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From One “Dragon Sleigh” to Another: Advocating for Immigrant Women Facing Violence in the Midwestern United States

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Abstract

This paper presents the results of a study with domestic violence and sexual assault service providers in Kansas. In recent years, the changing demographics of the Midwestern United States have required community-based organizations to quickly adapt their services to “new” immigrant populations, many of whom are Spanish speaking and perceived as “illegal” and thus face numerous barriers to accessing services. We examine how intersecting and interlocking oppressions shape service delivery to immigrant women facing violence; and discuss what strategies advocates employ to support women’s safety and self-determination, amidst an intense and at times hostile anti-immigrant environment.

KEYWORDS: immigration, immigrant women, undocumented immigrants, violence against women, domestic violence, advocacy, anti-oppression, intersectionality


Introduction

You know, you find somebody that’s willing to, to help in one area and so, that’s one dragon sleigh [speaker laughs] and you go on to the next and try to find a resource for that. (Excerpt from an interview with a domestic violence advocate)

The metaphor of a “dragon sleigh” may seem incongruous with anti-violence against women service delivery and yet, in the quoted text above, this domestic violence advocate depicts the insurmountable challenges service providers perceive when supporting immigrant women who are undocumented or have a form of temporary or dependent immigration status.

In the past decade, there has been considerable advocacy and scholarship at the intersection of violence against women and immigration, particularly for Latin American or Spanish speaking immigrants in the United States (Acevedo, 2000; Erez, Adelman, & Gregory, 2009; Hass, Dutton, & Orloff, 2000). This research illustrates how many immigrants who are vulnerable to abuse have few rights to seek protection and security from law enforcement or from social and health services (Bhuyan, 2007; Raj & Silverman, 2002; Salcido & Adelman, 2004). While this scholarship has illustrated the systemic barriers that immigrant women face, there is a need to understand how persistent hostility towards undocumented immigrants affects both how women respond to violence and the capacity of service providers to support them.

In this paper we focus on domestic violence and sexual assault as part of a spectrum of systemic gender based violence\(^1\) in the lives of immigrant women. Although gender based

\(^1\) We recognize domestic violence and sexual assault to be part of broader range of male violence against women, including intra family member or intimate partner violence (i.e. use of physical and sexual assaults or

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violence impacts all populations, research indicates that immigrant women and racialized minorities encounter numerous cultural, economic, and social barriers when seeking support services (Raj & Silverman, 2003; Tjaden & Thoennes, 2000a). General population surveys consistently report that approximately 1 in 4 women and 1 in 7 men in the United States will be exposed to some form of intimate partner violence in their lifetime (Breiding, Black, & Ryan, 2008; Tjaden & Thoennes, 2000b). In comparison, in community sample of South Asian women in Boston, 40.8% reported experiencing intimate partner violence (e.g. physical, sexual or psychological abuse from their male spouse or partner) but had little knowledge of domestic violence or sexual assault services (Raj & Silverman, 2003p. 435). Research on intimate partner violence among Latinas or Hispanic women also suggests high rates of IPV; 51% of Latinas in a study in Indianapolis reported experiencing some form of partner abuse. Menjivar and Salcido (2002), however, contend that incidence of domestic violence may not be higher among immigrants, but that the circumstances that immigrant women face due to interlocking oppressions contribute to their increased vulnerability to abuse.

Community activism and scholarship on violence against immigrant women has highlighted the intersection of gender inequality within immigrant communities as compounded by persistent forms of social and economic marginalization of racialized immigrants (Abraham, 1998; Moreno, 2007; Raj & Silverman, 2002). The context of immigration contributes to women’s isolation, economic dependence on abusers, lack of

 threats; pattern of intimidation or control in a relationship);; sexual abuse, rape or reproductive violence; forced marriage; trafficking; or economic abuse or neglect.
social support or knowledge of social services, and fear of deportation, also called “removal”\(^2\) in U.S. law (Bui, 2003; Erez et al., 2009; Salcido & Adelman, 2004). In a community-based study with Latina immigrants in Washington, D.C., 48% of Latinas reported that their partners’ violence against them increased after emigrating to the United States (Dutton, Orloff, & Hass, 2000). In this same study, 72% of Latina immigrants who were abused reported that their spouses never filed their immigration application, even though half of them were qualified to become permanent residents; of the Latina immigrants who reported abuse, 21.7% stated that their fear of deportation was the primary reason they remained with their abusive partner (Dutton et al., 2000).

This paper reports findings from a study with domestic violence and sexual assault advocates in the mid-west region of the United States. The study explored how advocates in this region respond to immigrant women who are contending with abuse. We use the term “advocate” to reflect service providers’ self-described commitment to supporting women’s self-determination when navigating multiple systems (e.g. criminal justice, family and immigration law, health care, social assistance). Through analyzing advocates’ perspectives, we illustrate how the production of “illegality” and deportability contribute to the perceived “cracks” that immigrant women fall through when responding to violence.

In the following section, we discuss the social and political context of immigration in Kansas. We then illustrate our framework for theorizing intersecting and interlocking oppressions in the context of domestic violence and sexual assault advocacy, with attention to

\(^2\) In this paper we use the terms “deportation” and “removal” interchangeably. In 1996, U.S. law instituted the term “removal” to refer to the enforced “deportation” or expulsion of foreigners from the state. However, we also follow Peutz and De Genova’s use of the term “deportation” to signal that “there is indubitably something greater at stake in such practices of ‘removal’—notably, the formulation and emphatic reaffirumation of state sovereignty itself” (Peutz & De Genova, 2010, p. 3).
the production of “illegality” and deportability. We present our research design, methods for data collection and data analysis; we then present our analysis of advocates’ narratives within the following themes: a) responding to intersecting and interlocking oppressions, b) the impact of surveillance of immigrant “illegality” and deportability, c) leveraging regional and national resources for immigration legal support, and d) advocating for immigrants in an anti-immigrant environment. We conclude with a discussion of recommendations for coalition building, community mobilization and policy change.

Social & Political Context of Immigration in Kansas

Like other states in the Midwest, Kansas has a small but rapidly growing immigrant population. According to the U.S. Census and the American Community Survey, Kansas’ foreign-born population increased from 62,840 in 1990 to 186,942 in 2010—a change of 38.7% (Migration Policy Institute, 2010). Similar to trends across the country, the foreign-born are contributing to increased ethnic and racial diversity in the state; in 2010, an estimated 1 out of 9 Kansans were Asian or Latino (Immigration Policy Centre, 2010) and 54.3% of the foreign-born individuals in Kansas were Hispanic or Latino in origin (Migration Policy Institute, 2008). The phenomenon of “new immigrant communities” in the United States has contributed to waves of immigrants who are settling in regions of the country outside of historically “traditional” destinations (e.g. New York, California, Texas) (Gouveia & Saenz, 2000). The growth in migration includes both legal and undocumented immigrants; the Pew Hispanic Centre estimated that from 2002-2004 between 55,000 to 85,000 undocumented immigrants resided in Kansas (Passel, 2004).

While urban areas have received the largest share of recent immigrants, a significant portion of this population growth has taken place in rural areas of the state; migration of Latinos to rural communities in the Midwest is associated with employment demand for
cheap labour (i.e. meat-packing industries), thus contributing to higher rates of poverty among Latino immigrants in the Midwest (Crowley & Lichter, 2006). For example in Garden City, a meat-packing town located in southwestern Kansas, the Hispanic population grew from 25% of the city’s population in 1990 to 43%, in 2000 (Institute for Public Policy and Business Research, 1996). With the economic recession from 2007-2009, however, some communities experienced a drop in their immigrant population. When Tyson Food Inc. suddenly closed a meat processing plant in Emporia, Kansas, a large number of resettled Somali refugees, who had been employed at the plant, left the town as well (Berlin, 2008).

Most of the recent immigrants in Kansas come from Spanish speaking countries, primarily Mexico, followed by Guatemala, Panama, Nicaragua and El Salvador; there are also significant pockets of Russian speaking immigrants, German Mennonites, Somali, Vietnamese, Lao, and Hmong refugees scattered throughout the state (Immigration Policy Centre, 2010). Advocates also reported working with women from Russia or Vietnam who were facing abuse from a spouse they met through the Internet or through a marriage service (i.e. mail-order brides), a phenomenon that Uma Narayan identifies as increasing women’s risks for domestic violence (Narayan, 1995).

For the purpose of this paper, we focus on advocacy with recent immigrants, including temporary or undocumented immigrants, who are commonly referred to as people who are “foreign-born” in policy circles. People who are undocumented or have a form of precarious immigration status are not considered “immigrants” in the legal sense or with regard to social policy. This may include unauthorized immigrants; people with non-immigrant resident visas for work, study, business or travel; people with incomplete or lost applications for permanent residence, people who are dependent on a spouse or family member to regularize their status). While the terms “foreign-born”, “illegal” or
“unauthorized” circulate in public policy and media, we call attention to the pejorative and dehumanizing affects of this discourse, of which mark some residents as outside of or not part of the nation. At the same time, we note that women who reside in multi-generational immigrant communities may face similar barriers to accessing services due to isolation, racism, limited English and or culturally insensitive service delivery. Thus, while this paper will focus on service delivery to “recent immigrants” with particular attention to those with undocumented or precarious immigration status, we recognize that service delivery with racialized, non-English speaking, or otherwise minoritized groups may encounter similar challenges.

Theorizing Intersecting and Interlocking Oppressions

Feminists of color, particularly Black feminists in North America, are credited with conceptualizing intersectionality as a means to explore “intersecting patterns of racism and sexism and how these experiences tend not to be represented within the discourses of either feminism or antiracism” (Crenshaw, 1991, p. 1243-1244). Thus, intersectionality emerged as both a political and epistemological intervention; activists and scholars have sought to disrupt white, patriarchal and heteronormative hegemony while articulating the standpoint(s) of women of color (Collins, 1990). Following the lead of activist scholars in the U.S. and Canada (Razack, 2002; Smith, 1999, 2000), we call attention to interlocking oppressions within the context of white settler colonialism in North America, to highlight that the abuse women suffer at home cannot be separated from the ongoing violence of colonization and the exploitation produced through immigration policies that allocate differential rights to individuals, based on their status within the boundaries of a nation (MacLeod, 1993). In particular, we seek to conceptualize in what ways the production of “illegality” and
“deportability” of migrant women contributes to their social risk for intimate partner violence and thus represents a form of structural violence.

The Production of “Illegality” and Deportability as Violence against Women

According to feminist writer Yasmin Jiwani (2001), many barriers to service delivery pivot around the perceived “legality” of immigrant status, where immigrant and racialized women are often perceived as “other” people from “other” places (where “other” is equated with deviance and threat). Several scholars have sought to disrupt the perceived dichotomy between documented and undocumented (Coutin, 2005; Menjivar, 2006) to illustrate the vulnerability faced by people with undocumented or precarious immigration status. While authorization to reside in the U.S. remains a significant marker of one’s legal status, the passage of anti-immigrant laws at the state and municipal levels has blurred the lines between legality and “illegality” in everyday life.

Towards conceptualizing the constant threat of deportation, Nicholas De Genova (2002) suggests we look specifically at an individual’s “deportability” (i.e. the right of the state to “remove” someone from the state’s social and political space), as opposed to their legal immigration status. For women facing violence, the threat of deportation may occur through the criminal justice system as a consequence police involvement in incidents of domestic violence or sexual assault, but also through everyday surveillance of immigrants when driving without a license, in workplace raids, and at times through information sharing from social service providers and immigration officers.

Under U.S. law, any person without authorization to reside in the United States or who violates the terms of their non-immigrant resident visa or permanent residence may be detained and deported. In 1996, the U.S. government reinforced the notion of people as “illegal” with the passage of the Illegal Immigration Reform and Immigrant Responsibility
Act (IIRIRA). IIRIRA expanded the types of crimes for which noncitizens may be removed, including non-assault related crimes (e.g. violation of a protection order); IIRIRA also expanded the category of persons who could be detained (Erez et al., 2009; Kerwin & Yi-Ying, 2009). The proliferation of cooperation agreements between local law enforcement and U.S. Immigration and Customs Enforcement (ICE) have also led to more frequent detentions of people presumed or suspected to be undocumented (e.g. Secure Communities program prioritizes the removal of “criminal aliens”; 287(g) of the Immigration and Nationality Act empowers local law enforcement officers to enforce civil immigration law).

Deportations have risen under the Obama administration, with an estimated 400,000 people deported from the United States in 2010 (55% for criminal charges); up to 8% of deportees are parents of U.S. citizen children (Wessler, 2011).

Considering that grassroots advocates and service providers play a significant role in linking women and their children to community resources (Nankani, 2000) this research explored how the production of “illegality” and deportability shapes service delivery to immigrant women. While research has explored immigrant women’s perspectives on violence and the barriers they face, this research focuses on the perceptions of “illegality” and deportability among service providers to illustrate how social and structural factors affect women’s response to violence, while illustrating advocates’ strategies to support women’s safety and self-determination.

**Research Methods**

This study was undertaken in collaboration with the Kansas Coalition against Sexual and Domestic Violence (KCDSV), a network of 29 sexual assault and domestic violence service providers in Kansas. One of the central concerns of the project was to forge academic and community partnerships through community-based research methods that would increase
the feasibility of research and enhance the relevance of the findings. Coalition staff provided technical support to develop the research questions, recruit participants, and consult with preliminary analysis. Towards preserving confidentiality and anonymity of research participants, coalition staff were not involved in analyzing the raw data, however, the authors presented key findings to the coalition staff and received feedback from staff members on this manuscript and a report that was distributed to all coalition member organizations. The authors also consulted with two bilingual service providers who took part in both focus group and individual interviews; consultation with these “key informants” was instrumental to contextualizing and enhancing the relevance of research findings.

Participants & Interviews

Participants for the study were recruited using a purposive sampling method as approved by the author’s home institution’s review board. The executive directors of thirty organizations affiliated with Kansas Coalition against Sexual Assault and Domestic Violence were contacted by the lead researcher and requested to identify advocates who were employed in a direct service capacity. The advocates employed at one of the KCSDV member organizations were contacted by phone or email to participate in the study and discuss informed consent prior to taking part in a focus group. The focus group participants were subsequently invited to participate in semi-structured one-on-one interviews. All participation was voluntary. Some identifying information about specific organizations and individual participants has been altered towards maintaining confidentiality.

Twenty-four service providers from fifteen organizations took part in focus groups and individual interviews. We convened three separate focus groups, in Dodge City, Wichita, and Kansas City. Participants came from metropolitan centers, smaller towns and rural areas. Participants who traveled two to four hours to attend the group were reimbursed for their
travel expenses. The age of participants ranged from 23 to 59 years. One of the focus group participants was male; 23 participants identified as female. Thirteen focus group participants identified as Caucasian, three as African American and eight as Latina/Hispanic. All eight Latina/Hispanic participants and two Caucasian participants referred to themselves as “bilingual advocates” and provided services in both English and Spanish. Participants varied in their professional roles which included: shelter manager, shelter advocate, non-shelter based domestic violence advocate, sexual assault advocate, court advocate, social assistance advocate, and client outreach worker. Three advocates worked in organizations that focused primarily on sexual assault; one advocate worked in an anti-violence organization that addressed violence and hate crimes in lesbian, gay, bisexual and transgender communities.

After the focus group discussions, each participant was invited to take part in a one-on-one interview by phone to explore topics raised in the focus group discussion. Eleven of the focus group participants took part in phone interviews lasting from 25-55 minutes. Two of the focus group participants declined. Nine did not respond. Two could not be contacted. Participants who identified as Latina were more likely to take part in both the focus group and the individual interviews; Latina participants comprised only one third of the focus groups, but accounted for almost half participants in the individual interviews.

[INSERT TABLE 1]

**Analysis Methods**

Interviews were conducted in English, tape-recorded and transcribed verbatim (see Table 2 for transcription key). Interview transcripts were organized using the qualitative analysis software, HyperRESEARCH. Following Gee’s (1999) typology of discourse and social languages, we focused our analysis on advocate’s language-in-use and language-as-representation, on the premise that individuals do not create meaning through their use of
language (Bakhtin, 1981) but are participants in social conversations or discourses. Thus, while fifteen individuals took part in the interviews, numerous discourses related to domestic violence advocacy, immigration, and social rights were represented across all of the interviews. We employed an iterative analysis process which drew upon on the researchers’ professional experience in domestic violence advocacy, inclusion of observations during field work, repeated listening of audio recorded interviews and reading of interview transcripts, and consulting with participants about preliminary analytic themes. We examined narratives that reflect both dominant ideologies and counternarratives (e.g. an alternative story that explains social reality in ways that challenge dominant ideologies) (Allen, 1995).

[INSERT TABLE 2]

**Findings**

**Responding to Intersecting and Interlocking Oppressions**

The key issues that emerged from both the focus group and individual interviews were consistent with common barriers that have been identified in previous research including: language and interpretation; problems in dealing with the legal and criminal justice system; role of faith communities; and access social assistance and child protection. Study participants reported regional differences both in the difficulties faced by service providers when working with immigrant women, as well as in the positive outcomes for immigrants. Depending on the context and circumstances under which the resource was made available, a resource for immigrants could equally represent a barrier or even increase a woman’s risk for deportation. In this section, we focus on how challenges related to language access through bilingual staff or the use of interpreters were compounded by immigration status, systemic
Addressing Language Barriers

Language, specifically limited English skills, has long been recognized as a major obstacle for accessing services, impacting women’s ability to learn about social and health services, while compromising the quality of service delivery (Bui, 2003; Menjivar & Salcido, 2002). At the time of the study, several violence against women organizations in small towns as well as larger metropolitan areas across Kansas had recently hired bi-lingual advocates (i.e. English and Spanish speakers), some of whom were bi-cultural (i.e. individuals who identified as immigrants from Latin American countries), in response to the visible growth of Latin American immigrants. Bilingual advocates provided interpretation when responding to police calls and interpreting for clients in courts or when accessing social services. They also coordinated with other staff in their own organization or with staff from other organizations who were non-Spanish speaking.

The hiring of bi-lingual & bi-cultural advocates was seen as contributing to a marked increase in the number of Spanish speaking people accessing services. One bilingual advocate reported that “[Our stats] tripled since I got here”, remarking that “We have somebody that speaks Spanish here and [women] feel more comfortable. We have gotten other calls from other shelters, people wanting to come here because they don’t have somebody that speaks Spanish there” (Bilingual advocate, individual interview).

In another instance, an advocate noted a sense of trust began to be created within the Latino community after the agency hired bilingual/bi-cultural staff, resulting in the greater use of services offered. While the increased visibility of Spanish speaking immigrants has resulted in more resources for Spanish interpretation in some organizations, some of the smaller
organizations—in both urban and rural regions—reported that they serve few if any immigrant women. To illustrate, one advocate reported that her organization had almost no contact with Latina or Spanish-speaking women, even though Census data estimates the town’s population is now approximately 30% Hispanic. Advocates also reported difficulties with language barriers when reaching out to newly settled refugees (e.g. Somali).

Advocates who were not bilingual, or who were working with non-English or non-Spanish speaking women, spoke of struggling to communicate. Where no interpreters were available, some advocates rely on a friend of the victim to translate or use the language line. Both have their limitations; the language line is not very personal, and advocates expressed that it can be difficult to develop rapport with their clients through a phone-based interpreter. The use of friends as interpreters can also be problematic given issues of confidentiality and the varying quality of interpretation.

While the hiring of bilingual staff represents a significant shift towards more inclusive and responsive services for Spanish speaking women, bilingual advocates shared that they face a significant strain on their time and resources. In addition to providing the same services as those given to English-speaking clients, they are often required to provide additional interpretation and translation for fellow staff in their own organization, or when interfacing with staff in other organizations who are either unable or uninterested in working with Spanish speaking clients.

**Blurring the Boundaries between Interpretation and Advocacy**

Bilingual advocates described significant consequences of misinterpretation when supporting women within the legal system. Advocates who accompanied women to court described needing to interpret both the social and legal systems that women must navigate.
towards supporting a woman’s self-determination. This blurring of lines, however, was not always well received in legal settings.

One advocate in a rural region reported that she was prohibited by her organization from interpreting for her clients in court, although she regularly interpreted for her client when visiting welfare offices, schools, or other social services. Another advocate in an urban area described clashing with a court appointed interpreter who, in her view, would fail to interpret important information for the client:

I was helping a client, I was doing the interpretation. And the interpreter was like, he wouldn’t let me interpret for the client... I mean “Can you please give me a minute, can you please let me do this? I’m trying to help the client”. And he, he didn’t like that... The interpreter is not supposed to advocate. The interpreter is supposed to interpret. So we go, and the client often times is standing there with a puzzled look on their face about the legal process and we can explain kind of what’s going on, and the interpreter is just supposed to interpret... But a lot of times, if an advocate can’t be there, a lot of times, interpreters, although it’s not technical to advocate, have to in order to interpret. They have to inform the client about the system and go beyond just communicating what’s said, but also the whole, the whole process around those words and what’s behind them and in between them (Bilingual advocate, focus group interview).

In the situation described above, the advocate’s approach to interpretation from an empowerment standpoint was deemed incongruous with the standard practice of interpretation as impartial and apolitical. Professional interpreters who are employed by legal systems also restrict how advocates can support women’s decision-making in court, representing a political struggle over whose knowledge is deemed acceptable in legal
settings. The silencing of women’s advocates in court, even when a court appointed interpreter inadequately interprets a woman’s narrative, signifies a challenge to an advocate’s professional authority while further marginalizing immigrant women within the legal system.

The Impact of Surveillance of Immigrant “Illegality” and Deportability

Advocates described the surveillance of women’s immigration status and perceived “illegality” as involving a range of social actors including the police, social and health services, and even members of women’s faith community. In most violence against women organizations, advocates employ un-official “don’t ask, don’t tell” practices that do not require service users to disclose their immigration status, as a means to develop rapport and trust. One advocate, for example, suggested that she never asked any women to disclose their status and would discuss all the legal options that were available, regardless of a person’s status. Some advocates take proactive steps to “screen” agencies prior to referring a client, to inquire about their policies for working with undocumented immigrants or limited English speakers. Advocates also establish connections with other service providers (health care, housing etc.) who do not require the women to disclose identifying information or who do not speak English and whenever possible accompanied women to agencies (e.g. an SRS office) in order to ensure that they are not made to fill out portions of a form that might jeopardize their status.

Uncertainty of Police Protection

When interfacing with criminal justice system and social services, advocates remarked on their own uncertainty and inability to ensure women’s safety from deportation. In regions that had longer histories of refugee resettlement from Southeast Asia, advocates worked closely with Vietnamese or Lao police officers who speak the language and were seen as “really concerned about people’s safety” (advocate, focus group interview). Police
cooperation with immigration enforcement, however, has been well documented as contributing to women’s fear of reporting abuse and the consequence of deportation for women. National and regional politics also play a role in advocates’ perception of the police. Advocates reported that community attitudes towards police ebb and flow with critical events such as the counter-terrorism activities following September 11, 2001 and the large scale immigration raids that have taken place across the Midwest since 2008; both of which increased immigrants’ (and advocates’) fears that turning to the police as first responders in domestic violence crises could result in deportation (of the abuser or victim of violence).

While deportation poses an overt threat to women’s safety, advocates from different regions in Kansas reported significant variations in the criminal justice response to undocumented or temporary immigrants. Advocates shared how bias against immigrants as “foreign” or as temporarily in the U.S., in combination with misogynist attitudes towards victims of abuse, affected how both the police and judges would respond to immigrant crime victims. For example, an advocate who worked in a rural region with limited resources shared that a judge refused to give a Protection from Stalking Order to a woman because she “had been back too many times”, whereas judges in urban areas more commonly granted Protection from Abuse Orders to immigrant women.

In another example, an advocate discussed how police did not complete a report following a sexual assault incident with an international student who was planning to return home. According to this advocate, “the legal process wasn’t taken seriously. Because this person was going, she wanted to return to her country. So that the legal process, I didn’t feel happened in the same way it would, if this was someone based in the community” (Advocate, focus group interview 1/22/08). In a similar vein, Protection Orders were often denied to
women, if their abuser fled to his home country following a domestic violence arrest, or was deported; under the assumption that the victim was no longer at risk for violence.

Advocates also expressed frustration at police who withheld support from women seeking to regularize their status through the Violence Against Women Act (VAWA) as “Battered Immigrants” or to apply for a U-visa as a crime victim. One bi-lingual advocate had been working with women who were eligible to apply for VAWA since 2000, but it was only in 2008 that she was able to complete an application after finally locating “one nice law enforcement officer.” This advocate remarked on the consistent opposition she faced when pursuing VAWA remedies from all sides of her community. Resistance to implementing VAWA provisions was seen as related to the overall anti-immigrant climate and racism against non-White residents of the state. As one advocate based in a rural region noted; “when all the new laws came over, you know, [you] try to educate the people. They are not interested. You know why, because we are third, or fourth citizens.” (Bilingual advocate, focus group interview).

Social Assistance and Surveillance

Advocates reported several cases where surveillance of immigration status interfaced with access to social assistance. The Kansas Department of Social and Rehabilitation Services (SRS), which is an umbrella organization that administers state and federally funded social services, play an active role in scrutinizing immigration status in eligibility screening for benefits and child protection (e.g. access to benefits for citizen children living in mixed status families which have one or more undocumented parent/guardian). A few years prior to the study, advocates in Kansas City were able to leverage support from Legal Momentum—a national women’s rights organization—to pressure SRS to amend its policy regarding documentation requirements for children based on equal protection under the 14th
Amendment to the United States Constitution. However recent changes within the OARS program, a collaborative program between SRS and the KCSDV to support victims of domestic violence seeking social assistance, prohibits OARS advocates to work with immigrants who were ineligible for TANF, even if their children are eligible for services.

At times violence against women advocates were either directly or indirectly involved in immigration enforcement. In one case, an advocate recounted how housing authorities reported an undocumented woman to Immigration and Customs Enforcement (ICE) after she had helped the woman submit a housing application. As the advocate recalls,

We didn’t know, she didn’t tell us all this stuff and we went ahead, and she filled out low-income housing paperwork…Consequently, they researched her social security number and then now she has been deported…and had we known this, you know, then we wouldn’t, you know, you know, we wouldn’t have done this. You know, now the sad thing is, she has six children that are in the United States…fostered out and she is gone.” (Shelter advocate, focus group interview).

This advocate inadvertently facilitated a woman’s deportation, in part due to not inquiring about the women’s status, but also because this particular woman did not “appear” to be an immigrant; according to the advocate, this young woman had grown up in the United States and spoke and acted like an “American”. Thus while “don’t ask don’t tell” policies seek to encourage access to services, the vulnerabilities associated with deportability may require cautious information gathering, to minimize unintended consequences.

In another example, an advocate spoke of working with a woman who was deported after reporting her citizen spouse to Child Protective Services (CPS) for sexually abusing their daughter. While investigating the alleged abuse, the CPS worker assigned to the case learned that the mother was undocumented and subsequently reported her to ICE. After the
mother was deported, the father retained custody of both children and the CPS investigation against the father’s alleged sexual abuse was dropped. The action on the part of the CPS worker led to the termination of parental rights for the concerned mother, who has no legal option to return to the United States and few resources (legal or financial) to reunify with her children. Studies with CPS workers in other states suggest several factors that contribute to children of undocumented parents being taken into custody by CPS workers related to language barriers, parents’ sudden removal from the United States (Garcia, Aisenberg, & Harachi, 2012); this example highlights the serious implications when social workers use deportation as a tool to penalize the ‘illegality’ that surrounds undocumented immigrants; even when it may be against the best interest of a child.

**Leveraging Regional and National Resources on Immigration Law**

Advocates’ ability to support immigrant women who are undocumented or have temporary resident visas often pivots on the advocates’ knowledge of immigration law or access to competent (and affordable if not pro bono) legal advice. Kansas City, the largest metropolitan centre in the region, operates as the hub for both immigration advocacy and legal support. Agencies in rural areas also depend on larger organizations for funding and legal assistance and rely to some extent on KCSDV for technical assistance. One of the problems identified in the focus groups was the lack of legal support and services offered in rural areas for survivors of domestic violence. One of the bicultural and bilingual advocates based in Kansas City served as the principle “go to” person, for bilingual advocates around the state. Similarly, a few immigration attorneys in Kansas City were well known as offering pro bono or sliding scale services for VAWA applicants. Agencies in rural areas also depend on larger organizations for funding and legal assistance, and rely to some extent on KCSDV for technical assistance.
One advocate mentioned that even in Wichita—a mid-sized city—immigration legal support is unavailable or unreliable. In the following excerpt an advocate describes how a well regarded immigration attorney, who offered pro bono legal representation for an undocumented woman and her children, discouraged the woman from applying for a U-visa, stating that “It wasn’t worth it”, even though the advocate later found that her clients were in fact eligible to apply. As the advocate recounted,

So, we went with this family and we talked to this lawyer, about [the] possibility of U-visa, specifically about U-visa because I knew a little bit about U-visa. She told us that really it wasn’t worth to file U-visa… because [the] abuse happened to her children, because he might call immigration, because mom and dad were undocumented and the children were undocumented too… so she was like, you know, it is better to stay like that under the radar. So, a year later we went to a BIA\(^3\) [Board of Immigration Appeals] accreditation for immigration appeals, when I found out, no, it was worth it to do the U-visas… so, it’s just the lack of knowledge from, even from the people who might be able to, who are willing to help, someone [who is] undocumented. (Focus group interview with bilingual advocate)

Considering the uncertain and uneven immigration knowledge, even among well intentioned lawyers, advocates would sometimes travel with their clients over 200 miles to meet with lawyers in Kansas City, with the added costs of travel and lodging. Support from Kansas Legal Services or a pro bono attorney, was also an uncertain resource; Legal Services personnel in some parts of the state interpreted their mandate to specifically preclude helping

\(^3\) The Board of Immigration Appeals (BIA) Recognition and Accreditation is a process to allow non-attorney staff in non-for-profit agencies to be accredited to practice immigration law before the U.S. Citizenship and Immigration Services (USCIS) and the immigration courts (For more information, go to Catholic Legal Immigration Network, Inc., http://cliniclegal.org/resources/toolkit-bia-recognition-accreditation).
undocumented immigrants. The significant variation in legal support was most evident in the use of VAWA remedies, which is directly linked to women’s access to immigration legal representation and cooperation from local law enforcement on VAWA cases.

**Advocating for Immigrants in an Anti-Immigrant Climate**

Advocates were asked to comment on how the political climate shapes their advocacy. While each of the advocates remarked on the unstable and at times hostile anti-immigrant politics as a constant fear for women, some advocates recognized that public opinion regarding immigrants was complex, with both pro- and anti-immigrant sentiment circulating in their communities. As one advocate expressed, immigrant sentiment varies:

“There's lots of folks out here who are very friendly, just towards anybody and wouldn't wish anybody any harm. And then there's those that are more your traditional racists that are so shut down to immigrants and are so...anti-immigrant and anti... that would, well, just to say it bluntly, that would be very happy to see all the immigration population go back to their countries, like this is not a nation built on immigrants” (Advocate, focus group interview).

On the one hand, advocates acknowledged the strong leadership of Hispanic-Americans in communities with long histories in the state. In contrast, an advocate reported that white residents in her small town openly complained about the Somali refugees that had been settled there, at least until the local meat-packing factory the refugees had been employing refugees shut down, forcing them to relocate.

The anti-immigrant politics that affect women’s ability to seek safety from abuse are also linked to the overall economic distress women experience as part of the economic downturn that has affected the entire country. In Kansas City, for example, many low-income citizens blame immigrants for the loss of their jobs, that immigrants are a drain on the
economy, and that it is not possible to be a victim of a crime if one was “illegally” present in the United States. Furthermore, advocates noted the troubling way local media represented “illegal” immigrants, causing some advocates to be uncertain whether they should report an abuser to the police, as this might lead to media coverage that could trigger both an abuser or victim’s deportation.

While violence against women services have more work to do, to address intersecting and interlocking oppressions within their organizations, advocates called for systemic changes to support women’s rights, recognizing there is only so much that already underfunded community-based organizations can do to address the structural barriers that impact immigrant women facing violence. As one advocate noted, “Domestic violence and sexual assault, we know affects everyone… So, if we want [to] punish the crimes, and if we want to, not keep them isolated anymore then we need to accomplish change in policies. At least give them [a] driver's license. So, that's what I would like to see” (Shelter Advocate).

**Conclusion**

This study was undertaken to better understand strategies used by violence against women advocates to assist immigrant women who are survivors of abuse. Through individual and focus group interviews with service providers in the Midwestern United States, we illustrate how language barriers, deportability, and the regional social context shape anti-violence service delivery to immigrant women.

Consistent with previous research, domestic violence and sexual assault advocates in this study discussed a host of cultural and legal barriers that impede their work including: inadequate resources for non-English or non-Spanish speaking immigrants; lack of organizational support for bi-lingual advocates; limited access to legal immigration support; inadequate legal aid; and the unstable political and economic climate. The limited resources
and divisive immigration politics across the state result in immigrant women having unequal access to services.

While the hiring of bicultural and bilingual staff has led to significant growth in Spanish speaking women accessing services, there is a continued need to develop infrastructure within organizations to better support bilingual and bi-cultural staff, who may be at a higher risk of burning out, as a consequence of over functioning to address systemic barriers and oppression. Advocates, who identified as immigrants themselves, shared how systemic racism impacts them both in the workplace and when they interface with multiple service systems. Although the state coalition had a program to support ethnic and cultural diversity, these efforts did not directly challenge the systemic forms of oppression that impacted both service providers and women seeking services. Advocates in this study shared they felt little support in addressing the racism that service providers who are racialized face in within organizations; as well as targeting systemic racist or sexist practices within social and legal systems across the state.

In 2008, the year following data collection for this study, the U.S. economy underwent a period of severe economic downturn, which deeply impacted women contending with domestic violence. During post-interview consultations with advocates who participated in this study, advocates discussed that supporting women to alleviate their economic strain has become a priority in their work. This includes assisting women with affordable housing and food security, due to prolonged unemployment and ineligibility for social assistance. Many groups of immigrants have found it hard to secure employment if they lack English skills or a high school diploma or GED. Thus the broader political and economic environment deeply impacts women facing violence, particularly for immigrant women who face constraints on their basic social, political and economic rights.
In order to address the challenges facing immigrant women it is essential for agencies to begin by assessing their capacity to serve immigrants who have limited English and who are undocumented or have temporary status. As one advocate suggested, though organizations may wish to provide equal access to services, they may not be ready, or do not have the capacity to do so. In an effort to save face, many agencies may be reluctant to admit that they need help, that they are not providing equal services, and that they do not even know where to start. This problem is made worse by the competition that often exists between agencies seeking funding in a competitive arena. Agencies remain fragmented in their approach, rather than collaborating with each other to advocate for policy changes or to provide services that would benefit all their clients.

While national immigrant rights advocates have partnered with anti-violence advocates to address public policy and service delivery in different regions of the United States, there has been relatively little overlap between immigrant rights and anti-violence against women advocacy in Kansas. The lack of accessible services, language access, and systemic racism all contribute to invisible barriers for immigrant women seeking safety and support. The question then is are immigrant women “falling through the cracks” of a system that is otherwise working, or are these cracks a symptom of interlocking oppressions in public policy and service delivery that hinder the lives and rights of immigrants who are veritably excluded from society a racialized and “unworthy” outsiders?
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