

Domestic Violence and Sexual Assault Public Policy Timeline
Highlighting Accomplishments on Behalf Of Immigrants and Women of Color¹
By Leslye E. Orloff and Paige Feldman
(Latest Update September 10, 2024)

Below is an outline of the accomplishments that advocates working on behalf of violence against women survivors have achieved through working collaboratively nationally. This list includes many achievements that benefits all survivors, but focuses specifically on the wide range of public policy achievements attained by advocates that particularly affect women of color, immigrant women and underserved survivors. These gains for survivors illustrate the myriad of ways advocates can work together to make this a better world and create more opportunities for healing and support for survivors

- **Early 1500's:**² English common laws explicitly allowed wife beating for *correctional purposes*. To limit such behavior U.S. states passed *rule of thumb* laws limiting what could be used for wife beating to a whip no bigger than a thumb.
- **1866:** American Society for Prevention of Cruelty to Animals founded.
- **Late 1800's:** Queen Elizabeth took office and **lawmakers began enacting reforms for women**. Wives can no longer be kept under lock and key. Life threatening beatings are considered grounds for divorce. Wives and daughters can no longer be sold into prostitution.
- **1871: Alabama was the first state to rescind the legal right of men to beat their wives.**
- **1882: Maryland first state to make wife beating a crime** punishable by 40 lashes or a year in jail.
- **1886: North Carolina courts barred criminal indictment for spouse abuse** unless the husband's battery resulted in permanent injury, endangered her life or was malicious beyond all reasonable bounds.
- **1911: The first Family Court is created in Buffalo, NY** with the goal of solving family problems in a setting of discussion and reconciliation with social service intervention.
- **Late 1960s/Early 1970s: The women's movement of the 1960's and the anti-rape movement of the 1970's** encouraged survivors of domestic violence and sexual assault to speak out leading to the formation of the domestic violence movement and the formation of women's crisis centers and hotlines.
- **1962: New York transferred all domestic violence cases from criminal to civil courts** avoiding the harsh penalties he would suffer if he was found guilty in criminal court for assaulting a stranger.

¹ Developed by Paige Feldman and Leslye Orloff, Immigrant Women Program of Legal Momentum for the Women of Color Network, 2011. This document was made possible by Grant Number #90EV0402 from the Administration on Children, Youth and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services awarded to the National Resource Center on Domestic Violence with the Women of Color Network as the author and distributor. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the U.S. Department of Health and Human Services. It's contents are solely the responsibility of the authors and do not necessarily represent the official views of the Health Resources and Services Administration or the U.S. Department of Health and Human Services.

² Some early portions of this timeline were adapted from: The Pennsylvania Child Welfare Training Program 310: Domestic Violence Issues: An Introduction for Child Welfare Professionals. Available at: <http://www.pacwcbt.pitt.edu/Curriculum/310DomesticViolenceIssuesAnIntroductionforChildWelfareProfessionals/Handouts/HO3DomesticViolenceTimeline.pdf>;

- **1966: Beating as cruel and inhumane treatment, becomes grounds for divorce** in New York, but the plaintiff must establish that a sufficient number of beatings have taken place.
- **1967:** The state of Maine opens one of **the first battered women's shelters** in the United States.
- **1969: National American Indian Court Judges Association (NAICJA)** was founded.
- **1971: Women in Transition forms (Philadelphia, PA):** One of the first feminist self-help groups, Women in Transition provides services for divorced or separated women, battered wives and single mothers.
- **1972 (June):** First emergency rape crisis line opens in **Washington, D.C.**
- **1972: Asian Law Caucus** founded to promote, advance, and represent the legal and civil rights of the Asian and Pacific Islander (API) communities. Their work included legal representation of battered immigrant women.
- **1972: Rainbow Retreat opens (Phoenix, AZ):** One of the earliest battered women's shelters.
- **1974: Al-Anon, Drug and Alcohol support group members, that are battered,** organize a shelter in Harrisburg.
- **1974: Transition House founded (Boston, MA):** by two ex-battered women.
- **1974: Casa Myrna Vazquez shelter founded:** Out of recognition of the lack of services for Latina Women and the absence of Latina controlled organizations, a multi-racial group of women in Boston's South End funds Casa Myrna Vazquez shelter. Later, after becoming a technical assistance center, Casa Myrna Vazquez produces Doing Community Outreach to Third World Women.
- **1974: Haven House provides the country's first Children's Program.**
- **1974: Michigan passes first Rape Shield Law.**
- **1975:** Pennsylvania establishes the first state coalition against sexual assault, **the Pennsylvania Coalition Against Rape.**
- **1975:** Most US states **allow wives to bring criminal action against a husband** who inflicts injury upon her.
- **1975: New York Rape Shield Law, Criminal Procedure Code 60.42:** Provided for a general rule prohibiting evidence of a victim's prior sexual conduct with exceptions in certain cases. The statute also provides some procedural protections for the victim and a right to be heard in the proceedings.
- **1976: Nebraska makes marital rape a crime.**
- **1976: Florida introduces Warrantless Arrest Law** "authorizing a peace officer to arrest a person without a warrant if the officer reasonably believes the person has committed an assault or battery upon the person's spouse."
- **1976:** The first **Chicago Abused Women's Coalition** opens program on housing alternatives for women who have no family or friends.

- **1976:** The first **Legal Center for Battered Women** in the U.S. is funded by a grant from the Legal Assistance Foundation of Chicago.
- **1976: The Pennsylvania Coalition against Domestic Violence is formed** bringing a grassroots impact on state legislation.
- **1976:** Pennsylvania was the 3rd state to pass civil protection order legislation.
- **1977: Annual *Take Back the Night* marches** begin to take place in communities across the country drawing attention to the prevalence of domestic violence and sexual assault and honoring those who have died and those who survived.
- **1978: The National Coalition Against Sexual Assault** is formed to combat sexual violence and promote services for rape victims.
- **1978: The National Coalition Against Domestic Violence** is organized as the voice for the battered women's movement on the national level.
- **1979: State Shelter Funding** --Only 14 states provide funding for domestic violence shelters.
- **1981:** The first annual **Domestic Violence Awareness Week** is celebrated.
- **1981: The Center for the Asian Pacific Family** opened the first multi-lingual and multi-cultural domestic violence emergency shelter in the nation that specialized in serving API survivors of domestic violence. Thereafter, CPAF was also the first to open a multi-lingual and multi-cultural transitional shelter focusing on the needs of survivors who seek to establish independent, violence-free lives.
- **1982: Casa de Esperanza founded:** Group of Latina activists gather in St. Paul, MN to advocate for Latinas and opens a shelter.
- **1982: The New York Asian Women's Center** was founded and began offering a domestic violence hotline and a safe home network of apartments in New York City to shelter Asian women in crisis and in 2001 they opened their emergency shelter.
- **1984: California law requires written police domestic violence policies.** California makes police intervention more effective by requiring police response, written policies, statewide officer training, and domestic violence calls record keeping.
- **1984: The Family Violence Prevention and Services Act (FVPSA):** The FVPSA is the first source of federal funding source dedicated directly to domestic violence shelters and programs.
- **1985: AYUDA opened its Clinical Legal Latina** in Washington. D.C. one of the nation's first programs offering holistic legal assistance to battered immigrant women on a broad range of intersecting issues including: protection orders, custody, divorce, child support, landlord tenant, shelter, victim services, benefits and health care for Latina, African and Vietnamese survivors.
- **1985: Refugee Women's Alliance** in Seattle Washington opened ReWA's Domestic Violence program which strives to increase the safety and well-being of refugee and immigrant women by providing support to victims, and increasing awareness of domestic violence, sexual assault and human trafficking
- **1985: California requires police to provide written domestic violence information to victims.** When responding to domestic violence calls law enforcement officers are required to give the survivor a written

notice with the telephone number of the local shelters, community services and information on criminal and civil legal options.

- **1986: The San Francisco Asian Women's Shelter Project** conducts a survey of 33 Bay Area social service agencies. They find that 800 battered Asian women sought help that year, representing 0.2% of the 400,000 Asian women living in the Bay Area.
- **1988: Mujeres Mexicanas, which would then become Lideres de Campesinas, is formed.**
- **1988: Asian Women's Shelter** was founded in 1988 by a determined group of women who recognized the absence of accessible services for limited and non-English speaking immigrant survivors of domestic violence in the San Francisco Bay Area.
- **1988: The Victims of Crimes Act** is amended to make awards available for the first time to victims of domestic violence.
- **1989: (NY): Interviewing in Private Settings, Executive Law Amendment, Article 23, Section 642.2-a:** Requires police departments and district attorneys' offices to provide private settings for interviewing victims of sex offenses
- **1990: Stalking is first identified as a crime.**
- **1990: The first Violence Against Women Act was introduced by Senator Joe Biden but did not become law.**
- **1990:** For the first time judges are required by state laws to **consider any history of spousal abuse before determining child custody** or visitation rights.
- **1990: H. CON. RES. 172 CONCURRENT RESOLUTION** passed both the House and the Senate expressing the sense of the Congress that, for purposes of determining child custody, credible evidence of physical abuse of one's spouse should create a statutory presumption that it is detrimental to the child to be placed in the custody of the abusive spouse. This served as the basis to encourage passage of state laws awarding custody to non-abusive parents.
- **1990: Immigration Act of 1990 creates battered spouse waiver:** Advocates working with Representative Louise Slaughter of NY succeeded in passing the first federal immigration law designed to protect battered women. The battered spouse waiver allows battered immigrants married to U.S. citizens to obtain full lawful permanent residency without the knowledge, consent or cooperation of their abusive spouse. This law freed battered immigrant spouses from being locked for two years into a marriage with their abuser as the only means to attain legal immigration status.
- **1990s: Domestic Violence as a Ground for Gender Based Asylum** the Immigration and Naturalization Service (INS) begins to recognize domestic violence as grounds for asylum in the U.S. A judge rules that the wife and children of a prominent Jordanian may be given asylum in the U.S. and that the batterer be excluded from entering the U.S. The judge's belief that the batterer would carry out his threats to kill them, his influence in Jordan and the threats of abuse justified the asylum.
- **1990: First National Research on Civil Protection Orders** issued by the National Institutes of Justice Finn, P., and Colson, S. (1990). *Civil Protection Orders: Legislation, Current Court Practice, and Enforcement.*

- **1990: Dreams Lost, Dreams Found: Undocumented Women in the Land of Opportunity** was published by the Coalition for Immigrant and Refugee Rights and Services in San Francisco. This was the ground breaking research documenting immigrant and refugee women's experiences with domestic violence.
- **1990: The Violence Against Women Act of 1990** led by Senator Joseph Biden was passed by the Senate Judiciary Committee
- **1991: The Navajo Nation Judicial Conference** adopts domestic violence court rules based on Navajo common law, the Equal Rights provision of the Navajo Nation Bill of Rights, principles of the law of equity and English-American common law.
- **1991 (NY): Rape Crisis Center Notification, Executive Law Amendment, Article 23, Section 641.1:** Requires police departments to provide victims of sex offenses with written notice of the name, address and telephone number of the nearest rape crisis center.
- **1991:** Convening of the **First National Conference on Immigrant and Refugee Domestic Violence Victims Rights** sponsored by the Family Violence Prevention Fund (now Futures Without Violence) in Berkeley California.
- **1992: The National Network to End Violence Against Immigrant Women** was founded by a group of domestic violence programs, legal services organizations, immigrant community based programs.
- **1992:** Nineteen states require **arrest for violation of an order of protection.**
- **1992: The Surgeon General ranks abuse by husbands to be the leading cause of injuries to women** ages 15-44.
- **1992: The American Medical Association** releases guidelines suggesting that doctors screen women for signs of domestic violence.
- **1993:** Senate Judiciary Committee concludes **a three-year investigation into the causes and effects of violence against women** and issues report on domestic violence and rape.
- **1993: Alaska Family Violence Prevention Project (AFVPP) founded:** provides technical assistance and training on domestic violence to health care and other providers.
- **1993: Casa de Esperanza** in Minnesota establishes 24/7 bilingual crisis line.
- **1993: State protection order statutes enacted** in all 50 states, the District of Columbia and Puerto Rico.
- **1993: The U.S. Supreme Court decides the first civil domestic violence protection order case, in U.S. v. Foster** (reported as U.S. v. Dixon), setting out the circumstances under which a battered woman can enforce her protection order and have her abuser jailed for violation of the protection order without barring under double jeopardy laws her abuser's criminal prosecution for the crimes he committed against her when violating the protection order. This case was brought by a battered immigrant against her U.S. citizen husband.
- **1994: Model Code on Domestic and Family Violence:** The *Model Code* was drafted by a multidisciplinary Advisory Committee comprised of judges, battered women's advocates, attorneys, law enforcement officers, immigrant women's legal services providers and other professionals. The five

chapters of the *Model Code* include General Provisions, Criminal Penalties and Procedures, Civil Orders for Protection, Family and Children, and Prevention and Treatment.

- **1994: The Violence Against Women Act (VAWA)** becomes law providing 1.6 billion dollars for 6 years to provide services for victims of rape and domestic violence, and provides training to increase police and court officials' sensitivity, and provides that states and American Indian nations give full faith and credit to protection orders issued in another jurisdiction. This was the first piece of federal legislation that was fully inclusive of women of color, immigrant women and other underserved populations. A stories collection campaign, social science research and collaborative advocacy by programs serving immigrant survivors working with domestic violence coalitions led to VAWA 1994 including immigration protections for immigrant victims of family violence perpetrated by a U.S. citizen or lawful permanent resident spouse or parent.
- **1994: Violence Against Women Act (VAWA) Immigration Relief Created:** As part of the Violence Against Women Act two new immigration relief remedies were created that allow abused spouses and abused children of U.S. citizens and lawful permanent residents to file VAWA self-petitions that when approved lead to lawful permanent residency without the abusive spouse, parent, or stepparent's knowledge or control. In addition, VAWA suspension of deportation was created as a remedy for abused spouses, children, and stepchildren of citizens and lawful permanent residents in removal proceedings.
- **1994: Any Credible Evidence Rules:** VAWA 1994 included the protections for battered women recognizing the dangers victims face when they must obtain evidence that may be in the control of their abuser to prove their eligibility to receive domestic violence related help. These rules apply for example in all immigration cases filed by immigrant crime victims and are also used in proving eligibility for TANF's family violence option.
- **1995: The Violence Against Women Grants Office** was founded at the U.S. Department of Justice to administer the Violence Against Women Act grant programs.
- **1995: RAKSHA a program serving South Asian** survivors of domestic violence founded in Atlanta Georgia.
- **1996: Rape Shield Laws** -- By 1996 12 jurisdictions (Alabama, District of Columbia, Florida, Georgia, Maine, Massachusetts, Nebraska, New Jersey, New York, Oregon, Vermont and Wisconsin) prosecute marital rape having repudiated the marriage rape exemption. Seven states (Louisiana, Missouri, North Dakota, Pennsylvania, South Carolina, South Dakota and Utah) only bring rape charges against parties no longer residing together.
- **1996: Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA):** Creates TANF provides a hardship exception and the **Family Violence Option** allows states to exempt up to 20% of the state's caseload from the 60-month time limit in receiving benefits. The hardship exception includes those who are "battered or subjected to extreme cruelty."
- **1996: Kennedy Amendment provides access to legal services for battered immigrants:** Reopened access to representation from Legal Services Corporation funded programs for battered immigrants abused by their spouses or parents without regard to the victim's or the perpetrator's immigration status. Legal Services funded programs authorized to provide a full range of legal services to victims that were related to healing from, overcoming the effects of or escaping abuse.
- **1996: Services Necessary to Protect Life and Safety.** 1996 welfare reform laws maintain eligibility for programs necessary to protect life and safety for all persons without regard to immigration status. These programs include emergency shelters, transitional housing, soup kitchens, domestic violence and sexual

assault victim serves and many other programs in addition to HHS funded health care.

- **1996: Creation of VAWA Confidentiality and public benefits access** for battered immigrant applying for relief under VAWA's immigration protections as part of 1996 immigration reforms
- **1996: National Domestic Violence Hotline founded.**
- **1997: Uniform Child Custody Jurisdiction and Enforcement Act**, in this model code the American Bar Association clarifies that the UCCJEA's emergency jurisdiction provisions can and should be used in domestic violence cases allowing a battered parent to flee and obtain a valid enforceable custody award. The UCCJEA also recognized the enforceability of custody determinations issued in civil protection order cases.
- **1997: VAWA Self-petitioning Regulations** the Immigration and Naturalization Service (now part of the Department of Homeland Security) issued regulations implementing VAWA 1994's self-petitioning protections for battered immigrant spouses and children. Advocates were successful in helping assure that these regulations reflected an understanding of domestic violence dynamics.
- **1997: The VAWA Unit** at the Vermont Service Center of the Department of Homeland Security was created to ensure that VAWA immigration cases were adjudicated by a team of adjudicators that receive ongoing training on the dynamics of domestic violence, sexual assault and human trafficking experienced by immigrant victims.
- **1997: Women of Color Network founded** to establish an entity to address the unique challenges facing women of color advocates and activists within the violence against women movement. Since that time, the Women of Color Network has created a national medium where women of color can dialogue, network, organize, and obtain resources to support their efforts.
- **1999: Violence Against Women Grants Office and the Violence Against Women Policy Office merged to form the Violence Against Women Office at the U.S. Department of Justice.**
- **1999: EEOC v. Tanimura & Antle** (N.D. Cal.) EEOC secured a 1.855 million dollar consent decree, the largest sexual harassment award in the agricultural industry for Blanca Alfaro and a class of Latina farm workers were sexually harassed and/or retaliated against for protesting harassment by supervisory officials of Tanimura & Antle, the largest lettuce grower in the world (Salinas, California). The lead harasser was fired (for other reasons unrelated to the harassment charge) but will not be rehired; co-harasser suspended, and mandatory training for all employees.
- **1999:** In August 28, 1999, over 80 people attended the first national meeting of the **Asian & Pacific Islander Institute on Domestic Violence** in Chicago; in conjunction with the Next Millennium Conference: Ending Domestic Violence.
- **2000: Sharifa Alkhateeb founds the Peaceful Families Project (PFP):** dedicated to outreach to Muslim women.
- **2000: Violence Against Women Act** was signed into law providing 3.33 billion dollars over 5 years funding advocates, attorneys, prosecutors, police and judges involved in offering assistance to victims of violence against women. VAWA 2000 bars states from requiring registration before protection orders from other jurisdictions would be recognized; adds coverage for victims of dating violence, ensures that VAWA funds can be used to represent victims in immigration matters, expands the definition of underserved populations to fully cover special needs (language access, disabilities, alienage status and

age); created the legal assistance for victims and elder abuse grant programs, adds judicial training, **created the immigration visas for crime survivors (U-visa) and trafficking victims (T-visa)** and allows battered immigrants to obtain lawful permanent residency in the United States.

- **2000: Trafficking Victims Protection Act of 2000** created legal protections for immigrant victims of human trafficking involving force, fraud or coercion giving victims access to legal immigration status, public benefits and victim services and provided funding for programs offering victim's and legal services for human trafficking victims.
- **2000: President Clinton Signs Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency"** setting a legal requirement that federal and state government agencies and programs receiving funding or other support from the federal government are required to provide meaningful language access to their services.
- **2001 (January): Housing and Urban Development (HUD) Letter** issued informing the HUD field offices and grantees about field guidance requiring access to shelter and transitional housing for up to two years for undocumented battered immigrants, child abuse victims and the homeless.
- **2001 (January): Health and Human Services (HHS) Letter** issued a guidance letter discussing the range of social services, victim services and health care programs that are open to qualified battered immigrants who have filed cases that immigration authorities believe to be valid
- **2001: Creative Protection Order Remedies: Powell v. Powell** (Washington, D.C.) ruled that protection order "catch-all" provisions were designed to give courts flexibility to design protection order provisions that will help victims in each specific case. Creative protection order remedies have allowed courts across the country to issue orders that include ordering abusers not to contact immigration authorities regarding the victim.
- **2002: The Violence Against Women Office** was renamed the **Office on Violence Against Women (OVW)** and was made a permanent office at the U.S. Department of Justice with a Presidentially appointed and Senate confirmed Director.
- **2002: United Somali Women of Maine founded** by refugee women to respond to the arrival of a significant population of Somali refugees and secondary migrants (refugees originally resettled to a different location in the United States who then subsequently moved to Maine). The program provides domestic violence, dating violence, sexual assault and stalking services culturally and linguistically appropriate services to the refugee and immigrant victims.
- **2002: DeCoster Farms settled a federal discrimination lawsuit** for \$1.5 million Monday. The suit was filed on behalf of 11 Hispanic women who said they were raped or sexually harassed while working at North Iowa egg plants.
- **2002: Nicholson v. Williams:** In this class action lawsuit, the National Center for Youth Law (NCYL) joined as amicus curiae against New York City's Administration of Children Services (ACS) challenging its practices of removing children from battered mothers on the basis of neglect when the mothers themselves have done nothing wrong. The District Court concluded that ACS' violated the federal constitutional rights of battered mothers and their children.
- **2002: Federal Register – T Visa Interim Regulations** were issued by the Immigration and Nationality Service giving immigrant victims of human trafficking the ability to apply for trafficking victim – T-visas.
- **2003: Luis Hernandez:** The immigration judge denied *Laura Luis Hernandez's* VAWA suspension of deportation case, the Board of Immigration Appeals affirmed and the 9th Circuit overruled these decisions and granted Ms. Luis Hernandez VAWA suspension of deportation. In its decision the 9th

Circuit defined “extreme cruelty” to include the pattern of abuse in the relationship.

- **2003: Lopez Umanzor:** The 9th Circuit decision in *Lopez Umanzor* overturned an immigration judge’s denial of a VAWA cancellation of removal case after refusing to allow *Lopez Umanzor* to present relevant expert testimony bearing on the abuse victim’s credibility. This decision sets parameters for credibility determinations in VAWA immigration cases consistent with research on dynamics of domestic violence and its effect on immigrant victims. The decision also requires that immigration judges allow victims to present expert witness testimony and prohibits immigration judges from relying on their “own stereotypical assumptions about domestic violence.”
- **2005: EEOC v. Rivera Vineyards, Inc.** (C.D. Cal.) The EEOC won a consent decree of 1.1 million dollars on behalf of Latina farm workers who were subjected to sex discrimination (segregation) and sexual harassment, including rape (Coachella, California)
- **2005: Violence Against Women and Department of Justice Reauthorization Act, H.R. 3402:** Provided 3.935 billion in funding over 5 years to address domestic violence, sexual assault, stalking and dating violence. VAWA 2005 requires that custody orders in civil protection order cases be given full faith and credit; adds justice system training on sexual assault, stops states from requiring victims from seeking insurance reimbursement for forensic examinations; removes Legal Services Corporation restrictions and requires that legal services programs be open to all violence against women survivors without immigration restrictions, extends VAWA confidentiality to U-visa victims; enhances privacy and confidentiality protections, expands funding for sexual assault services and services to cultural, linguistic and underserved communities.
- **2005: VAWA 2005 Placed Locational Restrictions on Immigration Enforcement Actions:** Discourages enforcement actions in certain designated locations, such as *domestic violence shelters, rape crisis centers, courthouses, victim services, community based agencies and supervised visitations centers.* by requiring DHS to certify in immigration court that no part of any enforcement.
- **2005: International Marriage Broker Regulation Act (IMBRA)** that became law as part of VAWA 2005 Ensures that women who come to the U.S. for marriages arranged through marriage brokerage firms are informed of their legal rights within the United States and receive information about their fiancés criminal and domestic violence protection order history.
- **2006: Serving Limited English Proficient (LEP) Battered Women: A National Survey of the Courts’ Capacity to Provide Protective Orders:** The National Institute of Justice (NIJ) funds study to explore the capacity of Limited English Proficient (LEP) petitioners to receive orders of protection. Findings from the national survey demonstrated that courts had inadequate resources, including a shortage of interpreters
- **2006: Esperanza: The Immigrant Women’s Initiative** at Southern Poverty Law Center was founded. The initiative which works to stop sexual violence and gender discrimination against low-income immigrant women.
- **2007: Eligibility for Title IV Aid for “Battered Immigrant-Qualified Aliens”.** Department of Education issued a letter to the field setting out procedures through which battered immigrants and their children who are VAWA self-petitioners and VAWA cancellation of removal applicants can file for and receive post-secondary educational financial aid in the form of grants and loans.
- **2007: U-Visa Regulations:** Advocates worked with House DHS appropriations committee chair David Price of Ohio to secure issuance of the U-visa regulations from the Department of Homeland Security. Stories collected and submitted by advocates led to a set of regulations that were responsive to the needs of immigrant victims
- **2007: Department of Homeland Security Humanitarian Release Policies** battered immigrant women’s

advocates led a national campaign that led the Department of Homeland Security to issue policies designed to identify immigrant parents subject to immigration enforcement and to provide humanitarian release from detention to immigrant parents who are the primary caretakers of young children.

- **2008: Trafficking Victims Protection Reauthorization Act (TVPRA):** Broadened immigration protections for victims of trafficking and other crimes (enhancing family member's protections, ensuring the sole adjudicating authority of DHS, extending trafficking victims' ability to remain in the U.S. for civil cases, broadening ability for those abroad to enter as witnesses, waived good moral character requirement). Assuring that government funding for anti-trafficking service providers be distributed using an open, competitive, peer reviewed grant making process.
- **2008: VAWA Self-Petitioning Adjustment of Status to Lawful Permanent Residency Field Guidance:** A stories collection and letters from members of Congress led to issuance of DHS policy allowing many VAWA self-petitioners who had entered the country unlawfully to obtain permanent residence without having to leave the United States.
- **2008 (December): T and U Visa Lawful Permanent Residency Regulations.** The Department of Homeland Security issued the federal regulations needed to allow immigrant crime and trafficking victim survivors to attain lawful permanent residency. A stories collection campaign helped secure issuance of these regulations.
- **2009: President Obama declares April as Sexual Assault Awareness Month.**
- **2009: Constitutional Right to Care and Custody of Children for Immigrant Parents.** The Supreme Court of Nebraska issued a unanimous decision overturning the termination of parental rights of an immigrant parent. The Court held that immigrant parents including those who are undocumented, detained and/or deported have a constitutional right to care, custody and control of their children. In re Interest of Angelica L. and Daniel L. 767 N.W.2d 74, 277 Neb. 984 (June 26, 2009).
- **2010 (November): Reauthorization of FVPSA as part of the Child Abuse Prevention and Treatment Act (CAPTA):** Reauthorization through fiscal year 2015.
- **2010: Post-Secondary Educational Grants and Loans for VAWA Battered Immigrants** The U.S. Department of Education issued a letter confirming that battered qualified immigrants are eligible for student grants and loans and can file FAFSA applications. This applies to VAWA battered immigrants and their children.
- **2010: Red Flagg System** designed by DHS to stop the removal, detention and enforcement actions against immigrant crime victims who had filed cases or had received approval of immigration applications filed under Violence Against Women and Trafficking Victim Protection Act immigration protections.
- **2010: Facilitating Participation in Family Court Cases for Immigrants in Detention.** In October 2010 DHS Immigration and Customs Enforcement agreed to escort immigrants in detention to court to attend family court proceedings. This will significantly help keep detained immigrant mothers from losing custody and suffer termination of parental rights.
- **2011: Low priority on Removal of Victims:** The White House and the Department of Homeland Security issued policies designed to focus immigration enforcement resources on high priority immigrants (e.g. public safety, national security risks, and public safety) and to require government immigration prosecutors to review and administratively close immigration cases against low priority persons. These include immigrant crime victims and witnesses, primary caretaker partners, children, the elderly and youth in high school and college.
- **2013 – VAWA Reauthorization:** expanded protection for all victims of domestic violence, and sexual violence. Added “stalking” as a U visa qualifying crime and strengthening the International Marriage Broker Regulation Act for immigrant survivors; It expanded access to the criminal justice system for

tribal survivors abused by non-tribal members whereas before VAWA 2013 tribal courts had no authority to prosecute a non-Indian who commits domestic violence, even if he lives on the reservation, works for the tribe, and is married to a tribal member; VAWA 2013 clarifies that LGBTQ individuals and programs can receive funding through VAWA, opening a door for victims to receive help with greater ease to address discrimination and insure access to LGBTQ survivors.

- **2013: Staffing Up the VAWA Unit Responsible for Adjudicating Violence Against Women Act Immigration Cases:** For years the time between filing and adjudication of VAWA self-petition and U visa cases was up to two years. During that time many victims of domestic violence remained with their abuser and endured ongoing abuse until their immigration case was approved, they received protection from deportation and legal work authorization. In December of 2013, the U.S. Department of Homeland Security added 152 new adjudicators to the VAWA Unit ending the backlog and adjudicating cases with predictability that allowed for safety planning of 7-9 months.
- **2014: Legal Services Regulations Implementing VAWA 2005's Immigrant Crime Victim Access to Legal Services Representation:** Legal Services Corporation (LSC) issued new regulations creating a new eligibility ground for LSC funded representation for immigrant victims of domestic violence (battering or extreme cruelty), sexual assault, human trafficking or any other U visa listed criminal activity. LSC also issued a policy clarifying that immigrant victims qualified for representation by LSC programs without regard to where they crime victimization occurred (inside or outside the United States), except in some forms of human trafficking cases. This policy allows LSC funded programs to represent immigrant women and children suffering family violence (domestic violence or child abuse) abroad.
- **2015: Department of Homeland Security, Immigration and Customs Enforcement Policies on VAWA Confidentiality and VAWA 2005 Implementation:** In response to a Freedom of Information Act Request Immigration and Customs Enforcement (ICE) released its policies on VAWA confidentiality protections that apply both to ICE trial attorneys and ICE immigration enforcement officials. These policies will help advocates and attorneys prevent the detention and removal of immigrant crime victims.
- **2015: U and T Visa Law Enforcement Resource Guide for Federal, State, Local, Tribal and Territorial Law Enforcement, Prosecutors, Judges, and Other Government Agencies:** The U.S. Department of Homeland Security issued a new resource guide on U visa certification updated to include more specific information answering questions from law enforcement, prosecutors, judges and other certifiers that will promote enhanced access to U visa certification for immigrant crime victims.
- **2016: Legal Services Corporation Policy Advisory Regarding Family Court Representation for Immigrant Child Abuse** confirming that when LSC funded attorneys represent immigrant children have been victims of child abuse, domestic violence, sexual assault, human trafficking or other U visa criminal activity. A legal case that will provide legal relief the child related to the abuse can be filed by an LSC funded agency brought by the child's guardian or parent who is a non-citizen who would otherwise be ineligible for LSC funded representation. This ruling allows LSC funded agencies to both represent the abused immigrant children in an SIJS case and the child's non-citizen guardian in a custody case seeking SIJS predicate orders.
- **2016: Access to Shelter and Transitional Housing for Immigrant Victims and the Homeless.** Joint letter from the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, and the U.S. Department of Justice (DOJ) reiterating long standing federal policies that immigrants cannot be denied access to certain services necessary to protect life and safety based on their immigration status. Immigrants experiencing homelessness, victims of domestic violence, sexual assault, dating violence, stalking or human trafficking may not be turned away on the basis of immigration status from life and safety services. These services include but not limited to emergency shelters, and short-term housing assistance (including transitional housing and rapid re-housing), crisis counseling and intervention, soup kitchens, community food banks, emergency Medicaid and public health services. Anti-discrimination laws apply.

- **2016: Office of Victim of Crime – Victims of Crime Act Assistance Regulations.** These regulations maintain and confirm OVC’s priority in ensuring access to victim services for underserved victims including but not limited to LGBTQ, elder, trafficking victims and others. The rule also clarifies that victim eligibility for VOCA funded victim assistance is not dependent on a victim’s immigration status.
- **2016: Wait List Approved U Visa Victims and Their Family Members Can Be Granted Parole into the United States.** United States Citizenship and Immigration Services will allow U visa victims to file for humanitarian parole into the United States once their U visa cases have been conditionally approved and place on the wait list for their U visa. This policy allows wait list approved U visa victims living abroad to receive humanitarian parole into the United States. It will also facilitate family reunification of U visa victims living in the United States whose family members, most often children, are included in the victim's U visa application.
- **2016: U.S. Department of Homeland Security, Citizenship and Immigration Services Implements New VAWA Confidentiality Compliant Benefits Eligibility System Using SAVE.** VAWA Confidentiality statutes provides for the release of information about VAWA Confidentiality protected immigration cases for the limited purpose of verifying a victim’s eligibility for state or federally funded public benefits. USCIS updated the outdated 1997 FAX verification system and replaced it by using SAVE to communicate with a specially trained unit a USCIS that conducts benefits verifications on VAWA confidentiality protected cases.
- **2016 and 2017: Reconfirmation by HUD of VAWA Self-Petitioner Access to Public and Assisted Housing.** HUD General Council Opinion confirming access to public housing for abused spouses and children of U.S. citizens and lawful permanent residents with pending or approved VAWA self-petitions. Issuance of a notice by Public and Indian Housing setting out the process to be used by providers of public and assisted housing request verification of self-petitioning status by the U.S. Department of Homeland Security.
- **2017: Department of Homeland Security Immigrant Victim’s Rights – Infographic.** The U.S. Department of Homeland Security issued a one page Infographic – “Protections for Immigrant Victims” which is interactive and contains links to further information produced by DHS on victim protections under U.S. immigration laws. The Infographic is an informational tool that will help advocates, attorneys, victims, police, prosecutors and courts identify immigrant victims eligible for VAWA Self-petitioning, U visas, T visas, Continued Presence, Special Immigrant Juvenile Status and Asylum.
- **2017: United States Citizenship and Immigration Services (USCIS) - Implementation of Work Authorization for Abused Spouses of Work Visa Holders.** Implemented VAWA 2005 provisions allowing abused spouses of A, E(iii), G and H visa holders to apply for work authorization to be able to flee abusive homes. Work authorization could continue to be extended to allow a victim to apply for and obtain work authorization through the U visa program.
- **2018: The International Association of Chief of Police – Resolution - IACP –Support for Education and Awareness on U Visa Certifications and T Visa Declarations.** IACP Issued a resolution encouraging police leadership to sign U and T visa certifications.
- **2020: Department of Homeland Security – Mandates training on VAWA Confidentiality.** DHS mandates training of all staff, supervisors, and leadership on the Violence Against Women Act’s (VAWA’s) Confidentiality requirements including the prohibitions against relying on perpetrator provided information to take immigration enforcement actions against victims.
- **2021: United States Citizenship and Immigration Services Issues New Bona Fide Determination Policy** and begins issuing Bona Fide Determinations in U visa cases granting victims with pending valid cases deferred action and work authorization.
- **2022: Department of Homeland Security – Public Charge Final Rule.** DHS issues a final rule

confirming that the public charge ground of inadmissibility does not apply to crime victims immigration cases including VAWA self-petition, VAWA cancellation, U visa, T visa and Special Immigrant Juvenile Status cases.

- **2022: United States Citizenship and Immigration Services (USCIS) – Final Special Immigrant Juvenile Status (SIJS) Regulations** These regulations provided clearer direction to state family and juvenile court judges issuing SIJS required judicial determinations (findings of fact and conclusions of law), allowing marriage after approval, providing age-out protections, and recognizing the SIJS applicant children can have mixed motives for obtaining state court orders.
- **2023: Department of Homeland Security’s US Citizenship and Immigration Services Sets Up the Humanitarian, Adjustment, Removing Conditions and Travel Documents (HART) Service Center** to process VAWA self-petitions, U visa Bona Fide Determinations, and other humanitarian cases involving spouses of U.S. citizens and family members of refugees and asylees. HART has been staffed with a dedicated trained team of adjudicators and managers with specialized training on domestic violence, child abuse, and other forms of gender-based violence.
- **2023: Department of Homeland Security – Address Confidentiality Policy Issued.** Provides guidance on mailing address procedures for persons eligible for and recipients of victim-based immigration relief. Under 8 U.S.C 1367 confidentiality provisions the USCIS policies ensure that information related to a protected person is disclosed only to authorized parties identified by the protected person. This policy applies to all cases filed by protected persons including but not limited to VAWA, T and U visa cases.
- **2024: United States Citizenship and Immigration Services (USCIS) – Fee Rule.** USCIS eliminates all fees on victim-based immigration protections for victims of domestic violence, child abuse, sexual assault, stalking, human trafficking and many other crime ending fees from filing through lawful permanent residency on VAWA self-petitions, U visas, T visas, Work authorization for abused spouses of work visa holders, and Special Immigrant Juvenile Status cases.
- **2024: US Citizenship and Immigration Services Issued Final T Visa Regulations.** The final regulations initiate bona fide determinations beginning in August of 2024 that will grant earlier access to deferred action, work authorization and public benefits for immigrant victims, expand the human trafficking definition to include attempted trafficking, recognize involuntary servitude co-occurring with domestic violence and child abuse, and explain the trauma exception to cooperation with law enforcement.
- **2024: Center for Medicaid and Medicare Services, U.S. Department of Health and Human Services – Lawfully Present Regulations.** Issued regulations defining which immigrants are considered lawfully present and eligible for healthcare subsidies, premium tax credits, and to purchase health insurance on exchanges. Regulations confirm access to healthcare for VAWA self-petitioners, DACA recipients, trafficking victims with T visas, continued presence, T visa bona fide determinations, Office on Trafficking in Persons Child Eligibility letters and VAWA and U visa applicants who are granted deferred action.