

Spousal Abuse Targeted in Bill

**By Oscar Avila**

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Even when their lives are in danger, many immigrants will not leave abusive spouses because they fear they might be deported, separated from their children or left without a way to support themselves, according to counselors and lawyers who assist them.

In an effort to provide relief, immigrant advocates held a news conference at the Midwest Immigrant & Human Rights Center in the Loop on Thursday in support of new federal legislation that would give immigrant victims of abuse greater protection against deportation and remove obstacles to obtaining legal permanent residence and economic self-sufficiency.

Even if victims were unaware of a previous deportation order or simply ignored it, the bill would let them remain in the country if they can prove they were abused and meet other legal requirements. The bill also would delay deportation until U.S. authorities reviewed their applications.

The current Violence Against Women Act, passed more than a decade ago, protects victims of domestic violence and sexual assault. But other immigration laws bar applicants from securing legal status if they already faced deportation proceedings.

The new bill, sponsored by U.S. Rep. Jan **Schakowsky** (D-Ill.), has become a leading rallying point among advocates for domestic violence supporters. Dozens of agencies, from Maui to Miami, have lent support.

Sherizaan Minwalla, staff attorney at the Midwest Immigrant & Human Rights Center, said the bill was necessary because "abused immigrant women and children are some of the most vulnerable victims."

**Schakowsky** added, "There is an urgent need to change the law to save the lives of immigrant women across America."

Researchers have found that immigrant women are more likely to suffer from domestic abuse because of legal barriers and cultural expectations from their homelands.

Even though illegal immigrants are already eligible for protection if they are married to U.S. citizens or legal permanent residents, many abusive men or women threaten their family members with deportation to keep them from going to the police.

A 39-year-old Mexican woman from Chicago said she endured a 13-year marriage in which her husband began abusing alcohol and eventually beating her on a regular basis. She refused to call police because he threatened to call immigration officials. She even refused to press charges after a neighbor called for help.

The woman, who asked that her name not be used because she still fears for her safety, said she eventually learned of her immigration options after visiting Mujeres Latinas en Accion, a Pilsen agency that helps violence victims.

"Now my life is more peaceful," she said.

The bill offers immigrant victims a chance to end their financial dependence on their abusive spouses by speeding up the process to obtain work permits.

The legislation also eliminates the requirement that they wait five years to receive certain public benefits, such as food stamps. For many women, the benefits are necessary at first because they have never worked outside the home.

"Public benefits can be an important source of income, and thus empowerment, for immigrant survivors of domestic violence," said Neha Gill, legal advocate with Apna Ghar, an Uptown agency that focuses on Asian victims.

Some critics say immigrants could exploit the legal remedies with false claims of domestic abuse just to remain in the country legally.

But Gail Pendleton, co-chairwoman of the National Network to End Violence Against Immigrant Women, said there is no evidence that the program is any more vulnerable to fraud than other paths to legal status.

Pendleton acknowledged that many lawmakers might be uneasy about helping illegal immigrants, even those facing life-and-death struggles.

"This is a tough row to hoe, even though these are very sympathetic figures and are people Congress has said should be helped," she said. "If you don't help them, you are putting another weapon in the hands of the abuser."