



CONFERENCE

STRENGTHENING COMMUNITY AND ORGANIZATIONAL RESPONSES: SERVING IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

Session 1: Aug. 28-29, 2023

Boston, Massachusetts

Session 2: Aug. 30-31, 2023

Day One

7:30 - 8:45 am Registration

9:00 – 9:10 am Welcome from OVW and NIWAP

9:10 - 10:40 am **Opening Plenary I- Investigating and Prosecuting Stalking Cases Involving Immigrant Victims**

Room: The Square – 1st Floor, Lobby Level

Interpretación proporcionada en Español solamente en Sesión 2
Spanish interpretation available only in Session 2

Research data shows that 13.5 million people experience stalking annually (Smith et al., 2022). Yet, many stalking cases go unreported and uncharged, often because stalking is not recognized as a crime but as a weapon towards domestic violence. Victims and law enforcement might not recognize the severity, and criminal justice professionals may lack proper training for prosecution. Immigrant victims may hesitate to report stalking due to immigration concerns. This plenary will explore SPARC's resources to boost stalking reporting and hold offenders accountable, especially in cases with immigrant victims.

Jennifer Landhuis, Director, The Stalking Prevention, Awareness, and Resource Center (SPARC)

Jane Anderson, Senior Attorney Advisor, AEquitas

Investigator Michael LaRiviere, Salem Police Department, MA

10:40 – 11:00 am Break

11:00 - 12:30 pm Workshops

1A. Police Officers as Witnesses in Domestic Violence Prosecutions and Family Court Litigation

Room: Beacon Hill – 4th Floor

This workshop will highlight best practices for collaborating with police officers who are set to testify in criminal cases. Participants will learn tips and skill-building

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National Immigrant Women's Advocacy Project (NIWAP, pronounced new-app)

American University Washington College of Law

4300 Nebraska Avenue NW N100B · Washington, D.C. 20016

☎ 202.274.4457 ✉ info@niwap.org 🌐 wcl.american.edu/niwap 📖 https://niwaplibrary.wcl.american.edu/

exercises to enhance police officers' effectiveness as witnesses. Prosecutors and lawyers representing victims' families will learn strategies for presenting police officers as witnesses in domestic violence cases. Furthermore, the workshop will explore opportunities for obtaining police officer testimony in contested protection orders and custody cases within family court proceedings.

Detective Shelli Sonnenberg Boise Police Department, ID
Natasha Haunsperger, Portland Police Department, OR
Elliott Casey, Staff Attorney, Virginia Commonwealth's Attorneys' Services Council
Judge Rosemary Collins, Rockford, IL (Retired)

1B. Protecting Immigrant Survivors and their Children: Identifying the Best Immigration Options for Your Client

Room: The Square – 1st Floor, Lobby Level

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This interactive workshop will use case studies and allow participants to work through scenarios to identify the best possible immigration relief for survivors while also considering grounds of inadmissibility and access to public benefits for long-term safety and security. Participants will learn immigration relief options such as VAWA, U-visa, T-visa, and SIJS, as well as application decision timelines. The workshop will also address the advantages and disadvantages of each application type for survivors and guide participants in effectively evaluating a survivor's options when more than one immigration remedy is available.

Edna Yang, Co-Executive Director, American Gateways
Rocio Molina, Deputy Director, NIWAP
Norma Mendoza, Multicultural Program Director, Cherokee Family Violence Center

1C. Representing Immigrant and LEP Litigants in Custody Cases: Advanced Custody

Room: Cambridge – 4th Floor

Perpetrators of domestic and sexual violence against immigrant victims with whom they share children often raise immigration status-related issues in custody disputes. Abusers often provide the court with legally incorrect information about the application of immigration law to the victim and their children. This workshop will allow family lawyers to practice litigation skills for responding to issues perpetrators typically raise in custody cases. It will also explore how state best interest standards impact immigrant victims and provide insights from national experts and judicial faculty.

Judge Ramona Gonzalez, La Crosse, WI
Judge Mary Weir, Kansas City, Missouri (Session 1)
Leslye E. Orloff, Director, NIWAP (Session 2)

12:30 – 2:00 pm Lunch on your own

2:00 – 3:10 pm Workshops

2A. Offender-Focused Prosecutions and Criminal Investigations in Cases of Immigrant Victims of Domestic and Sexual Violence.

Room: Beacon Hill – 4th Floor

This workshop will discuss how law enforcement and prosecutors can work together to prosecute offender-focused criminal cases that keep the attention of the court and the jury on the offender and how the offender targeted a vulnerable victim due to immigrant status and limited English proficiency. Strategies for Voir Dire, opening and closing statements, witness preparation, and pre-trial motions that familiarize the court with the prosecution's case and secure favorable pretrial rulings will be discussed. This workshop will also demonstrate how prosecutors can embrace immigration status issues and prepare to counter defense arguments about victim credibility and motives using timelines, expert witnesses, and the introduction of prior consistent statement evidence in U-visa, T-visa, and VAWA self-petitioning cases.

Jane Anderson, Senior Attorney Advisor, AEquitas

Investigator Michael LaRiviere, Salem Police Department, MA

2B. Improving Access to the Public Benefits Safety Net and Victims of Crime Act Compensation for Immigrant Survivors

Room: The Square – 1st Floor, Lobby Level

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The type of immigration relief a victim receives and the state they live in directly impact which public benefits are available to them. In this workshop, participants will learn about immigrant survivors' legal rights to access specific public benefits and best practices when applying for VOCA compensation. Participants will also learn to use NIWAP's state-by-state public benefits online map and screening charts and identify which benefits immigrant survivors and their children are eligible for.

Leslye E. Orloff, Director, NIWAP

Rafaela Rodrigues, Immigrant Women Law and Policy Fellow, NIWAP

Aparna Bhattacharyya, Executive Director, Raksha, Inc.

2C. Identifying, Safety Planning, and Litigating Stalking in Family Law Cases

Room: Cambridge – 4th Floor

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Identifying and addressing stalking in domestic violence cases increases the effectiveness of family court orders. Attorneys and victim advocates will learn to identify and incorporate evidence of stalking behaviors experienced by immigrant victims in protection orders, custody, and divorce cases. The workshop will cover the steps attorneys should take to present evidence of stalking, educate judges about the significance of issuing court orders intended to disrupt stalking behaviors, and ensure accountability of perpetrators in family court proceedings. Additionally, the workshop will delve into the roles of victim advocates and attorneys in safety planning with immigrant stalking survivors.

Jennifer Landhuis, Director, SPARC

Judge Mary Weir, Kansas City, Missouri (Session 1)

Judge Rosemary Collins, Rockford, IL (Retired) (Session 2)

3:10 - 3:30 pm Break

3:30 – 5:00 pm **Plenary II- Improving Access to Justice Through Language Access for Immigrant Victims**

Room: The Square – 1st Floor, Lobby Level

Interpretación proporcionada en Español solamente en Sesión 2
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This plenary will offer specific, practical examples of the actions that law enforcement agencies, victim services programs, prosecutors, and legal services agencies can implement to enhance language access within the services they provide to victims. Faculty will discuss key elements of language access plans and provide opportunities for participants to share steps being taken in programs across the country to improve language access for immigrant victims of domestic and sexual violence. This session includes an analysis of the impact of lack of language access on criminal investigations, successful prosecutions, and access to family court protections and services for immigrant victims by examining real case studies.

Cannon Han, Senior Program Manager, Asian Pacific Institute on Gender-Based Violence

Detective Shelli Sonnenberg, Boise Police Department, ID

Natasha Haunsperger, Portland Police Department, OR

Judge Ramona Gonzalez, La Crosse, WI

Day Two

9:00 – 10:20 am **Plenary III- Improving Safety for Communities, Officers and Immigrant Survivors: Focusing on Primary Aggressor Determinations**

Room: The Square – 1st Floor, Lobby Level

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This plenary will discuss the connection between domestic violence and community and officer safety and will highlight how immigrant domestic and sexual violence victims benefit when police and prosecutors collaborate to involve victim advocates/attorneys early after immigrant crime victims are identified. Faculty will discuss the new Department of Homeland Security enforcement priorities and victim protections, the role of self-defense, primary aggressor determinations, and best practices for police response at crime scenes. The discussions will highlight the impact of primary aggressor determination on protecting immigrant victims and promoting effective justice system response to hold offenders accountable.

Judge Ramona Gonzalez, La Crosse, WI

Investigator Michael LaRiviere, Salem Police Department, MA

Leslye E. Orloff, Director, NIWAP

10:20 - 10:40 am Break

10:40 – 12:10 pm Workshops

3A. Collaborative Approaches and Effective Outreach Strategies for Serving Immigrant and Limited English Proficient (LEP) Victims

Room: The Square – 1st Floor, Lobby Level

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In this workshop, attendees will learn from national experts about the strategies to effectively reach immigrant victims, including the successes and challenges in outreach to immigrant victims from diverse languages and cultural backgrounds. This workshop will also address the important role victim advocates play in helping victims access the services victims need.

Cannon Han, Senior Program Manager, Asian Pacific Institute on Gender-Based Violence

Norma Mendoza, Multicultural Program Director, Cherokee Family Violence Center

Detective Shelli Sonnenberg, Boise Police Department, ID

Natasha Haunsperger, Portland Police Department, OR

3B. VAWA Confidentiality's Impact on Discovery in Family and Criminal Court Cases

Room: Cambridge – 4th Floor

This workshop will discuss how VAWA confidentiality impacts rulings on discovery motions in family, civil and criminal court cases. Participants will learn to identify immigrant survivors eligible for VAWA confidentiality protection and identify steps that can be taken to ensure that immigrant survivors receive the full range of VAWA confidentiality protections, including in family and criminal court discovery.

Jane Anderson, Senior Attorney Advisor, AEquitas

Leslye Orloff, Director, NIWAP

Judge Rosemary Collins, Rockford, IL (Retired)

3C. Advanced Immigration Law Issues in Cases Involving Immigrant Survivors

Room: Beacon Hill – 4th Floor

This session will review current crime victim protection policies from the U.S. Department of Homeland Security and will discuss immigration case strategies that best secure access to work authorization and protection from deportation for immigrant survivors. Expert faculty will hold a question and answer session with participants answering questions regarding filing, responding to requests for further evidence, and successful strategies in VAWA self-petition, VAWA cancellation of removal, U visa, T visa, and SIJS cases involving immigrant domestic and sexual violence victims and their children.

Edna Yang, Co-Executive Director, American Gateways

Rocio Molina, Deputy Director, NIWAP

12:10 – 1:40 pm Lunch on your own

1:40 - 3:10 pm Workshops

4A. Interviewing Survivors: Trauma-Informed Techniques

Room: Beacon Hill – 4th Floor

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This workshop will discuss how trauma plays a role in all aspects of a client's case and the benefits of trauma-informed collaborations between law enforcement officers, victim advocates, and attorneys to improve outcomes for immigrant victims in legal matters. Participants will learn trauma-informed interviewing skills when working with immigrant survivors of domestic violence, sexual assault, and stalking and how to develop a trauma-informed approach to legal advocacy to improve case outcomes and increase access to justice. The workshop will guide on how to be trauma-informed when preparing survivors to testify and participate in interviews with law enforcement, lawyers, and advocates.

Cannon Han, Senior Program Manager, Asian Pacific Institute on Gender-Based Violence

Edna Yang, Co-Executive Director, American Gateways

Rocio Molina, Deputy Director, NIWAP

Norma Mendoza, Multicultural Program Director, Cherokee Family Violence Center

4B. Electronic Evidence in Domestic Violence Criminal Investigations and Prosecutions and in Family Court Domestic Violence Cases

Room: Cambridge – 4th Floor

This workshop will discuss the role of electronic evidence in proving domestic violence, sexual assault, and stalking. Participants will learn how to document

financial abuse and how *following the money* techniques used in criminal investigations can also document abuse and uncover crimes in family court domestic violence cases. Participants across disciplines (police, prosecutors, family lawyers, victim advocates) will learn how audio recordings, GPS monitoring, texts, email, and other electronic evidence can play in more successful outcomes in criminal and family cases involving immigrant victims.

Judge Ramona Gonzalez, La Crosse, WI

Elliott Casey, Staff Attorney, Virginia Commonwealth's Attorneys' Services Council

Jennifer Landhuis, Director, SPARC

4C. U Visa Helpfulness and Certification

Room: The Square – 1st Floor, Lobby Level

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This workshop will delve into the nuts and bolts of U-visa certification by law enforcement, prosecutors, and judges. Participants will work through a series of scenarios that focus on common misconceptions regarding U-visa helpfulness requirements. The workshop will also cover tips when seeking certification, the range of government officials who can sign U-visa certification, and the various kinds of helpfulness that judges will observe compared to police, prosecutors, and federal administrative agencies (e.g., EEOC, DOL).

Judge Rosemary Collins, Rockford, IL (Retired)

Sargeant Inspector, Antonio Flores, San Francisco Police Department, CA

3:10 - 3:30 pm Break

3:30 - 4:50 pm **Plenary IV- The Why and How of Relationship Building Among Law Enforcement, Prosecutors, Courts, and Immigrant Victim's Advocates**

Room: The Square – 1st Floor, Lobby Level

Strong working collaborations improve community and survivor safety and result in better outcomes in civil and criminal cases involving immigrant survivors. This workshop will allow participants to work through a series of scenarios and exercises to build their knowledge and share their experiences in building collaborations that effectively address the needs of immigrant domestic and sexual violence victims.

Judge Rosemary Collins, Rockford, IL (Retired)

Elliott Casey, Staff Attorney, Virginia Commonwealth's Attorneys' Services Council

Sargeant Inspector, Antonio Flores, San Francisco Police Department, CA

Aparna Bhattacharyya, Executive Director, Raksha, Inc.

4:50 - 5:00 pm Closing and Evaluations