



**FEDERAL PROTECTIONS FOR IMMIGRANT VICTIMS OF HUMAN TRAFFICKING,
DOMESTIC VIOLENCE AND OTHER CRIMES UNDER THE TVPA AND VAWA**
November 23, 2020

**COMPLICATED OVERLAY OF DOMESTIC VIOLENCE, IMMIGRATION STATUS
AND HUMAN TRAFFICKING**
December 15, 2020

TRAINING MATERIALS¹

NIWAP offers a full library of materials, on-line trainings and technical assistance

If you are a victim advocate, attorney, judge, or other professional working with an immigrant victim and you would like to receive case specific technical assistance on access to publicly funded benefits and services that an immigrant crime victim or immigrant child would be eligible to receive in your state, please call NIWAP for technical assistance. (202) 274-4457 or email us at info@niwap.org. For more information on immigrant survivor's legal rights visit NIWAP's web library <https://niwaplibrary.wcl.american.edu/>

To receive updates, sign up for NIWAP's outreach list.

<https://secure.campaigner.com/CSB/Public/Form.aspx?fid=1682905&ac=fohe>

You can elect NIWAP's general outreach list to receive notices of trainings, webinars, new materials, resources and policies. Judges, court staff, law enforcement and prosecutors can sign up for lists exclusively open to staff working at one of these government agencies.

E-Learning Resources

- Pro Bono Institute "Violence Against Women Act" Online Training Module (Online Course): <http://niwaplibrary.wcl.american.edu/pbti-vawa-training/>
- Pro Bono Institute "U Visa" Online Training Module (Online Course): <http://niwaplibrary.wcl.american.edu/pbti-u-visa-module>
- April 22, 2020: "VAWA Self-Petition: Protections for Immigrant Survivors of Domestic and Sexual Assault Perpetrated by Citizen and Lawful Permanent Resident Family Members"

¹ This materials list includes publications issued by government agencies and materials produced by NIWAP in collaboration with national experts. Each of the materials included in this list that was developed with support from government funders contains the relevant government agency's disclaimers. Many of the 2012-2016 and 2020 materials on this list were developed under grants SJI 12-E-169, SJI 13-E-199, SJI 14-E-234, SJI 15-T-234, and SJI 20-E-005 from State Justice Institute. The points of view expressed are those of the authors and do not necessarily represent the official position or policies of State Justice Institute.

(Webinar)

<http://niwaplibrary.wcl.american.edu/2020-vawa-self-petition-webinar>

- March 19, 2014: “Trauma-Informed Care, Part 2: The Nuts and Bolts of Immigration Story Writing Intervention” (Webinar)
<http://niwaplibrary.wcl.american.edu/march2014trauma2webinar>
- February 24, 2014: “Helping Survivors in Crisis: Hands On Training for Advocates and Attorneys on Trauma-Informed Work with Immigrant Women Who Are Survivors of Domestic Violence and Sexual Assault (Video)
<http://niwaplibrary.wcl.american.edu/february-24-2014-hands-on-training-for-advocates-and-attorneys-on-trauma-informed-work-with-immigrant-women-who-are-survivors-of-domestic-violence-and-sexual-assault>
- October 31, 2017: “VAWA Confidentiality and Protections for Immigrant Victims of Domestic Violence” (Webinar)
<http://niwaplibrary.wcl.american.edu/oct2017vawaconfidentialitywebinar>
- February 22, 2017: Immigrant Access to Federally Assisted Housing (Webinar and Materials)
<http://niwaplibrary.wcl.american.edu/february-22-2017-immigrant-access-federally-assisted-housing>

Forms of Immigration Relief

- Bench Card: Overview of Types of Immigration Status
<http://niwaplibrary.wcl.american.edu/pubs/bchcrd-immstatustypes>
- Family Court Bench Card on Immigration Rights of Battered Spouses, Children and Immigrant Crime Victims
<http://niwaplibrary.wcl.american.edu/pubs/judg-tkit-bchcrdvictimsimmrights10-11-13>
- Bench Card: DHS Enforcement Priorities Information for State Court Judges
<http://niwaplibrary.wcl.american.edu/pubs/dhsenforcementpriorities-benchcard/>
- State courts and the Protection of Immigrant Crime Victims and Children (November 2013)
<http://niwaplibrary.wcl.american.edu/pubs/imm-ppwbnr-statecrtsprotectionofimmchildrencrimevictims-11-08-13/>
- Privacy Protections for Immigrants Applying for Public Benefits
<http://niwaplibrary.wcl.american.edu/pubs/privacy-protections-reporting-and-public-benefits>

Immigration Relief for Crime Victims and Children

Know Your Rights Information

- DHS Interactive Infographic on Protections for Immigrant Victims
<http://niwaplibrary.wcl.american.edu/pubs/dhs-protections1-6-links-121516>
- Immigration Options for Victims of Crime -DHS Brochure
<http://niwaplibrary.wcl.american.edu/pubs/imm-options-victims-of-crimes/>
- Multilingual Materials for Victims and Advocates
<http://niwaplibrary.wcl.american.edu/topic/multilingual-materials-language/>
- Pathways to Immigration Relief for Students
<http://niwaplibrary.wcl.american.edu/pubs/screening-students-for-immigraiton-protections/>
- Information on the Legal Rights Available to Immigrant Victims of Domestic Violence in the United States and Facts about Immigrating on a Marriage-Based Visa
<http://niwaplibrary.wcl.american.edu/pubs/marriage-based-legal-rights>
- Immigration Relief for Abused Children
http://niwaplibrary.wcl.american.edu/pubs/uscis_sijs_brochure

- Special Immigrant Juvenile Status: Information for Juvenile Courts
<http://niwaplibrary.wcl.american.edu/pubs/uscis-sijs-for-courts>
- Special Immigrant Juvenile Status: Information for Child Welfare Workers
<http://niwaplibrary.wcl.american.edu/pubs/uscis-sijs-info-for-childwelfareworkers>
- USCIS Brochure: Female Genital Mutilation or Cutting
http://niwaplibrary.wcl.american.edu/pubs/fgmc_brochure_final/

Human Trafficking

- Blue Campaign: What You Can Do- Recognizing and Supporting Trafficking Victims in the Courtroom
<http://niwaplibrary.wcl.american.edu/pubs/bc-pamphlet-judicial-english>
- Sample Questions for Identifying a Trafficked/Enslaved Person
<http://niwaplibrary.wcl.american.edu/pubs/questions-for-identifying-trafficked-or-enslaved-persons>
- Brochure: Continued Presence & Temporary Immigration Status for Victims of Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/bc-pamphlet-english>
- Blue Campaign: What Can You Do? (Judicial)
<http://niwaplibrary.wcl.american.edu/pubs/bc-pamphlet-judicial-english/>
- "Crash" - DHS Blue Campaign Trafficking PSA (June 14, 2013)
<http://niwaplibrary.wcl.american.edu/june-14-2013-dhs-blue-campaign-trafficking-psa-crash/>
- Human Trafficking and the T-Visa
<http://niwaplibrary.wcl.american.edu/pubs/ch11-human-trafficking-and-t-visa>
- T-Visa Timeline with Background Checks
<http://niwaplibrary.wcl.american.edu/pubs/t-visa-timeline>
- Approaches to Addressing Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/approaches-to-addressing-human-trafficking>
- Definitions, Forms, and Dynamics of Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/definitions-forms-dynamics-of-human-trafficking>
- DHS Continued Presence: Temporary Immigration Status for Victims of Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/dhs-continued-presence-brochure>
- Human Trafficking Assessment and Measurement Framework
<http://niwaplibrary.wcl.american.edu/pubs/human-trafficking-assessment-and-measurement-framework>
- Identifying Cases that May Involve Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/identifying-cases-involving-human-trafficking>
- Immigration Rights of Victims of Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/immigration-rights-of-victims-of-human-trafficking>
- Characteristics of a State Court Focused Approach to Addressing Human Trafficking
<http://niwaplibrary.wcl.american.edu/pubs/state-court-focused-approach-to-addressing-human-trafficking>
- Infrastructure Required to Support Courts and Justice Partners in Human Trafficking Cases
<http://niwaplibrary.wcl.american.edu/pubs/strategies-to-support-courts-and-partners-in-human-trafficking-cases>
- Dealing with Human Trafficking Victims in a Juvenile Case
<http://niwaplibrary.wcl.american.edu/pubs/working-with-human-trafficking-victims-in-a-juvenile-case>

- Human Trafficking Victims as Criminal Defendants
<http://niwaplibrary.wcl.american.edu/pubs/human-trafficking-vctims-as-criminal-defendants>

U and T Visa Certification

- DHS U and T Visa Law Enforcement Resource Guide (November, 2015)
<http://niwaplibrary.wcl.american.edu/pubs/dhs-updated-u-certification-resource-guide-2015/>
- DHS Policy Answers to Law Enforcement Reasons for Not Certifying
<http://niwaplibrary.wcl.american.edu/pubs/dhs-answers-to-reasons-for-not-certifying>
- U Visa Certification and T Visa Declaration Toolkit for Federal, State, and Local Judges, Commissioners, Magistrates, and other Judicial Officers (August 12, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/judges-u-and-t-certification-toolkit-2020>
- U Visa Quick Reference for Judges (October 14, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/u-visa-quick-reference-guide-for-judges>
- T Visa Quick Reference Guide for Judges (October 14, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/t-visa-quick-reference-guide-judges>
- U-Visa Application Flow Chart for Judges (October 14, 2020)
https://niwaplibrary.wcl.american.edu/pubs/u-visa-flowchart_judges
- T Visa Application Flow Chart for Judges (July 3, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/t-visa-application-flowchart-judges>
- U Visa Protections for Family Members (July 3, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/u-visa-family-member>
- T Visa Protections for Family Members (July 3, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/t-visa-family-member>
- U-Visa: "Helpfulness" Checklist (October 21, 2019)
<https://niwaplibrary.wcl.american.edu/pubs/u-visa-helpfulness-checklist>
- USCIS U Visa Certification Factsheet Q&A
<http://niwaplibrary.wcl.american.edu/pubs/imm-relief-victims-trafficking-and-other>
- Collection of U Visa News Articles
<http://niwaplibrary.wcl.american.edu/pubs/uvisa-news-articles/>
- Stories from the Field: The Crime Fighting Effectiveness of the U Visa (August 27, 2020)
<https://niwaplibrary.wcl.american.edu/pubs/u-visa-crime-fighting-stories>
- The Importance of the U-visa as a Crime-Fighting Tool for Law Enforcement Officials - Views from Around the Country
<http://niwaplibrary.wcl.american.edu/pubs/uvisa-crime-fighting-tool>
- Protecting Our Communities and Officer Safety
http://niwaplibrary.wcl.american.edu/pubs/may_june_sheriff
- Overcoming Fear and Building Trust With Immigrant Communities and Crime Victims (Police Chief Magazine April 2018)
http://niwaplibrary.wcl.american.edu/pubs/policechief_april-2018_building-trust-immigrant-victims/
- Bench Card: DHS Enforcement Priorities, Courthouse Enforcement and Sensitive Location Policies and Memoranda: Information for State Court Judges
<https://niwaplibrary.wcl.american.edu/pubs/dhsenforcementpriorities-benchcard>
- Understanding the Judicial Role in U-Visa Certification, American Journal of Family Law
<http://niwaplibrary.wcl.american.edu/judicial-role-u-visa-cert/>
- New U and T Visa Application and Certification Forms (January and February 2017)
<http://niwaplibrary.wcl.american.edu/2017-u-cert-forms/>

- Immigrant Crime Victims and U Visa Certification – What is it and Why Should Judges Care? (National)
<http://niwaplibrary.wcl.american.edu/pubs/national-uvisa-judicial-training-update/>
- Immigrant Crime Victims and U Visa Certification – What is it and Why Should Judges Care? (Minnesota)
<http://niwaplibrary.wcl.american.edu/pubs/minnesota-uvisa-judicial-training-update/>
- U Visa Certification by Judges: Minnesota Board of Judicial Standards Opinion
<http://niwaplibrary.wcl.american.edu/pubs/mn-board-judicial-standards-opinion-2015-2-final/>
- National Survey on Types of Criminal Activities: Experienced By U-Visa Recipients
<http://niwaplibrary.wcl.american.edu/pubs/u-visa-criminal-activities-survey/>
- Expert Advice for Judges: How to Handle U Visa Certification Requests (Webinar)
<http://niwaplibrary.wcl.american.edu/december-1-2014-expert-advice-for-judges-webinar/>
- State Laws
<http://niwaplibrary.wcl.american.edu/state-u-visa-certification-laws/>

Special Immigrant Juvenile Status, Child Abuse & Protective Battered Immigrant Parents

Full Training Manual

- The Special Immigrant Juvenile Status Bench Book: A National Guide to Best Practice for Judges and Courts (April 2018)
<http://niwaplibrary.wcl.american.edu/manual/sijs-benchbook/>

VAWA Self-Petition

- Bench Card-Identifying Victims Who May Qualify for Immigration Relief (March 29, 2019)
<http://niwaplibrary.wcl.american.edu/pubs/judges-immigration-relief-tool/>
- Comparing Forms of Immigration Relief for Immigrant Victims of Crime (September 21, 2017)
<http://niwaplibrary.wcl.american.edu/pubs/imm-relief-forms-comparison/>
- Introduction to VAWA Self-Petitioning and Flow Charts
<http://niwaplibrary.wcl.american.edu/pubs/vawa-self-petitioning-intro-and-flow-charts-6-17-19/>
- VAWA Self-Petitioning Flow Chart for Child Applicants
<http://niwaplibrary.wcl.american.edu/pubs/vawa-flow-chart-child/>
- Flowchart: VAWA Self-Petitioning Eligibility for Elder Abuse Survivors
<http://niwaplibrary.wcl.american.edu/pubs/flowchart-vawa-selfpet-elder-abuse/>
- Flowchart: VAWA Self-Petitioning Eligibility for Adults
<http://niwaplibrary.wcl.american.edu/pubs/flowchart-vawa-selfpet-adults>
- Public Benefits Flow Charts: VAWA Self-Petition and Cancellation, U-Visas, T-Visas, and SIJS
<http://niwaplibrary.wcl.american.edu/pubs/public-benefits-flow-charts/>
- Battering or Extreme Cruelty: Drawing Examples from Civil Protection Order and Family Law Cases
<http://niwaplibrary.wcl.american.edu/pubs/extreme-cruelty-examples-protection-order-2/>
- Information on the Legal Rights Available to Immigrant Victims of Domestic Violence in the US and Facts about Immigrating on a Marriage-based Visa
<http://niwaplibrary.wcl.american.edu/pubs/marriage-based-legal-rights>
- VAWA Self-Petitioners, VAWA Cancellation of Removal, and VAWA Suspension of Deportation (April 17, 2013)
<http://niwaplibrary.wcl.american.edu/pubs/vawa-eligibility-process/>
- Preparing the VAWA Self-Petition and Applying for Lawful Residence (July 10, 2014)

- <http://niwaplibrary.wcl.american.edu/pubs/ch7-preparing-vawa-self-petition/>
- Immigration Relief for Child Sexual Assault Survivors (July 10, 2014)
<http://niwaplibrary.wcl.american.edu/pubs/ch8-imm-relief-child-sexual-assault-survivors/>
- Trauma Informed – Structured Interview Questionnaires for Immigration Cases (SIQI)(July 12, 2018)
<http://niwaplibrary.wcl.american.edu/pubs/siqi-trauma-informed-tool/>
- Advocate’s and Attorney’s Tool for Developing a Survivor's Story-Trauma Informed Approach (July 10, 2017)
<http://niwaplibrary.wcl.american.edu/pubs/traum-qref-advocatetooldevelopingsurvivorstory-7-10-17/>
- VAWA Self-Petition Timeline with Background Checks (March 29, 2019)
<http://niwaplibrary.wcl.american.edu/pubs/3f-vawa-timeline-3-29-19/>
- VAWA Red-Flags (July 16, 2015)
<http://niwaplibrary.wcl.american.edu/pubs/vawa-red-flags/>
- Good Moral Character (October 15, 2013)
<http://niwaplibrary.wcl.american.edu/pubs/good-moral-char-tool/>
- Experiences of Immigrant Women Who Self-petition Under the Violence Against Women Act (August 10, 2010)
<http://niwaplibrary.wcl.american.edu/pubs/imm-exp-self-petition-vawa/>

VAWA Confidentiality

Bench Cards

- Family Court Bench Card on VAWA Confidentiality
<http://niwaplibrary.wcl.american.edu/pubs/family-court-bench-card-vawa-confidentiality>
- Bench Card: DHS Enforcement Priorities, Courthouse Enforcement and Sensitive Location Policies and Memoranda: Information for State Court Judges
<http://niwaplibrary.wcl.american.edu/wp-content/uploads/IMM-Qref-DHSEnforcementPriorities-2.11.17-FINAL.pdf>

VAWA Confidentiality Statutes, Regulations and Policies

Training Materials

- Three Prongs of VAWA Confidentiality
<http://niwaplibrary.wcl.american.edu/pubs/conf-vawa-bro-3prongsofconfidentiality/>
- Quick Reference: VAWA Confidentiality Protections: Quoting Statutes, Regulations and DHS Policies 3.29.19
http://niwaplibrary.wcl.american.edu/pubs/federal-law-quotes-vawa-confidentiality-protections_3-29-19/
- VAWA Confidentiality Protections for Immigrant Crime Victims (Webpage) (February 23, 2017)
<http://niwaplibrary.wcl.american.edu/vawa-confidentiality-materials-tools/>
- Chapter 3.2: VAWA Confidentiality and Breaches of Confidentiality
<http://niwaplibrary.wcl.american.edu/pubs/ch3-2-vawa-confidentiality/>

VAWA Confidentiality and Courthouse Enforcement Policies

- Civil Immigration Enforcement Actions Inside Courthouses (January 10, 2018)
<http://niwaplibrary.wcl.american.edu/wp-content/uploads/ICE-Directive-1.10.2018-003.pdf>

- VAWA Confidentiality Protections, Courthouse Enforcement, and Sensitive Location Policies at a Glance (3.29.19)
<http://niwaplibrary.wcl.american.edu/pubs/vawa-protections-in-state-courts-and-cases/>
- Immigration and Customs Enforcement January 2018 Courthouse Enforcement Policy and VAWA Confidentiality Protections for Immigrant Crime Victims
<http://niwaplibrary.wcl.american.edu/courthouse-protections-and-crime-victims/>
- Courthouse Immigration Enforcement: Steps State Courts Are Taking (2018)
<http://niwaplibrary.wcl.american.edu/pubs/courtroom-enforcement-steps-courts-are-taking/>
- February 2018 Newsletter: New ICE Policies on Courthouse Enforcement and VAWA Confidentiality
<http://niwaplibrary.wcl.american.edu/pubs/niwap-feb-newsletter/>

VAWA Confidentiality and State Court Discovery

- Quick Reference Guide for Judges: VAWA Confidentiality and Discovery Related Case Law
<http://niwaplibrary.wcl.american.edu/pubs/judges-vawa-confidentiality-cases-and-discovery/>
- Court Rulings Confirm Federal VAWA Confidentiality Protections Bar Discovery of VAWA Confidentiality Protected Information in State Family Court Proceedings
<http://niwaplibrary.wcl.american.edu/pubs/conf-vawa-tool-hawkedemajfactsheet/>
- VAWA Confidentiality and Criminal Cases: How Prosecutors Should Respond to Discovery Attempts for Protected Information
<http://niwaplibrary.wcl.american.edu/pubs/discovery-and-vawa-confidentiality-tool-final-7-24-17/>
- Quick Reference Guide for Prosecutors: U Visa and VAWA Confidentiality Related Case Law
<http://niwaplibrary.wcl.american.edu/pubs/case-law-quick-reference-tool-7-24-17-final-w-logo/>

Public Benefits Access of Immigrant Victims

- Public Benefits Bench Card
<http://niwaplibrary.wcl.american.edu/pubs/pb-bchcrd-pubbenefits>
- Public Benefits Map
<http://map.niwap.org/>
- State by State public benefits charts – by immigrant victim case type and benefits program
<http://niwaplibrary.wcl.american.edu/all-state-public-benefits-charts/>
- VAWA Public Benefits Eligibility Process: VAWA Self-petitioners, VAWA Cancellation of Removal, and VAWA Suspension of Deportation
<http://niwaplibrary.wcl.american.edu/pubs/vawa-eligibility-process>
- U Visa Victims Benefits Eligibility Process (Bench Card)
<http://niwaplibrary.wcl.american.edu/pubs/u-visa-benefits-benchcard>
- Trafficking Victims Benefits Eligibility Process (Bench Card)
<http://niwaplibrary.wcl.american.edu/pubs/bchcrd-trafficking-victim-benefits-eligibility-process>
- Joint Agency Letter on Shelters and Transitional Housing
<http://niwaplibrary.wcl.american.edu/joint-agency-letter-shelters-transitional-housing/>
- Access to Publicly Funded Legal Services for Battered Immigrants
<http://niwaplibrary.wcl.american.edu/pubs/lsc-tool-accesspubliclyfundedls>

- Advisory Opinion 2016-002: Providing Legal Services for Children Seeking Special Immigrant Juvenile Status
<http://niwaplibrary.wcl.american.edu/pubs/lsc-ao-2016-002-revised/>
- Access to Public and Assisted Housing VAWA Self-Petitioners –Webpage (January 26, 2017)
<http://niwaplibrary.wcl.american.edu/access-public-assisted-housing-vawa-self-petitioners/>
- Post-VAWA 2013: Immigrant Crime Victims and Public Charge
<http://niwaplibrary.wcl.american.edu/pubs/imm-tkit-publicchargepostvawa2013/>
- Programs Open to Immigrant Victims and All Immigrants Without Regard to Immigration Status
<http://niwaplibrary.wcl.american.edu/pubs/programs-open-to-all-immigrants>
- Anti-Discrimination Provisions that Apply to Programs Receiving Federal Funding Serving Victims of Violence against Women Crimes
<http://niwaplibrary.wcl.american.edu/pubs/pb-tool-antidiscrimlaws/>

Screening Tools

- Comparison Chart of U visa, T Visa, Violence Against Women Act (VAWA) Self-Petition, Special Immigrant Juvenile Status (SIJS), and Deferred Action for Childhood Arrivals (DACA)
<http://niwaplibrary.wcl.american.edu/pubs/chart-vawa-t-u-sijs-daca/>
- Identifying Forms of Immigration Relief Available for Battered Immigrant Victims**
<https://www.civiresearchinstitute.com/online/article.php?pid=6&iid=1269>
- Blue Card: Screening for Victims Who Qualify for Immigration Protective Relief (Squad Car Screening Tool)
<http://niwaplibrary.wcl.american.edu/pubs/screening-tool-victims-qualify>
- Immigration Protection Screening Checklist (June 17, 2011)
<http://niwaplibrary.wcl.american.edu/pubs/fam-checklist-immprotectionscreening/>

**If you have difficulty accessing this publication please contact for assistance NIWAP at (202) 274-4457 or info@niwap.org