

## HOW TO GET HELP

There are many places that offer help 24-hour support, emergency shelters, legal services, and information about safe options for yourself or your friends. For more information and assistance, please call:

### National Domestic Violence Hotline

**1-800-799-7233**  
**1-800-787-3224 TTY**

#### Locally, call:

This brochure is part of a series created by the National Latino Alliance for the Elimination of Domestic Violence. To receive copies of this brochure, visit [www.dvalianza.org](http://www.dvalianza.org) or send an e-mail message to [information@dvalianza.org](mailto:information@dvalianza.org).



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# Homes Free of Violence

## *Options and Help for Immigrant or Refugee Women*



Domestic violence is a social problem that has serious consequences for many women and their children, regardless of age, race, sexuality or culture. It can happen in heterosexual or same-sex relationships.

**D**omestic violence can be fatal. Thirty percent of women who are murdered in this country die at the hands of their husbands or partners.

Abusers use violence in their relationships as a way to exert power and control their intimate partners and the family. Domestic violence takes many forms: It includes verbal, physical, economic, emotional and sexual abuse.

If your partner has used any of the following forms of abuse, you may be in a violent and abusive relationship.

- He's hit, shoved, kicked, punched, choked or used any other type of physical abuse.
- He's forced you to have sex when you didn't want to.
- He's used or threatened you with knives, guns or other objects.
- He's humiliated, or insulted you, sometimes in front of others.
- He doesn't let you study or work outside the home.
- He's threatened to withdraw his support to help you obtain permanent residence status (green-card) or United States citizenship.
- He's threatened to call immigration to have you deported.
- He's overly jealous.
- He's threatened to take away the children.
- He doesn't allow you to see your family or your friends.
- He controls the finances and does not give you access to money for the home.
- He controls where you go, who you speak with, and what you can do.
- He tells you that the violence is your fault.

## YOU ARE NOT ALONE

Unfortunately, many women are in relationships where there is abuse and violence.

Sometimes these behaviors cause women to be intimidated and scared and they do not dare to seek help for fear of the consequences.

## WHAT CAN I DO?

There are several services and options available to help you stop violence in your home:

- Community services, including domestic violence programs
- Legal assistance (protection orders, custody, child support, divorce)
- Shelters, safe-houses
- Police intervention and assistance
- Medical assistance at hospitals, clinics, or local medical centers
- The National Domestic Violence Hotline

Almost all services are free of charge and provide assistance regardless of legal status.

## SHOULD I LEAVE THE HOME IF I AM IN DANGER?

**Absolutely.** The first thing you should do if you are in danger of being beaten is to leave and go to a safe place as soon as possible. If you have children, take them with you wherever you go. Go to a friend's house or a shelter for women and children where

you will feel safe and secure. Once you are there, you can obtain services you may need or information about what options and community services are available to you.

If you leave your home, be sure to take important documents with you. For example: passports, visas, work authorization card, birth and marriage certificates, tax returns, police reports, and medical reports. Keep copies of these documents in a safe place.

## WHAT IS A PROTECTION ORDER?

A protection order prohibits the abuser from coming near, attacking or contacting you or your children.

Through a protection order in many states, you may also ask for custody of the children and for child support. You can also prevent the abuser from returning to the home, prevent him from interfering with your immigration status, and you can establish a visitation arrangement.



These are your rights, regardless of your immigration status. If you are thinking of requesting a protection order, first speak to a counselor in a domestic violence program to ask for relevant information.

## IF I AM AN IMMIGRANT WOMAN AND I CALL THE POLICE, WHAT CAN HAPPEN?

If you call the police, they can help you find a safe place and accompany you there. It is possible your partner may be arrested, because domestic violence is a crime. However, it is possible he may be freed in a few hours.

Ask the police to complete a report about the incident and give you a copy. Be aware that the police should not ask you for your immigration status or report you to the Immigration and Naturalization Service (INS). Their duty is to protect you and your children.

*You must know that the options presented here are complex and should not be pursued without the assistance of an immigration lawyer or of an organization that is well informed about new immigration laws. It is recommended that you do not place yourself at risk by going to the Immigration and Naturalization Service by yourself.*

## CAN I GET LAWFUL PERMANENT RESIDENCY WITHOUT MY HUSBAND'S HELP?

Domestic violence is against the law and you have the right to be protected. There are laws to protect immigrant women who are victims of abuse. Depending on your situation, it is possible you can apply for permanent residence or a visa.

It is important to know that the only agency that can deport you is the INS. No one else can do that. For more information, please call the agencies listed in this brochure. Do not proceed without consulting with a domestic violence or immigration agency or a lawyer.

## Self-petition

You can ask for permanent residence for yourself and your children if:

- You are married or were married to the abuser in good faith
- Your husband or former husband is a permanent resident or citizen of the United States  
You have not had legal problems
- You have been or are being abused by your husband. Keep proof of abuse (medical or police reports, photos of bruises or injuries, notes taken by staff at a domestic violence program or by your social worker).
- If you have gotten a divorce or became a widow (proof this had happened during the two years prior to the petition).

Once the petition has been approved, you can request a work permit and can become eligible for certain public benefits.

## Cancellation of removal

Likewise, if you have been arrested, detained or notified by the Immigration and Naturalization Service that you will be deported for not having proper documentation, you can request that the immigration court waive your deportation and grant you residency.

## Other options and services

There are other ways of becoming a permanent resident or getting a visa. It would be beneficial for you to request help from programs that work with domestic violence or with immigrant women and that may have access to qualified lawyers. They can help you understand your situation and explain your legal rights.

**Asylum** — for women who are scared of returning to their countries for fear of being killed and do not qualify for self-petitioned residency because they are not married to permanent residents or to US citizens.

**U & T Visa** — for women who are victims of domestic violence crimes or of illegal human trafficking and are helping the legal system with the prosecution

**Family Based** — for women who have adult relatives who are US citizens.