

**Community of Practice for Family
Law Attorneys Representing
Immigrant Survivors**

**VAWA Confidentiality
Question and Answer Session**

February 25, 2025

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The following slides are intended to be a guide to lead our discussion on this topic and to provide substantive material for your future reference.



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Notification of That Victim Has VAWA Confidentiality Protections

- Does this mean that client victims of a domestic violence or sexual assault organization could carry around a letter from their advocate/attorney to protect against deportation?
- Is there a template we can use for the letter we provide our clients that cites VAWA confidentiality and the 2019 DHS directive?

Extent of VAWA Confidentiality Protections

- Does VAWA confidentiality extend to the VAWA Unit sharing information about a victims with ICE?
- If DHS officers are supposed to be checking a system to determine if a victim is protected from enforcement action, would local authorities participating in the 287(g) program also have access to that system?

Additional Questions on This Topic?



VAWA Confidentiality Protected Locations

- Are these protected locations or sensitive locations and does the terminology matter?
- What about a victim unit within a larger community-based organization?
- How does main VAWA confidentiality 34 U.S.C. Section 12291(b)(2) offer protections that can help?

Protected Locations

- How does ICE know if an organization is providing victims services in a way that would make it a sensitive location?
- Is there suggested language/a template sign that can be put up to make that clear?

Additional Questions on This Topic?



Sensitive Locations

- Are religious locations such as churches still sensitive locations?
- Are sensitive locations also listed in the memo or policy?

Additional Questions on This Topic?



VAWA Confidentiality and Courthouses

- How about outside courthouses?
 - Where ICE has been standing recently
- Is there a role family lawyers and victim advocates can play to make courthouses safer for victims?

Additional Questions on This Topic?



Can Victims Safely Pursue Legal Immigration Options

- Is a victim of crime who has a previous order of removal at risk of reinstatement and deportation if they submit a U visa?

Additional Questions on This Topic?



Technical Assistance and Materials

- NIWAP Technical Assistance:
 - Call (202) 274-4457
 - E-mail info@niwap.org
 - Web Library:
www.niwaplibrary.wcl.american.edu
 - Directory
 - <https://niwaplibrary.wcl.american.edu/home/directory-programs-serving-immigrant-victims/>
- Materials for this COP:
 - <https://niwaplibrary.wcl.american.edu/family-law-cop-materials-repository/>

Next Community of Practice Call

- Tuesday, March 25th, 2025
 - Topic: Service of Process
- Calls are on last the Tuesday of every month



Thank you!