



**For Distribution to the Field  
November 11, 2016**

**Updates on VAWA Confidentiality Training  
for Immigration and Customs Enforcement  
Assistant Chief Counsel and  
Enforcement and Removal Operations Officers**

The National Immigrant Women’s Advocacy Project (NIWAP) is pleased to announce updated information for attorneys, advocates, and other service providers working with immigrant survivors of domestic violence, sexual assault, human trafficking and other crimes. Confidentiality protections that are afforded to immigrant survivors under the Violence Against Women Act (“VAWA confidentiality”) are one of the critical ways to ensure survivors are protected against further victimization and perpetrators are effectively investigated and brought to justice. These protections include barring access to VAWA confidentially protected information about and contained in VAWA self-petitions, and VAWA cancellation of removal, VAWA suspension of deportation, U visa, and T visa applications; restrictions on immigration enforcement at sensitive locations; and limiting Department of Homeland Security (DHS) officials from relying upon information provided by the perpetrator or perpetrator’s family member. This includes preventing perpetrators from attempting to use the system to continue their cycle of abuse through threats of deportation or actual calls to immigration officials to report survivors.

Training of immigration officials at Immigration and Customs Enforcement (ICE) assigned to the Office of the Principal Legal Advisor (OPLA) and Enforcement and Removal Operations (ERO) is a high priority to ensure VAWA confidentiality is appropriately protected. At a recent meeting with DHS, NIWAP was informed that OPLA has been providing training on VAWA confidentiality, immigration relief available through the VAWA, T and U visa programs, and the 2011 Victim Witness memo to all new and experienced OPLA Assistant Chief Counsel and ERO Officers. This is encouraging news for advocates and attorneys working with immigrant survivors who are protected by VAWA confidentiality. NIWAP commends ICE for its continued efforts in ensuring OPLA attorneys and ERO officers are properly trained on this important area of the law.

If you have any questions or concerns regarding VAWA confidentiality issues in a particular case, contact the ICE Office of Chief Counsel (OCC) responsible for that particular case. OPLA has designated a point of contact within each OCC to field questions, concerns, and collect information on potential violations of VAWA confidentiality provisions. If you need additional information, please contact:

Mark Murphy  
Deputy Director, Field Legal Operations  
Office of the Principal Legal Advisor  
Mark.P.Murphy@ice.dhs.gov