NIWAP

AMERICAN UNIVERSITY
WASHINGTON
COLLEGE of LAW

Supporting the Work of Coalitions and Their Member Programs with Immigrant Survivors

Ohio Domestic Violence Network
October 10, 2025

Faculty Introduction and NIWAP Resources

- **Leslye E. Orloff**, Adjunct Professor and Director, NIWAP, American University, Washington College of Law
- **Patricia Ravenhorst**, General Counsel, SC Coalition Against Domestic Violence and Sexual Assault
- NIWAP Web library
  - Directory
  - Public Benefits Interactive Map & Demographics
  - Materials: Bench cards, toolkits, training tools, legal research, multi-lingual outreach materials
- Technical Assistance
  - Cases, policies, strategies
  - Email, phone, zoom
- Trainings and Webinars
  - On-line, virtual, in-person
  - Customized
- Communities of Practice
  - Victim advocates, family lawyers, National Judicial Network
  - Law enforcement/prosecutors



Technical Assistance Topics

- Legal immigration remedies
  - VAWA, U and T visas, Battered Spouse Waiver, Special Immigrant Juvenile Status, and Naturalization for Survivors
  - U and T visa certification by government officials
- VAWA Confidentiality
- Family law for immigrant survivors
  - Including protection orders, custody, divorce, support
- Public benefits, services, and legal assistance
  - E.g. housing, healthcare, driver's licenses, food assistance, education
- Providing trauma informed assistance to immigrant survivors
- Interpreters/translators best practices
- Prosecution strategies
  - Discovery, Victim Disclosures, and Expert Witness

Join a NIWAP Community of Practice



Legal Immigration Options

Purpose Crime Victim Based Immigration Relief

Congress enacted VAWA self-petitioning (1994), the U and T visas (2000, 2005, 2008) & Special Immigrant Juvenile Status (SIJS) (1990,2008) to:

- Enhance victim safety
- Allow victims to report crimes and seek help from police, prosecutors, and courts without fear of deportation
- Improve access to justice in family/criminal/civil courts for immigrant victims of
  - Domestic & sexual violence, stalking, human trafficking and child/elder abuse
- Improve community policing and community relationships
- Increase prosecution of perpetrators of crimes against immigrant victims
- Keep communities safe

U.S. Legal Immigration Benefits for Noncitizen Victims of Crime and Abuse



Immigration Relief Available for Immigrant Victims of ---

- Domestic violence
  - -- Child/elder abuse
- Sexual assault
- Rape
- Incest
- Prostitution
- Torture
- Felonious assault
- Manslaughter
- Murder
- Female genital mutilation
- Hate Crimes
- False Imprisonment
- Kidnapping
- Abduction
- Unlawful criminal restraint
- Trafficking
- Involuntary servitude
- Slave trade
- Being held hostage
- Fraud Foreign Labor Contracting
- Peonage
- Blackmail
- Extortion
- Witness tampering
- Obstruction of justice
- Perjury
- Stalking
- Abusive sexual contact
- Sexual exploitation
- Video voyeurism
- Aggravated robbery
- **Parent perpetrated**
  - Child abuse, neglect, abandonment

Attempt, conspiracy, or solicitation to commit any of these crimes or any similar activity

Involuntary Servitude in Domestic Violence Relationships

3 USCSIS-PM B.2(B)(4)]

- "An expectation that the victim's life fulfills the orders of the trafficker (such as a demand from the trafficker to perform domestic labor at an unreasonable level, including unreasonable working hours, and constant availability to labor regardless of health or energy);
- Lack of control over the victim's own wages despite laboring under the trafficker's demands; or
- The imposition of unequal living arrangements as part of the campaign of force, fraud, and coercion (for example, unequal sleeping arrangements, living arrangements, or access to nourishment)."

Familial Trafficking

- 2 in 5 trafficking cases reported annually to federal trafficking taskforces involve child sex trafficking
- Over 62.7% of sex trafficked children their trafficker is a family member
  - Parent, grandparent, aunt, uncle, cousin, sibling
  - With 45.8% parent or guardian
- 65% of sex trafficked children come from unstable homes or compromised parenting
  - Almost 20% have a history of child abuse or neglect
- Up to 34% of sex trafficked children are trafficked by an intimate partner

- Cole, J., & Sprang, G. Sex trafficking of minors in metropolitan, micropolitan, and rural communities. Child Abuse & Neglect (2014), http://dx.doi.org/10.1016/j.chiabu.2014.07.015

Know About OTIP Letters

- The Office of Trafficking in Persons (OTIP) at HHS issues:
  - Eligibility Letters to foreign national children
    - Referral for Assistance before child turns 18
    - No DHS application required
    - When under 18 year old victim applies for a T visa USCIS makes OTIP referral
    - May have (CP)
  - Certification Letters to foreign national adults
    - Bona fide T applicants and Continued Presence (CP)
- OTIP Letters provide access to public benefits, as refugees, for life
- Must be accepted by Federal and State agencies

Large Group Discussion

How do VAWA's immigration protections benefit immigrant victims and their children ?

Benefits for Survivors

- Legal immigration status
- Financial independence from the perpetrator
  - Legal work authorization (6 months to 5 years from filing)
  - Issuance of federally recognized driver's licenses and IDs
  - Victims' increased eligibility for federal and state benefits & services
  - Affidavits of support enforcement
- VAWA confidentiality
  - Protection from removal

Evidence Based Research Has Found Increased Access to Justice

- Courts that issue U/T visa certifications and SIJS judicial determinations
  - See greater numbers of immigrant victims with the help of victim advocates and attorneys seeking protection orders & custody
  - Even in times of increased anti-immigrant sentiment and immigration enforcement

Rodrigues, Orloff, Couture-Carron, and Ammar, Promoting Access to Justice for Immigrant Crime Victims and Children: Findings of a National Judicial Survey and Recommendations, **National Center for State Courts, Trends in State Courts** (2018) https://niwaplibrary.wcl.american.edu/pubs/trends-in-state-courts-survey-findings/

After VAWA Self-Petitioners and U Visa Victims Receive Work Authorization and Deferred Action

- Increased justice system involvement
  - 114% increase in willingness to trust the police
  - 36% make police reports regarding future crimes
  - 60% seek protection orders and/or custody
  - 22% help other victims report abuse and seek help/justice
- Significant reductions in abusers using the victim's immigration status as a tool to perpetuate abuse
  - 74% decline in immigration-related abuse
  - 78% decline in threats to snatch/cut off access to children
  - 65% decline in efforts to use the immigration status of the victim to gain an advantage in family court

Mental Health Benefits of Work Authorization and Deferred Action

- VAWA and U visa victims report increases in:
  - It being easier to make decisions 432%
  - Sleeping better & being calmer– 300%
  - Being more focused – 280%
  - More independent – 261%
  - Standing up for themselves 225%
  - Having more energy – 188%
  - Being less depressed 183%
  - More at ease – 162%
  - More hopeful 130%

Orloff, Magwood, Campos-Mendez, & Hass, Transforming Lives: How the VAWA Self-petition and U Visa Change the Lives of Victims and their Children After Work-Authorization and Legal Immigration Status (June 2021)

Education and English Language Learning

- 226% increase in victims taking ESL classes
- 167% increase in working to improve English speaking abilities
- 60% attend social events with people in the U.S.
- 35% obtain GEDs
- 38% pursue AAs and Bas
- 21% receive vocational education
- 19% advanced degrees

Orloff, Magwood, Campos-Mendez, & Hass, Transforming Lives: How the VAWA Self-petition and U Visa Change the Lives of Victims and their Children After Work-Authorization and Legal Immigration Status (June 2021)

Federal Statutes Require That Victim Services Are Open To All Victims

Victim Services Eligibility

- **Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) --** Programs Necessary to Protect Life and Safety open to all.
  - PRWORA – 8 USC § 1621
- **Victims of Crime Act (VOCA) –** All survivors are eligible for services regardless of immigration status.
  - VOCA 28 CFR § 94.116
- **Violence Against Women Act (VAWA) –** Grants not restricted based on alienage or national origin.
  - VAWA 28 CFR § 90.4 (d)
- **Family Violence Prevention and Services Act (FVPSA) –** Does not impose immigration status requirements on survivors seeking help. Provides for specialized services to "underserved populations".
  - FVPSA 42 USC §10406(a)(3); 45 CFR §1370.2, 1370.5(d)

FVPSA – Services to Immigrants

FVPSA Regulations & Grant Conditions
Require Access to Services
Without Documentation of Immigration Status

2024 – 2026 OFVPS Standing Notice of Funding Opportunity - Page 8

"As per **45 CFR § 1370.5(d),** all FVPSA-funded services **must be provided without requiring documentation of immigration status** because FVPSA-funded services do not fall within the definition of federal public benefit that would require verification of immigration status. HHS provides guidance regarding services to HHS-funded services for immigrant survivors of domestic violence. Please see Domestic Violence Fact Sheet: Access to HHS-Funded Services for Immigrant Survivors of Domestic Violence and Joint Letter to Recipients of Federal Financial Assistance."

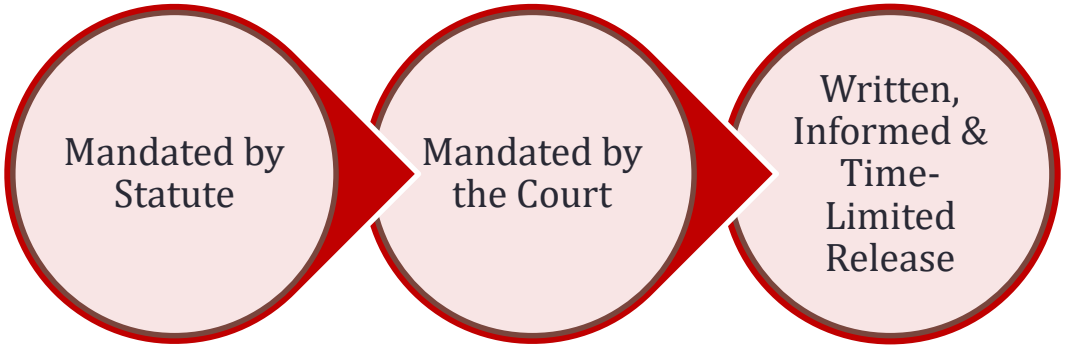
Key Violence Against Women Act (VAWA) Statutes

- 8 U.S.C. §1367
  - VAWA confidentiality immigration
- 8 U.S.C. §1229(e) – INA 239(e)
  - VAWA confidentiality protected locations
- 35 U.S.C. §12291 – Full VAWA
  - (a) definitions
  - (b) grant conditions including
    - VAWA confidentiality protections applicable to all grantees

VAWA Confidentiality's Protections for Immigrant Survivors: What You Need to Know

Main VAWA Confidentiality & Community-Based Victim Services

Non-governmental victim service agencies federally funded by VAWA, VOCA or FVPSA are prohibited from disclosing "personally identifying information" about a victim/client UNLESS:



Note: There are special rules for minors & legally incapacitated persons

Prior to release, agency must also make reasonable attempt to:

- Inform the victim
- Safety plan with victim to mitigate any potential harm

VAWA Confidentiality Prongs

Non- Disclosure

Protects victims who have filed a protected case with DHS

Abuser-Provided Information Prohibition

Includes family members of abusers, crime perpetrators and their agents

Protects:

*All victims abused by a spouse or parent

*All victims in the process of applying for U or T visas

*Abused spouses of visa holders with VAWA work authorization filed

Location Prohibitions

Protects:

All Victims

Requires:

No action at protected locations OR

Notice to Appear must state how they complied with VAWA confidentiality

Violation = $5,000 fine and/or disciplinary action

VAWA Confidentiality Violations



- Each violation
  - Disciplinary action and/or
  - $5,000 fine for the individual
- VAWA Confidentiality Implementation Guidance (1997, 2005, 2007, 2008, 2013, 2019, 2021, 2025)
- ICE required to:
  - Not rely upon perpetrator provided information
  - Check for “384” flag before enforcement actions
  - Obtain supervisor approval
  - Certify compliance to immigration judge
    - Violations can be basis for dismissal of removal action

ICE Policy 11005.4 Civil Immigration Enforcement Actions Involving Current or Potential Beneficiaries of Victim Based Immigration Benefits January 2025 (Emphasis Added)

- "ICE officers and agents should coordinate and deconflict internally, and with local, state, and other federal law enforcement, as appropriate, when determining whether to take civil immigration enforcement actions to ensure criminal investigative and other enforcement actions will not be compromised;."

Adherence to Laws (VAWA Confidentiality)

- "ICE personnel remain bound to adhere to all applicable statutory and policy requirements including the provisions of 8 U.S.C. § 1367 and Department of Homeland Security (DHS) Instruction No. 002-02-001, Rev. 00.1: Implementation of Section 1367 Information Provisions (May 28, 2019)".
- "ICE officers and agents may not rely on information obtained solely from a "prohibited source" when making an adverse determination of admissibility or deportability."

All DHS Memo 002-02-001.1 Rev.00.1 (May 29, 2019) Confirmed (Jan. 2025)

- VAWA Confidentiality prohibited source and non-disclosure protections apply to victims who *are seeking, are in the process of preparing an application, have filed for, and have been approved* for a victim-based form of immigration relief covered by 8 U.S.C. 1367

VAWA Immigration Location Prohibitions

8 U.S.C. 1367 & 8 U.S.C. 1229(e) ICE Policy 11072.3 Court House Enforcement (January 2025)

- Enforcement actions are not to be taken unless specific procedures designed to protect victims are followed at:
  - A shelter
  - Rape crisis center
  - Supervised visitation center
  - Family justice center
  - Victim services program or provider
  - Community based organization
  - Courthouse against victims in connection with any
    - Protection order case, child custody case, civil, or criminal case involving or related to domestic violence, sexual assault, trafficking, or stalking
    - Also prohibited absent supervisor approval in family and non-criminal cases and courthouses



What is discoverable in a state court?

- Criminal case
  - U visa and T visa case
    - The request for certification letter
    - The U certification itself
    - The T visa certification is there was one
  - VAWA self-petition, VAWA cancellation/suspension cases: Nothing
  - Discovery from prosecutor only, cannot discover immigration file directly from victim, victim's parents, victim's advocate or victim's immigration attorney
- Family Case - Nothing
- Civil Employment Case
  - Multiple victims redacted certifications may be discoverable
- The victim's immigration case file and its contents are not discoverable

New Tools Demonstration

- Letters for law enforcement and prosecutors and their agency staff to provide to victims
- Letters that advocates and attorneys can provide to victims
- Letters that advocates and attorneys at protected locations can provide should they encounter ICE
- Letters that judges, court staff, CPS, prosecutors can provide to ICE if they seek a victim at a court



Sample Letters for Victim Advocates, Victim Attorneys and Victims

Sample: VAWA Confidentiality Notices: Victims to Immigration Enforcement Officials

Current as of April 21, 2025

Sample letters for victim advocates, victim's attorneys and victims

- Letter for Victims from Victim Advocates and Attorneys 2
- Letter for Attorneys-Advocates Accompanying VAWA, U and T Visa Victims to Court 6
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- Letter for VAWA Confidentiality Protected and OVW, OVC, FVPSA Funded Locations 11
- Letter for Other VAWA Confidentiality Protected Locations 14
- Attachment to Provide to ICE Officials 17
  - Text of ICE 2025 Victim Policy 17
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  - VAWA Confidentiality Legislative History 41
  - Text of ICE 2025 Courthouse Enforcement Policy 43

MONTH DATE, 2025

RE: Victim Seeking and in the Process of Applying for a Victim-Based Form of Immigration Relief Protected by 8 U.S.C. §1367

Dear Officer,

Please be advised [INSERT VICTIM'S NAME] is a victim of battering, extreme cruelty, human trafficking, or other U visa listed criminal activit(ies) making the victim legally entitled to VAWA, T visa, or U visa immigration relief under the Violence Against Women Act (VAWA) and/or the Trafficking Victims Protection Act. This letter is to notify Department of Homeland Security employees that the victim is seeking and is in the process of applying for or has applied for immigration relief and is entitled to statutory protections under 8 U.S.C. §1367.

[INSERT VICTIM'S NAME] is currently receiving [advocacy and supportive services/legal assistance] from [INSERT NAME OF AGENCY].

[INSERT SHORT DESCRIPTION OF AGENCY – INCLUDING EXPERTISE IN WORKING WITH VICTIMS AND IMMIGRANT VICTIMS]

The name of the person responsible for this victim's case is:

Insert Name
Insert Cell Phone Number
Insert Email Address

[INSERT VICTIM'S NAME] has provided information and reported the criminal activity and abuse suffered to [INSERT NAME OF LAW ENFORCEMENT, PROSECUTION, STATE GOVERNMENT AGENCY OR COURT] and [is being/has been helpful] to that agency in efforts to hold the offender accountable. The contact information for agency staff working with this victim is:

Insert Name
Insert Cell Phone Number
Insert Email Address

ICE Victim Policy 11005.4: Interim Guidance on Civil Immigration Enforcement Actions Involving Current or Potential Beneficiaries of Victim-Based Immigration Benefits (January 30, 2025) requires:

"*Adherence to Laws*
In implementing this guidance, ICE personnel remain bound to adhere to all applicable statutory and policy requirements including the provisions of 8 U.S.C. § 1367 and Department of Homeland Security (DHS) Instruction No. 002-02-001, Rev. 00.1: Implementation of Section 1367 Information Provisions (May 28, 2019)."[1]

Consult An Immigration Attorney

- With expertise serving immigrant victims in VAWA, T, and U visa cases when victims
  - Have criminal histories
  - Get arrested
  - Have had removal orders issued against them
  - Have open immigration cases
- For most other victims filing a VAWA, T or U visa case is generally more protective than not
  - Timing is important
  - Victim advocates can help victims file well documented cases

For most other victims filing a VAWA, T or U visa case is generally --

- More protective than not
- Timing is important
- Must file well documented cases
  - Victim advocates can play an important role
  - NIWAP has trauma informed tools
- Particularly protective for victims who make police reports, work with law enforcement, and prosecutors

Importance of Family Court Remedies and Safety Planning

Learning From the Past - How We Helped Immigrant Victims Before VAWA – 1980's & 1990's

- Family Court
  - Civil protection orders
    - Enforcement through civil/criminal contempt
  - Custody, divorce, child support
  - Affidavits of support
- Shelters, rape crisis centers, victim services
- Collaboration with police and prosecutors
- Safety planning, empowering survivors, building upon their strengths
- Creative victim advocacy that met survivors intersecting and diverse needs

Immigrants and Protection Orders

- All persons are eligible to receive civil protection orders without regard to the immigration status of any party or child
- Protection order issuance = no effect on immigration status
- Violations of protective CPO provisions = deportable offense – Padilla warnings needed
  - Dangers of issuing CPOs against victims
- Immigrant victims and their children often need creative protection order remedies using the state catch all provisions

Victims Who Stay: No Unlawful Contact Protection Orders

- No state's protection order statute requires separation of the parties
- Provisions
  - No abuse
  - No unlawful contact
  - Batterer's treatment

Use Creative Remedies to…

- Stop immigration related abuse
- Protect victims still living with their abusers
- Obtain documents the victim needs for an immigration case or for care of child
- Deter parental kidnapping
- Child/Spousal support
  - Affidavit of support
- Health insurance

Is Immigration Status Relevant to Custody?

- Relevant to: Immigrant crime victim presents evidence of immigration related abuse, power and control suffered
  - Either not filing or withdrawing immigration papers
  - Threats to turn victim in for deportation
  - Part of history of violence
- Not relevant to:
  - Core primary caretaker determination
  - Evaluation of parenting skills
  - Best interests of the child determination
  - Requirements regarding custody awards to non-abusive parent



Myth vs. Fact:
Parents without Legal Immigration Status

Myth	Fact
1. Deportation is imminent	1. Less risk for victims with pending victim-based immigration cases and over 2 years in the US
2. Parent is likely to flee U.S. with child	2. US citizens and lawful permanent residents are more likely to flee with children, especially when – There have been threats of kidnapping children – They are dual nationals – They travel freely to and from U.S.
3. The parent has no livelihood	3. Abused immigrant parents in family court can receive child support & have a path to immigration relief, work authorization & some benefits
4. Legally present parent must have custody in order to file for benefits for child	4. Custody does not affect parent's ability to file for or gain immigration benefits for their children.

Immigrant Parents and Child Custody

In re Interest of Angelica L., 277 Neb. 984 (2009)

- Parents have a constitutional right to custody (absent unfitness)
- Applies to all families without regard to:
  - Undocumented immigration status
  - Immigration detention
  - Deportation
- Overriding presumption that:
  - Parent-child relationship is constitutionally protected
  - In children's best interest to stay with/be reunited with their parent(s)
- Child's best interests is most important
  - A comparison of natural vs. adoptive parent's cultures, countries or financial means is not to be made

Impact of Divorce and Annulment

- VAWA self-petitioners:
  - Spouse must file within two years of final divorce
- Ends legal immigration status for spouses and children of visa holders:
  - Students, Work Visa Holders, Diplomats
- Annulment instead of divorce can lead to a marriage fraud finding and potential prosecution
- Divorce cuts off immigrant spouses and children from lawful permanent residency based on:
  - Asylum, employment, family relationships, cancellation of removal
- Immigrant spouse can enforce affidavit of support in divorce proceedings

Affidavits of Support

- Each person who petitions for a family member to immigrate to the U.S. executes an affidavit of support
  - Legally enforceable contract
  - Enforceable by the sponsored immigrant
  - Requires support at 125% of Federal Poverty Guidelines
- Enforcing affidavits of support should be routine in mixed immigration status divorce cases
- Affidavits can last forever - until noncitizen spouse
  - Becomes a citizen, dies, is credited with 40 quarters of work credit (SSA), or no longer LPR *and* leaves US
- Divorce does not end obligation

Child Support & Immigration:

- Payment of child support through the court provides a non-citizen parent with a history of child support payments
- This is helpful evidence of good moral character for *either parent's immigration cases*
  - Cancellation of removal
  - Naturalization
  - Obtaining relief in immigration court
    - Can be used to show hardship to family members
- Lack of legal work authorization is not a valid defense to non-payment of child support
- Can order child support, but not a job search, of an undocumented non-custodial parent

What Help Is Available to Immigrant Survivors to Meet Urgent Needs?

Open to All Immigrant Victims of Crime/Abuse/Neglect Including Children

- Legal Services
- Family Court (Divorce, custody, economic relief, protection orders)
- Interpreters/Translators
- Police Assistance
- Perpetrators Can Be Criminally Prosecuted
- Public Benefits for Their Eligible Children
- SANE Exams
- VOCA
- Assistance for Crime Victims
- Shelter/Transitional Housing
- WIC/school lunch & breakfast
- Primary/Secondary education/Headstart/GEDs
- Immunizations, testing, treatment communicable diseases
- Emergency medical care
- Health Centers

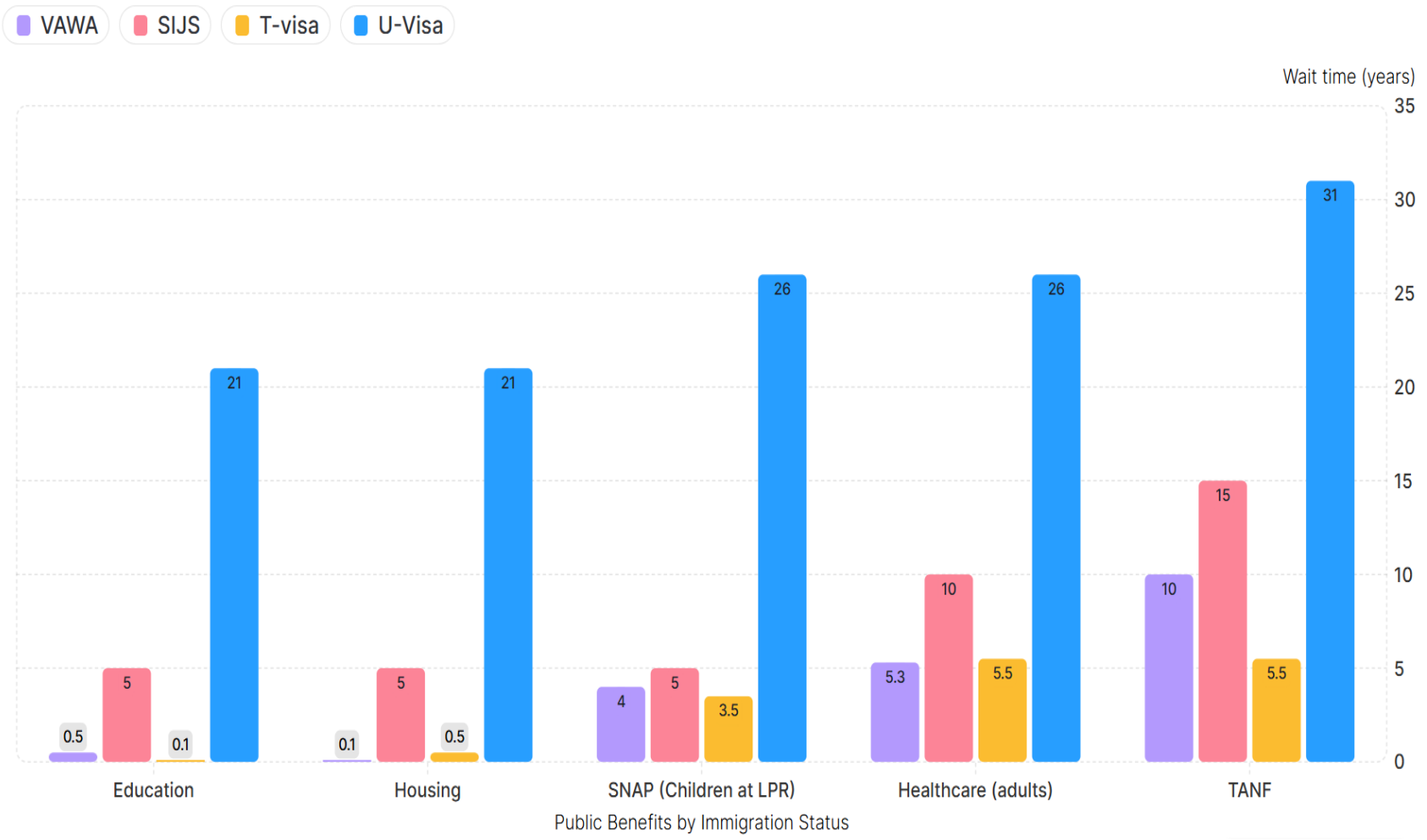
In-Kind Services Necessary to Protect Life and Safety, Open to All Immigrants

- Child and adult protection services
- Crisis counseling and intervention
- Violence and abuse prevention
- Victim assistance
- Help during adverse weather conditions
- Soup kitchens
- Community food banks
- Shelter & transitional housing assistance



8 U.S.C. Section 1611(b)(1)(D)

Benefits Impact of Immigration Relief - Ohio



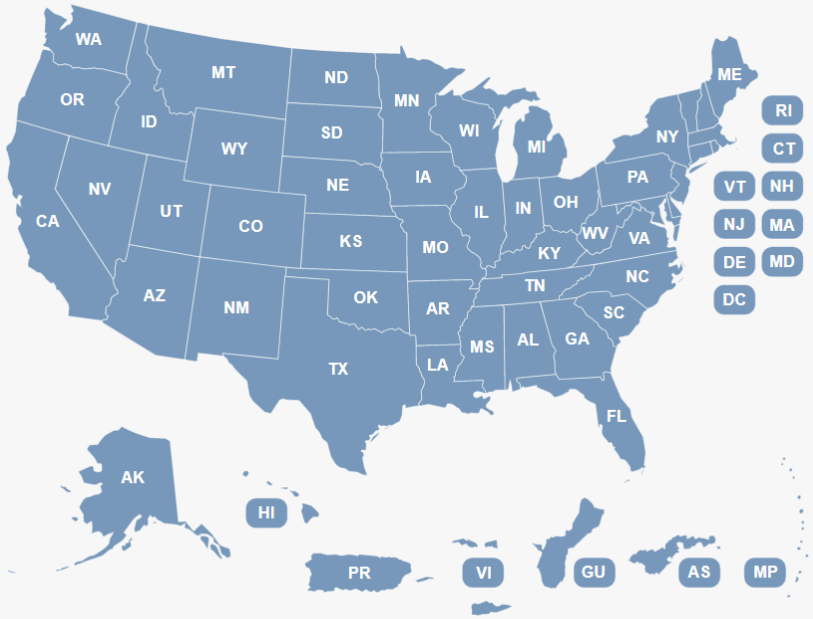
Public Benefits Map, Charts, and Tables

Hide fields | Filter | Group | Sort | ...

	Ben...	STATE & TERRITORY	Benefit Name	VAWA Self-Petitioner
1	309	Florida Public Benefits	Child Care - TANF Funded	Eligible for TANF funded child care if receiving TANF.
2	308	Florida Public Benefits	Child Care: Child Care Development Fund (CCDF)	Eligible for CCDF
3	310	Florida Public Benefits	Children's Health Insurance Program (CHIP)	Eligible up to age 19 upon prima facie determination. ...
4	311	Florida Public Benefits	Earned Income Tax Credits (EITC)	Eligible with conditions upon receipt of work ...
5	313	Florida Public Benefits	Emergency Medicaid	Eligible.
6	315	Florida Public Benefits	Family Medical Leave Act - State Law	No state law, federal law applies.
7	316	Florida Public Benefits	Federal Education Student Aid, Grants, and Loans	Eligible upon prima facie determination.

30 records um 13017

Airtable Download



Benefits in Ohio Part I

TANF and TANF funded Child Care:

- **Wait times**: VAWAs (10yrs), T visas (5.5 yrs), SIJS (15 yrs), U visa (31 yrs)
- Child Care Development Fund: **No restrictions**

SSI (Federal)

- **Eligible 1st 7 years**: T visas, OTIP, Continued Presence, Refugees, asylees
- **Wait times**: VAWAs (10 yrs); SIJS (14 yrs); U visa (31 yrs)

SNAP (Federal)

- **Children / Elderly / Disabled (LPRs):**
  - **Wait times**: VAWAs (4.5yrs), T visas (2.9 yrs), SIJS (5 yrs), U visa (21 yrs)
- **Adults LPR**
  - **Eligible:** T-visas, T bona-fide
  - **Wait times:** LPR + 40 quarters work credit (10 yrs); VAWAs (10.3 yrs); SIJS adults (15 yrs); U visa (33+ years)

Health Care in Ohio

Health Care Exchanges:

- **Eligible:** VAWA, T visa, T bona fide, OTIP, CP, asylee, refugees, U visa bona fide/waitlist, SIJS applicants

Health care for pregnant persons

- **Eligible for**: prenatal care and full-scope health care while pregnant – VAWA, T visa, T bona fide, OTIP, CP, asylee, refugees, U visa bona fide/waitlist, SIJS applicants

Health Care for Children (up to 19) - CHIP:

- **Eligible:** VAWA s, T visa/T bona fide, U visa bona fide/waitlist, SIJS applicants , OTIP, CP, refugees, asylees, DACA

Health care for non-pregnant adults:

- **Wait times**: LPRs + have 5-year bar *measured from qualified immigrant date*)
  - VAWAs (5.3yrs), T visas (5.5 yrs), SIJS (10 yrs), U visa (26 yrs)

Benefits in Ohio Part III

Education

- **Post Secondary Educational Grants and Loans (Federal)**
  - **Eligible**: VAWAs, T visas, T bona fide, OTIP, CP, LPRs
- **Ohio in-state tuition**
  - **Eligible:** DACA, T visa, Refugees, Asylees
  - **Wait times**: VAWAs USC abuser (3 mos); LPR abuser (3.5 yrs); T bona fide (6 mos);U bona fide (2.9 yrs); ,SIJS (5 yrs); and student who has 12 months residence without financial support from non-Ohio residents or whose
    - Parent, spouse, guardian has 12 months Ohio residence or has accepted full time self-sustaining employment and residence in Ohio unrelated to gaining favorable tuition rates.

Drivers' licenses

- **REAL ID - federally recognized - Eligible at work authorization**
  - **Eligible:** DACA, T visa, Refugees, Asylees, Continued Presence,
  - **Wait times**: VAWAs USC abuser (3 mos); LPR abuser (3.5 yrs); T visa bona fide (6 mos), U visas bona fide (2.9 yrs), SIJS (5 yrs)

LIHEAP and Weatherization

- **Eligible:** VAWAs, refugees, asylees, T visa bona fide, T visas and LPRs (e.g. SIJS (5 yrs) and U visas (21+ yrs) if income eligible
- **Eligible:** Weatherization – no immigrant restrictions if at or under 200% poverty

Questions and Answers

Technical Assistance and Materials

- Power Point presentations and materials for this training at https://niwaplibrary.wcl.american.edu/odvn-staff-board-2025/
- **NIWAP Technical Assistance**
  - Call (202) 274-4457
  - E-mail info@niwap.org
- Web Library: www.niwaplibrary.wcl.american.edu

FEDERAL LITIGATION UPDATES

- *New York, et al v. DOJ, HHS, DOE, USDA & DOL – Filed July 2025*
  - *Issue:* New restrictions on imm. access to "federal public benefits"
  - *Status:* Sept 10, 2025 – Prelim. Injunction in plaintiff states only
- *New Jersey, et al v. DOJ – Filed August 2025*
  - *Issue: N*ew OVC grant condition re: "DHS Access"
  - *Status:* Oct 3, 2025 – Plaintiffs announce that OVC is withdrawing condition; details not yet certain
- *New York, et al v. DOJ – Filed October 2025*
  - *Issue:* New DOJ grant condition restricting scope of legal services for certain immigrant survivors
  - *Status:* Oct 7, 2025 – Agreement entered to stay enforcement until Nov 14, 2025