



JUSTICE FOR VICTIMS ● JUSTICE FOR ALL

Guidance about Services to Immigrant Victims of Crime

Recently, Attorney General Loretta E. Lynch, Secretary Sylvia Mathews Burwell of the U.S. Department of Health and Human Services (HHS), and Secretary Julián Castro of the U.S. Department of Housing and Urban Development (HUD) [released a letter](#) to recipients of federal funding to provide more information on access to services for immigrant victims. The letter explains that immigrants cannot be denied access to certain services necessary to protect life or safety on the basis of their immigration status.

The Office for Victims of Crime (OVC) and the Office on Violence Against Women (OVW) know that immigrant survivors of abuse need access to vital services and assistance so that they can successfully escape abuse, find safety, and start the healing process, as well as obtain assistance to pursue special immigration remedies that Congress enacted through the Violence Against Women Act and the Trafficking Victims Protection Act.

The purpose of this letter is to clarify that service providers should not turn away immigrant victims, on the basis of their immigration status, from certain services necessary for life or safety – services such as emergency shelter, short-term housing assistance (including transitional housing), crisis counseling, and intervention programs.

The letter from the Attorney General and the Secretaries of HHS and HUD is not a new policy. It reiterates and consolidates the long-standing policies of all three Departments, and reminds federal funding recipients that federal law restricting immigrant access to certain public benefits includes exceptions to protect life or safety.

Specifically, federal law does not restrict immigrant access to programs that –

1. are necessary for the protection of life or safety;
2. deliver in-kind services at the community level; and
3. do not condition the provision of assistance, the amount of the assistance, or the cost of assistance on an individual's income or resources.

These programs must be made available to eligible persons without regard to citizenship, nationality, or immigration status.

The [tri-agency letter](#) should resolve questions that recipients of federal funding may have about their ability to serve all victims with OVC or OVV funds. OVC and OVV also hope that it will be a useful tool when working with community partners to ensure that all victims have access to services necessary to protect their lives or safety.

If you have any questions, please feel free to reach out to your OVC and OVV program specialists for assistance.

Sincerely,

Joye E. Frost
Director
Office for Victims of Crime

Bea Hanson, Ph.D.
Principal Deputy Director
Office on Violence Against Women

OVC shares your mission and has a wide range of resources to help you accomplish it. [Click here](#) to visit the National Criminal Justice Reference Service (NCJRS) online to register for services or to find out more.

If you no longer want to receive periodic e-mail notifications from NCJRS or any of its sponsoring agencies, please [click here](#) and follow the instructions.



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