

# **Working with Immigrant Survivors: How Immigration Status Impacts Survivors, Intertwines with Advocacy and Beyond**

*An Article of the OVWA Monthly Highlight Series*

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## **Introduction**

Advocating for immigrant victims of crime can come with its own set of complexities. As a professional are you prepared to help? Do you know how the weight someone's immigration status can play in their victimization or create a barrier for even reaching out for help in the first place? It is important, in order to provide the best services and adequately help an immigrant survivor, that we consider these factors when working and making referrals for immigrant clients.

## **Immigration Considerations for Service Providers**

Before your agency can provide services to a survivor, you need to consider several barriers survivors from the immigrant and refugee communities must overcome first. Do they know your organization exists and can help them in these issues? Do they have transportation available to get to your office or to meet with you? Is reporting their victimization against their culture? Reaching out to a victim service organization for help may seem like an easy thing to do but for many this can be a hard step. This could mean they are going to reveal a trauma that could be seen as shameful in their culture, and therefore could lead to losing their community, they could be ostracized by their family, and so much more. It is important to keep in mind when an immigrant walks through your door for help there could be multiple pressures and stressors surrounding them including but not limited to their victimization.

For many immigrant survivors of abuse, their abuser has threatened them with disclosure of their immigration status, made false threats of deportation, withheld their immigration documents from them, or has told them that a service provider won't help them in their situation because they are an immigrant or because they are undocumented. Knowing your organization's policies around working with immigrants and those in particular who are undocumented is crucial in determining how and if you can help, or if you need to refer to another agency better suited to their needs. Consider your level of knowledge about Immigrations Customs Enforcement (ICE) in regards to your agency policies'; are you required to report survivors to ICE? How do your intake forms protect or potentially disclose information about the survivor? Are you asking for immigration status when doing an intake and are you documenting it? Is there a policy or

mandate to document this information - that is, is it necessary? Consider the possible ramifications of what is documented in your agency files in the event ICE would subpoena your agency's records.

### **Immigration Considerations with Public Benefits**

Basic need resources, or public benefits, can be the first step in survivor assistance for advocates working with survivors. One main resource for many low-income survivors is to apply for public benefits such as food stamps, Medicaid, and cash assistance. Again, low income does not mean they qualify for these benefits. It's important to know their immigration status before helping them apply for benefits as some may not qualify based on their status. It is strongly advisable to speak with an Immigration attorney before referring survivors to resources, as the application process could leave them vulnerable to immigration status problems. Basic knowledge and education of the benefits process ahead of time can help both the advocate and survivor make informed decisions.

### **Immigration Considerations in Housing**

Housing instability for many immigrant survivors can be a barrier into receiving help or when they get out of an abusive situation. For a temporary solution, victims of human trafficking, domestic violence, or sexual violence many flee to a shelter to get safely away from their situation. Sometimes immigrant survivors may face an additional barrier when shelters or agencies ask for their immigration status. This can make clients afraid to continue with the process of seeking safe shelter. If they are able to go to a shelter, some shelters have weekly requirements for clients, which may be an impossible task for undocumented survivors. One example of this is requiring clients to put in job applications each week. Undocumented survivors are not able to work legally in the United States, and the ramifications of noncompliance could put them in an unsafe situation once again. Ensure that agency/shelter requirements are accessible and considerate of the unique circumstances of immigrant survivors.

Many state run programs require a person to have a social security number, citizenship or a green card, leaving few options for those who may be undocumented or who are waiting on immigration paperwork. Housing is scarce and obtaining housing can be even harder when you are not able to apply for housing based on immigration status. Many survivors may become homeless, necessitating the need to find a shelter, a community or family member who can offer shelter, or the survivor may even feel forced to go back to their abuser for shelter. It is important that you understand how the immigration process works prior to assisting survivors find housing to avoid jeopardizing their status or any legal case they may be involved in.

## **Immigration Considerations in Legal Proceedings**

- **Deportation**

The key to working with any immigrant is to consider their vulnerability of deportation and to allow them to make informed choices regarding any service or resource that could inadvertently spur immigration status problems. Any individual that is NOT a U.S. citizen could be subjected to deportation or removal from the United States. Being aware of a client's status is important to determine the possible threat of deportation in relation to services you provide or refer out to. Not only is deportation a concern for the survivors themselves, but the survivor may also be concerned about the deportation of the abuser. Although we may think that the abuser getting deported is a good thing, it is important to check with the client to understand their feelings about that. It is common for many survivors to not want this to happen to their abuser. Some clients would prefer them out of their lives but not out of the country, especially when kids are involved. These issues tend to be very sensitive topics with clients, and it is a tremendous fear for many immigrants. This might not be something they want to talk about with you, so it is important to encourage and provide them the opportunity to talk to an immigration attorney or another trusted professional to protect their rights.

- **Criminal cases**

A client who is also charged with a crime may be subject to deportation. If you are representing a client charged with a crime and they are an immigrant, you **MUST** consult with an immigration attorney to see how it would affect the client's status in the United States. There are many ways criminal defense attorneys try to finalize the criminal case, and most of them end in a plea deal. Most plea deals may seem to be good options to resolve the criminal case, but from an immigration perspective, a conviction to any criminal offense, including a lesser charge, could be detrimental to the client. One example of this would be if you are representing a victim of human trafficking who has been charged with prostitution and an offer was made to plea instead to a charge of solicitation. Although solicitation is a lesser offense, it is still a deportable offense and could ultimately hurt your client.

- **Civil Cases**

While most civil cases, such as divorce or custody matters, do not have criminal aspects to their case, some civil actions such as obtaining a Civil Protection Order might lead to criminal charges being filed. Getting a protection order itself is not a criminal action and is intended to help a survivor stay safe, but someone that violates a Civil Protection Order can be criminally charged. Violating a protection order is a deportable offense. These are

good conversations to have with survivors to gain an understanding of their overall intentions and concerns, especially pertaining to potential deportation of abusers.

## **Conclusion**

In conclusion, it is very important to be cognizant of a victim's immigration status and how it intersects with their victimization and the help they receive. Organizations can focus on practicing cultural humility when working with survivors from other cultures, educating staff on immigration issues for survivors, contacting an immigration attorney when working with clients who are immigrants or undocumented, and maintaining a list of resources that can assist immigrant survivors.

## **About the Authors:**

Samantha Salamon is the Manager of the Legal Services department and the Ahimsa department and Amanda Smith is the Advocate Supervisor for the **Ahimsa department at Asian Services in Action, Inc (ASIA)**.

**ASIA** is a non-profit organization, primarily helping immigrants and refugees in the Northeast Ohio area. The agency was founded twenty-six years ago by four Chinese women who wanted to improve the quality of life for Asian community members in Northeast Ohio. Services range all the way from youth to helping the elderly, to victims of crime.

Victims of crime are helped through the Ahimsa department where both Sam and Amanda work. The Ahimsa department helps survivors of domestic violence, sexual assault and human trafficking. The team is constructed of both lawyers and advocates to provide a holistic perspective, having one attorney and one advocate work with the client throughout all their needs related to their victimization. Lawyers can help clients with divorce, custody, immigration, Marsy's law, and Civil Protection Order representation. The advocates provide emotional support at all court functions, crisis intervention, resources for self-sufficiency, safety planning and material assistance. Advocates also host support groups throughout the year to help clients through their healing journey. Many of the advocates in the Ahimsa department are from the communities they serve which not only helps from a linguistic perspective but from a cultural perspective as well.

The Ahimsa department is also the facilitator for the **Immigrant and Refugee Ohio Coalition (IROC) to End Sexual Violence** which is held via zoom on the 1st Thursday of the month from 9:30 am to 10:30 am. **IROC** meets to collaborate and educate with service providers to help

eliminate barriers to healing for immigrant and refugee sexual violence survivors. If interested in attending, reach out to [asmith@asiaohio.org](mailto:asmith@asiaohio.org) to join the listserv.

To refer to the Ahimsa department you can reach them by email at [Ahimsa4you@gmail.com](mailto:Ahimsa4you@gmail.com) or by phone at 330-203-1453.

<https://www.asiaohio.org/>

## **Additional Resources**

**Asian American Community Services**    [www.aacsohio.org](http://www.aacsohio.org)

**Address:** 4700 Reed Rd., Suite B, Columbus, OH 43220

**Phone Number:** 614-220-4023

**24-Hour Interpreting Hotline:** 614-216-4988

**Crisis Hotline:** 614-266-4208

**Hours:** Monday-Friday, 9:00am-5:00pm. Clinic hours are Monday evenings, 5:30-9:00pm, by appointment only.

**Fee:** None

**Services specific to survivors of sexual and interpersonal violence include (regardless of immigration status):**

- Crisis intervention
- Education and empowerment
- Safety planning
- Assistance connecting with victim services and other resources
- Referrals to shelters and other housing arrangements
- Legal referrals
- Court accompaniment and accompaniment to law enforcement agencies
- Assistance in applying for public benefits
- Assistance in applying for protective VISAs and other stays of deportation.

**\*The Asian Health Initiative (AHI) Free Clinic** is a collaborative community project that seeks to improve the health of the medically under-served Asian population in central Ohio by providing culturally and linguistically appropriate services. Services are geared toward the Asian community living in central Ohio who do not have health insurance, and are living below 250% Federal Poverty Level. Clinic is located at Rardin Family Practice, 2231 N. High St.

**ASHA-Ray of Hope**    [www.asharayofhope.org](http://www.asharayofhope.org)

**Address:** 4900 Reed Rd., Suite 300 Columbus, OH 43220

**24 Hour Help Line:** 614- 565-2918

**Office Number:** 614-326-2121,

**Hours:** Monday-Friday, 9:00am-5:00pm

**Fee:** None

Provides support to victims of domestic violence in the South Asian community (Bangladesh, India, Nepal, Pakistan and Sri Lanka). Direct services include a 24/7 Help Line, crisis intervention, safety planning, case management, advocacy (legal services, during healthcare visits, at public and welfare agencies, in school systems and with employment), survivor support group\*, and interpretation services.

\*Sister to Sister support group is a safe place to share your experience and your journey. Meets every second Thursday from 5:30-6:30pm.

**CAIR-Columbus**                      [www.cair-columbus.com](http://www.cair-columbus.com)

**Address:** 4242 Tuller Rd, Suite B2, Dublin, OH 43017

**Phone Number:** 614-451-3232

**Email:** [info@cair-columbus.com](mailto:info@cair-columbus.com)

**Hours: Monday - Friday 8:00am - 5:00 pm**

CAIR-Columbus (Council on American-Islamic Relations) is a leading advocate for justice and mutual understanding, whose mission is to enhance understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding. Services include: Civil Rights, Immigrant Rights, Education, Outreach and Volunteerism, Media Relations, Activism and Government Affairs.

**Community Refugee and Immigration Services (CRIS)**    [www.crisohio.com](http://www.crisohio.com)

**Address:** 1925 E. Dublin-Granville Rd., Suite 102, Columbus, OH 43229

**Phone Number:** 614-235-5747

**Hours:** Monday-Friday, 8:30am-4:30pm

**Fee:** Public charged for interpreter services, survivors/victims are not charged. Other services are free of charge.

Provides culturally competent and linguistically appropriate services to those in all legal immigration statuses. Services include resettlement assistance for refugee families and individuals for their first three months in the US, English as a Second Language (ESL) services, employment assistance, health and wellness services, and legal representation for immigration issues. CRIS has interpreters for hire that are available for spoken language interpretation 24 hours a day/7 days a week.

**Ethiopian Tewahedo Social Services (ETSS)**                      [www.ethiotss.org](http://www.ethiotss.org)

**Address:** 1060 Mt. Vernon Ave., Columbus, OH 43203

**Phone Number:** 614-252-5362

**Hours:**                      Monday-Friday, 9:00am-5:00pm

**Fee:**                      None

Provides services for the integration of immigrants, refugee families, and low income individuals in Central Ohio in order to improve the quality of their lives, to facilitate their integration through education, training, supportive services, and self-development opportunities, and to

increase the awareness of their culture and heritage. Services include education, training, and self-development opportunities.

The Family Care Program supports survivors of domestic violence, sexual assault, stalking, and human trafficking. Services include advocacy, safety planning, and community resources. Confidential free interpretation services available for survivors.

**Muslim Family Services of Ohio** [www.ohiomfs.org](http://www.ohiomfs.org)

**Mailing Address:** P.O. Box 14023 Columbus, OH 43214

**Phone Number:** 614-470-2848

**Hours:** 24-hours/7 days a week. Caller leaves a message that is returned.

**Fee:** None

- Services focused to widows, displaced, disenfranchised, and the abused
- Emotional Support
- Referrals and Resources within the Muslim Community
- Short-term financial Assistance
- Bereavement (Janazah) Services
- Furniture, Clothing, School Supplies

**Ohio Hispanic Coalition** [www.ohiohispaniccoalition.org](http://www.ohiohispaniccoalition.org)

**Address:** 100 East Campus View Blvd., Suite 130, Columbus, Ohio 43235

**Phone Number:** 614-840-9934

**Hours:** Business hours are Monday-Friday, 9:00am-5:00pm. Interpretation/translation services are available 24-hours a day/7 days a week.

**Fee:** All services are offered free of charge except for interpretation/translation services.

Provides advocacy, education, training, and access to quality services to improve the well-being and quality of life for all Hispanics/Latinos.

Domestic violence and sexual assault services include:

- Medical and legal advocacy
- Court companionship
- Assistance filing the victim compensation application
- Registering for the VINE line
- Group support (Soy Latina for Hispanic/Latina women)
- Referrals to other necessary services
- To schedule an interpreter or inquire about an Interpreter Services contract please call 614-880-2624 (Main Line) or 614-746-1032 (24/7 Dispatch Line)

**Refugee Women in Action**[www.RWIA.org](http://www.RWIA.org)**Address:** 1799 West 5th Ave., Suite 139, Columbus, OH 43212**Phone Number:** 614-895-0908**Hours:** Varies**Fee:** None

A non-profit organization assisting refugee women and their families from the countries of Rwanda, Burundi, and the Republic of Congo with:

- Transitional Support
- Childcare Cooperative
- Certified Childcare Provider Training
- Life Skills
- Language Mentoring

**Somali Community Association of Ohio**[https://www.facebook.com/scao96/?ref=page\\_internal](https://www.facebook.com/scao96/?ref=page_internal)**Address:** 3422 Cleveland Ave., Columbus, OH 43224-2907**Phone Number:** 614-262-4068**Hours:** Monday-Friday, 9:00am-5:00pm**Fee:** Most services are free there may be a charge for interpretation service.

Provides community support and networking for Somali refugees and immigrants. Services include:

- Planning & Support
- Advocacy, Family Counseling and Domestic Violence Support
- Translation & Interpretation Services
- ESL and Vocational Services
- Elder Programs
- Youth Programs
- Job Assistance

**US Together**[www.ustogether.us](http://www.ustogether.us)**Address:** 2021 E Dublin Granville Rd., Suite 190, Columbus OH, 43229**Phone Number:** 614-437-9941

Coordinates, organizes, and initiates services to immigrants and refugees through education, advocacy, support services, information, referrals, and networking opportunities. Provides interpreters and translators.

**Hours:** Varies**Fee:** None



## **National Resources**

### **Language Line**

**24-Hour:** 855-837-8685

**Fee:** Varies. No charge for advocates or those calling the Helpline.

Provides interpreters that assist limited English proficiency (LEP) callers.

To use this service on the Helpline: If an LEP caller calls the Helpline try to convey that you can get an interpreter to help with the call. Using words like “interrupter,” “yes,” “no,” and “wait” may be helpful. When possible, add a Language Line interpreter to the call by following the three-way calling instructions for your mobile device. When three-way calling is not possible, try to convey to the caller that they can share their phone number and an interpreter can call them back with you on the line. When asked for your location by the Language Line representative, state: OhioHealth/Riverside.

### **National Immigration Project of the National Lawyers Guild**

<https://www.nationalimmigrationproject.org/victims.html>

#### **Services:**

**Criminal and Deportation Defense:** The National Immigration Project has been at the forefront of the effort to help criminal defense lawyers across the U.S. understand and protect their noncitizen clients.

**Immigration Enforcement:** The National Immigration Project provides legal support, training, and technical assistance to noncitizens, legal advocates, community groups, and families responding to immigration enforcement actions. In addition, the National Immigration Project develops community resource materials to build greater awareness about draconian enforcement actions and the toll exacted upon families.

**Victims of Crimes:** The National Immigration Project provides general legal support to advocates and attorneys around the country who are working with undocumented victims of abuse and other crimes, and works to develop policies and practices within the federal government that support the rights of immigrant crime victims, including those affected by intimate partner violence and, most recently, workplace crimes.

**Political Rights:** The National Immigration Project opposes immigration enforcement that limits the democratic participation of noncitizens in civil society and work to ensure that noncitizens have the right to free political expression and participation in the free marketplace of ideas

without fear of reprisal. Alongside advocates, they work to create response plans for noncitizens who engage in direct action for progressive causes.

**US Department of Homeland Security Immigration information for Victims of Crime**

<https://www.dhs.gov/immigration-options-victims-crimes>

**National Institute of Justice**

Immigrant Populations as Victims: Toward a Multicultural Criminal Justice System

<https://www.ojp.gov/pdffiles/167571.pdf>