



**EVALUATING THE
EFFECTIVENESS OF THE
U-VISA & VAWA
PROTECTIONS FOR
IMMIGRANT SURVIVORS
OF DOMESTIC VIOLENCE**

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Abstract

This capstone explores the disconnect between the legal protections available to immigrant survivors of domestic violence and their lived experiences in Washington State. Despite the existence of frameworks such as the Violence Against Women Act (VAWA), the U-visa program, and several state statutes, immigrant survivors, particularly those who are undocumented, face a myriad of barriers that hinder their access to justice and safety. This research draws on qualitative interviews with fifteen immigrant survivors and three domestic violence advocates, as well as an in-depth analysis of Washington State's legal and institutional landscape. The findings reveal that while these protections exist on paper, their practical application is inconsistent, and many survivors remain unaware of their rights or fear engaging with the legal system due to the threat of deportation, misinformation, and systemic gatekeeping. The study underscores the need for comprehensive reforms, including mandatory language access, survivor-centered practices, consistent enforcement of laws, and robust public education campaigns. This capstone concludes by providing policy recommendations aimed at bridging the gap between legal intent and the lived reality of immigrant survivors, emphasizing the importance of creating a more equitable, accessible, and transparent justice system for all survivors.

Introduction

"I didn't know I could get help without papers."

These words repeated, again, and again by the 13 domestic violence survivors interviewed are not just a statement of disbelief. They are a chilling indictment of a system that leaves too many immigrant survivors, especially those who are undocumented, suffering in silence. Domestic violence is a widespread and deeply rooted issue that affects individuals across all identities and backgrounds, but for immigrant survivors particularly those who are undocumented the stakes are uniquely high. These survivors often navigate not only the trauma of abuse, but also a complex web of legal, linguistic, cultural, and systemic barriers that prevent them from accessing safety, justice, and healing. In Washington State, several statutes such as the Violence Against Women Act (VAWA), the U-visa, and RCWs 7.98.020, 10.99, and 10.93.160 aim to provide critical protections to survivors, including legal relief and pathways to stability. Yet, the lived experiences of immigrant survivors reveal that legal protections alone are not sufficient.

This capstone project investigates the gap between legal policy and lived reality for immigrant survivors of domestic violence in Washington. While protections such as the U-visa and VAWA offer theoretically powerful tools, their implementation is inconsistent, and often inaccessible to the very people they are meant to serve. Survivors are frequently unaware of their rights or afraid to engage with the legal system due to fear of deportation, language barriers, distrust in law enforcement, and a lack of culturally competent support. Even with strong laws on the books, discretion in certification, limited outreach, and inadequate training continue to create structural inequities.

Through qualitative interviews with fifteen immigrant survivors and three domestic violence advocates, as well as an in-depth review of Washington State's legal landscape, this capstone captures firsthand perspectives and systemic patterns. It weaves together survivor narratives, advocate insights, and legal analysis to identify where the current system falls short and how it can be improved. Informed by my own lived experience as a survivor and as someone who has navigated the U-visa process, this research is both professional and personal. My identity shaped my approach, driving me to center survivor voices and approach each story with empathy, cultural sensitivity, and urgency.

This project also considers the current political climate, which continues to influence immigrant communities' willingness to report violence and seek legal remedies. Increased immigration enforcement, anti-immigrant rhetoric, and public confusion around protections contribute to a chilling effect that silences survivors before they ever have the chance to access help.

The following chapters review relevant protections and barriers, describe the research methods, and present findings from survivors and advocate interviews. The conclusion offers policy recommendations based on trauma-informed and culturally competent approaches, referencing effective legislation from other states while suggesting reforms specific to Washington.

Ultimately, this capstone seeks to amplify the voices of those most impacted, and to push for a more accessible, transparent, and equitable system for immigrant survivors. It is a call for action, but also a testament to the resilience and power of the individuals who share their stories in the hope of creating lasting change.

Chapter 1

Fear, Enforcement, & the Current Immigration Landscape

While legal protections such as the U-visa and RCW 7.98.020 were created to safeguard immigrant survivors of domestic violence, the current immigration enforcement climate has significantly undermined survivors' ability to seek help. Recent shifts in federal priorities marked by the rollback of humanitarian enforcement guidelines and an uptick in Immigration and Customs Enforcement (ICE) visibility have reintroduced fear as a central barrier to protection. This chapter situates Washington's legal framework within the broader national context, drawing from recent reporting and on-the-ground advocacy insights to underscore how political change reshapes survivors' behavior, risk calculations, and legal options.

A Climate of Fear and Retaliation

The legal right to apply for a U-visa does little to comfort survivors when those seeking help are actively detained, deported, or targeted for cooperating with law enforcement. A 2025 USA Today report documented that 75% of advocates surveyed nationwide said immigrant survivors feared calling police would lead to arrest or deportation. Half said their clients ultimately chose not to contact law enforcement at all. This fear extends beyond police stations and courtrooms to shelters and hospitals, creating an environment where survivors must constantly weigh safety against potential removal from the country they call home. "As of July 18, 2025, the Department of Justice's Board of Immigration Appeals ruled that gender-based violence alone, including violence against women, does not qualify as a "particular social group" under the Immigration and Nationality Act (INA) for asylum claims. This means that women who are victims of domestic violence, gang violence, or other forms of gender-based harm can no longer use these experiences as the sole basis for seeking asylum in the United States" (VisaVerge).

An advocate with the Tahirih Justice Center recounted counseling a survivor who hesitated to report to her ex-husband due to fears of being turned over to ICE. “If she calls the police today,” the advocate asked, “are they actually going to be able to do anything against this guy that's stalking her, and if not, are they going to be working with ICE?” (Valenzuela). These calculations are not hypothetical. Survivors have been detained in courthouses, while abusers weaponize immigration status as a tool of coercive control telling victims that one call to ICE could ensure their deportation.

Interview data from this capstone mirrors these findings. Several survivors reported delaying or avoiding police contact due to fear of immigration consequences, even when their lives were at risk. As one survivor put it, “I didn’t go to the police because I thought I would be arrested too” (Valenzuela). This chilling effect on help-seeking behavior is not only a matter of fear it is a direct consequence of how immigration enforcement has blurred the lines between public safety and deportation.

The Politicization of Protection Spaces

Until recently, shelters and courthouses were considered “sensitive locations” largely off-limits to immigration enforcement. However, these informal protections have eroded. “Under the Trump Administration, immigrants have had a challenging time getting U-Visa certifications signed. For example, Jose Robles became a victim of a crime in Washington state, but the Lakewood Police Department (PD) refused to sign his certification (Pacheco-Flores, 2018). Since Lakewood PD won’t sign his U-Visa certification, Mr. Robles will not be able to apply for a U-Visa” (Santiago). The Trump administration removed domestic violence shelters from ICE’s protected list, and the chilling effect remains. In El Paso, one shelter director reported a

25% decline in survivors seeking help, noting that most of the women served are Hispanic and nearly three-quarters are children. “They want to leave the violent situation,” she explained, “but they can’t, because they’re afraid they’re going to lose their children” (Valenzuela).

For survivors in Washington State, especially in counties without strong sanctuary policies, the threat of immigration enforcement in historically safe spaces can deter access to U-visa certification, legal aid, or even shelter beds. As Tanya Santiago (2020) explains, “For many immigrants, law enforcement is an extension of the same state violence they are fleeing” (Santiago), reinforcing why survivors hesitate to engage with the justice system even when protections exist. Despite Washington's more immigrant-inclusive policies, federal enforcement supersedes local intent in many contexts. Without explicit guarantees of non-cooperation between local law enforcement and ICE, survivors may interpret any engagement with authorities as too risky.

The U-visa Backlog and Prolonged Insecurity

Even for those who do pursue the U-visa, the process itself can prolong uncertainty. As the Women’s Refugee Commission noted, survivors often wait 10 to 20 years for full protection. During this time, they live in legal limbo often without work authorization, stability, or clarity on their future. One advocate said, “That leaves survivors who are waiting for those visas just anxiously, kind of in the pipeline, not able to really access the benefits that they need” (Valenzuela). Without timely processing or interim protections, the promise of legal relief can feel hollow.

Participants in this study echoed this prolonged distress. Some had applied years ago and still awaited updates; others were unsure if their applications had even been received. One advocate explained, “Survivors often don’t even get updates they’re just stuck in limbo” (Valenzuela). This sense of invisibility compounded by the trauma of abuse and the weight of immigration uncertainty leaves many survivors feeling abandoned by the very systems meant to protect them.

National Trends Undermining Local Progress

Even as Washington State adopts progressive laws such as RCW 7.98.020 and strengthens training under RCW 10.99, the national context creates a contradictory reality. Survivors may be legally protected on paper, but the broader narrative of immigration enforcement fosters mistrust and deters engagement. When survivors must choose between calling for help or risking deportation, many choose silence. According to a 2019 national survey, three out of four advocates reported that immigrant survivors are afraid to go to court due to fears of deportation and retaliation by abusers (*Asian Pacific Institute* et al.). As one legal advocate explained, “We have an entire population of survivors really living in the shadows right now, feeling too scared to come forward” (Valenzuela).

This harsh reality reveals a deep and dangerous rift between the promise of protection and the lived experiences of immigrant survivors. While local reforms strive to offer safety and support, they are constantly undermined by federal policies that criminalize vulnerability and deny protection to those most at risk. "The Trump administration has, throughout its tenure, pushed for greater cooperation between local law enforcement and federal immigration agents," blurring the line between seeking help and risking detention. "Further compounding the fears that discourage survivors from seeking justice is Immigration and Customs Enforcement’s practice of detaining

immigrants at courthouses and government offices while they are actively trying to cooperate with authorities and sometimes even seeking legal means of entry into the country." "ICE has detained survivors at courthouses as they tried to pursue cases against their assailants" (Hayoun). These practices operate as forms of institutional gatekeeping, where access to justice is filtered through layers of discretion, surveillance, and fear.

In such a climate, sanctuary policies, non-cooperation ordinances, and immigrant-centered outreach are not radical acts, "they are essential shields against a system where fear, bias, and unchecked discretion routinely block access to justice" (Hayoun). The unnerving effect is evident: "a survey of advocates and attorneys reveals a stark picture of how immigrant survivors of domestic violence and sexual abuse are responding to these developments" (Hayoun). While the exact number of survivors deterred from coming forward is difficult to quantify, "a noticeable decline in U-Visa applications down by over 2,300 in 2018 compared to the previous year signals growing fear and mistrust. This marks the first time since the visa's inception that applications dropped, despite the ongoing prevalence of abuse" (Hayoun). These outcomes are not accidental. They reflect how intersecting identities, such as immigration status, gender, and race, compound the vulnerability of survivors and shape their ability to navigate systems that were never designed with their full humanity in mind.

Toward a Survivor-Centered Policy Response

This national report, like this capstone's research, shows that fear is real, justified, and frequently reinforced by state actions. Survivors navigating immigration and violence do so in a landscape shaped as much by political ideology as by legal code.

As Washington continues to improve its U-visa certification processes, efforts must be made to explicitly separate public safety functions from immigration enforcement. Law enforcement agencies should adopt written non-cooperation policies, and public statements must reinforce that seeking help will not result in deportation. These actions rebuild trust and provide tangible protections for immigrant survivors.

This chapter highlights the urgent need to align law with lived experience. Without national reforms or strong local strategies in immigration enforcement, state laws alone are insufficient. Survivors should have access to safety, justice, and humane systems without undue risk or fear. While a national shift is necessary, progress at the local level is equally vital, as local policies and initiatives play a crucial role in shaping communities and supporting those most affected.

Chapter 2

Understanding the Gap: A Literature Review & Theoretical Exploration of Systemic Barriers to Relief

The Violence Against Women Act (VAWA), passed in 1994, was a landmark legislative effort that sought to transform the federal response to domestic and sexual violence through funding, criminal provisions, and community-based programs. Over the years, VAWA has undergone multiple reauthorizations, each expanding protection and acknowledging the unique vulnerabilities of different populations. In 2000, the Battered Immigrant Women Protection Act (BIWPA) was introduced as part of VAWA's reauthorization, extending crucial protections to immigrant survivors, particularly through the creation of the U-visa program. Despite its ambitious framework, the literature reveals persistent implementation gaps, systemic inconsistencies, and intersectional harms that continue to obstruct meaningful access to justice for undocumented survivors of intimate partner violence (IPV).

Legal Intent vs. Practical Barriers

The U-visa program, as introduced through BIWPA, was designed to protect noncitizen survivors of certain crimes, including domestic violence, who were willing to cooperate with law enforcement. In theory, the U-visa addresses a critical dilemma: undocumented survivors are often deterred from seeking help for fear of deportation. However, legal scholars have repeatedly pointed to structural flaws that undermine the statute's effectiveness.

Sylvia Lara Altreuter (2018) critiques the program's reliance on discretionary law enforcement certification as a required step where a certifying agency (typically police or prosecutors) must affirm that the survivor was helpful or is likely to be helpful in a criminal investigation. There is no federal mandate compelling agencies to certify; as Altreuter notes, "no federal law requires a certifying agency to complete a U-Visa certification request, and agencies have wide discretion in determining whether to certify a request" (Altreuter). As a result, survivors face varying

outcomes depending on their geographic location. “A victim’s ability to access a U-Visa depends in large part on her jurisdiction’s policies and practices some jurisdictions have clear certification procedures, while others refuse to certify altogether” (Altreuter).

This discretionary power granted to law enforcement is further compounded by the absence of federal enforcement mechanisms, a concern echoed by Friedman (2024), who calls this situation a “postcode lottery” of protection. In her view, survivors’ access to immigration relief is determined more by local culture and internal policies than by their legal eligibility.

Additionally, the 10,000 annual cap on U-visas means survivors are often left in prolonged states of uncertainty, even after certification.

Stoltz (2004) situates the program within a broader critique of federal immigration control, arguing that the very reliance on law enforcement discretion reinforces a system of gatekeeping. In areas with hostile immigration climates, survivors may face additional risks simply by reporting violence or submitting certification requests. The promise of legal protection is thus mediated by local political will and the quality of community-police relations. This disparity is clearly illustrated in Santiago’s county-level analysis, which found that over one-third of Washington State counties signed zero U-visa certifications in the year following the implementation of HB 1022. Lower rates in counties with higher Latinx populations highlight systemic gatekeeping, even in immigrant-friendly jurisdictions.

Intersectional Frameworks: Gender, Race, and Immigration Status

Intersectionality has proven to be a critical framework in understanding how systemic inequities compound for immigrant survivors. Kimberlé Crenshaw’s (1991) foundational work on

intersectionality highlights the ways in which overlapping systems of oppression such as race, gender, class, and immigration status create unique forms of marginalization. As she writes, “Where systems of race, gender, and class domination converge, as they do in the experiences of battered women of color, intervention strategies based solely on the experiences of women who do not share the same class or race backgrounds will be of limited help” (Crenshaw). For immigrant survivors of IPV, the experience is shaped not only by gendered violence but also by their undocumented status, racialized identities, and historical mistrust of law enforcement. Crenshaw further explains that “the violence that many women experience is often shaped by other dimensions of their identities, such as race and class,” (Crenshaw), underscoring how immigrant survivors are often left out of policy narratives that assume a universal female experience. These omissions can reinforce systemic silences that erase women of color from both antiracist and feminist responses to violence.

Building on Crenshaw’s intersectional lens, Lee Ann Wang (2018) critiques the U-visa system, arguing that it inadvertently repositions survivors within a law enforcement paradigm that requires them to perform ideal victimhood cooperating with criminal proceedings, reliving trauma, and aligning their narratives with prosecutorial expectations. As Wang writes, “The Violence Against Women Act called for the adoption of neoliberal policy approaches to address domestic violence and used white victimhood narratives to drive increased policing and sentencing against communities of color” (Wang). This process, Wang argues, instrumentalizes survivors while denying them substantive agency. Rather than centering survivor needs, “the U-Visa renders immigrant women as both objects of targeted protection and subjects who the law enlists to cooperate in the unleashing of criminal enforcement.” The law constructs undocumented survivors as both victims and tools of carceral expansion: “We cannot fully

understand the complexities of the visa without considering why the law utilizes an undocumented survivor of violence to be its legal subject for all other ‘crime fighting’ mechanisms” (Wang). Instead of serving as a tool of empowerment, the U-visa often becomes a mechanism of control, reinforcing the structural inequalities CRT seeks to expose.

Federalism, Legal Inconsistencies, and Procedural Justice

While intersectionality and CRT frame the lived experience of immigrant survivors, the structural tensions between federal mandates and local discretion are also critical. Sally Goldfarb (2002) examines the Supreme Court’s decision in *United States v. Morrison*, which invalidated portions of VAWA on the grounds that Congress had overstepped its authority under the Commerce Clause. As Goldfarb further notes, “Federal intervention that empowers the states as well as individuals can take many forms... and federal enactments that begin or continue a federal-state dialogue that contributes to the development of new ways of envisioning and enforcing individual rights” (Goldfarb, 2002). Goldfarb argues for a model of cooperative federalism that recognizes the unique role of states while reinforcing national standards for protecting survivors.

In the context of BIWPA and the U-visa, this tension manifests through variable agency practices. While the federal government sets eligibility standards, local actors determine access. The absence of mandatory certification policies and training at the local level exacerbates this issue. In jurisdictions without clear procedures, survivors may face inconsistent responses or complete denials of certification without explanation.

Shana Maier (2011) explores how institutional factors such as law enforcement attitudes, staffing constraints, and insufficient resources shape victim services. Police officers may feel unprepared to assess certification requests, particularly when dealing with trauma-affected individuals or navigating language barriers.

Gatekeeping Theory: The Filtering of Legal Knowledge

Gatekeeping Theory, originally introduced by Kurt Lewin (1947) and later expanded by scholars such as David Manning White and Pamela Shoemaker, explains how information is filtered, controlled, and often obstructed as it moves through systems. In the context of this capstone, gatekeeping theory provides a powerful explanation for why immigrant survivors frequently remain unaware of VAWA, BIWPA, and the U-visa. Systems that claim to support survivors such as law enforcement, social service agencies, legal aid offices, and shelters serve as institutional “gates,” and the individuals within them act as “gatekeepers” who decide whether critical information flows forward or is withheld. Survivors interviewed for this project repeatedly described encountering systems that failed to inform them of their rights or available remedies. Many first heard about the U-visa or VAWA years after the abuse began, if they ever heard of them at all.

Gatekeeping theory not only explains how survivors are excluded from legal knowledge but also how systemic barriers, rooted in both racism and immigration enforcement practices, actively perpetuate these exclusions. These barriers prevent survivors from accessing the protections to which they are legally entitled.

Critical Race Theory: Naming the Racialized Nature of Inaccessibility

Critical Race Theory (CRT) deepens this analysis by situating these barriers within a racialized and anti-immigrant legal structure. CRT challenges the assumption that laws are objective or race-neutral, revealing how racism and xenophobia are embedded in U.S. institutions, including those tasked with supporting survivors. Drawing from Derrick Bell's principle of interest convergence, CRT holds that legal remedies for marginalized groups are only upheld when they align with the interests of dominant (often white) social and political actors.

This is reflected in how remedies like the U-Visa or VAWA self-petitions are inconsistently applied, poorly publicized, and deeply bureaucratic. There is no sustained institutional or political investment in ensuring immigrant survivors, especially those who are women of color, can access these rights. As shown in this capstone, several survivors shared that they only discovered the U-visa by chance, often long after critical windows of eligibility had closed.

By naming the racialized nature of these exclusionary practices, CRT allows us to see that immigrant survivors are not excluded by chance they are systematically marginalized.

Intersectionality: Centering the Lived Experiences of Immigrant Women

Intersectionality further expands this analysis by recognizing how multiple forms of oppression gender, race, class, and immigration status intersect to create unique and compounded harm. Drawing from Uma Narayan's "Male-Order Brides: Immigrant Women, Domestic Violence, and Immigration Policy," this capstone incorporates a critical understanding of how immigration systems often reinforce male dominance by design. Policies that tie immigrant women's legal status to their abusers uphold structural conditions that entrap survivors.

The survivors in this project echoed Narayan's critique. Most were not held back by culture, but by fear; fear that leaving would lead to family separation, immigration consequences, or homelessness. Even when they had courage to seek help, they found systems that were unresponsive, ill-informed, or worse, hostile.

Together, Gatekeeping Theory, Critical Race Theory, and Intersectionality offer a comprehensive, multidimensional lens through which to understand the exclusion of immigrant survivors from legal protection. These frameworks enrich the scholarly literature already reviewed by mapping the disconnect between legal intent and lived experience. They reveal that survivors are not simply falling through cracks, they are being pushed through them by the structure of the system itself.

The existing body of literature underscores a profound gap between legislative intent and lived experience. While VAWA and BIWPA represent meaningful strides in protecting survivors, their potential is severely limited by inconsistent implementation, local discretion, and systemic gatekeeping. As shown in both the literature and the findings of this capstone, survivors face delayed or entirely absent access to legal protections due to undertrained law enforcement, lack of outreach, and the absence of enforceable certification mandates.

Frameworks like intersectionality, cooperative federalism, and procedural justice serve as vital tools to assess and reform these programs. Intersectionality ensures that survivor experiences are understood in their full complexity accounting for race, gender, status, and class. Cooperative federalism highlights the challenges of misaligned state and federal responsibilities, while procedural justice demands fairness, transparency, and equity in how protections are applied.

Washington, California, and Oregon Laws

Building on the legal frameworks and practices discussed earlier, examining the laws in Washington, California, and Oregon provides insight into how state-level protections for immigrant survivors of domestic violence can be strengthened. While Washington has made significant strides in protecting immigrant survivors, there are still gaps in implementation that could be addressed by adopting certain features from California's and Oregon's laws. Further research into the implementation of these approaches is necessary to determine how Washington can effectively integrate them to enhance protections for immigrant survivors.

California offers multiple models that combine stronger legal protections with mechanisms for accountability and transparency. The TRUTH Act (2017) requires law enforcement to provide individuals with written notice in their preferred language if U.S. Immigration and Customs Enforcement (ICE) seeks an interview or issues a detainer request. Consent must be voluntary, documented, and survivors must be informed if their release will be shared with ICE. This ensures survivors are fully informed of their rights, reducing coercive cooperation between local law enforcement and immigration officials. The Values Act (SB 54) expands these protections by designating schools, hospitals, courthouses, and shelters as "safe zones" where immigration enforcement is restricted. It also bars state and local agencies from using personnel or resources for civil immigration enforcement and limits data-sharing with ICE to publicly available information. Both laws mandate public reporting so jurisdictions must disclose the frequency and circumstances of their interactions with federal immigration authorities, fostering trust and ensuring consistent enforcement.

In addition to the TRUTH Act and Values Act, California law requires that ICE interviews be accompanied by a language-accessible consent form signed by the survivor, and it designates sensitive locations such as shelters, courthouses, clinics, and schools as enforcement-free zones. Furthermore, quarterly public reporting by law enforcement agencies on all ICE-related interactions, with data disaggregated by location and outcome, allows for greater transparency and accountability.

Oregon's approach, codified in the Sanctuary Promise Act (ORS 180.805–181A.829), builds on similar principles but incorporates additional enforcement mechanisms. Oregon prohibits state and local agencies from inquiring about immigration status or detaining individuals without a judicial warrant. It ensures that services cannot be denied based on immigration status, prevents immigration-focused traffic stops, and requires that any ICE request to access nonpublic areas be documented, denied, and reported to the Oregon Department of Justice or Criminal Justice Commission. Public reports on ICE interactions are released quarterly and annually, maintaining transparency and trust. Oregon also provides a confidential statewide reporting hotline and allows survivors and advocates to pursue civil action if agencies fail to comply.

While Washington's RCW 10.93.160 has laid the groundwork for protecting immigrant survivors by prohibiting law enforcement from engaging in civil immigration enforcement, it lacks some of the robust protections found in California and Oregon. Washington does not require written consent before ICE interviews, designate specific safe zones, or mandate public reporting on ICE-related interactions. Nor does it provide statewide reporting hotlines, mandatory documentation of ICE requests, or civil remedies for noncompliance. By integrating California's informed consent requirements, safe zone designations, and public reporting

mandates alongside Oregon's comprehensive documentation, reporting, and enforcement mechanisms Washington could significantly strengthen its protections for immigrant survivors.

Chapter 3

Research Positionality,

Methodology & Limitations

This research is not neutral. It is shaped by my lived experience as a Latina woman, daughter of immigrants, and a survivor of domestic violence. I do not approach this project as a detached observer, but as someone who has intimately experienced the same fears, silences, and systemic barriers faced by the participants in this study.

Like many of the survivors I interviewed, I once lived in fear of my partner, of the legal system, and of the cultural expectations that told me to stay quiet. Even though I spoke the language, had legal knowledge, and eventually pursued higher education, it was still incredibly hard to get out of that relationship. The fear, shame, and guilt didn't disappear just because I understood my rights. I waited years after the abuse ended before applying for a U-visa. Not because I didn't know it existed but because I didn't feel safe enough to try.

One of the few reasons I was able to begin that process was because I had a rare and positive encounter with a local police department. The officers treated me with respect, listened, and provided the support I didn't know I needed. That kind of response should not be the exception it should be the norm. My story is not unique, but my outcome was. That disparity has fueled this project from day one.

My own background shaped every part of this capstone. It informed how I built interview questions, how I held space for participants, and how I interpreted the data. I approached interviews with deep care and cultural humility. I understood the unspoken emotions behind the words. I heard my own past reflected in many of their stories. That emotional connection helped me build trust and allowed survivors to open in ways they may not have with researchers who didn't share similar experiences.

I also recognize my position within an academic institution. While I share cultural and lived experience with many of the participants, I now hold access to research tools, language, and networks that many survivors do not. I carry that responsibility seriously. This project is not just for academic credit it is a vehicle to elevate community voices, challenge unjust systems, and propose real policy change grounded in the truth of survivors.

This chapter affirms that my research is not objective in the traditional sense, but it is deeply informed, transparent, and survivor centered. My identity does not compromise my research integrity; it strengthens it. It helps bridge the gap between system and story. Between policy and people. Between what is written and what is lived.

Methodology

To better understand the lived experiences of immigrant survivors of domestic violence and the barriers they face in accessing legal protections such as the U-visa, I conducted a qualitative study rooted in in-depth interviews. This research was designed to center the voices of those most directly affected by policy inconsistencies, institutional barriers, and the discretionary nature of legal systems. “The narrative storytelling tradition and its validation in the academy serve as major contributions not only to legal studies but to most fields of the humanities and social sciences” (Mize).

A total of 18 participants were interviewed: 15 immigrant domestic violence survivors, 3 domestic violence advocates. The study aimed to capture a broad spectrum of perspectives from both seeking justice and those providing support. The interviews served as a rich source of data to explore how legal protections are experienced on the ground.

The following section will expand on the research design, data collection strategies, ethical considerations, and thematic coding used to analyze participant narratives. This methodological approach not only ensures that the research remains grounded in lived experience but also strengthens the credibility and relevance of the findings.

Methodology Process

The methodological framework for this study was developed to center the lived experiences of undocumented immigrant survivors of domestic violence, as well as the insights of advocates and legal professionals who support them. Recognizing that these voices are often underrepresented in academic and policy discourse, this chapter provides a detailed explanation

of the research design, recruitment strategy, data collection, and ethical considerations that guided the project.

Research Design

This study utilized a qualitative, narrative-based approach to capture the complexity and nuance of survivors' interactions with the legal system, particularly as it pertains to the U-visa process and institutional support networks. A semi-structured interview format was chosen to allow participants to share their experiences in their own words while ensuring that key thematic areas were addressed across interviews. The interviews explored topics such as barriers to reporting abuse, perceptions of law enforcement, access to legal resources, and the role of discretion in immigration outcomes.

The choice of qualitative research was intentional. Because the goal was to understand deeply personal, context-specific experiences, a purely quantitative or survey-based method would not have captured the emotional, legal, and cultural intricacies at play. The richness of participant narratives has provided invaluable insight into both the shortcomings and the potential of current systems.

Participant Recruitment

Participants were identified through community networks, survivor referrals, and word-of-mouth outreach. A snowball sampling method proved to be the most effective given the sensitive nature of the topic and the undocumented status of many participants. Survivors who had already completed interviews would often share contact information for others who had expressed

interest in participating always with prior consent. In some cases, participants reached out directly to the researcher after hearing about the project from someone they trusted.

This organic recruitment strategy was not only respectful of participants' privacy but also reflective of the social dynamics within immigrant communities. It created a space of mutual trust and safety, enabling participants to engage in emotionally difficult conversations with vulnerability and honesty.

Participant Demographics

A total of eighteen participants contributed to the study. Fifteen were undocumented immigrant survivors of domestic violence, all of whom had experienced abuse while living in the United States. Three were advocates working in nonprofit or shelter settings who regularly assist immigrant survivors. The survivors came from a range of countries including Mexico, El Salvador, Honduras, and Guatemala, and represented a variety of ages and family circumstances.

The 15 survivor participants ranged in age from 19 to 54, with the majority in their 30's. Thirteen identified as women, one as nonbinary, and one declined to state. All participants identified as Latinx, with national origins including Mexico, El Salvador, Honduras, and Guatemala. Most were undocumented at the time of the abuse, though a few later adjusted their status through the U-visa. All the survivors experienced domestic violence in different counties across Washington State, making this project distinctly grounded in a Washington-specific context. The three advocates worked at nonprofit organizations serving immigrant survivors in Washington State. One was based at a legal aid clinic, another at a shelter, and the third was within a county prosecutor's office.

Given the extreme vulnerability of the survivor participants and the small, identifiable nature of the communities they belong to, pseudonyms have not been assigned. While pseudonyms are often used in qualitative research to humanize quotes, the potential for deductive disclosure in this case outweighs that benefit. Instead, participants are referred to only as “a survivor” or “an advocate” to preserve anonymity and prevent harm.

Data Collection

Interviews were conducted either in person, by phone, or via secure video call depending on participant preference and comfort. All interviews were conducted in English or Spanish based on participant fluency. In-person interviews were held in safe, neutral spaces such as community centers or private meeting rooms. Each session lasted between 45 and 90 minutes.

With informed consent, interviews were audio-recorded and later transcribed. In cases where participants declined to be recorded, detailed notes were taken. To preserve anonymity, all names and identifying details were removed during transcription.

Ethical Considerations

Given the highly sensitive and potentially retraumatizing nature of the subject matter, every step of the research process was conducted with trauma-informed care. Participants were provided with detailed information about the purpose of the study, their right to withdraw at any time, and the ways their data would be used. Emotional support referrals were made available upon request.

The research received informal ethics reviews from academic advisors familiar with qualitative research involving vulnerable populations. While the project did not require IRB approval due to its non-clinical and non-interventional nature, all efforts were made to adhere to best practices in ethical research involving trauma survivors.

Thematic Coding and Analysis

Following transcription, a grounded theory approach was used to identify recurring themes and patterns. Thematic coding focused on both content and context what was said, and how it was framed by the speaker. Emergent themes included fear of deportation, misinformation about legal rights, lack of language access, institutional distrust, cultural stigma, and family-based decision-making.

Themes were refined over several rounds of analysis and validated through comparison with existing literature. This process ensured that participant voices remained central to the analysis while also allowing for critical reflection on how systemic forces shaped their experiences.

All interview protocols, including the full list of questions used with both survivors and advocates, will be included in the appendix (Appendix A, B and C) of this capstone. This ensures transparency and allows readers to better understand how thematic insights were drawn from consistent and trauma-informed qualitative data collection methods.

Limitations & Future Directions

While this capstone offers critical insights into the legal and lived realities of immigrant survivors of domestic violence in Washington State, it is important to acknowledge its

limitations. These limitations do not detract from the validity of the findings but rather situate them within the scope and context of the research.

First, the qualitative nature of this project means that findings are not meant to be generalized to all immigrant survivors across Washington or the United States. The interviews, while rich and deeply informative, represent a small sample shaped by availability, safety considerations, and the willingness of individuals to share their stories. Survivors who are still in crisis, undocumented, or isolated may be underrepresented, particularly those who speak fewer common languages or reside in rural areas.

Second, while this project focuses on Washington State policies, many of the barriers identified such as fear of deportation, lack of legal knowledge, and discretion in law enforcement are influenced by federal immigration policy. As such, some systemic issues raised in this capstone cannot be fully addressed at the state level alone. Furthermore, this study does not include perspectives from law enforcement officers, prosecutors, or judges voices that could offer additional insights into institutional constraints or gaps in training that affect certification practices.

Third, due to time and scope constraints, the project did not include a quantitative component, such as a survey or data analysis of certification request outcomes by county. Such data could have strengthened the policy section by identifying specific regions with high or low compliance under RCW 7.98.020. Similarly, while a section of this capstone highlights the potential benefits of adopting elements from California's TRUTH Act, Values Act, and Oregon's Sanctuary Promise Act, this research does not include an in-depth analysis of how these laws have been implemented in those states. Due to time constraints, this study focuses solely on Washington,

and the findings here should be considered within that scope. Future research could examine the practical application and effectiveness of these laws in California and Oregon, offering further insights into how Washington might tailor and adopt these approaches to close existing gaps in its legal framework.

Despite these limitations, this capstone provides a strong foundation for policy advocacy, community engagement, and future research. Further work should explore how different counties interpret and apply U-visa certification statutes, the role of prosecutorial discretion in outcomes, and the intersection of domestic violence with labor exploitation, trafficking, or LGBTQ+ identity in immigrant communities. In addition, future studies might examine the effectiveness of pilot programs such as multilingual legal navigator roles or school-based DV curriculum to measure tangible impact over time.

Finally, as immigration policy and enforcement continue to shift nationally, it will be essential to track how changes in federal rhetoric and action influence survivor behavior, legal access, and trust in local institutions. Longitudinal research and cross-state comparisons would enrich the field and offer replicable models of protection and care.

This capstone serves as both a snapshot of the current landscape and a call to deepen and expand the conversation. There is much more to be done, and immigrant survivors deserve a system that not only protects them in theory but empowers them in practice. The following chapters present these findings in detail, organized thematically with accompanying participant quotes. These stories are more than qualitative data they are living testimonies of resilience, injustice, and the urgent need for reform.

Chapter 4

Interview Thematic Findings: Survivor & Advocate Perspectives on the U-Visa Process

This chapter draws on in-depth, trauma-informed interviews with 15 undocumented domestic violence survivors and 3 domestic violence advocates in Washington State. Together, their stories illustrate the complex and often devastating intersection between immigration status and intimate partner violence. These themes reflect a human-centered view of how legal protections like the U-visa are experienced in practice not just on paper. The findings presented below are organized thematically, with all quotes appearing verbatim to preserve the power and integrity of participants' voices.

Fear of Deportation, Isolation and Dependency as Control Tactics (Theme 1)

A deeply rooted and recurring experience among the survivors was the use of immigration status as a weapon. Abusers strategically leveraged the threat of deportation to maintain control, isolate their victims, and keep them from seeking help. For many survivors, this fear eclipsed even the violence itself. One woman reflected, "The fear of being deported was stronger than the bruises." Another explained, "He told me if I left, he would call ICE and have me deported." These threats created a constant undercurrent of fear and entrapment. Survivors shared how their partners routinely used their undocumented status against them: "He had papers, I didn't. He used that against me every time I tried to stand up for myself," one participant shared. Another recalled, "He said he could get me deported with just one phone call." These forms of coercion left many women immobilized: "I thought the law didn't apply to people like me," one survivor stated, encapsulating a sentiment that echoed throughout the interviews.

Advocates corroborated these fears. One explained, "Undocumented survivors are terrified of law enforcement even when we say it's confidential," highlighting the emotional and legal risks survivors weigh when considering whether to seek help. Another advocate added, "ICE has

shown up after survivors tried to get help that fear is real.” These experiences confirm that the threat of immigration enforcement functions as a central form of psychological control in abusive relationships.

For many survivors, the abuse was compounded by deliberate and sustained isolation. Participants described how abusers controlled their physical movements, cut them off from social contacts, and created complete financial dependence. “He never let me go anywhere without him,” one survivor said. Others recalled not knowing how to use the bus, where shelters were, or even how to access basic services: “I didn’t even know how to use the bus or where the shelter was.” Abusers also manipulated survivors’ lack of familiarity with U.S. systems, as one participant noted, “My English wasn’t good, so I had to rely on him for everything.”

Survivors were often denied phones, internet access, or even the ability to read their own mail. “He took away my phone and cut me off from everyone,” one shared. Another said, “He isolated me from my family back home by cutting off internet.” These strategies ensured that survivors remained unaware of available resources and were too afraid to reach out for help. As one woman put it, “I was dependent on him for my food, rent, everything.” These acts of control and isolation weren’t accidental; they were calculated measures to keep survivors trapped.

Delayed Help-Seeking, Lack of Knowledge, and Insufficient Outreach (Theme 2)

Misinformation played a significant role in delaying survivors’ ability to seek assistance; with many participants believing they had no legal options because of their immigration status. “*I didn’t know I could get help without papers,*” one explained. This belief was often instilled by abusers but also reinforced by peers and community leaders. One woman shared, “*People told*

me I had to stay married to keep my status.” Another added, *“He said no one would help me because I wasn’t legal.”* Such myths left survivors feeling hopeless, paralyzed, and convinced that seeking help would only worsen their situation.

Even when survivors found the courage to reach out, misunderstandings about how services worked created additional barriers. *“I thought shelters only took citizens,”* one participant noted. Another confessed, *“I had no idea the U-visa even existed.”* An advocate confirmed this trend, explaining, *“I try not to ask them at all about their immigration status. Because if they are not here legally, it can create another stress... they may not want to cooperate in case they think they will be reported.”* She described how, to avoid unintentionally endangering survivors, she refers them to community-based advocates who can provide confidential, immigration-related support.

This misinformation was compounded by a broader lack of knowledge about legal protections. Despite the existence of programs like the U-visa and VAWA, most survivors had no idea these options existed until long after their abuse began. *“No one told me I had rights,”* one participant stated bluntly. Another said, *“I didn’t know the U-visa was something I could apply for.”* Some only learned about their rights through word of mouth or after being connected with advocates well into their journeys toward safety.

Advocates echoed these concerns, highlighting the harm caused by this knowledge gap. One shared, *“I wish the victims actually knew about it because many women that I know... their husband was using [immigration status] as a mechanism of control.”* She recounted how one survivor from China expressed relief upon learning that protections existed and that she had options. However, she emphasized that the lack of outreach continues to undermine the intended impact of these policies. *“Unfortunately, most people don’t know about it,”* the advocate said.

“Especially if they speak Hindi, or Mandarin, or Spanish... because most people who are here illegally live within the shadows.”

Most survivors only became aware of their rights well after the abuse started, if ever. *“Most survivors don’t know the U-visa even exists,”* one advocate noted. *“They think they have no rights because they’re undocumented.”* Outreach efforts were described as inconsistent and insufficient. *“There’s a huge gap in outreach, especially in immigrant languages,”* another advocate explained. She added that translated pamphlets are not enough: *“It takes trust-building.”* Without intentional and sustained outreach, survivors remain disconnected from protections that could safeguard them, and as one advocate observed, *“When survivors don’t even know what protections are available, the law becomes irrelevant to their lived reality.”*

Taken together, these accounts show how misinformation, a lack of accessible information, and insufficient outreach to immigrant communities prolong survivors’ entrapment in abusive relationships, delay their ability to seek safety, and diminish the reach of existing policies meant to protect them.

Cultural Stigma and Shame (Theme 3)

Cultural expectations around gender roles, family, and privacy shaped many survivors’ responses to abuse. For some, these expectations discouraged them from speaking out or seeking help. *“In my culture, we don’t talk about private matters outside the home,”* one woman explained.

Several participants said they were taught to suffer in silence. *“My mother told me to be a better wife, not to complain,”* one shared. Another added, *“I thought suffering quietly was my duty as a wife.”*

The pressure to preserve family honor also weighed heavily. “I didn’t want to bring dishonor to my parents,” one woman said, while another recalled, “Divorce is a shame in our community.” Religious and community leaders sometimes reinforced these beliefs. “People from my church said I should forgive and stay,” one participant explained. Survivors were often left feeling isolated and ashamed, believing that seeking help would betray their upbringing or community. These cultural stigmas added another layer of invisibility to an already vulnerable group.

Importance of Family and Children in Decision-Making (Theme 4)

Children were often at the center of survivors’ decisions to stay or leave. Some participants described enduring years of abuse to keep their families intact: “I stayed for the kids,” one shared. Others feared losing custody. “He threatened to take my children away if I left,” said one survivor. Abusers often used children as tools of manipulation: “He used the kids to manipulate me, saying I’d never see them again.” Yet for many, their children also became a source of strength. “My baby gave me the strength to walk away,” one woman said. Another stated, “When I realized they were scared of him too, I knew I had to act.” The decision to seek safety was rarely made solely for the survivor’s own wellbeing, it was deeply tied to the future and security of their children.

Domestic Violence While Underage (Theme 5)

Several participants reported experiencing domestic violence while still minors. Their stories revealed heightened vulnerabilities, including legal dependence on guardians, lack of autonomy, and even less access to help than adult survivors. “I was just a teenager when it started I didn’t even know what abuse was supposed to look like,” one shared. Others feared the involvement of

Child Protective Services or didn't know that minors had any rights. "As a minor, I couldn't even go to a shelter without my parents," one explained. "I didn't know I had rights, especially as someone without papers and under 18." These stories show how undocumented status compounds the already difficult position of youth experiencing abuse.

Fear and Distrust of Law Enforcement and Systems (Theme 6)

Survivors consistently reported deep distrust of law enforcement and other systems. This fear was not imagined it was built on past experiences and community knowledge. "I didn't know if the police would protect me or arrest me," one woman said. Another shared, "Even when I called for help, I hung up out of fear." Advocates echoed these concerns. "Some survivors think calling the cops is a bigger risk than staying in the abuse," one said. Another noted, "Trust is hard to build when they've seen others deported after seeking help." The threat of being detained or

Inaccessibility, Institutional Barriers, and the Need for Structural Change (Theme 7)

All three advocates described the U-visa process as overly complicated, arbitrary, and painfully slow. *"It's a long process even after getting certification, you still get on a waitlist,"* one said. The approval of U-visas often depends on the discretion of police chiefs or judges, creating inconsistent and unfair outcomes. As one advocate explained, *"Judges have full discretion, and some just refuse to sign off even with clear evidence."*

Another advocate, who works in a prosecutor's office, noted that she avoids involvement in the immigration process altogether to protect survivors: *"Usually I get a thank you from a victim and I'd be like, that has nothing to do with me... I try to stay as far away from anything that could affect my victim."* Her comment reflects the deep disconnection between legal advocacy and

immigration relief efforts. Even survivors who fully cooperate with law enforcement are often left without any guarantee of protection, highlighting the fragility and unpredictability of the system.

Advocates emphasized that these challenges are part of a broader set of institutional and policy barriers that make the system inaccessible for many immigrant survivors. *“The whole system is built on silos legal, medical, housing, all disconnected,”* one said. Others pointed to a lack of training among providers: *“Few courts understand trauma-informed response for immigrants.”* Survivors are often required to tell their stories multiple times to different people, a process that re-traumatizes them while delaying help. As one advocate put it, *“Too often we’re navigating systems instead of solving problems. We keep asking survivors to do more rather than fixing what’s broken.”*

These structural flaws discretionary refusal, inconsistent access, lack of standardized procedures, insufficient outreach, and poor coordination make it nearly impossible for undocumented survivors to find timely, appropriate support. Survivors’ fear is not only rooted in personal trauma but is compounded by systemic neglect and bureaucratic failure. The barriers they face are not incidental; they are embedded in the design of legal and institutional systems.

The literature review in this study provides critical frameworks for interpreting these findings.

Gatekeeping Theory explains how survivors are filtered out of legal protections through discretionary decision-making, misinformation, and institutional silos often at the very first point of contact. This gatekeeping is visible in the inconsistent certification of U-visas, where individual judges or law enforcement officials can deny access despite clear evidence, effectively shutting survivors out of a process that is supposed to protect them.

Critical Race Theory (CRT) further illuminates how these barriers are not race-neutral but reflect deeply entrenched systems that marginalize immigrant survivors, particularly women of color. CRT helps reveal how laws and procedures that appear neutral on their face often reinforce racialized hierarchies by devaluing the experiences and credibility of certain groups. In the case of U-visa processing and access to protections, survivors who are both undocumented and racialized face compounding credibility gaps, reduced institutional empathy, and heightened skepticism from authorities' outcomes that reflect structural bias rather than individual failings.

Intersectionality, as articulated in the literature, deepens this analysis by showing how multiple marginalized identities undocumented status, race, gender, class, language barriers, and age intersect to create unique vulnerabilities. The experiences shared by advocates in this study reflect how these intersecting identities intensify barriers at every stage, from initial disclosure to long-term legal relief. Survivors who are young, non-English speaking women of color without legal status often navigate not just one exclusionary system but overlapping ones that amplify each other's harms.

These findings make clear that survivor experiences are shaped by systems that were never built for them and often function to exclude them. Without applying these critical frameworks, it would be easy to interpret these barriers as isolated inefficiencies rather than the result of deeply embedded institutional failures. The theories underscore that these are not merely operational gaps but products of systemic design that sustain inequities and perpetuate cycles of harm.

Jurisdictions like King County offer promising frameworks with detailed procedures and a commitment to survivor-centered practices, demonstrating what is possible when local governments prioritize protection and access to justice for immigrant survivors. However,

feedback from advocates suggests that even in well-resourced regions, policy implementation can fall short without ongoing training, monitoring, and accountability. To truly fulfill the promise of these protections, King County and similar jurisdictions must bridge the gap between written intent and lived reality by ensuring consistent enforcement, transparency, and survivor engagement.

The experiences and perspectives presented here speak to an urgent need for standardized, trauma-informed, and survivor-centered systems that uphold the promise of protection and justice not just on paper, but in practice. A framework informed by Gatekeeping Theory, Critical Race Theory, and Intersectionality is essential not only for diagnosing these problems but for envisioning a justice system that dismantles barriers, addresses structural inequities, and centers the voices of those most impacted.

Chapter 5

Thematic Findings Discussion & Policy Recommendations

Despite Washington State's **comprehensive** legal framework aimed at supporting victims of domestic violence including RCW 10.99, RCW 7.98.020, and RCW 7.68 **substantial** gaps persist in practice, especially for undocumented immigrant survivors. While laws on paper provide a **solid** foundation, lived experiences captured through interviews reveal widespread inconsistencies in implementation, knowledge dissemination, and survivor access to protections. These gaps are not simply operational oversights; they are embedded in systems that were not designed with immigrant survivors in mind, resulting in both structural and interpersonal barriers to justice.

The following recommendations, grounded in both survivor and advocate narratives, aim to transform protections from written statutes into accessible, survivor-centered realities.

Recommendation 1: Create and distribute a standardized U-visa certification packet and multilingual “Know Your Rights” brochures. These materials should be printed and available in person, not just online, to ensure accessibility for survivors who do not have access to printers or technology. The packet should include a fillable Supplement B form, plain-language explanations of the U-visa process, timelines under RCW 7.98.020, and contact information for legal aid organizations. This resource should be translated into at least ten of the most commonly spoken immigrant languages in Washington, including Spanish, Tagalog, Somali, Vietnamese, Chinese, and Arabic.

Recommendation 2: Enforce existing language access mandates across public agencies by prioritizing implementation and monitoring. All certifying agencies, including police departments, prosecutors, and courts, should be required to publicly update their language access plans annually. Materials related to U-visas, VAWA, protection orders, and victim compensation

should be consistently translated and distributed in both digital and printed formats. The state should conduct annual language access audits and collaborate with immigrant-led community organizations to improve outreach and cultural relevance.

Recommendation 3: Expand law enforcement training to include immigration-specific protections. The Washington State Criminal Justice Training Commission should add instruction on the U-visa, VAWA, and RCW 7.98.020, as well as on culturally responsive policing and the use of interpreters. Officers must be trained to understand how immigration status impacts survivor behavior and how fear of deportation can silence victims. As frontline responders, police officers are often gatekeepers and equipping them with this knowledge can shift outcomes significantly.

Recommendation 4: Launch a statewide public education campaign so immigrant communities are informed before crisis occurs. Use multilingual flyers, posters, and digital outreach tools to explain immigrant survivor protections. Place these materials in community spaces like clinics, schools, libraries, mercados, laundromats, grocery stores, and public restrooms. Stickers in women's restrooms that discreetly explain rights under VAWA and the U-visa, with QR codes and hotline numbers, can offer survivors private, life-saving information in high-risk moments.

Recommendation 5: Provide specialized training for police-based domestic violence advocates on immigrant protections. These embedded professionals are often a survivor's first point of contact, yet many lack the tools to explain U-visa eligibility or connect survivors to legal support. Training should be mandatory within the first three months of hire and renewed every two years. Advocates should also be equipped with multilingual scripts, visual handouts, and clear procedures for supporting immigrant survivors through certification and safety planning.

Recommendation 6: Fund a statewide bilingual legal navigator program for undocumented survivors. These staff would work in shelters, clinics, and legal aid offices to help survivors apply for U-visas, protection orders, and victim compensation, and to coordinate with law enforcement and prosecutors. Counties or foundations could initially fund these navigators as a pilot, with the potential for statewide expansion. Navigators should be prepared to coordinate, when needed, with family law attorneys to address custody threats as part of safety planning.

Recommendation 7: Advocate federally to raise or eliminate the U-visa cap, expedite work permits after certification, and classify immigrant survivors as humanitarian priorities. The current wait period could often be up to 20 years, keeping survivors in prolonged states of insecurity and preventing them from fully rebuilding their lives.

Recommendation 8: Embed prevention and education in Washington's schools, colleges, and healthcare systems. High schools should incorporate VAWA, U-visa education, and domestic violence awareness into health and civics classes. Colleges should provide annual trainings for all students, including orientation modules that address immigrant protections, Title IX, and healthy relationship indicators. Healthcare professionals, especially those working in emergency rooms, school clinics, and community health centers, should receive training on how to identify domestic violence, respond safely, and connect survivors with legal resources. Survivors often first disclose their experiences to a teacher, nurse, or doctor; when those professionals are informed, they can intervene before harm escalates.

Together, these eight recommendations form a thorough roadmap for transforming protections from policies on paper into lived realities. By investing in survivor-centered systems, eliminating discretion-based barriers, enforcing language access, and ensuring that no survivor is left

invisible because of language, status, or fear, Washington can progress meaningfully from legislative intent to practical implementation.

Linking Findings to Recommendations

The recommendations above are directly informed by recurring themes in survivor and advocate narratives. These themes not only reveal the depth of systemic barriers but also underscore why targeted, culturally responsive solutions are necessary.

Weaponization of Immigration Status

A long-standing, repeated theme was the weaponization of immigration status by abusers. Survivors described how threats of deportation were used to maintain control and prevent them from seeking help. One woman reflected, “The fear of being deported was stronger than the bruises.” Another recalled, “He told me if I left, he would call ICE and have me deported.” These threats created a constant undercurrent of fear and entrapment. “He had papers, I didn’t. He used that against me every time I tried to stand up for myself,” one said, while another remembered, “When he beat me, he would say, ‘Try calling the cops, see what happens to you.’” Others explained how the abuse was intertwined with custody threats: “I stayed quiet for years because I didn’t want my kids to end up in foster care,” and “I didn’t want to risk being separated from my children.” Advocates confirmed the prevalence of this tactic. One explained, “Undocumented survivors are terrified of law enforcement even when we say it’s confidential,” while another added, “ICE has shown up after survivors tried to get help that fear is real.”

(Linked to Recommendations 3, 4, 6, and 7)

Isolation and Dependency

Abuse was often compounded by deliberate isolation and dependency. Survivors described not knowing how to use public transportation, where shelters were located, or how to access basic services. “I didn’t even know how to use the bus or where the shelter was,” one shared. Others recounted being denied phones or internet access: “He took away my phone and cut me off from everyone,” and “He isolated me from my family back home by cutting off internet.” For many, dependency was total: “I was dependent on him for my food, rent, everything,” and “He convinced me I wouldn’t survive without him.” “He said if I left, I’d be homeless.” These conditions left survivors believing they had no viable options for safety. (*Linked to Recommendations 4 and 6*)

Disconnect Between Policy and Reality

Many participants expressed a painful disconnect between the existence of protective policies and their lived realities. Survivors frequently reported not knowing their rights, legal protections, or available support systems. As Tanya Santiago (2020) observes, “The expectation that migrants must become legal experts in their own defense is absurd and cruel,” yet that is precisely the burden many undocumented survivors carry. While RCW 10.99 mandates proactive enforcement of domestic violence laws and requires law enforcement to inform victims of their rights, survivors repeatedly stated they were never made aware of these rights, let alone provided information about legal pathways like the U-visa or VAWA. “No one told me I had rights,” one survivor stated, while another said, “I only learned about VAWA after leaving him.” Advocates echoed this sentiment, noting that frontline responders were often unaware or untrained in U-visa processes. Although RCW 7.98.020 requires law enforcement agencies to respond to U-visa requests within a set timeframe and to log their decisions, some survivors and advocates noted

that agencies had no process in place at all or failed to respond to certification requests. (*Linked to Recommendations 1, 3, and 5*)

Lack of Public Education

A central theme across interviews was the lack of public education around immigration relief options. Most survivors had never heard of the U-visa until years after abuse began. Several believed that only citizens could access support services, protection orders, or shelter housing. Quotes from survivors underscore this lack of knowledge: “I didn’t know I could get help without papers.” “I had no idea the U-visa even existed.” “Nobody in my community talks about these protections.” “I thought you had to be a citizen to get a restraining order.” “He said the courts wouldn’t protect someone without papers.” This misinformation, coupled with limited outreach, kept survivors in danger far longer than necessary. (*Linked to Recommendations 1 and 4*)

Cultural Expectations and Gender Roles

Cultural expectations around gender roles, family honor, and privacy shaped survivors’ responses to abuse. “In my culture, we don’t talk about private matters outside the home,” one explained. Others said they were taught to suffer in silence: “My mother told me to be a better wife, not to complain,” and “I thought suffering quietly was my duty as a wife.” The pressure to preserve family honor was intense: “I didn’t want to bring dishonor to my parents,” and “Divorce is a shame in our community.” Religious and community leaders sometimes reinforced these beliefs: “People from my church said I should forgive and stay.” These beliefs discouraged survivors from disclosing abuse and limited help-seeking. (*Linked to Recommendations 2, 4, and 5*)

Children as a Factor in Decision-Making

Children were often central to survivors' decisions to stay or leave. Some endured abuse to keep their families intact: "I stayed for the kids," while others feared losing custody: "He threatened to take my children away if I left." Abusers frequently used children as tools of manipulation: "He used the kids to manipulate me, saying I'd never see them again," or "He told me the kids would be taken by immigration." For others, children became the reason to leave: "My baby gave me the strength to walk away," and "When I realized they were scared of him too, I knew I had to act." (*Linked to Recommendations 6 and 8*)

Fear of Law Enforcement

Survivors' fear of calling the police was grounded in lived experiences and community knowledge. "I didn't know if the police would protect me or arrest me," one said. Another shared, "Even when I called for help, I hung up out of fear." Some explained they avoided seeking help entirely: "I thought going to the police would get me deported," and "I thought the courts would ask for a green card." Advocates acknowledged that "some survivors think calling the cops is a bigger risk than staying in the abuse," and that "trust is hard to build when they've seen others deported after seeking help." (*Linked to Recommendations 3, 5, and 6*)

Jurisdictional Disparities in U-Visa Certification

The decentralized U-visa certification process exacerbates inequality across jurisdictions. Even within Washington State, counties and municipalities vary widely in how or whether they implement RCW 7.98.020. Advocates noted: "The Supplement B form is hit or miss depends entirely on who you get." "Some jurisdictions have no formal process for certifying U-visas." "There's no accountability for who does or doesn't sign the forms." Survivors themselves

expressed frustration: “You can show proof of cooperation and still get denied,” and “It all comes down to luck who responds and how.” These discrepancies reveal how a law without mandatory compliance mechanisms can result in a protection gap that leaves many survivors vulnerable. *(Linked to Recommendations 1, 3, and 7)*

Institutional Silos and Bureaucratic Hurdles

Beyond certification inconsistency, institutional silos and bureaucratic hurdles further limit access. Advocates described the U-visa process as overly complicated, arbitrary, and slow: “It’s a long process even after getting certification, you still get on a waitlist.” The discretion of police chiefs and judges often determined outcomes, creating inconsistent and unfair access: “Judges have full discretion, and some just refuse to sign off even with clear evidence.” One advocate summarized broader systemic issues: “The whole system is built on silos legal, medical, housing, all disconnected.” Survivors were required to tell their stories repeatedly to different providers, a process that re-traumatized them: “We keep asking survivors to do more rather than fixing what’s broken.” *(Linked to Recommendations 5, 6, and 7)*

Language and Cultural Access Barriers

Language and cultural access barriers compounded these challenges. Survivors consistently reported that information was not available in their native languages or communicated in culturally relevant ways: “The system felt like a mystery nothing was in my language.” “I didn’t even know what ‘VAWA’ meant.” An advocate emphasized, “We need more culturally relevant information out there,” and “Translated pamphlets aren’t enough it takes trust-building.” Outreach in schools, clinics, churches, and immigrant networks was identified as essential to make protections meaningful. *(Linked to Recommendations 1, 2, and 4)*

Unique Barriers for Undocumented Youth Survivors

Survivors who experienced domestic violence while underage faced unique barriers, including legal dependence on abusers or guardians, fear of CPS involvement, and a lack of targeted resources. “I was just a teenager when it started I didn’t even know what abuse was supposed to look like,” one said. Others expressed that they could not access shelters or legal help without parental consent: “As a minor, I couldn’t even go to a shelter without my parents.” Fear of institutional involvement was also common: “I didn’t speak up because I thought CPS would take me away.” These stories show how undocumented status compounds an already difficult position for youth experiencing abuse. *(Linked to Recommendation 8)*

Connecting Findings to Theoretical Frameworks

The interviews and literature jointly illustrate that Washington State’s legal protections are only as strong as their implementation. Survivors remain unaware of legal remedies, frontline providers lack consistent training, and discretionary enforcement perpetuates inequities. Policies such as RCW 10.99 and RCW 7.98.020 hold promise but fall short without mandatory compliance, accountability, and sustained outreach.

Gatekeeping theory helps explain how survivors are filtered out of protection through discretion, misinformation, and procedural barriers. In practice, the very agencies intended to open the door to safety police departments, prosecutors, and courts often become gatekeepers deciding who receives access, when, and under what conditions. This manifests in uneven U-visa certification processes, varying interpretation of statutes, and inconsistent application of language-access policies.

Critical Race Theory reveals how seemingly neutral laws reproduce racialized hierarchies, devaluing the credibility of undocumented women of color and reinforcing distrust in institutions. The fact that survivors repeatedly expressed fear of law enforcement, even in jurisdictions with pro-immigrant policies, shows that policy language alone cannot undo decades of structural racism and immigration enforcement practices.

Intersectionality underscores how immigration status, race, gender, class, language, and age combine to intensify barriers. For example, a survivor who is undocumented, a woman of color, limited in English proficiency, and economically dependent on her abuser is not facing a single obstacle but an overlapping web of constraints. Youth survivors face an additional layer of complexity, as their age triggers legal dependencies that often place them back into unsafe environments.

These frameworks illuminate the patterns present in survivor accounts: the weaponization of immigration status, dependency created through isolation, misinformation about rights, and jurisdictional inconsistencies in law enforcement practices. They also make clear why surface-level reforms such as distributing pamphlets without building trust will never be enough.

Policy Recommendations in a Shifting Immigration Landscape

While Washington State has taken commendable legislative steps to protect immigrant survivors of domestic violence, laws alone are not enough. RCW 10.99, RCW 7.98.020, and RCW 7.68 provide strong statutory protection, yet many survivors particularly undocumented immigrants remain unable to access them due to fear, discretion, inconsistent local implementation, and a lack of culturally responsive systems. Based on survivor interviews, legal research, and the

current immigration enforcement climate, the recommendations provided in this chapter aim to bridge the gap between law and lived experience.

Chapter 6

Conclusion: Empowering Immigrant Survivors by Turning Legal Theory into Tangible Change

Conclusion

This capstone critically examines the gap between the legal protections afforded to immigrant survivors of domestic violence and the barriers they face in accessing these protections in Washington State. While laws such as the Violence Against Women Act (VAWA), the U-visa, and state-specific statutes like RCW 7.98.020, RCW 10.99, and RCW 7.68 lay a foundation for protection, their implementation is inconsistent, fragmented, and often inaccessible to the very individuals they aim to safeguard. Through interviews with survivors and advocates, this research has highlighted a range of systemic and personal obstacles that prevent immigrant survivors from utilizing these legal frameworks. Despite the availability of legal remedies, many survivors remain unaware of their rights or are deterred from seeking help due to fears of deportation, language barriers, a lack of cultural competency in service provision, and, in many cases, the continued abuse of discretion by law enforcement and legal authorities.

The stories shared by survivors were courageous, painful, and deeply instructive. They revealed how immigration status, threats of deportation, language barriers, trauma, and limited access to legal information continue to silence survivors despite the legal protections that should empower them. Many reported being unaware of their eligibility for remedies like the U-visa or CVCP or encountering front-line responders who were ill-equipped to guide them. Advocates echoed these themes, describing inadequate law enforcement training, lack of oversight in certification processes, and the absence of consistent protocols across jurisdictions. These findings reaffirm that protections are only as effective as the systems and people entrusted to uphold them.

The urgency of this issue is magnified by the current political climate. As highlighted in Valeria Valenzuela's June 2025 *USA Today* report, increased immigration enforcement, rising anti-

immigrant rhetoric, and community-wide fear have made it even harder for survivors to seek safety. These external pressures deepen survivors' trauma, heighten their vulnerability, and erode trust in institutions meant to protect them. Fear, in this context, is not abstract; it is a daily barrier to justice, healing, and survival. This chilling effect has become a lived reality for immigrant survivors, preventing them from accessing the very protections the law promises. This environment not only isolates and silences survivors but also perpetuates cycles of abuse, leaving many trapped with few viable options for escape.

In response to these findings, this capstone presents a series of policy recommendations aimed at addressing the gap between legal intent and lived reality. These recommendations are grounded in survivor voices, informed by best practices, and tailored to Washington State's unique context. By creating standardized, multilingual resources for U-visa certification, increasing outreach efforts, and improving law enforcement training on immigration-specific protections, Washington State has the potential to lead the way in making legal protections more accessible and effective for all survivors, regardless of their immigration status. Additionally, ensuring that immigrant survivors are consistently informed of their rights through a statewide public education campaign, supporting specialized training for police-based domestic violence advocates, and funding a statewide bilingual legal navigator program are key to bridging the current gap. Finally, advocating for federal reforms to raise or eliminate the U-visa cap and expedite work permits, alongside embedding prevention and education in Washington's schools, colleges, and healthcare systems, will ensure a comprehensive, proactive approach to improving immigrant survivors' access to justice and safety.

These reforms must go beyond policy adjustments they require a shift in how the legal and support systems view and interact with immigrant survivors. Survivors need a system that is not only responsive but one that prioritizes their safety, dignity, and humanity above all else.

Washington State's legal framework for supporting immigrant survivors already provides a strong foundation, but its true promise will only be realized when policies are implemented in a way that is consistent, survivor-centered, and fully informed by the realities these individuals face.

As a survivor myself, this project is deeply personal. My experiences of fear, shame, and uncertainty in navigating the U-visa process inform my approach to this work. I understand firsthand how difficult it is to step forward, how easily systems can overwhelm you, and how often legal protections fail to reach the people they are intended to help. My identity shaped how I engaged with participants, how I interpreted their stories, and how I approached the recommendations for change. This work reflects their resilience, and it is also a call to action to those in power, to those who advocate for survivors, and to every community member invested in creating a more just system for all.

The findings from this capstone underscore that the gap between legal protections and the lived experiences of immigrant survivors is not an inevitable result of bureaucratic inefficiency but a consequence of structural failures embedded in the system. These failures are not merely operational oversights they are part of a larger pattern of marginalization and exclusion that must be addressed through targeted reforms and systemic changes. The implementation of the recommendations presented here would not only improve the accessibility and effectiveness of

legal protections but also serve as a critical step toward dismantling the barriers that perpetuate cycles of violence and marginalization for immigrant survivors of domestic violence.

Ultimately, this capstone challenges us to think beyond legal theory and abstract policies and to center the real-world experiences of immigrant survivors in our approach to justice. Justice is not just written it must be practiced, delivered, and trusted. It is a call to all of us policymakers, advocates, community leaders, and institutions to build systems that are not just designed to provide protection, but that actively ensure that protection is accessible, culturally competent, and available to every survivor in need. Washington State can be a leading state in ensuring that legal protections for immigrant survivors are not just written but practiced, delivered, and trusted. It is time to close the gap between intent and impact.

Appendix A: Domestic Violence Advocate Interview questionnaire (English)

Interview Questions for Advocates/Professionals

Confidentiality and Your Privacy

Thank you for sharing your expertise in this important research. We understand that your work involves sensitive and protected information, and we are committed to safeguarding your privacy and maintaining the confidentiality of your professional experiences.

This interview focuses on your role supporting immigrant survivors of domestic violence. You will not be asked to share any identifying details about individual clients or specific cases. We also will not collect your full name or the name of your organization. Participation is voluntary, and you are free to skip any question or end the interview at any time.

All data for this study will be obtained directly from the research subjects through semi-structured interviews conducted by the principal investigator. Participants include:

- Immigrant survivors of domestic violence (if willing and able to participate)
- Professionals such as legal advocates, counselors, and domestic violence service providers

This research is conducted through the University of Washington and follows all IRB-approved protocols and federal regulations protecting human subjects.

Your insights will be used to inform policy and practice improvements, but nothing you say will be shared in a way that could identify you or your organization. We are using verbal consent instead of written forms to prioritize flexibility and confidentiality. The interview process is designed to be respectful, trauma-informed, and aligned with ethical research standards.

If you have any concerns or questions at any point, please don't hesitate to let us know, your comfort and professional boundaries are top priority.

Purpose: This questionnaire is designed to gather insights from professionals who work with immigrant survivors of domestic violence. It aims to explore the implementation, challenges, and effectiveness of legal protections such as the Violence Against Women Act (VAWA), the Battered Immigrant Women Protection Act (BIWPA), and the U-visa program. All responses will remain confidential.

Section 1: Background Information

1. What is your professional role or job title?

- Legal advocate
- Domestic violence advocate
- Immigration attorney
- Social worker
- Case manager
- Policy advocate
- Other (please specify): _____

2. How many years have you worked with immigrant survivors of domestic violence?

- Less than 1 year
- 1–3 years
- 4–6 years
- 7–10 years
- 10+ years

3. What type(s) of organizations have you worked with? (Check all that apply)

- Legal aid
- Domestic violence shelter
- Nonprofit community organization
- Government agency
- Healthcare or mental health services
- Other (please specify): _____

Section 2: Experience with Legal Protections

4. How familiar are you with the following policies or programs?

(Please rate each on a scale from 1 = Not Familiar to 5 = Very Familiar)

Policy / Program	1 = Not Familiar	2	3	4	5 = Very Familiar
Violence Against Women Act (VAWA)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Battered Immigrant Women Protection Act	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U-visa certification process	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Law enforcement cooperation policies	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Have you supported clients through the U-visa application process?

- Yes
- No
- Skip

6. If yes, approximately how many cases have you supported?

- 1–5
- 6–10
- 11–20
- More than 20

7. What are the most common challenges your clients face when pursuing a U-visa? (Check all that apply)

- Lack of awareness about eligibility
- Difficulty obtaining law enforcement certification
- Limited access to immigration attorneys
- Language barriers
- Fear of retaliation or deportation
- Long waiting periods due to visa caps
- Other (please specify): _____

8. Overall, how effective do you believe the U-visa certification process is?

- Not at all effective
- Somewhat effective
- Mostly effective
- Highly effective

9. Please list the aspects of the U-visa certification process that are currently working well. (Open-ended)

Section 3: Interactions with Law Enforcement and Systems

10. In your experience, how responsive are law enforcement agencies in your area to U-visa certification requests?

- Very responsive
- Somewhat responsive
- Not very responsive
- Not responsive at all

11. Do most agencies have a formal process for U-visa certification?

- Yes
- No
- Not sure

12. If yes, what does that process typically involve? (Open-ended)

13. What are the most common reasons a U-visa B supplement certification is denied?
(Open-ended)

Section 4: Policy and Program Effectiveness

14. How effective do you believe Violence Against Women Act (VAWA) is in protecting immigrant survivors of domestic violence?

- Very effective
- Somewhat effective
- Neutral
- Somewhat ineffective
- Very ineffective

15. How effective do you believe Battered Immigrant Women Protection Act (BIWPA) are in protecting immigrant survivors of domestic violence?

- Very effective
- Somewhat effective
- Neutral
- Somewhat ineffective
- Very ineffective

16. Which of the following policy gaps or barriers have most impacted your clients' ability to access justice? (*Select all that apply*)

- Lack of awareness or understanding of U-visa policies among law enforcement
- Inconsistent or delayed certification decisions by law enforcement or prosecutors
- Language access barriers during legal processes
- Fear of deportation or immigration consequences
- Lack of legal representation or support
- Limited training for service providers or officials
- Other (please specify): _____

17. Which reforms would you most support to improve the U-visa certification process?

(Select up to three)

- Clearer federal guidance on U-visa certification criteria
- Mandatory certification training for law enforcement and prosecutors
- Independent oversight of the certification process
- Automatic certification for survivors with qualifying protective orders
- Increased outreach and education for immigrant communities
- Shortened processing times or interim protection measures
- Other (please specify): _____

18. Do you believe family courts should be authorized to certify U-visas for qualifying survivors?

- Yes
- No
- Not sure / need more information

(Optional) Please explain your response: _____

Section 5: Final Reflections and Follow-Up

19. What recommendations do you have for improving services for undocumented survivors?

(Open-ended)

20. What role should community-based organizations play in shaping future immigration protections? *(Select all that apply)*

- Provide direct support and legal navigation for immigrants
- Advocate for policy change at local, state, or federal levels
- Educate immigrant communities about their rights and options
- Collaborate with government agencies to inform policy design
- Collect and share data or stories to highlight gaps and needs
- Monitor implementation and hold systems accountable
- Other (please specify): _____

Confidentiality Statement

Your responses are confidential and will be used solely to inform this capstone project and future policy recommendations. No identifiable information will be published. Thank you for sharing your expertise.

Appendix B: Domestic Violence Survivor Interview questionnaire (English)

Domestic Violence Survivor Interview Questionnaire

Confidentiality Statement:

Your safety and privacy are our top priority. Because this study focuses on immigration and domestic violence, we are taking extra steps to protect you.

We will not ask for your name or any personal details unless you choose to share them. You can skip any question or stop the interview at any time. Your participation is completely voluntary.

This research is being done through the University of Washington and follows strict rules to protect your rights. We also follow Washington State laws that protect survivors and undocumented people. For example, RCW 5.60.060 protects private conversations between survivors and advocates, and no public resources can be used for immigration enforcement.

We will not share anything you say in a way that could identify you. We are using verbal consent instead of written forms to protect your identity, and we are making sure the interview process is respectful, trauma-informed, and available in the language you're most comfortable with.

If you have any concerns at any point, please let us know, your well-being comes first.

Purpose: This questionnaire aims to gather insights from survivors of domestic violence about their experiences with legal protections, support systems, and challenges, particularly in relation to the Violence Against Women Act (VAWA), the Battered Immigrant Women Protection Act (BIWPA), and the U-visa program for immigrant survivors. All responses will remain confidential.

Section 1: Demographic Information

1. What is your age?
 - 18-24
 - 25-34
 - 35-44
 - 45-54
 - 55+

2. What is your gender identity?
 - Female
 - Male
 - Non-binary/Other (please specify): _____

3. What is your ethnicity/race? (Optional)
 - Hispanic/Latino
 - Black/African American
 - White
 - Asian/Pacific Islander
 - Native American
 - Other (please specify): _____

4. Were you born in the United States?
 - Yes
 - No (If no, what is your country of origin?): _____

5. What is your current immigration status? (Optional)
 - U.S. Citizen
 - Lawful Permanent Resident (Green Card Holder)
 - Undocumented
 - U-Visa Applicant
 - Other (please specify): _____

Section 2: Experiences with Domestic Violence

6. Can you describe your experience with domestic violence? (Open-ended)

7. How long did the abuse last?
 - Less than 6 months
 - 6 months – 1 year
 - 1 – 3 years
 - 3+ years

8. What type(s) of abuse did you experience? (Check all that apply)

- Physical abuse
- Emotional/psychological abuse
- Sexual abuse
- Financial abuse
- Digital/online abuse
- Other (please specify): _____
- Skip

9. To what extent did your immigration status impact your ability to seek help?

- Not at all
- All
- Small extent
- Skip

10. If yes, that specific barriers did you face? (Check all that apply)

- Fear of deportation
- Language barriers
- Lack of financial independence
- Lack of awareness of legal protections
- Lack of trust in law enforcement
- Other (please specify): _____

11. what were the mechanisms that led you to press charges?

- A police officer encouraged or pressured me to press charges
- A victim advocate explained the legal process and helped me feel supported
- I feared for my safety or the safety of my children
- The incident was witnessed or reported by someone else
- I was told charges would be filed with or without my cooperation
- I wanted legal protection (e.g., restraining order, custody support)
- I hoped it would stop future abuse
- Family or friends encouraged me to take legal action
- I was not aware I was pressing charges it happened automatically
- Other (please describe): _____

Section 3: Seeking Help and Support

11. Did you seek help from any of the following resources? (Check all that apply)

- Law enforcement
- Domestic violence shelter
- Legal aid services
- Immigrant rights organizations
- Friends or family
- Religious/community organizations
- Other (please specify): _____

12. If you sought help from any of the following resources, please rate how helpful they were to you. If you did not use a resource, you can leave it blank.

Resource	Not Helpful	Somewhat Helpful	Very Helpful	Did Not Use
Law enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic violence shelter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal aid services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immigrant rights organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Friends or family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religious/community organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify): _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. If you sought help from any of the previously mention agencies, how was your experience?

13. Do you have any knowledge of what the Violence Against Women Act (VAWA) is or its existence?

14. Do you have any knowledge of the Battered Immigrant Protection Act under VAWA?

15. Do you have any knowledge of what the U-visa program entails?

16. Were you aware of the **U-visa program** for immigrant victims of crime before your experience?

- Yes
- No

14. Did you apply for a **U-visa** or receive legal assistance for immigration relief?

- Yes, I applied for a U-visa
- No, but I considered it
- No, I was not aware of this option
- No, I was discouraged from applying
- Other (please specify): _____

15. If you applied for a **U-visa**, what challenges did you face during the process? (Check all that apply)

- Difficulty obtaining law enforcement certification
- Long waiting period due to visa caps
- Lack of legal representation
- Fear of repercussions from my abuser
- Other (please specify): _____

Section 4: Effectiveness of Legal Protections and Services

16. Do you feel that the legal protections under **VAWA** were sufficient to protect you?

- Yes, they provided the support I needed
- Somewhat, but I faced obstacles in accessing them
- No, they were difficult to access or ineffective

17. Do you feel that the legal protections under **BIWPA** were sufficient to protect you?

- Yes, they provided the support I needed
- Somewhat, but I faced obstacles in accessing them
- No, they were difficult to access or ineffective

17. What services or legal protections helped you the most? (Open-ended)

18. Were there any obstacles that made these legal protections inaccessible? If so, what were they and which ones made them the most inaccessible?

19. What improvements would you suggest for domestic violence support systems, particularly for immigrant survivors? (Open-ended)

20. What advice would you give to other victims facing similar situations? (Open-ended)

Confidentiality Statement

Your responses are confidential and will be used solely for research purposes to improve advocacy efforts for domestic violence survivors. If you have any concerns, please feel free to contact me.

Thank you for your time and willingness to share your experiences. Your voice is invaluable in shaping policies and services that better serve survivors.

Appendix C: Domestic Violence Survivor Interview questionnaire (Spanish)

Guía de Entrevista

Cuestionario para Sobrevivientes de Violencia Doméstica

Declaración de Confidencialidad

Sus respuestas son confidenciales y se utilizarán únicamente con fines de investigación para mejorar los esfuerzos de abogacía para personas sobrevivientes de violencia doméstica. Si tiene alguna inquietud, no dude en comunicarse conmigo.

Propósito: Este cuestionario busca recopilar información de sobrevivientes de violencia doméstica sobre sus experiencias con procesos y protecciones legales, sistemas de apoyo y desafíos, especialmente en relación con la Ley de Violencia contra la Mujer (VAWA), BIWPA y el programa de visa U para inmigrantes bajo la ley de protección contra la violencia a la mujer inmigrante. Todas las respuestas permanecerán confidenciales.

Sección 1: Información Demográfica

¿Cuál es su edad?

- 18-24
- 25-34
- 35-44
- 45-54
- 55+

¿Cuál es su identidad de género?

- Femenino
- Masculino
- No binario/Otro (especifique): _____

¿Cuál es su raza/etnicidad? (Opcional)

- Hispano/Latino
- Negro/Afroamericano
- Blanco
- Asiático/Isleño del Pacífico

- Nativo Americano
- Otro (especifique): _____

¿Nació usted en los Estados Unidos?

- Sí
- No (Si no, ¿cuál es su país de origen?): _____

¿Cuál es su estatus migratorio actual? (Opcional)

- Ciudadano/a estadounidense
- Residente Permanente Legal (portador de "greencard")
- Indocumentado/a
- Beneficiario/a de visa U
- Otro (especifique): _____

Sección 2: Experiencias con la Violencia Doméstica

¿Puede describir su experiencia con la violencia doméstica? (Respuesta abierta)

¿Cuánto tiempo duró el abuso?

- Menos de 6 meses
- 6 meses – 1 año
- 1 – 3 años
- Más de 3 años

¿Qué clase de abuso experimentó? (Marque todo lo que aplique)

- Abuso físico
- Abuso emocional/psicológico
- Abuso sexual
- Abuso financiero
- Abuso digital/en línea
- Otro (especifique): _____

¿Su estatus migratorio afectó su capacidad para buscar ayuda?

- Sí
- No
- No aplica

Puedes elaborar al respecto?

Si respondió “sí”, ¿qué obstáculos específicas enfrentó?

- Miedo a la deportación
- Barreras del idioma

- Falta de independencia financiera
- Falta de conocimiento sobre protecciones legales
- Falta de confianza en la policía
- Otro (especifique): _____

Si respondió “no”, ¿cuáles fueron los mecanismos que la llevaron a presentar cargos?
(Respuesta abierta)

Sección 3: Búsqueda de Ayuda y Apoyo

¿Buscó ayuda en alguno de los siguientes recursos? (Marque todo lo que aplique)

- Policía
- Refugio para víctimas de violencia doméstica
- Servicios legales
- Organizaciones de derechos de inmigrantes
- Amigos o familiares
- Organizaciones religiosas/comunitarias
- Otro (especifique): _____

Si buscó ayuda en la policía, ¿cómo fue su experiencia?

¿Qué conocimientos tiene sobre los derechos para inmigrantes?

¿Tiene conocimiento sobre la ley de violencia contra la mujer (VAWA)?

¿Tiene conocimiento sobre la ley de protección contra la violencia a la mujer inmigrante (BIWPA)?

¿Tiene conocimientos del programa de visa U?

¿Solicitó la visa U o recibió ayuda legal para alivio migratorio?

Si solicitó la visa U, ¿qué desafíos enfrentó durante el proceso?

Sección 4: Efectividad de las Protecciones Legales y Servicios

¿Piensa ud que las protecciones legales bajo la ley de violencia contra la mujer (VAWA y BIWPA) fueron suficientes para protegerla?

¿Qué servicios o protecciones legales le ayudaron más? (Respuesta abierta)

¿Hubieron obstáculos que hicieron inaccesibles estas protecciones legales? ¿Cuáles fueron?
(Respuesta abierta)

¿Qué cambios sugiere para los sistemas de apoyo a víctimas de violencia doméstica, especialmente para inmigrantes? (Respuesta abierta)

¿Qué consejo le daría a otras víctimas que enfrentan situaciones similares? (Respuesta abierta)

Gracias por su tiempo y disposición para compartir sus experiencias. Su voz es invaluable para influir en políticas y servicios que mejoren la atención a sobrevivientes.

Appendix D: Thematic Findings from interviews (Listed)

The interviews were rich with insight, and several key themes emerged consistently across accounts. These themes were not just data points; they were lived through realities that reflect both the strengths and gaps in our current systems. The section below presents these themes by separating perspectives shared by survivors and advocates to ensure clarity of experience and to reflect the complexity of the issue from both personal and systemic vantage points.

Survivor Themes

1. Fear of Deportation as a Control Tactic

For undocumented survivors, the fear of deportation was a constant threat leveraged by abusers to maintain control. Survivors shared that their undocumented status made them feel invisible, powerless, and trapped in abusive relationships. Many avoided police, courts, hospitals, or even shelters due to fears of being reported to immigration authorities. This fear silenced them even in moments of extreme danger. The U-visa, created to protect such survivors, remained unknown or inaccessible to many due to misinformation or institutional failure.

Quotes:

1. "He told me if I left, he would call ICE and have me deported."
2. "I stayed quiet for years because I didn't want my kids to end up in foster care."

3. "He had papers, I didn't. He used that against me every time I tried to stand up for myself."
4. "The fear of being deported was stronger than the bruises."
5. "I didn't go to the police because I thought I would be arrested too."
6. "He'd laugh and say, 'You're nothing in this country without me.'"
7. "I knew the abuse was wrong, but I didn't want to risk being sent back."
8. "Even when I called for help, I hung up out of fear."
9. "He controlled me with the green card dangling it like a prize."
10. "I thought if I went to court, they'd ask me for papers."
11. "He told me no one would believe me because I was undocumented."
12. "I was too scared to even drive to get help in case I got pulled over."
13. "When he beat me, he would say, 'Try calling the cops, see what happens to you.'"
14. "He said he could get me deported with just one phone call."
15. "I thought the law didn't apply to people like me."
16. "He kept my passport and all my papers locked away."
17. "I didn't know if the police would protect me or arrest me."
18. "He said, 'Good luck surviving without me in this country.'"
19. "I stayed even after I had the chance to run because ICE felt worse than him."
20. "I didn't want to risk being separated from my children."

2. Isolation and Dependency on Abuser

Survivors frequently described how their abusers cut them off from all sources of support. Many had no family in the U.S., did not speak English, and were not allowed to work or leave the

home without permission. Financial dependency, lack of transportation, and language barriers intensified this isolation, making escape feel impossible. This deep dependency created a cycle in which survivors remained with their abusers not because they wanted to, but because they genuinely believed they had no other option.

Quotes:

1. "He never let me go anywhere without him."
2. "I didn't know anyone in this country I was alone."
3. "I didn't even know how to use the bus or where the shelter was."
4. "He took away my phone and cut me off from everyone."
5. "My English wasn't good, so I had to rely on him for everything."
6. "I didn't have a job, no money nothing of my own."
7. "He said if I left, I'd be homeless."
8. "My life revolved around him. I had no one else."
9. "Even when I wanted to leave, I didn't know where to go."
10. "He isolated me from my family back home by cutting off internet."
11. "He convinced me I wouldn't survive without him."
12. "He'd tell me that shelters don't take people like us."
13. "I lost touch with all my friends."
14. "He even went through my mail and messages."
15. "I wasn't allowed to get a driver's license."
16. "He monitored everything, even my sleep."
17. "I didn't know I could ask for help."

18. "I was dependent on him for my food, rent, everything."
19. "When I got sick, he wouldn't let me go to the clinic."
20. "He made me believe no one else cared."

3. Delayed Help-Seeking Due to Misinformation

Survivors reported waiting months, even years before seeking help often because they were misinformed about their rights. Many were told by abusers, peers, or even community leaders that they had to remain married to retain immigration status, or that undocumented individuals could not seek protection. Others didn't know the U-visa existed, believed shelters wouldn't accept them, or feared Child Protective Services would take their children. This misinformation, coupled with a lack of outreach and legal education, allowed abuse to continue unchecked.

Quotes:

1. "I didn't know I could get help without papers."
2. "People told me I had to stay married to keep my status."
3. "I thought going to the police would get me deported."
4. "He said no one would help me because I wasn't legal."
5. "I thought shelters only took citizens."
6. "I had no idea the U-visa even existed."
7. "I believed I had no rights in this country."
8. "My friend said it was too risky to speak out."
9. "I waited too long because I was misinformed."
10. "Everyone told me to stay quiet and endure."

11. "I thought CPS would take my kids if I left."
12. "I didn't know I could get legal support."
13. "He told me reporting him would ruin my chance at papers."
14. "My community said it was shameful to talk."
15. "I was told only citizens could apply for help."
16. "No one explained the laws to me."
17. "I thought it was my fault and the law wouldn't care."
18. "I assumed immigration would come after me."
19. "I didn't know about protection orders."
20. "I thought the courts would ask for a green card."

4. Cultural Stigma and Shame

Cultural values deeply shaped how survivors interpreted and responded to abuse. Many came from communities where speaking out about family problems is taboo, where divorce is considered shameful, or where women are expected to endure suffering silently for the sake of the family. Survivors expressed feeling torn between cultural expectations and personal safety. Religious institutions, family members, and community leaders often reinforced the pressure to stay, forgive, and keep silent, which further delayed or prevented help-seeking.

Quotes:

1. "In my culture, we don't talk about private matters outside the home."
2. "My family said I should stay no matter what."
3. "I was taught to keep quiet and endure for the sake of the family."

4. "Divorce is a shame in our community."
5. "I didn't want to bring dishonor to my parents."
6. "My mother told me to be a better wife, not to complain."
7. "They told me I must have done something wrong to deserve it."
8. "People from my church said I should forgive and stay."
9. "There's no word for 'domestic violence' in my language."
10. "My abuser used our cultural beliefs to keep me silent."
11. "I felt like I would be rejected by my whole community."
12. "In my country, calling the police is not something women do."
13. "I was more afraid of community judgment than his fists."
14. "Leaving him felt like betraying my entire upbringing."
15. "I thought suffering quietly was my duty as a wife."
16. "My family said a woman should never leave her husband."
17. "They told me to pray more, not to leave him."
18. "I was afraid to tell anyone because they might blame me."
19. "No one in my community believes in therapy or help."
20. "I stayed because I didn't want to be seen as a failure."

5. Importance of Family and Children in Decision-Making

Children were often the central focus of a survivor's decision-making process. Some survivors stayed because they feared losing custody or lacked the means to support their children alone. Others found strength to leave precisely because they wanted to protect their children from witnessing violence. The wellbeing of children served both as a barrier and a catalyst keeping

survivors in abusive environments out of fear and compelling them to seek safety when their children were also at risk.

Quotes:

1. "I stayed for the kids."
2. "I didn't want them to grow up without a father."
3. "He threatened to take my children away if I left."
4. "My baby gave me the strength to walk away."
5. "I endured for years because I didn't want to break up the family."
6. "My daughter saw him hit me"
7. "I didn't leave because I had no way to support them alone."
8. "He told me the kids would be taken by immigration."
9. "My siblings were the reason I didn't speak up."
10. "They were my only source of hope."
11. "I worried about what would happen to them if I got deported."
12. "I stayed up at night thinking about their future."
13. "When I realized they were scared of him too, I knew I had to act."
14. "He used the kids to manipulate me saying I'd never see them again."
15. "I left for their sake, not mine."
16. "Everything I did was to give them a better life."
17. "I hid my bruises from them for years."
18. "The moment he hit our son, I knew I couldn't stay."

19. "Even in shelter when didn't qualified, I felt peace knowing my siblings and mom were safe."

20. "They were the light in my darkness."

6. Lack of Knowledge About Legal Protections

Despite the existence of legal protections like the U-visa and VAWA, many survivors had never heard of them until long after their abuse had begun. A lack of outreach, language-accessible materials, and culturally relevant education contributed to a widespread belief that undocumented individuals had no legal recourse. Survivors were unaware that they could obtain restraining orders, apply for immigration relief, or even receive legal aid. This lack of knowledge was not just a gap in information it was a barrier to safety and justice.

Quotes:

1. "No one told me I had rights."
2. "I didn't know the U-visa was something I could apply for."
3. "I only learned about VAWA after leaving him."
4. "I thought you had to be a citizen to get a restraining order."
5. "He said the courts wouldn't protect someone without papers."
6. "I found out years later that I could have gotten legal help."
7. "I thought the police would ask for my immigration documents."
8. "Nobody in my community talks about these protections."
9. "I didn't know I could go to court and be safe."
10. "I had never heard of legal aid for people like me."

11. "I assumed I had to stay married to fix my papers."
12. "No one ever explained the options I had."
13. "I didn't know about shelters until a friend told me."
14. "It wasn't until I met an advocate that I learned the law could help me."
15. "I didn't realize I could break my lease without penalty."
16. "I thought seeking help meant risking deportation."
17. "He told me the judge would laugh at me for not having papers."
18. "The system felt like a mystery nothing was in my language."
19. "I didn't even know what 'VAWA' meant."
20. "I wish someone had told me sooner what protections existed."

7. Domestic Violence While Underage

Several participants described experiencing domestic violence while they were still minors. Their stories reveal unique vulnerabilities, such as legal dependency on their abusers or guardians, a lack of awareness about what constituted as abuse and limited access to supportive services tailored to youth. Many feared the involvement of Child Protective Services or did not know they had the right to seek help. These survivors often had no legal autonomy, making them even more isolated and at risk.

Quotes:

1. "I was just a teenager when it started I didn't even know what abuse was supposed to look like."
2. "I didn't speak up because I thought CPS would take me away."
3. "As a minor, I couldn't even go to a shelter without my parents."

4. "My school didn't believe me they thought I was just acting out."
5. "He started controlling me in high school, and no one saw it as a problem."
6. "I thought only adults could report abuse no one ever told me otherwise."
7. "I was scared that if I told someone, they'd call the police on my parents."
8. "I didn't know I had rights, especially as someone without papers and under 18."
9. "He would pick me up from school and isolate me from friends that was the beginning."
10. "Even teachers didn't recognize the signs because I was quiet and scared, not bruised."

Advocate Themes

1. Inaccessibility and Delays in the U-visa Process

Advocates frequently described the U-visa process as bureaucratic, overly discretionary, and inaccessible to many who qualify. Delays and inconsistent responses from law enforcement and the courts undermine its effectiveness.

Quotes:

1. "It's a long process even after getting certification you still get on a waitlist."
2. "Judges have full discretion, and some just refuse to sign off even with clear evidence."
3. "The Supplement B form is hit or miss depends entirely on who you get."
4. "We've had cases where survivors waited years and still couldn't get the visa approved."
5. "It's exhausting for survivors to relive trauma just to be denied by a judge."
6. "Law enforcement doesn't always understand the form or refuses to fill it out."
7. "One survivor was told to stay with her abuser because he had papers."
8. "Even when we advocate hard, there's no guarantee of approval."
9. "There's no accountability for who does or doesn't sign the forms."
10. "You can show proof of cooperation and still get denied."
11. "It's not a survivor-centered process. It's an immigration process."
12. "Some jurisdictions have no formal process for certifying U-visas."
13. "I've seen great officers respond and support but that's not the norm."
14. "It all comes down to luck who responds and how."
15. "There's no consistency, even across counties."

16. "It's frustrating when safety isn't prioritized during the waiting period."
17. "Survivors often don't even get updates they're just stuck in limbo."
18. "They risk so much to apply and then get nothing in return."
19. "I wish it were in the hands of advocates who understand DV."
20. "It mirrors the flaws in our entire immigration system delay, discretion, and disconnect."

2. Fear and Distrust of Law Enforcement and Systems

Advocates report that undocumented survivors are often too afraid to seek help because of past negative experiences or fear of immigration consequences. This fear is deeply rooted and rational.

Quotes:

1. "Undocumented survivors are terrified of law enforcement even when we say it's confidential."
2. "ICE has shown up after survivors tried to get help that fear is real."
3. "It's hard to convince them we're safe when the system has failed them before."
4. "Some survivors think calling the cops is a bigger risk than staying in the abuse."
5. "Just mentioning immigration status brings up trauma."
6. "They worry reporting will alert ICE even when we say it won't."
7. "Trust is hard to build when they've seen others deported after seeking help."
8. "Some have family members already detained it's not an irrational fear."
9. "They're asked to trust systems that weren't made for them."
10. "We have to explain over and over that their stories won't be shared."
11. "Confidentiality is critical but also difficult to believe."

12. "Some don't seek medical care because they fear being reported."
13. "The threat of deportation is part of the abuse, and part of the system."
14. "Police reactions vary wildly some officers are retraumatizing."
15. "Survivors ask, 'What happens if they don't believe me?'"
16. "Even getting a restraining order can feel dangerous if you're undocumented."
17. "They often ask, 'Is this going to affect my immigration?'"
18. "They've heard horror stories it's not paranoia."
19. "Many choose silence because the risks are too great."
20. "We operate in a broken trust environment and survivors know it."

3. Lack of Awareness and Outreach to Immigrant Communities

Advocates emphasized that many survivors do not know about the U-visa, VAWA, or their eligibility for services. Outreach remains fragmented, underfunded, and inconsistently implemented.

Quotes:

1. "Most survivors don't know the U-visa even exists."
2. "They think they have no rights because they're undocumented."
3. "There's a huge gap in outreach, especially in immigrant languages."
4. "We need more culturally relevant information out there."
5. "No one is telling them what legal options they have."
6. "They assume shelters won't help without papers."
7. "Some think calling 911 means deportation."
8. "When I explain VAWA, it's often the first time they've heard of it."

9. "We need ongoing education, not just at orientation events."
10. "There's no consistent communication with immigrant communities."
11. "They need to hear from people who look like them, speak their language."
12. "We're not doing enough to reach survivors before crisis."
13. "So many suffer in silence because they didn't know help existed."
14. "The law is complicated survivors need plain-language guidance."
15. "We need outreach in schools, clinics, and churches."
16. "Translated pamphlets aren't enough it takes trust-building."
17. "We rely too much on word of mouth."
18. "Outreach isn't just information it's empowerment."
19. "Knowing they can leave safely changes everything."
20. "Awareness is prevention."

4. Institutional and Policy Barriers

Advocates pointed out how institutional structures such as lack of training, legal restrictions, and siloed services prevent timely and survivor-centered care.

Quotes:

1. "The whole system is built on silos legal, medical, housing, all disconnected."
2. "There's no streamlined process for undocumented survivors."
3. "Providers aren't trained in immigration law, and that creates risk."
4. "Legal services are overloaded or non-existent in many areas."
5. "Sometimes the survivor ends up educating the provider."
6. "We need mandatory training on immigrant protections for DV workers."

7. "Few courts understand trauma-informed response for immigrants."
8. "Survivors are expected to tell their stories repeatedly to strangers."
9. "Protection orders require paperwork and courage they often don't have."
10. "Judges don't always see DV for what it is in immigrant contexts."
11. "Language access remains a huge barrier at every level."
12. "We need policy that actually reflects lived experience."
13. "It's not just a legal issue it's a safety issue."
14. "Many laws weren't written with immigrant survivors in mind."
15. "They fall through the cracks because no one claims their case type."
16. "Policies focus more on paperwork than people."
17. "Service providers feel just as overwhelmed as survivors."
18. "Too often we're navigating systems instead of solving problems."
19. "We keep asking survivors to do more rather than fixing what's broken."
20. "The system works best for those already in the know."

**Initially, eleven themes combine (survivors and advocates) were identified; however, some were combined during the editing process due to their similarities. Themes 1 and 2 were merged, as were themes 3, 6, and 10, and themes 8 and 11.

Appendix E: Policy Recommendations

- **Create and distribute a standardized U-visa certification packet** with plain-language instructions, timelines, and multilingual “Know Your Rights” brochures (at least 10 top immigrant languages).
- **Enforce and monitor existing language access laws** by requiring annual public updates to language access plans, consistent translation of survivor resources, and yearly audits.
- **Expand law enforcement training** to include immigration-specific protections (U-visa, VAWA, RCW 7.98.020), culturally responsive policing, and interpreter use.
- **Launch a statewide public education campaign** using multilingual flyers, posters, digital outreach, and discreet restroom stickers with QR codes to reach survivors before crisis.
- **Specialized training for police-based domestic violence advocates** on immigrant protections, mandatory within 3 months of hire and renewed every 2 years.
- **Fund a statewide legal navigator program** with bilingual staff in shelters, clinics, and legal aid offices to assist survivors with applications and coordinate with law enforcement.
- **Advocate federally** to raise or eliminate the U-visa cap, expedite work permits post-certification, and classify immigrant survivors as humanitarian priorities.
- **Integrate domestic violence and immigrant rights education into schools, colleges, and healthcare settings** so teachers, nurses, and doctors can connect survivors to legal protections early.

Appendix F: 2-pager Deliverable

Protecting Undocumented Immigrant Survivors of Domestic Violence in Washington State
Policy Brief – August 2025

The Problem

Washington State's laws: RCW 10.99, RCW 7.98.020, RCW 7.68 provide solid statutory protection for domestic violence survivors. Yet substantial gaps persist for undocumented immigrants:

- Implementation is inconsistent across counties and cities.
- Language access mandates often go unenforced.
- Public awareness is low, leaving survivors uninformed of their rights.
- Discretionary U-visa certification creates unequal access to immigration relief.

"The fear of being deported was stronger than the bruises." – Survivor

"Some survivors think calling the cops is a bigger risk than staying in the abuse." – Advocate

Core Issues Identified in Survivor Interviews

- Weaponization of Immigration Status: Abusers use threats of deportation and custody loss to control survivors.
- Isolation and Dependency: Survivors lack transportation, internet, and safe housing knowledge.
- Lack of Rights Awareness: Many never hear of the U-visa or VAWA until years into abuse.
- Cultural Barriers: Norms around silence, family honor, and religious pressure discourage reporting.
- Distrust of Law Enforcement: Fear of arrest or deportation prevents calls for help.
- Jurisdictional Disparities: U-visa certification processes vary widely.
- Bureaucratic Silos: Survivors must retell trauma across disconnected systems.
- Youth-Specific Barriers: Undocumented minors face legal dependency and lack shelter access.

Policy Recommendations

Standardized U-Visa Packet & Multilingual 'Know Your Rights' Materials

Develop a printed and online resource that includes a fillable Supplement B form, plain-language explanations of the U-visa process, timelines under RCW 7.98.020, and contact information for legal aid organizations. Translate into at least ten of the most common immigrant languages in Washington, ensuring survivors without technology can still access critical information.

Enforce Language Access Mandates

Require all certifying agencies, including police departments, prosecutors, and courts, to update their language access plans annually and make them public. Conduct annual state-led audits and work with immigrant-led community organizations to ensure translated materials are accurate, accessible, and culturally relevant.

Expand Law Enforcement Training

Add mandatory instruction on the U-visa, VAWA, and RCW 7.98.020 to the Washington State Criminal Justice Training Commission curriculum. Include training in culturally responsive policing, use of interpreters, and understanding the impact of immigration status on survivor behavior.

Launch Public Education Campaign

Distribute multilingual flyers, posters, and digital resources in community spaces like clinics, schools, markets, laundromats, and public restrooms. Use discreet stickers in women's restrooms with QR codes and hotline numbers to provide survivors with private access to life-saving information.

Train Police-Based Domestic Violence Advocates

Mandate specialized training for embedded DV advocates within 3 months of hire and renew every 2 years. Provide multilingual scripts, visual handouts, and clear procedures to help advocates explain U-visa eligibility and connect survivors to legal resources.

Fund Bilingual Legal Navigators

Create a statewide program placing bilingual legal navigators in shelters, clinics, and legal aid offices. These staff would assist survivors with U-visa applications, protection orders, and victim compensation, while coordinating with law enforcement and family law attorneys when custody threats are involved.

Federal Advocacy

Urge Congress to raise or remove the U-visa cap, expedite work permits following certification, and classify immigrant survivors as a humanitarian priority to reduce the current 20-year backlog.

Prevention & Education in Schools, Colleges, and Healthcare

Incorporate U-visa and VAWA information into high school health and civics classes and require annual training for college students. Train healthcare providers, particularly in ERs and community clinics, on how to identify domestic violence, respond safely, and refer survivors to legal help.

Why Action is Urgent

- U-visa wait times can reach 20 years — survivors remain vulnerable and unable to work.
- Without uniform enforcement, protection becomes a matter of geography and luck.
- Language barriers mean protection may as well not exist for some survivors.
- Public awareness before crisis is the most cost-effective prevention strategy.

"We keep asking survivors to do more rather than fixing what's broken." – Advocate

Next Steps for Lawmakers

- **State Level:** Mandate uniform U-visa certification protocols; expand funding for legal navigators; enforce language access through audits.
- **Local Level:** Require agencies to publicly track certification requests and outcomes.
- **Federal Level:** Advocate for immigration relief reforms and faster work authorization for survivors.

Washington can lead the nation in protecting undocumented survivors of domestic violence by ensuring laws on paper translate to safety in practice. Survivors cannot wait for a patchwork system to catch up they need consistent, accessible, and culturally relevant protections now.

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