

# SANCTUARY FOR FAMILIES

## Litigation on behalf of vulnerable immigrant victims of domestic violence

I, Julie E. Dinnerstein, am an attorney with Sanctuary for Families, a leading New York advocacy and service organization for domestic violence victims. Today, we join with the Center for Human and Constitutional Rights of Los Angeles; Catholic Charities of San Francisco, Friendly House of Phoenix, Diocesan Migrant & Refugee Services of El Paso and other service providers across the nation and demand that the Department of Homeland Security honor its legal obligation to protect vulnerable immigrant populations, including victims of domestic violence, as required by the Violence Against Women Act (VAWA) 2000, signed into law on October 28, 2000 by then President Bill Clinton. Along with our clients, we speak out today, March 7, 2007, and announce that we have filed a class action law suit against Michael Chertoff, Secretary of the Department of Homeland Security, demanding the issuance of the U visa, the special visa created by VAWA 2000 for immigrant victims of domestic violence and related crimes.

Under the terms of VAWA 2000, the U visa allows immigrant crime victims and their children (and, in the case of children crime victims, their parents), to live and work in the United States for up to three years and then to apply for lawful permanent resident (green card) status. The visa was created both to protect some of our most vulnerable crime victims and to encourage cooperation with law enforcement. It is shocking that over six years after the creation by statute of this special visa, not a single U visa has ever been issued. The fault lies with the Department of Homeland Security, which has failed to issue implementing regulations.

The Department of Homeland Security, aware of its failure to provide U visas as required by law, has offered a temporary status, known as deferred action, to immigrants waiting to apply for U visas. While this status allows immigrants to work in the United States, it does not allow them to travel, does not allow them to be reunited with their children, frequently stuck in the immigrants' home countries without a means of entering the U.S. lawfully (although the U visa statute explicitly allows such children to enter the United States with U visas, if only the law were implemented) and does not allow them to regularize their immigration status by obtaining green cards. It is not enough. Vulnerable immigrants and their children suffer daily at the Department of Homeland Security's unconscionable failure to follow the very law created to protect them.

Sanctuary for Families represents almost 500 immigrant victims who have applied for relief under the U visa statute and by joining this law suit and speaking out today, we say that we will no longer tolerate the government's refusal to follow the law of the land and provide U visas to vulnerable immigrant victims of domestic violence.

We are joined today by Scott Stringer, Manhattan Borough President, who lends his voice of support to immigrant victims of domestic violence. [Quote from Scott Stringer.]

Many immigrant victims themselves are also here today to speak out about the importance of obtaining protection against domestic violence coupled with their ongoing need for immigration relief.

Maichata Bamba (Ivory Coast):

I am very grateful for the assistance I have received and the doors opened for me when I was most desperate and helpless. At the same time, inside, I cry for my older children, who are sick and need me. I have made America my home, but would like to visit them. I am keeping hope and trust that the American government will ensure the rights of all immigrant domestic violence victims like me.

Myriam Florez (Columbia):

There are many women like me who are scared to call the police because they fear deportation, but in New York City, the police offered me protection. They saved my life. I am here, safe and hopeful for a better future. I only wish I knew what tell my 12 year old daughter in Colombia who needs me. She cries and cries on the phone and asks when we can be together.

Fontaine Broomes (Barbados):

I want more immigrant women to know that you can call the police and that there is hope for you. Last year I received my first work permit. I am so proud of it and have been working ever since I got it. My dream is to become a United States Citizen one day. Every day my heart cries for my 13 year old daughter Kacianne who lives with her elderly grandmother in Barbados. I tell her that the law is on our side and one day soon she will be able to join me. I only wish I could tell her when that day will be.

Rosa Rodriguez (Dominican Republic):

I am a survivor of domestic violence. Once, I was scared. Now I know that the District Attorney and the police detectives are able to help me to escape domestic violence. I am no longer afraid. My deepest wish now is to be reunited with my three daughters all living in the Dominican Republic. I am told that there is a law that will allow my children to be with me, but that the government is not yet following the law. I hope that the government will soon follow that law and allow my children to return to me, their mother.

Constantina Campos (Mexico):

To all women in domestic violence situations I would like to say: Don't be scared, get information, ask questions, get help. We do not have to suffer and have our children suffer. The police will help and protect you.

To Michael Chertoff: I am concerned about my 17 year old daughter Luz Maria. I am really worried that if you do not give us U visas, Luz Maria will never be able to apply for a green card or go to college.

*Sanctuary for Families is the largest not-for-profit agency in New York State dedicated exclusively to serving domestic violence victims and their children. Each year, thousands of clients, many from New York City's immigrant communities, receive a range of services, including shelter, counseling, legal advice and representation, economic development assistance, and a special program for children who have witnessed domestic violence.*