

# *Violence Against Immigrant Women*

*The Roles of Culture, Context, and Legal Immigrant Status on Intimate Partner Violence*

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*Intimate partner violence against immigrant women is at epidemic proportions, but research has only recently begun to address the concern. A review of the legal, medical, and social science research literature reveals little data, but that which exist demonstrate that immigrant women's cultures, contexts, and legal status (a) increase vulnerability for abuse, (b) are used by batterers to control and abuse immigrant women, and (c) create barriers to women seeking and receiving help. Data also reveal that immigrant culture and context offer resiliency factors through which programs and policy can be used to better serve these populations.*

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*Recent studies with Latina, South Asian, and Korean immigrants demonstrate that 30% to 50% of these women have been sexually or physically victimized by a male intimate partner (Dutton, Orloff, & Hass, 2000; Raj & Silverman, in press; R. Rodriguez, 1995; Song, 1996). These prevalence statistics are notably higher than those reported from two recent representative surveys conducted in the United States (Schaefer, Caetano, & Clark, 1998; Tjaden & Thoennes, 2000). Recent homicide data from New York City also indicate that immigrant women are disproportionately represented among female victims of male-partner-perpetrated homicide (Frye, Wilt, & Schomberg, 2000), suggesting that severity as well as prevalence of intimate partner violence (IPV) may be higher among immigrant women. Despite growing evidence that immigrant women (i.e., women not born in the United States and not of U.S. heritage) are at increased risk for such victimization,*

until very recently there have been few efforts to address intimate partner violence in our growing immigrant communities in the areas of policy, research, and practice.

Legislation under the Violence Against Women Act of 2000 (VAWA II) and the establishment of a growing number of IPV service agencies tailored to specific immigrant groups (Merchant, 2000) are examples of recent important policy and practice efforts. However, research to inform policy and service practices has lagged far behind. A review of the published literature in psychology, sociology, anthropology, medicine, and law reveals a paucity of research on both the prevalence of IPV in immigrant communities and how immigrant status impacts women's risk for abuse. Furthermore, the small body of research conducted in this area has failed to include major immigrant and refugee populations, in particular, Europeans and Africans.

Studies to date have included predominantly South Asian (Indian and Pakistani), East Asian (Chinese, Taiwanese, and Japanese), Southeast Asian (Korean, Cambodian, Vietnamese, and Filipino), Middle Eastern (Lebanese, Yemeni, Iraqi, Afghani, and Iranian), Mexican, Central American (El Salvadorian and Guatemalan), and South American (Colombian) immigrant samples. These studies have focused primarily on samples of diverse nationalities with shared heritage (e.g., Latino and South Asian) and samples of similar socioeconomic level. Much of the literature is based on small qualitative studies and testimonials, further limiting generalizability of findings. The few quantitative studies are not of representative samples and include little data on immigrant status, primarily relying on comparisons with White Americans to demonstrate cultural issues.

Nonetheless, IPV research with immigrants provides much critical insight into how immigrant women's cultures, contexts, and legal status can (a) increase vulnerability to abuse, (b) be used by batterers to control and abuse immigrant women, and (c) create barriers to women seeking and receiving help. Thus, the purpose of this article is to critically review the legal, medical, and social science research literature and based on the findings, to suggest future directions for research, practice, and policy to assist battered immigrant women. Although both critical review of practice and policy related to IPV against immigrant women are also needed, this is beyond the scope of the current article.

## IMMIGRANT WOMEN'S VULNERABILITY TO BATTERING

Although there are formal and informal restrictions on violence against women in many countries, male violence against female intimate partners is of pandemic proportions (Heise, Ellsberg, & Gottmoeller, 1999). Violence against women is maintained in societies because of culture, social context, and laws that often uphold male control of female partners. For immigrant women, these issues may increase their vulnerability to an even greater extent as these women live within two often conflicting cultures and within a context in which they are isolated and viewed as other; furthermore, many of these women have undocumented or nonpermanent immigrant status, placing legal restrictions on them. (Undocumented status indicates that the immigrant to date does not have or has not attained legal immigration status.)

### CULTURES OF ORIGIN

There are many definitions of culture based on professional discipline and perspective. A review of meanings across disciplines defines culture as social doctrines taken on by a group, and this group is based on any of the following unifying social phenomena: race/ethnicity, gender, class, religion, sexual orientation, region, national origin, age, and so forth (Raj, 2001). For the purposes of this article, culture will be defined based on region of origin.

Whereas cultural ideologies can help increase respect for women and consequently decrease the likelihood of abuse (e.g., respect for the mother), these ideologies can also serve to disempower women and increase the likelihood of abuse. Culturally bound, traditional gender roles have been cited as facilitating abuse of women in immigrant populations (Bui & Morash, 1999; Morash, Bui, & Santiago, 2000; Perilla, 1999; Perry, Shams, & DeLeon, 1998; Tran & Des Jardins, 2000). For example, findings from studies of Asian and Middle Eastern immigrant communities indicate that both men and women feel that if women do not stay within their prescribed roles, it is culturally acceptable for men to "discipline" them using physical abuse (Huisman, 1996; Kulwicki & Miller, 1999; Song, 1996; Tran, 1997).

Table 1 shows that across immigrant communities studied, gender roles not only serve as a justification for abuse, but they also increase women's vulnerability to abuse by keeping them isolated, subservient to male partners, and self-sacrificing to community and family (e.g., Bui & Morash, 1999; George & Rahangdale, 1999; Perry et al., 1998). In addition, roles placing family responsibility on females (e.g., Bui & Morash, 1999; George & Rahangdale, 1999; Morash et al., 2000) and economic responsibility on males (George & Rahangdale, 1999; Morash et al., 2000) reduce options for women's separation from an abusive spouse and maintain male economic control in relationships. Traditional gender roles also promote male sexual prowess and dominance (Abraham, 1998; Morash et al., 2000), increasing women's risk for male partner infidelity and rape.

As immigrants become more acculturated, they may alter their ideologies to accommodate the presence of comparatively more egalitarian U.S. gender roles. Not surprisingly, women may have a greater investment in adopting such new roles, and studies of immigrant Asian and Middle Eastern communities indicate that changes in gender role ideology occur more quickly for women than men (Bui & Morash, 1999; Kulwicksi & Miller, 1999; Moghissi & Goodman, 1999; Perry et al., 1998; Tran & Des Jardins, 2000). As ideologies change, behaviors may also change, and immigrant women may no longer be willing to conform to certain traditional gender-based norms. This may result in increased male efforts to control women, including violence; research with both Asians and Latinos demonstrates that male-perpetrated IPV is more common in couples where men hold more traditional gender roles than their wives (Bui & Morash, 1999; Morash et al., 2000; Rhee, 1997; Tran & Des Jardins, 2000; Yu, 1987).

In addition to gender role ideology, acceptability of violence against women also increases the likelihood of IPV perpetration (Heise et al., 1999; Silverman & Williamson, 1997). Intimate partner violence is viewed differently around the globe, as evidenced by the varying laws against the practice across nations (Heise et al., 1999). Many immigrants, including batterers, are not aware or accepting of IPV as a criminal offense (Bauer, Rodriguez, Quiroga, & Flores-Ortiz, 2000; Huisman, 1996; Perilla, 1999; Sorenson, 1996; Tran & Des Jardins, 2000), and many battered immigrant women simply accept the abuse as "normal" or "their fate" (Bauer et al.,

2000; Huisman, 1996; Krishnan, Baid-Amin, Gilbert, El-Bassel, & Waters, 1998; Perilla, 1999).

### IMMIGRANT CONTEXT

As Table 1 shows, battered immigrant women are often isolated from family and friends due to their immigration experience (Bauer et al., 2000; Huisman, 1996; Jang, Lee, & Morelo-Frosch, 1990; Morash et al., 2000; Raj & Silverman, in press). A recent study of South Asian immigrant women found that more than half of the sample had no family in the United States (Raj & Silverman, in press). Although immigrant women may not have their own family geographically close, they often live with or close to their husband's family due to cultural dictates and economic necessity (Bauer et al., 2000; Huisman, 1996; Morash et al., 2000; Raj & Silverman, in press). This patrilocality appears to result not only in increased support of IPV but increased likelihood of abuse from in-laws (Huisman, 1996; Mehotra, 1999; Morash et al., 2000; Supriya, 1996). In some cultures, in-law abuse is reported to be more commonly perpetrated by female in-laws (Huisman, 1996; Mehotra, 1999; Morash et al., 2000; Supriya, 1996); this may be attributable in part to a female hierarchy representing women's only culturally sanctioned power.

Isolation may be an even greater issue for immigrant military wives (i.e., non-U.S. women who typically meet and marry U.S. military men while they are stationed overseas) and arranged brides (i.e., non-U.S.-residing foreign women identified through advertisements, match-making organizations, or referrals who marry U.S.-residing citizens or legal permanent residents [LPRs]; the women are often called *mail-order brides*). Because popular sentiment regarding these women is that they are taking advantage of American men and the U.S. economy, there is often little sympathy in cases where such women are abused (Haile-Mariam & Smith, 1999).

It is estimated that since World War II there have been more than 200,000 immigrant military wives, mostly Asian (Anderson, 1993). These women are at risk for IPV not only because IPV is both more common and more severe in military than civilian families (Anderson, 1993; Miles Foundation, 2000; Shupe, Stacey, & Hazlewood, 1997) but also because transient military life reduces

**TABLE 1**  
**Cultural and Contextual Factors Increasing Immigrant Women's Vulnerability for Intimate Partner Violence (IPV)**

<i>Aspects</i>	<i>Manifestation</i>	<i>Populations</i>	<i>Source(s)</i>
<b>Culture</b>			
Female gender roles	<ul style="list-style-type: none"> <li>• Family and community first, themselves last</li> <li>• Family harmony is their responsibility</li> </ul>	<ul style="list-style-type: none"> <li>• Latino and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Bui &amp; Morash, 1999; Chow, 1989; Dutton, Orloff, &amp; Hass, 2000; George &amp; Rahangdale, 1999; Huisman, 1996; Morash, Bui, &amp; Santiago, 2000; Song, 1996; Supriya, 1996; Tran, 1997; Tran &amp; Des Jardins, 2000</li> </ul>
	<ul style="list-style-type: none"> <li>• Be submissive; obey and serve husband</li> </ul>	<ul style="list-style-type: none"> <li>• Latino and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Bui &amp; Morash, 1999; Chin, 1994; Morash et al., 2000; Perilla, 1999; Perry, Shams, &amp; De Leon, 1998; Supriya, 1996</li> </ul>
Male gender roles	<ul style="list-style-type: none"> <li>• Isolation within the family</li> <li>• Passivity and silence</li> <li>• Be dominant and aggressive</li> </ul>	<ul style="list-style-type: none"> <li>• Latino</li> <li>• South Asian</li> <li>• Latino and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Perilla et al., 1994</li> <li>• George &amp; Rahangdale, 1999</li> <li>• Bui &amp; Morash, 1999; Mehotra, 1999; Morash et al., 2000; Rhee, 1997; Song, 1996; Tran, 1997; Tran &amp; Des Jardins, 2000</li> </ul>
	<ul style="list-style-type: none"> <li>• Be respected; respect means power</li> <li>• Economic provider</li> </ul>	<ul style="list-style-type: none"> <li>• Latino</li> <li>• Mexican and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Perilla, 1999</li> <li>• George &amp; Rahangdale, 1999; Morash et al., 2000; Song, 1996</li> </ul>
	<ul style="list-style-type: none"> <li>• Sexual prowess is glorified</li> <li>• Sexually entitled to female partners</li> </ul>	<ul style="list-style-type: none"> <li>• Mexican</li> <li>• Mexican and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Morash et al., 2000</li> <li>• Abraham, 1998; Morash et al., 2000; Tran &amp; Des Jardins, 2000</li> </ul>
	<ul style="list-style-type: none"> <li>• Male sexual jealousy justifies violence</li> </ul>	<ul style="list-style-type: none"> <li>• Latino and Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Morash et al., 2000; Perilla, 1999; Song, 1996; Tran, 1997; Tran &amp; Des Jardins, 2000</li> </ul>
Justification of abuse	<ul style="list-style-type: none"> <li>• Stay with batterer because "devoted"</li> <li>• Males protect women from acculturation</li> <li>• Women report men are violent because they lack place to channel aggression</li> </ul>	<ul style="list-style-type: none"> <li>• Latino</li> <li>• South Asian</li> <li>• South Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Bauer, Rodriguez, Quiroga, &amp; Flores-Ortiz, 2000</li> <li>• George &amp; Rahangdale, 1999</li> <li>• Mehotra, 1999</li> </ul>
	<ul style="list-style-type: none"> <li>• Batterers do not know it is wrong or illegal</li> </ul>	<ul style="list-style-type: none"> <li>• Asian and Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Sorenson, 1996</li> </ul>
Acceptability of violence	<ul style="list-style-type: none"> <li>• Battered women view abuse as their fate</li> </ul>	<ul style="list-style-type: none"> <li>• Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Huisman, 1996; Krishnan, Baid-Amin, Gilbert, El-Bassel, &amp; Waters, 1998</li> </ul>

	<ul style="list-style-type: none"> <li>Battered women view abuse as acceptable and normal to relationships</li> </ul>	<ul style="list-style-type: none"> <li>Latino</li> </ul>	<ul style="list-style-type: none"> <li>Bauer et al., 2000; Perilla, 1999</li> </ul>
Context			
Isolation	<ul style="list-style-type: none"> <li>Women immigrate without friends or family of their own</li> <li>Military and mail-order wives more isolated</li> <li>His family abusive or supports the abuse</li> </ul>	<ul style="list-style-type: none"> <li>Asian and Latino</li> <li>Asian</li> <li>Asian and Latino</li> </ul>	<ul style="list-style-type: none"> <li>Bauer et al., 2000; Huisman, 1996; Jang, Lee, &amp; Morelo-Frosch, 1990; Morash et al., 2000; Raj &amp; Silverman, in press; Song, 1996; Tran, 1997</li> <li>Anderson, 1993; Haile-Mariam &amp; Smith, 1999; Naryan, 1995</li> <li>Huisman, 1996; Mehotra, 1999; Morash et al., 2000; Supriya, 1996</li> </ul>
Economic insecurity	<ul style="list-style-type: none"> <li>Associated with substance use, gambling, infidelity, and IPV</li> </ul>	<ul style="list-style-type: none"> <li>Latino, Middle Eastern, and Asian</li> </ul>	<ul style="list-style-type: none"> <li>Moghissi &amp; Goodman, 1999; Morash et al., 2000; Perilla, Bakeman, &amp; Norris, 1994; Perry et al., 1998; Rhee, 1997; Song, 1996; Tran, 1997</li> </ul>
Legal vulnerability (without Violence Against Women Act protection)			
Undocumented	<ul style="list-style-type: none"> <li>No safety from threat of deportation</li> </ul>	NA	
Spousal visa	<ul style="list-style-type: none"> <li>U.S. residency contingent on marriage</li> <li>Citizen/legal permanent resident spouse can petition for conditional residency and jointly apply for permanent residency after 3 years</li> <li>Should marriage end, responsibility to prove “good faith” on person leaving the marriage</li> </ul>	NA	<ul style="list-style-type: none"> <li>Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA 1996); Marriage Fraud Act of 1986; Orloff, 2000; Rae, 1988; Tucker, 1989</li> </ul>
Work visa	<ul style="list-style-type: none"> <li>Can be deported for crimes (e.g., shoplifting)</li> <li>Stay in United States contingent on job sponsorship</li> </ul>	NA	<ul style="list-style-type: none"> <li>IIRIRA 1996</li> </ul>
Legal permanent resident	<ul style="list-style-type: none"> <li>Can be deported for crimes (e.g., shoplifting)</li> <li>Can be deported for crimes (e.g., shoplifting)</li> </ul>	NA	<ul style="list-style-type: none"> <li>IIRIRA 1996</li> <li>IIRIRA 1996</li> </ul>

their ability to build systems of social support (Haile-Mariam & Smith, 1999). Furthermore, this transience makes changing immigrant status more difficult as a steady residence is needed for the extensive paperwork to be processed over time; many of these women live for many years in the United States or on U.S. military bases and have children who are U.S. citizens, but they themselves remain on spousal visas (Haile-Mariam & Smith, 1999).

Arranged brides are less common; Naryan (1995) suggested that approximately 2,000 to 3,500 American residents annually marry arranged brides. The majority of these are older White men looking for more "traditional" women; their brides are often Southeast Asian and Eastern European, from poorer countries marked by political turmoil. However, many first- and second-generation immigrant men settled in the United States also look for "more traditional" women from their countries of origin using a similar system or through arranged marriages. Whereas this latter situation is notably different from the former, as it is culturally normative and does not include the additional power dynamic of racial hierarchy, both situations often involve men's desire for submissive wives. Thus, the likelihood of men's controlling and abusive treatment of women may be greater in these situations (Naryan, 1995).<sup>1</sup>

Economic insecurity of immigrants has also been cited as increasing environmental stress and the likelihood of abuse. Language barriers, lack of education, lack of job skills necessary in the United States (e.g., technical skills), and racial/ethnic and immigrant discrimination limit immigrant men's ability to procure and maintain employment. Consequently, these men may be more likely to turn to substance abuse and other self- and family-destructive behaviors such as gambling and infidelity (Morash et al., 2000; Perilla, Bakeman, & Norris, 1994; Perry et al., 1998; Rhee, 1997; Tran & Des Jardins, 2000); men in such situations are also more likely to perpetrate IPV (Moghissi & Goodman, 1999; Perilla et al., 1994; Perry et al., 1998; Tran & Des Jardins, 2000; Yu, 1987).

#### IMMIGRANT STATUS

Noncitizen immigrant women are recognized as being at increased risk for IPV due to their lack of legal rights (Orloff,

2000). Furthermore, there is a hierarchy of immigrant status, and women's place in this hierarchy relates to their vulnerability to abuse. For undocumented immigrant women, deportation is a constant threat that batterers can use against them.

Each year, hundreds of thousands of women enter the United States as a spouse of a U.S. citizen or legal permanent resident (Immigration and Naturalization Services [INS], 1997), coming to the United States with significant disadvantages in social status and resources compared with their male partners (Rumbaut, 1989). Women whose immigrant status is attached to their husbands' U.S. citizenship or LPR status enjoy somewhat greater legal protection than do undocumented immigrant women, but they too are vulnerable due to the structure of immigration law. As Table 1 shows, unless they are aware of and have obtained protection under the Violence Against Women Act (VAWA) protections of 1994 and 2000, these immigrant spouses are reliant on their husbands for their legal right to remain in the United States and for petitioning for their permanent residency status (Orloff, 2000; Rae, 1988; Tucker, 1989). Thus, control over the immigrant spouse's immigration status is, in the absence of VAWA protection, solely in the hands of the citizen or LPR spouse. If the marriage dissolves prior to the immigrant spouse obtaining permanent residency status, again in the absence of VAWA protection, the immigrant spouse will remain undocumented and can be deportable as an illegal alien. Thus, abused immigrant women ignorant of or unwilling to obtain VAWA protection and without LPR status may be very unlikely to choose to leave a batterer or report his abuse to authorities (Orloff & Kelly, 1995). Furthermore, if the U.S. citizen or LPR spouse opts not to file for permanent residency status on their spouse's behalf, in the absence of VAWA protection, the immigrant spouse cannot attain legal immigration status (Orloff, 2000), maintaining dependence on the batterer. Disturbingly, research has found that in abusive relationships, 72% of citizen and LPR spouses do not file immigration papers for their wives (Dutton et al., 2000).

Although women who are lawful permanent residents in the United States may not have been or are no longer reliant on marriage for their immigrant status, they can still be vulnerable to abuse based on their status. Legal permanent residents are often in the United States on work visas and must maintain their

sponsored employment to remain in the country. Batterers have been reported to disrupt and threaten immigrant women's jobs (Sorenson, 1996), not only undermining their ability to remain employed but for many legal permanent residents, their ability to remain in the United States (Sorenson, 1996). Furthermore, under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), all noncitizen immigrants, including legal permanent residents, can be deported for a variety of crimes, including misdemeanors such as shoplifting. This can be applied retroactively and used for detention and deportation. Consequently, a batterer with knowledge of his immigrant partner's activity or who successfully involves his partner in criminal activity can use this criminal history to threaten or to have deported any noncitizen immigrant partner, even legal permanent residents.

### **INTIMATE PARTNER VIOLENCE AGAINST IMMIGRANT WOMEN**

Research also indicates that batterers may employ immigrant women's culture, social context, and immigrant status to abuse their partners. This *immigration-related abuse* is consistently seen across IPV studies with immigrants but has not been effectively studied or defined across immigrant populations. Whereas the research review in the previous section of this article focused on what batterers have the capacity to do based on the culture, context, and legal status of their immigrant partner, this section provides an overview of research findings related to culturally specific forms of abuse and immigration-related abuse perpetrated by batterers of immigrant women.

#### **CULTURALLY SPECIFIC FORMS OF ABUSE**

Although many forms of physical abuse do not appear to differ between immigrant and nonimmigrant women, immigrant women often face additional forms of sexual and emotional abuse (see Table 2). In studies of Mexican and South Asian immigrant battered women, marital rape was viewed as a male right, although it was recognized as harmful to women (Abraham, 1998, 1999; Davila & Brackley, 1999). For these same populations, sexual

abuse definitions included male control of sexual and reproductive decision making (Abraham, 1998, 1999; Morash et al., 2000; Raj & Silverman, in press), infidelity/threats of infidelity (Abraham, 1998; Morash et al., 2000; Tran & Des Jardins, 2000), and accusations of sexual inadequacy (Abraham, 1998).

Both Asian and Latina battered women also cite absolute male control of family decision making as emotional abuse (Bui & Morash, 1999; Morash et al., 2000). This male control of the household is particularly difficult as cultural norms require women to take primary responsibility for children and domestic chores (Bui & Morash, 1999; Chow, 1989; George & Rahangdale, 1999; Haile-Marium & Smith, 1999; Huisman, 1996; Morash et al., 2000; Perilla, 1999; Supriya, 1996). In addition, verbal abuse (e.g., calling the woman stupid or crazy) was primarily cited as abuse when it occurred in the presence of others (Morash et al., 2000; Raj & Silverman, in press; Supriya, 1996). The unidirectionality of these assaults makes the abuse particularly humiliating. Culturally based gender roles restrict many immigrant women from speaking out against their husbands. South Asian and Mexican immigrant battered women also report being repeatedly ridiculed or faulted by their husbands about their feminine attributes, such as their looks, cooking ability, mothering, or sexual modesty (Davila & Brackley, 1999; Morash et al., 2000; Raj & Silverman, in press). In cultures that place emphasis on defining women based in terms of these attributes, this type of abuse ultimately translates into the batterer denying the woman's value as a person.

#### IMMIGRATION-RELATED ABUSE

Table 2 shows that many batterers also use the immigrant social context and their ability to control legal immigrant status against their immigrant partners. Many batterers of immigrant women engage in immigration-related abuse. As mentioned previously, immigrant women are often socially isolated. Studies of South Asian women demonstrate that batterers further isolate women by limiting their contact with family both in the United States and in the country of origin (Abraham, 1998, 2000; Mehotra, 1999; Raj & Silverman, in press) as well as by prohibiting friendships with "Americans" (George & Rahangdale, 1999). Batterers may also limit their immigrant partners' ability to function in the United

**TABLE 2**  
**Culturally Based Definitions of Sexual and Emotional Abuse Identified by Battered Immigrant Women. Forms of Immigration-Related Abuse (Batterers' Use of Culture, Context, and Legal Status to Abuse Immigrant Partners) Identified by Battered Immigrant Women**

<i>Aspects</i>	<i>Manifestation</i>	<i>Populations</i>	<i>Source(s)</i>
<b>Culture</b>			
Sexual abuse	<ul style="list-style-type: none"> <li>• Male control of sexual decision making (where and when to have sex) or reproductive decision making (prohibition of birth control and coercing female sterilization)</li> <li>• Infidelity/threats of infidelity, especially with "American" women</li> <li>• Accusations of sexual inadequacy, especially by making comparisons with "American" women</li> </ul>	<ul style="list-style-type: none"> <li>• South Asian and Mexican</li> <li>• Asian and Mexican</li> <li>• South Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Abraham, 1998, 1999; Davila &amp; Brackley, 1999; Morash, Bui, &amp; Santiago, 2000; Raj &amp; Silverman, in press</li> <li>• Abraham, 1998, 1999; Morash et al., 2000; Song, 1996; Tran, 1997; Tran &amp; Des Jardins, 2000</li> <li>• Abraham, 1998</li> </ul>
Emotional abuse	<ul style="list-style-type: none"> <li>• Verbal abuse (e.g., stupid or crazy) in front of children, other family, or friends</li> <li>• Criticism of looks, cooking ability, mothering, or modesty (e.g., sexual fidelity)</li> </ul>	<ul style="list-style-type: none"> <li>• South Asian and Mexican</li> <li>• South Asian and Mexican</li> </ul>	<ul style="list-style-type: none"> <li>• Morash et al., 2000; Raj &amp; Silverman, in press; Supriya, 1996</li> <li>• Davila &amp; Brackley, 1999; Morash et al., 2000; Raj &amp; Silverman, in press</li> </ul>
<b>Immigration-related abuse</b>			
Isolation	<ul style="list-style-type: none"> <li>• Limit women's contact with their family; includes prohibiting long-distance phone calls, trips to the country of origin, or family visits when in the country of origin</li> <li>• Prohibit friendships with "Americans"</li> </ul>	<ul style="list-style-type: none"> <li>• South Asian and Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Abraham, 1998, 2000; Hass, Dutton, &amp; Orloff, 2000; Mehotra, 1999; Raj &amp; Silverman, in press</li> </ul>
Limit women's integration into the United States	<ul style="list-style-type: none"> <li>• Prohibit wearing Western clothes, learning or speaking English</li> </ul>	<ul style="list-style-type: none"> <li>• South Asian</li> </ul>	<ul style="list-style-type: none"> <li>• George &amp; Rahangdale, 1999</li> <li>• George &amp; Rahangdale, 1999</li> </ul>

Ridicule woman's ability to function in U.S. Society	<ul style="list-style-type: none"> <li>• Ridicule lack of or limited English, acculturation, documentation, education, and work skills so they feel unable to function in U.S. society without their partners</li> </ul>	<ul style="list-style-type: none"> <li>• Asian, Latino, and general</li> </ul>	<ul style="list-style-type: none"> <li>• Haile-Marium &amp; Smith, 1999; Perilla, 1999; Supriya, 1996</li> </ul>
Threats of deportation help batterers maintain the abusive relationship	<ul style="list-style-type: none"> <li>• U.S. citizens/legal permanent residents do not file immigration papers</li> <li>• Threatens to deport the woman and/or her children</li> <li>• Keep, destroy, or threaten to destroy partners' immigration documentation</li> </ul>	<ul style="list-style-type: none"> <li>• Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Dutton, Orloff, &amp; Hass, 2000</li> </ul>
Deportation helps batterers get rid of the woman	<ul style="list-style-type: none"> <li>• Begin deportation proceedings; accuse woman of marriage fraud</li> <li>• Left woman in country of origin without resources to return to the United States</li> </ul>	<ul style="list-style-type: none"> <li>• Asian and Latino</li> <li>• South Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Abraham, 1998; Bui &amp; Morash, 1999; Dutton et al., 2000; Hass et al., 2000; Morash et al., 2000</li> <li>• Abraham, 1998; Mehotra, 1999</li> </ul>
Legal restrictions on working reinforce male economic abuse	<ul style="list-style-type: none"> <li>• Prohibits working</li> <li>• Limits access to money</li> <li>• Employment-related abuse</li> </ul>	<ul style="list-style-type: none"> <li>• General</li> <li>• South Asian</li> <li>• South Asian and Mexican</li> <li>• South Asian</li> <li>• Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Marin as cited in Haile-Marium &amp; Smith, 1999</li> <li>• Supriya, 1996</li> <li>• Davila &amp; Brackley, 1999; Morash et al., 2000; Supriya, 1996</li> <li>• Abraham, 1998</li> <li>• Hass et al., 2000</li> </ul>

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States by not allowing them to learn English or wear American clothes, thereby increasing women's dependence on these men (George & Rahangdale, 1999). In addition, batterers will often increase immigrant women's insecurities about their ability to function in U.S. society without their spouses by demeaning women based on their lack of or limited English and/or lower levels of acculturation, education, or work skills (Haile-Marium & Smith, 1999; Perilla, 1999; Supriya, 1996).

As mentioned previously, men typically are more likely to have higher level immigrant status (e.g., U.S. citizenship or legal permanent resident status) and greater resources than their immigrant wives (Rumbaut, 1989), and this inequality provides batterers with additional power to use over their immigrant partners. This is evidenced by research showing that U.S. citizen and LPR batterers of immigrant women often deny their spouses access to legal immigration status (Dutton et al., 2000). Thus, batterers can easily maintain differential immigrant status and male power.

Battered women with less protected immigration status (e.g., undocumented or nonpermanent legal immigrant status) often do not leave their batterer for fear of deportation (Dutton et al., 2000). Batterers use this fear to control or abuse their immigrant partners. Latina and Asian battered immigrant women both report that threats of deportation of themselves or their children kept them in the abusive relationship (Abraham, 1998; Bui & Morash, 1999; Dutton et al., 2000; Morash et al., 2000; Perilla, 1999). Batterers have also been known to keep, destroy, or threaten to destroy partners' immigration documentation (Abraham, 1998; Mehotra, 1999), placing immigrant women at risk for deportation. In addition to deportation threats, when immigrant women try to leave their batterers, these men may use women's fear or lack of knowledge of the U.S. justice system to prevent them from seeking legal action or to have them drop charges if legal action has been sought (Orloff, Jang, & Klein, 1995; Perilla, 1999).

In contrast, if a batterer desires to end a relationship with an immigrant woman, it is often considerably easier for him to accomplish this objective. Batterers have been reported to start deportation proceedings, sometimes accusing a woman of marriage fraud, to escape prosecution for abuse or get an advantage in

divorce or custody proceedings (Marin as cited in Haile-Marium & Smith, 1999). Women have also been taken back to their country of origin by batterers under the pretext of a family trip and left there without resources or support to return (Supriya, 1996).

In addition to deportation threats, batterers often use economic abuse to control their immigrant partners. Both Mexican and South Asian battered women report that their partners keep them from working (Davila & Brackley, 1999; Morash et al., 2000; Supriya, 1996) or from having access to money (Abraham, 1998). Immigration laws that prevent many immigrant women from being legally allowed to work facilitate batterers' economic control. However, economic control and its effects may differ by racial/ethnic group. Research with lower income Latinas suggests that a higher level of financial contribution to the family by a woman is predictive of abuse (Perilla et al., 1994). It is hypothesized that the societal economic disempowerment of men, symbolized by women providing greater financial security for the family, promotes men's desires to control their female partners with violence (Morash et al., 2000; Perilla, 1999). In contrast, Vietnamese women with equivalent financial status in relationships are not more likely to be battered (Bui & Morash, 1999). These findings are not surprising in light of the fact that it is a gender norm among the Vietnamese for women to take responsibility for domestic finances (Bui & Morash, 1999) and among Latinos for males to be responsible for generating income (Morash et al., 2000; Perilla, 1999).

### BARRIERS TO HELP SEEKING

Much research demonstrates that battered immigrant women are less likely than nonimmigrant battered women to seek both informal (e.g., social support) and formal (e.g., medical and legal services) help for IPV (Bhaumik, 1988; Dutton et al., 2000; Gondolf, Fisher, & McFerron, 1988; Krishnan, Hilbert, VanLeeuwen, & Kolia, 1997; Kulwicki & Miller, 1999; Perilla, 1999; Perry et al., 1998; Rimonte, 1989; Tjaden & Thoennes, 2000). Table 3 details how cultural norms, immigrant context, and legal restrictions create significant barriers to battered immigrant women seeking and receiving help.

**TABLE 3**  
**Culture, Context, and Law as Barriers to Battered Immigrant Women's Help Seeking**

<i>Aspects</i>	<i>Manifestation</i>	<i>Populations</i>	<i>Source(s)</i>
<b>Culture</b>			
Family and community-based help seeking is often not productive	<ul style="list-style-type: none"> <li>• Families, mothers, and community women condone or ignore the abuse and encourage battered women to place family and community first, suffer silently, and be self-sacrificing</li> <li>• Community/religious leaders compel women to stay and not to speak publicly of the abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Asian and Latino</li> <li>• Asian, Latino, and Middle Eastern</li> </ul>	<ul style="list-style-type: none"> <li>• Ayyub, 2000; Bui &amp; Morash, 1999; Chow, 1989; Dutton, Orloff, &amp; Hass, 2000; George &amp; Rahangdale, 1999; Gondolf, Fisher, &amp; McFerron, 1988; Huisman, 1996; Morash, Bui, &amp; Santiago, 2000; Perilla, 1999; Rimonte, 1989; Supriya, 1996; Yoshioka, Gilbert, El-Bassel, &amp; Baig-Amin, in press</li> <li>• George &amp; Rahangdale, 1999; Huisman, 1996; Perilla, 1999; Perry, Shams, &amp; DeLeon, 1998; Sorenson, 1996</li> </ul>
Immigrant women concerned intimate partner violence services are not culturally sensitive or safe	<ul style="list-style-type: none"> <li>• Fear that disclosure to "outsiders" promotes criticism of their culture or nation of origin</li> <li>• Immigrant women do not turn to agencies for help because "agency" means shelter</li> </ul>	<ul style="list-style-type: none"> <li>• Asian and general</li> <li>• Latino</li> </ul>	<ul style="list-style-type: none"> <li>• George &amp; Rahangdale, 1999; Haile-Mariam &amp; Smith, 1999; Jang, Lee, &amp; Morelo-Frosch, 1990</li> <li>• Perilla, 1999</li> </ul>
Divorced battered women and their children are stigmatized	<ul style="list-style-type: none"> <li>• Immigrant communities will often alienate and fault divorced battered women and their children</li> <li>• Divorced victim viewed as hurting her children by removal of father or hurting her family by affecting her sisters' chances of marrying</li> </ul>	<ul style="list-style-type: none"> <li>• Asian, Latino, and Middle Eastern</li> <li>• General</li> </ul>	<ul style="list-style-type: none"> <li>• Bauer, Rodriguez, Quiroga, &amp; Flores-Ortiz, 2000; Dasgupta &amp; Warriar, 1996; George &amp; Rahangdale, 1999; Huisman, 1996; Kulwicki &amp; Miller, 1999</li> <li>• George &amp; Rahangdale, 1999; Haile-Mariam &amp; Smith, 1999</li> </ul>
<b>Context</b>			
Lack of knowledge of services	<ul style="list-style-type: none"> <li>• Little knowledge of services for battered women</li> </ul>	<ul style="list-style-type: none"> <li>• Asian and Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Bauer et al., 2000; Dutton et al., 2000; Huisman, 1996; Krishnan, Hilbert, VanLeeuwen, &amp; Kolia, 1997; Perilla, 1999; Song, 1996; Tran, 1997</li> </ul>

	<ul style="list-style-type: none"> <li>• Lack of knowledge of legal services due to no/few laws against intimate partner violence in nation of origin</li> <li>• Fear of legal services, especially for refugees</li> <li>• Agencies do not engage in community outreach</li> </ul>	<ul style="list-style-type: none"> <li>• Asian, Latino, and Middle Eastern</li> <li>• Asian</li> <li>• Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Bauer et al., 2000; Huisman, 1996; Kulwicki &amp; Miller, 1999; Perilla, 1999</li> <li>• Bui &amp; Morash, 1999; Huisman, 1996; Tran &amp; Des Jardins, 2000</li> <li>• Huisman, 1996</li> </ul>
Lack of language-specific services or resources	<ul style="list-style-type: none"> <li>• Language barriers keep women from seeking formal health or social services for abuse</li> <li>• Diverse languages/dialects within/across nations</li> <li>• Translators often require long waits, have no background in domestic violence, and are male</li> </ul>	<ul style="list-style-type: none"> <li>• Asian, Latino, and Middle Eastern</li> <li>• Asian</li> <li>• Asian and Latino</li> </ul>	<ul style="list-style-type: none"> <li>• Bui &amp; Morash, 1999; Dutton et al., 2000; Krishnan et al., 1997; Perry et al., 1998; Sorenson, 1996</li> <li>• Huisman, 1996</li> <li>• Bauer et al, 2000; Huisman, 1996</li> </ul>
Lack of culturally tailored services	<ul style="list-style-type: none"> <li>• Hotlines may be difficult to use in extended family homes due to lack of privacy</li> <li>• Shelter staff, food, and facilities are rarely reflective of immigrant women's heritage</li> </ul>	<ul style="list-style-type: none"> <li>• Asian</li> <li>• Asian</li> </ul>	<ul style="list-style-type: none"> <li>• Huisman, 1996</li> <li>• Huisman, 1996</li> </ul>
Legal status			
Intimate partner violence claims can lead to deportation	<ul style="list-style-type: none"> <li>• Intimate partner violence is grounds for deportation of immigrants who batter</li> </ul>	NA	<ul style="list-style-type: none"> <li>• Illegal Immigration Reform and Immigrant Responsibility Act of 1996</li> </ul>
Women covered by the Violence Against Women Act may not have access to public benefits	<ul style="list-style-type: none"> <li>• Even with Violence Against Women Act protection, battered immigrants who entered the United States after August 22, 1996, are subject to a 3-year bar to benefits access for Temporary Aid to Needy Families and Medicaid and may have no access to Social Security benefits or food stamps</li> </ul>	NA	<ul style="list-style-type: none"> <li>• Personal Responsibility and Work Opportunity Reconciliation Act of 1996</li> </ul>

## CULTURE

Jang et al. (1990) and Perry et al. (1998) suggested that many battered immigrant women may not seek help because culturally, domestic violence is seen as a family issue. When battered immigrant women do seek help or support, it may be primarily from female family and friends in the community (e.g., Dutton et al., 2000). However, women in immigrant communities often condone or ignore the abuse (Bui & Morash, 1999; Chow, 1989; Dutton et al., 2000; George & Rahangdale, 1999; Gondolf et al., 1988; Haile-Mariam & Smith, 1999; Huisman, 1996; Morash et al., 2000; Perilla, 1999; Rimonte, 1989; R. Rodriguez, 1999; Supriya, 1996). Community and church leaders are also approached for help or guidance, but they too often encourage women's silence and maintenance of the relationship with the abuser (Ayyub, 2000; Dasgupta, 2000; George & Rahangdale, 1999; Huisman, 1996; Perilla, 1999; Perry et al., 1998; Sorenson, 1996). Across immigrant groups, community norms held by battered women's informal support systems consistently prevent abused women from leaving their partners or telling others of the abuse for fear of shaming their husbands or families (Huisman, 1996; Jagannathan, 1996; Perilla, 1999; Supriya, 1996).

Although response from family and community is often problematic, many battered women fear that seeking formal support by disclosing abuse to service agencies or the justice system will result in criticism of their culture or country of origin (Dasgupta, 2000; George & Rahangdale, 1999; Haile-Mariam & Smith, 1999; Jang et al., 1990). Perilla (1999) also suggested that immigrant women do not turn to agencies for help because "agency" means shelter or other support to leave their partner; culturally, this may be viewed as an unacceptable option for the woman. Although battered immigrant women do not leave abusive partners for many of the same reasons as nonimmigrant battered women, including fear for their or their children's lives, economic dependence, fear of loss of children in custody battles, and love for the batterer (Bauer et al., 2000; Bui & Morash, 1999; Dutton et al., 2000; Jagannathan, 1996; Kulwicki & Miller, 1999), the additional stigma of divorce appears to weigh heavier on immigrants. For Asians, Latinos, and Middle Eastern immigrants, divorced victims are often blamed for breaking up their families and taking the father away from their children; both victims and children can

be stigmatized and ostracized by their communities (Bauer et al., 2000; Bui & Morash, 1999; Dasgupta & Warriar, 1996; George & Rahangdale, 1999; Haile-Marium & Smith, 1999; Huisman, 1996; Kulwicki & Miller, 1999; Perilla, 1999; Perry et al., 1998; Sorenson, 1996).

### IMMIGRANT CONTEXT

Recent research indicates that among immigrant women, those who have more recently immigrated, who are undocumented, and who have no family in the United States are less likely to seek social and health services due to isolation and fear of deportation (Bauer et al., 2000; Dutton, et al., 2000; Sorenson, 1996). Further constraining immigrant battered women's access to help are lack of awareness of available IPV services, lack of culturally or linguistically competent IPV services, and lack of awareness of IPV as a legal issue for which they can receive assistance.

Battered immigrant women often have little knowledge of services available for battered women and their children (Bauer et al., 2000; Dutton et al., 2000; Huisman, 1996; Krishnan et al., 1997; Perilla, 1999; Song, 1996; Tran, 1997). Battered immigrant women are also often unaware of laws that may protect them from abuse as there may be few laws against IPV in their countries of origin (Bauer et al., 2000; Huisman, 1996; Kulwicki & Miller, 1999; Perilla, 1999). Furthermore, approaching the legal system for help can be daunting to the immigrant whose primary goal is to avoid contact with this system so as to avoid deportation (Dutton et al., 2000). Women in countries in which there are no laws against IPV are often able to rely on religious, traditional, and societal institutions for protection. As these are rarely in place in the United States, battered immigrant women are often at a loss as to whom they can turn for help (Dutton et al., 2000; Haile-Marium & Smith, 1999).

Also contributing to this lack of awareness of domestic violence services is that U.S. domestic violence agencies commonly have no ties to immigrant communities, and their outreach efforts, if any, may be inadequate to these communities (Huisman, 1996). Furthermore, even when immigrant women are aware of social services, they do not view the services as accessible or culturally relevant for them (Perilla, 1999; R. Rodriguez, 1999). As Table 3

shows, language barriers in particular have been noted as a primary reason many battered immigrant women do not seek formal service assistance or support for abuse (Bauer et al., 2000; Bui & Morash, 1999; Dutton et al., 2000; Huisman, 1996; Krishnan et al., 1997; Perry et al., 1998; Sorenson, 1996; Tran & Des Jardins, 2000). In addition, social services are often not culturally tailored to meet the needs of these communities: They may use terminology less accepted by immigrant populations (e.g., *batterer* and *rape*) (Huisman, 1996) and strategies, such as hotlines and shelters, that cannot be effectively used by many immigrant women due to cultural norms or logistical considerations (Huisman, 1996). Furthermore, some shelters deny immigrant women access by requiring proof of citizenship or English fluency for entry (Jang et al., 1990; Sorenson, 1996); this denial of services occurs despite the fact that it is a violation of federal law.

#### LEGAL IMMIGRANT STATUS

Immigrant status keeps many women from seeking help from abuse or leaving the abusive relationship. Undocumented women fear that if they ask for help, the health or social service provider will turn them in for deportation (Bauer et al., 2000; Sorenson, 1996). However, even battered immigrant women with legal immigrant status feel vulnerable to deportation should they seek help. Asian and Latino immigrant women with spousal visas tied to their abusers also report that fears of deportation maintain their involvement with their batterer (Abraham, 1998; Bauer et al., 2000; Dutton et al., 2000; Huisman, 1996; Krishnan et al., 1997).

Under IIRIRA 1996, intimate partner violence, including restraining order violation, is grounds for deportation if the abuse occurred within 5 years of entry into the United States. Also, certain domestic violence crimes identified as misdemeanors in certain states are recognized as felonies under this act and consequently as deportable crimes. Therefore, if a battered immigrant woman reports her immigrant batterer, he potentially could be deported. Although this policy no doubt provides an important haven for some, many battered immigrant women are unlikely to report their batterer under this law for fear of jeopardizing the family's immigrant status or placing the batterer in the U.S. legal system, recognized as racist by immigrant communities (Bauer

et al., 2000; Bui & Morash, 1999; Perry et al., 1998). Refugee women may be particularly hesitant to cause their husbands' imprisonment locally or deportation to his country of origin as he may have been a political prisoner in their homeland (Bui & Morash, 1999; Perry et al., 1998). Furthermore, given that many states' mandatory arrest policies in domestic violence cases sometimes result in the arrest of both the male perpetrator and female victim, immigrant women seeking police help for abuse may also risk their own deportation if convicted through this process.

Tables 3 and 4 show that in 1994, the Violence Against Women Act (VAWA 1994) guaranteed certain rights to battered immigrant women and their children, documented and undocumented, including the right to gain LPR status through self-petition or suspension of deportation (Orloff & Kelly, 1995). As Table 4 shows, certain omissions in implementation problems for VAWA 1994 and intervening changes in immigration law in 1996 (IIRIRA 1996) resulted in VAWA 2000's immigration provisions, passed October 2000, that better meet the needs of battered immigrant women and their children (Orloff, 2000). VAWA 2000 attempted to remedy some of the VAWA 1994 concerns by offering battered immigrant women not covered by VAWA 1994 access to a new crime victim visa (section 15b) and by creating a waiver of deportation for some battered immigrants with domestic-violence-related convictions (sections 1505a and 1505b).

However, even with these improved protections for battered immigrant women, VAWA 2000 still poses problems for some battered women. To obtain protection, battered immigrants abused by citizens or lawful permanent residents and those abused by boyfriends whatever the abuser's immigrant status must report their batterer to the justice system and possibly initiate a process that may lead to his deportation. This may keep some women from seeking such protection. In addition, although VAWA 2000 stipulates that VAWA money can be used to train INS officers and immigration judges in domestic violence issues, it does not require INS training. Consequently, self-petitioners seeking to obtain permanent residency status remain subject to an immigration system that may well lack understanding of concerns critical to their cases.

For VAWA applicants and those granted legal permanent residency under VAWA, access to financial assistance and social

**TABLE 4**  
**Rights Guaranteed to Battered Immigrant Women Under the Violence Against Women Act (VAWA) of 1994, Selected Omissions, and Implementation Problems With VAWA 1994 in Part Due to Subsequent Legislation and Adjustments Made Under VAWA 2000 to Correct for VAWA 1994 Omissions and Implementation Problems<sup>a</sup>**

<i>VAWA 1994</i>	<i>Problems in VAWA 1994 Implementation Due to Illegal Immigration Reform and Immigrant Responsibility Act</i>	<i>Related Relief Provided by VAWA 2000</i>
<p>To receive VAWA protection:</p> <ul style="list-style-type: none"> <li>• Victims must be documented or undocumented immigrants who are spouses or children of the batterer.</li> <li>• The abuser of the woman or child must be a U.S. citizen or legal permanent resident residing in the United States.</li> <li>• The battered woman also must prove good moral character, good faith marriage, or extreme hardship<sup>b</sup> to herself or her children if deported to her country of origin.</li> <li>• Documented and undocumented victims are eligible.</li> </ul>	<ul style="list-style-type: none"> <li>• If you are an immigrant spouse of a citizen or legal permanent resident living outside the United States, you could not apply for VAWA relief. Immigrant military wives may not have been able to receive protection.</li> <li>• If your spouse is a noncitizen found guilty in a criminal case of battering, he could be deported.<sup>c</sup> Women may not choose to testify to keep their husbands from being deported.</li> <li>• Also, if the batterer was deported prior to the VAWA self-petition being granted, the battered woman could not receive VAWA protection.</li> <li>• Extreme hardship was difficult to prove, resulting in denial of cases for many otherwise qualified battered immigrants.</li> </ul>	<ul style="list-style-type: none"> <li>• Spouses and children of citizen or legal permanent resident U.S. government employees or members of the military residing abroad can now file for VAWA protection from abroad, as can any immigrant abused in the United States.</li> <li>• Spouses and children of citizens or legal permanent residents may now self-petition if within 2 years of divorce from abuser and/or if abuser's loss of immigrant status is connected to abuse. They may also self-petition if filed within 2 years of death of U.S. citizen abuser.</li> <li>• Changes in abuser's citizenship or immigrant status will either have a positive effect or no effect on VAWA self-petitioning, including deportation of immigrant and death of citizen spouses.</li> <li>• In deciding whether a self-petitioner has "good moral character," the attorney general may find that an act or conviction connected to abuse will not prevent the Immigration and Naturalization Services or an immigration judge from finding "good moral character."</li> <li>• Protection provided to documented and undocumented women not legally married to their abusers, provided that a law enforcement official certifies that the applicant has been helpful, will be helpful, or is likely to be helpful investigating or</li> </ul>

## Rights once VAWA is granted

- Women and her children younger than age 21 can become lawful permanent residents through self-petition or suspension of deportation.
- Women and her children younger than age 21 can obtain public benefits.
- Abusers can revoke family-based visas and begin spousal removal proceedings. If this occurs before an immigration judge or Immigration and Naturalization Services finds the partner as an abuser, the battered woman can be placed in removal proceedings and can be required to file for VAWA relief there.
- Protection for women not married to their partners is not provided.
- If child is or becomes older than 21, they are not protected and are reliant on the permanent resident or citizen (batterer) to file the paperwork.
- To obtain lawful permanent residency status (green cards), the woman must return to nation of origin to get permanent residency status. Some immigrants may experience hardship in country of origin due to stigmatization of abuse or divorce or lack of knowledge of the language or legal systems in the country of origin in situation of early life immigration.
- Children younger than age 21 at the time of petitioning may still receive their green card through their mother even if they turn 21 prior to green card acquisition.
- Battered immigrant women and their children are not required to return to country of origin to obtain permanent residency.
- Battered immigrant women can also file motions to reopen their immigration case up to 1 year beyond the 90-day limit required by current immigration law.
- In addition, abuse victims divorced from U.S. citizens can now be naturalized after 3 years of permanent residence rather than the 5 required under current immigration law.
- VAWA protection can now be used for cancellation of removal proceedings in situations where the spouse is married to a bigamist. Once awarded cancellation, the spouse and/or her eligible children can be granted parole to protect them while family-based visa petition is pending.
- Abusers can prosecute the abuser; used only if the victim can prove substantial physical or mental injury.
- Protection provided to abused women regardless of whether they are documented.

*(continued)*

TABLE 4 Continued

VAWA 1994	<i>Problems in VAWA 1994 Implementation Due to Illegal Immigration Reform and Immigrant Responsibility Act</i>	<i>Related Relief Provided by VAWA 2000</i>
Rights once VAWA is granted	<ul style="list-style-type: none"> <li>• Woman and her children younger than age 21 can obtain public benefits.</li> <li>• Immigration law can define people obtaining public benefits as public charges; public charges can be denied lawful permanent residency.</li> </ul>	<ul style="list-style-type: none"> <li>• Public benefits authorized under VAWA cannot be considered by the Immigration and Naturalization Services or consular officials when making a public charge determination.</li> <li>• Revocation of current prohibition on remarriage allows battered immigrant to remarry prior to green card acquisition once VAWA self-petitions are approved.</li> <li>• Spouses and children of applicants for the Nicaraguan and Central American Relief Act, the Haitian Refugee Immigration Fairness Act, and the Cuban Adjustment Act can now self-petition for relief without children living with the applicant at the time of filing.</li> <li>• VAWA and other domestic violence funds may be used to provide legal and social services for battered immigrant women, including VAWA-related immigration services.</li> <li>• STOP funding may be used to train Immigration and Naturalization Services officers and immigration judges in intimate partner violence.</li> </ul>

a. For a full description of the immigration provisions contained in VAWA 2000, contact the Immigrant Women's Program of the NOW Legal Defense and Education Fund at (202) 326-0040.

b. Extreme hardship would not have to occur in the country of origin.

c. Some legal permanent resident abusers could seek cancellation to avoid deportation.

welfare services may remain barred by other laws. Although the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 allow both documented and undocumented immigrants battered by U.S. citizen or LPR spouses some rights to these public benefits once they have filed a VAWA case or a family-based visa petition, eligibility may depend on when they first entered the United States, whether they can prove that their need for benefits is related to the abuse, and in the case of food stamps or social security benefits, whether they or their spouse (if they are still married) has 10 years of work credit. Fortunately, the Illegal Immigration Reform and Immigration Responsibility Act of 1996 exempted battered immigrants from deeming rules, so the battered spouse is no longer deemed to have access to the abuser's income and resources, facilitating her ability to receive aid.

Immigrants in all states as a matter of federal law are legally entitled to crisis counseling, police intervention, assistance from child protective services, shelter and transitional housing for up to 2 years, treatment for mental illness or substance abuse, and other social and health assistance without having to provide verification of immigrant status (Orloff, 1999). In addition, although 1997 federal legal services corporations appropriations legislation allows women to have lawyers trained in domestic violence to assist them in domestic violence cases regardless of immigrant status, this legislation is limited to persons abused by their spouses or parents. Immigrant women battered by their boyfriends cannot receive legal services corporation-funded assistance under this provision. Unfortunately, despite the valiant efforts of violence against women and immigrants' rights policy advocates, anti-immigrant U.S. laws remain that may continue to prevent battered immigrant women from receiving the full range of assistance they need and constrain their options regarding leaving abusive husbands.

## CONCLUSION AND IMPLICATIONS

Although the present body of research on battered immigrant women is limited in terms of number of studies, diversity of populations examined, and methodologies employed, a review of this

work clearly indicates that a broad range of factors related to culture, context, and legal immigration status increase immigrant women's vulnerability to IPV. These factors are consciously used by batterers to maintain control over immigrant women. Finally, these same concerns also prevent immigrant women from seeking help to protect themselves and their children from violence in the home. Research findings have important implications for efforts of practitioners and policy makers working to protect battered immigrant women and for IPV researchers working with immigrant populations.

### PRACTICE

Where resources permit, culture- and language-specific IPV service programs targeting single immigrant populations should be implemented. Such programs can be more easily incorporated into a community- and culturally based service network and hence may more effectively reach those needing services. However, as this is not possible in many regions, IPV programs serving the general community must develop alliances with culturally specific service agencies, organizations, and/or community leaders from diverse immigrant communities. Staff members from immigrant community-based organizations and mainstream domestic violence organizations should engage in cross-training, sharing expertise, and developing formal plans for collaboration to serve immigrant communities. These alliances provide a context for the collaborative development of outreach and education strategies, access to translators trained in IPV, and development of protocols and materials to provide culturally tailored services to the major communities in their area. All such programs should also provide referrals to lawyers and advocates with knowledge of battered immigrant women's legal rights in the areas of immigration, family, criminal, and benefits law.<sup>2</sup>

Battered immigrant women who choose to seek support most often turn to their local communities. As we have discussed, the messages women frequently encounter when seeking such support do not assist them in increasing their safety. For this reason, community education is necessary to better meet the needs of immigrant battered women. Such educational outreach efforts should include objectives of increasing community awareness of

IPV (e.g., forms of abuse, prevalence in the community, and consequences for victims), legal protections for victims, legal consequences for perpetrators, and support available for victims and their children. Community-based organizations and community leaders in particular should be encouraged to participate in such training as they are commonly approached by those in need. Furthermore, these agencies/individuals should be encouraged to subsequently develop culturally tailored IPV outreach/education efforts.<sup>3</sup> Training presented by knowledgeable community members may be more likely to impact community norms regarding IPV and encourage victim help seeking by reducing fears of stigmatization. Receptivity to these messages may also be enhanced by the source being internal to the community, minimizing common reactions that the information presented is based on "Western ideology" and that the messages are not relevant to their community.

## RESEARCH

Larger scale research designs incorporating both qualitative and quantitative approaches are needed to examine the role of immigration-related stressors (e.g., cross-cultural gender role ideology conflicts, economic instability, and racism/xenophobia) on IPV against diverse populations of immigrant women. Such studies should also investigate how batterers of immigrant women use the context of immigration (e.g., isolation and experiences of racism/xenophobia) and immigration laws to perpetrate abuse of women and their children and how both men and women of diverse immigrant cultures understand, define, and view violence and abuse in families. Furthermore, research is needed to identify immigrant-related resiliency as well as risk factors for IPV to better build on community strengths for IPV service programs for immigrants. Lastly, because many battered immigrant women may not view divorce or separation as an option, we must also investigate tactics for survival and child protection used by women who have remained with abusive partners.

Research should be conducted employing representative immigrant samples to better describe the prevalence of IPV in immigrant communities and IPV-related morbidity and mortality. This research will require that studies both within and across

immigrant populations be conducted to better understand issues within and across immigrant communities. Implications of such work must be presented in a culturally competent manner so as not to stigmatize particular immigrant groups or cultures but rather to guide resource allocations for and inform design of culturally competent IPV services and to direct and support necessary policy reforms.

## POLICY

Given the pervasiveness of IPV against immigrant women, INS officers, immigration judges, and state court judges must be required to receive training in IPV. Providing funds for such training is an important contribution of existing VAWA legislation, but until such training is mandated for all INS officials, battered immigrant women will continue to be denied rights and options provided under these laws that so many have worked so tirelessly to see passed. Finally, battered immigrants who qualify for immigration benefits under VAWA 1994 or VAWA 2000 and battered immigrant legal permanent residents must be able to access the full range of public benefits they need to help them leave their abusers regardless of their state of residence.

In closing, it is important to remind all who work with battered women and immigrant communities that we must do what is necessary to improve the lives of battered immigrant women and their children. Members of immigrant communities, battered women's advocates, researchers, policy makers, and most importantly, battered immigrant women must collaborate in designing these efforts.

## NOTES

1. A recent study with South Asian immigrant women who had been married in India revealed no difference in intimate partner violence (IPV) prevalence between women in arranged marriages and those in self-chosen marriages. These findings, consistent with other studies (e.g., Dutton, Orloff, & Hass, 2000), suggest that being in a marriage with differential immigrant status rather than being in an arranged marriage may make South Asian women more vulnerable to IPV (Raj, 2001).

2. To locate groups with this expertise in your area, contact the National Network on Behalf of Battered Immigrant Women, cochaired by the Immigrant Women Program of the

National Organization for Women (NOW) Legal Defense and Education Fund (202-326-0040), the Family Violence Prevention Fund (415-252-8900), and the National Immigration Project of the National Immigration Project of the National Lawyer's Guild (617-227-9727, Ext. 2).

3. Programs across the country have developed immigrant-population-specific materials to support such efforts. To obtain these materials, contact the National Network on Behalf of Battered Women on the Web at <http://endabuse.org/programs/display.php3?DocID=115>.

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