Living in the United States, and
- Physically, emotionally, or sexually abused by your husband,

you may be able to get a "green card" (permanent residence) without your abuser's help or knowledge through the Violence Against Women Act (VAWA).

If your husband has never filed for your "green card" or he has filed but will not continue to help you get your "green card," you may be able to apply for a **VAWA SELF-PETITION**

If you have a conditional "green card" and are waiting for your second interview, you may qualify for a **BATTERED SPOUSE WAIVER**.

If you are already in deportation proceedings, you may be able to apply for **CANCELLATION OF REMOVAL**.

Important!

If you are undocumented and planning to get a divorce, contact an immigration attorney before filing your divorce papers. A divorce may prevent you from attaining legal immigration status.

DO NOT contact the Immigration and Naturalization Service (INS) without consulting with an immigration attorney first!