

## Refugees and Migrants

**International Virtual Summit – Domestic/Family  
Violence in the COVID-19 Era  
United Nations Working Group on COVID-19 and  
Domestic/Family Violence**

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**Leslye Orloff**  
Adjunct Professor and  
Director  
National Immigrant  
Women's Advocacy Project,  
American University  
Washington College of Law

NIWAP Technical Assistance:

Call (202) 274-4457

E-mail [niwap@wcl.american.edu](mailto:niwap@wcl.american.edu)

Web Library: [www.niwaplibrary.wcl.american.edu](http://www.niwaplibrary.wcl.american.edu)

Materials for this summit:

<https://niwaplibrary.wcl.american.edu/un-summit-dv-covid-19-era>

# Coercive Control Over Immigration Status

- Among abusive spouses who could have filed legal immigration papers for survivors:
  - 72.3% never file immigration papers
  - The 27.7% who did file had a mean delay of **3.97 years.**

Hass, Dutton and Orloff (2000). "Lifetime prevalence of violence against Latina immigrants: Legal and Policy Implications." *International Review of Victimology* 7 93113

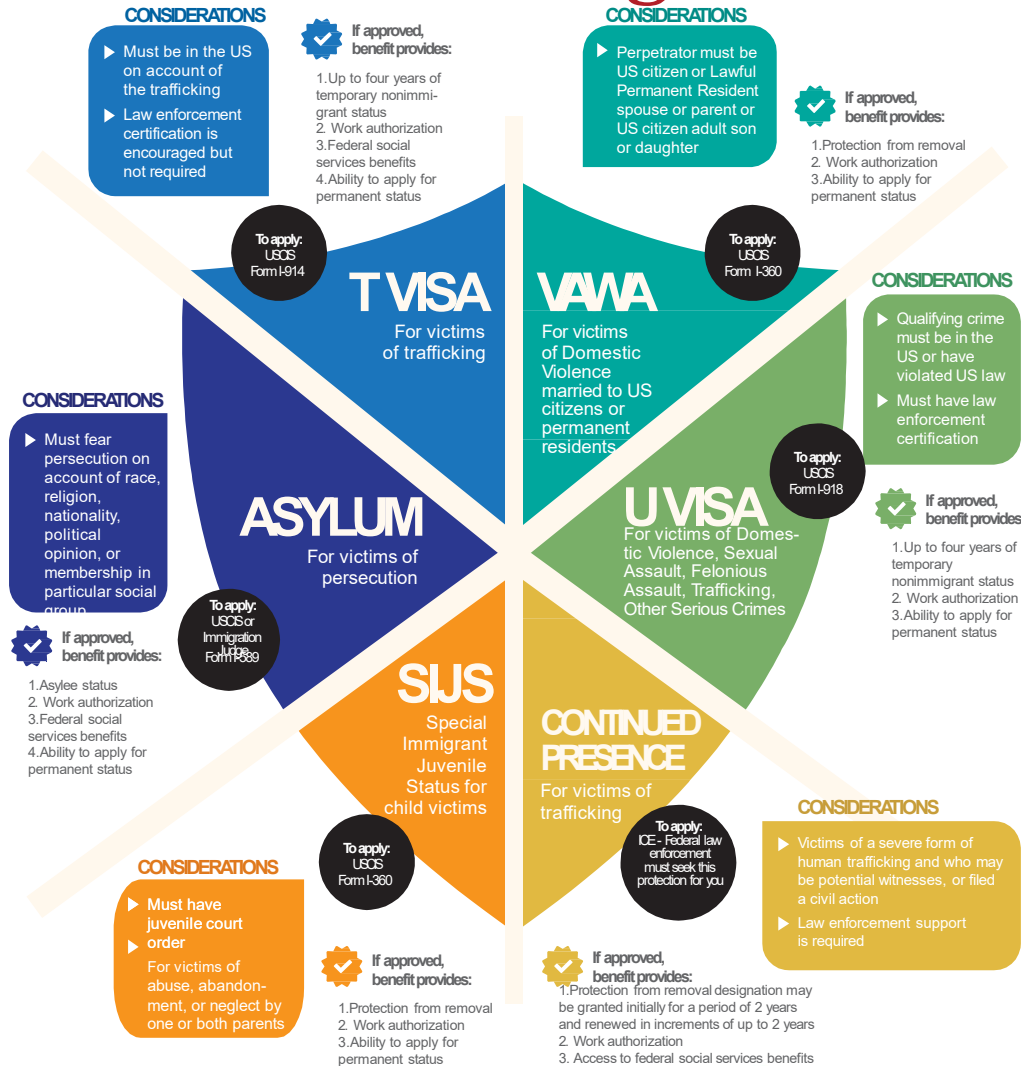
- 65% of immigrant survivors report some form of immigration related abuse (NIJ, 2003)

Edna Erez and Nawal Ammar, *Violence Against Immigrant Women and Systemic Responses: An Exploratory Study* (2003)

- Abuse rate rises to 59.5% when an immigrant's spouse/former spouse is a U.S. citizen
  - Twice the national average

Hass, G. A., Ammar, N., Orloff, L. (2006). *Battered Immigrants and U.S. Citizen Spouses*

# Protections For Immigrant Victims



DHS.GOV/BLUE-CAMPAIGN

# Challenges for Immigrant and Refugee Survivors Due to COVID-19

- Greater isolation & language access challenges
- Filing for immigration relief leads to
  - Enhanced access to public benefits and services
  - More willingness to seek and better justice system outcomes
  - Protection from deportation, legal work authorization and drivers' licenses
- Key role of attorneys and victim advocates
- Need to educate victim advocates/attorneys and justice system professionals on immigrant survivors legal rights to COVID-19 relief

# Immigrant Domestic Violence and Sexual Assault Victim Remote Immigration Representation Model

- California pilot & New York State
- VAWA and U visa immigration cases
- Partnership between
  - Victim advocates in victim's community and
  - Law firm attorneys located elsewhere in the state or country
  - NIWAP/CALCASA provide mentoring for both
- More immigrant victims get needed advocacy & legal help
- Proven remote legal representation model counters COVID-19 barriers and model for the future

# Immigrant Eligibility for COVID-19 Related Healthcare, CARES Act

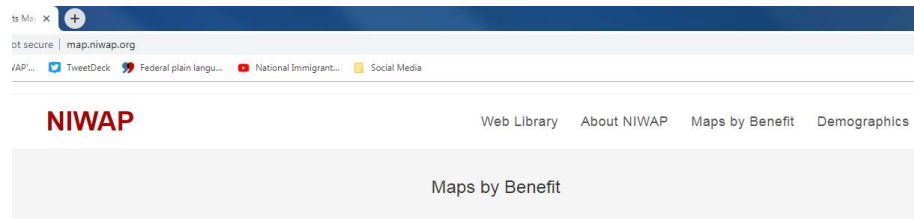
- Healthcare
  - Immigrants qualify for The Families First Act funded COVID-19 testing and treatment through Emergency Medicaid
  - Community and Migrant Health Clinics
  - Victims with pending & approved cases for victim related immigration relief greater access to subsidized care
- CARES Act Economic Relief
  - Immigrant victims with work authorization & SSN
  - Substantial presence & file taxes
  - May or may not have legal immigration status
  - Includes payments for children – citizens or working

# Immigrant Eligibility for COVID-19 Related Housing, Public Charge, Unemployment

- Housing
  - No immigrant restrictions on emergency shelter and transitional housing & most COVID-19 related housing assistance including payments to landlords and states (only restricted if paid directly to tenants)
- Public charge does not apply to victims
- Unemployment Insurance (UI)
  - Immigrants including victims with work authorization
    - When they qualified for UI, when they filed, and while receiving UI
    - Includes all immigrants “permanently residing under color of law” (“PRUCOL”) - NIWAP created a chart by immigration status



# Interactive Public Benefits Map



NIWAP

Web Library About NIWAP Maps by Benefit Demogr

Legal Services

These maps break down available public benefits based on immigrant's state and immigration status.

We are still working on this site, so if you cannot click on your state, check back soon for completed maps.



#### Cash Assistance (TANF)

Temporary Assistance for Needy Families (TANF) provides cash assistance to low income families with children.

[Go to Map](#)



#### Child Care

Child Care services may be provided through public benefits.

[Go to Map](#)



#### Children's Health Insurance Program

Medical assistance is available to children through the Children's Health Insurance Program (CHIP).

[Go to Map](#)



#### Driver's License

State-specific requirements to be issued a driver's license.

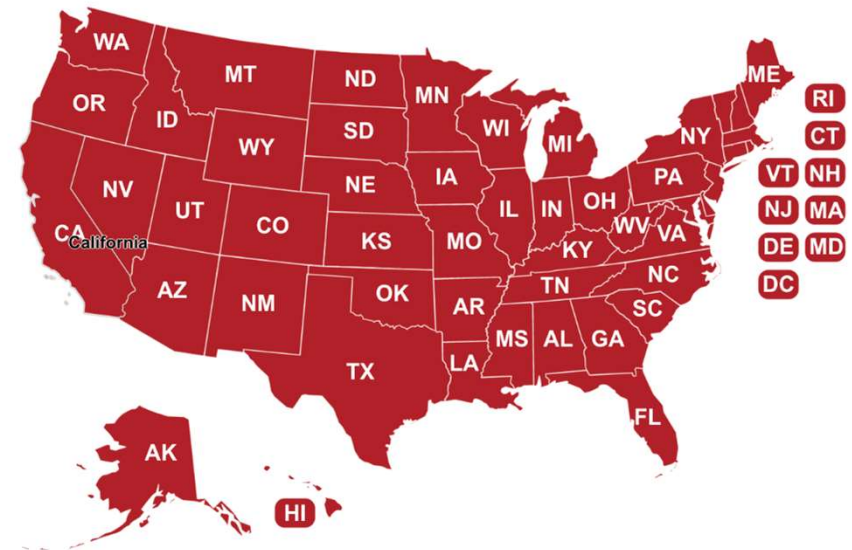
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#### Earned Income Tax Credit



#### Emergency Housing & Safety Programs



<http://map.niwap.org/>

NIWAP

National Immigrant Women's Advocacy Project American  
University Washington College of Law