

2012-01-01

Domestic Violence, Border Control Measures, And Its Effects On The Immigrant Population In The Border Region

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DOMESTIC VIOLENCE, BORDER CONTROL MEASURES, AND ITS
EFFECTS ON THE IMMIGRANT POPULATION IN THE BORDER REGION

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EFFECTS ON THE IMMIGRANT POPULATION IN THE BORDER REGION

by

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THESIS

Presented to the Faculty of the Graduate School of
The University of Texas at El Paso
in Partial Fulfillment
of the Requirements
for the Degree of

MASTER OF ARTS

Department of Sociology and Anthropology
THE UNIVERSITY OF TEXAS AT EL PASO

August 2012

Acknowledgements

First, I would like to express gratitude to the Center Against Family Violence for opening their doors to us and allowing us to recruit participants for the study. Most importantly, I would like to thank all the participants who volunteered their time and story to this study.

Abstract

Domestic violence is a serious issue that can be predominantly challenging for undocumented immigrants to surpass given their citizenship status in the country. Immigrant victims of domestic violence, in particular, are in a foreign country exposed to an unknown language, culture, and legal system, as well as being isolated from family, friends, or any other possible support systems. Due to these circumstances immigrant victims of domestic violence rarely leave their homes largely due to mistrust for law enforcement and service agencies. Limitations to recovery for undocumented immigrant women have substantial social and political consequences. The objective of this research is to investigate how border control measures affect the recovery of undocumented immigrants who are victims of domestic violence. The study analyzes variables that affect immigrant survivors of domestic violence specifically in the border region specifically, the immigration status of the abusive partner, perceptions of rights, actual interactions with local and federal law enforcement, obstacles and facilitations for recovery from domestic violence.

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Chapter 1: Introduction

Maria was raised and born in Delicias, Chihuahua, Mexico. She moved to the border city of Cd. Juarez, Chihuahua, Mexico seeking better economic opportunities. Maria worked at a factory plant where she met and fell in love with a United States citizen. This man became her husband and Maria moved to El Paso, Texas, USA. In her new life Maria was happy at first, but shortly after her husband became controlling and abusive. Maria would be called names, pushed around, raped and seriously beat. Various times Maria would have bruises on her body, black eyes, broken ribs, missing hair, and stitches on her head. Maria would often get sick because of the sexually transmitted diseases her abusive husband would bring home. Unfortunately, Maria was not allowed to seek medical or any other kind of help due to her immigration status. Her husband would threaten to deport her, take her children away, and/or kill her if she reported any of the abuse.

Luisa came to the United States with her husband also seeking economic opportunities. Neither Luisa nor her husband had a legal status in the U.S. At first, they were both anxious and nervous about their new lives in the United States, but after a while things changed. Luisa was not allowed to work because her husband did not think it was appropriate for a woman to be outside the home without her husband. Luisa's husband began to physically assault her for talking to the neighbors and/or changing the style of her wardrobe. Luisa would have black swollen eyes, lips and bruising on her body. As a consequence, Luisa would periodically have epileptically seizures due to the severe frequent beatings, but unfortunately did not have access to the appropriate type of healthcare. Luisa became pregnant and her child was a U.S. citizen. After this, the beatings became so severe that Luisa was not able to get off her bed because of the fractures and broken bones on her body. Luisa was too scared to leave if she called the police there would be no one to respond for her and her child financially because without her husband Luisa believed she would not survive.

Life stories like Maria's and Luisa's are common for immigrant women who experience domestic violence assaults from their partners. Women with similar experiences face an abundant number of challenges ranging from knowledge about the dynamics of family violence and escaping the relationship to availability of community services. Both Maria and Luisa endured many beatings because in their rationale they had no choices. Most victims of domestic violence believe they are not in an abusive relationship because they are not aware of the dynamics of domestic violence and lack knowledge about the availability of resources, as well. According to the Texas Council on Family Violence website, in 2009 there were 196, 713 incidents of domestic violence in Texas and 111 women killed by their abusive partners.

This study examines variables that affect immigrant survivors of domestic violence specifically in the El Paso, TX, U.S.-Cd. Juarez, Chihuahua, MX border region. The data are a combination of my professional experiences as a domestic violence victim advocate for approximately nine years. During those years, I assessed and counseled victims to provide the necessary services for the recovery of domestic violence. Recovery, in this case the victim gains liberation and is no longer in an intimate relationship with the aggressor. In the course of those years I interacted with more than five hundred victims and their children as well as more than a hundred aggressors. I have also gathered experienced and knowledge from court accompaniment, dealing with judges and attorneys that come into contact with these victims. Along with these hands on experiences, I conducted in-depth interviews on those seeking to be liberated from domestic violence.

In this study I examine the process involved in being liberated from domestic violence among undocumented immigrants. Specifically, I analyze how the immigration status of the abusive partner affects the domestic violence experience of the immigrant survivor. I then examine how this population's perceptions of rights instills fear and therefore, entraps the immigrant domestic violence survivors to limit the options they have to leave the abusive relationship; and consequently in what

manner perceptions of local and federal law enforcement influence the domestic violence situation at home to further enhance the entrapment experience. Furthermore, the study also focuses on the actual interactions of immigrant survivors of domestic violence with local and federal law enforcement. Subsequently, the study evaluates the obstacles immigrant survivors of domestic violence face in their attempt to recover from the abuse at home. Last, this study will look at what facilitates the immigrant survivor of domestic violence to reach their recovery from domestic violence.

Recently the domestic violence research has changed directions from a causality perspective to other influencing factors to domestic violence such as immigration status of victims (Salcido and Adelman 2004). It is especially challenging to research immigrant battered women (Salcido and Adelman 2004), often because the fear of detection and deportation of all immigrant individuals (Nuñez and Heyman 2007). In a comparative survey study analyzing the different experiences of domestic violence between Latinas and non –Latinas, Edelson et al. (2007) found that although there was no difference in the domestic violence experiences, Latina women were likely to experience more trauma symptoms. Furthermore, this population of women is rarely accounted for in official statistics because of the implications previously stated (Salcido and Adelman 2004). For this reason, we took necessary precautions to make unbiased observations without being critical and/or dehumanizing in gathering the data such as having the interviews on a volunteer basis.

Researchers have discussed the scarcity of research specifically dealing with immigrant battered women (Castro et al. 2006; Menjivar and Salcido 2002; Bui and Morash 1999, Raj and Silverman 2002). Recent research regarding immigration and domestic violence discusses the increased vulnerability of immigrant women that experience domestic violence. Menjivar and Salido (2002), argue that the experience of immigrant women who experience domestic violence worsens because of the limitations set by their statuses as immigrants such as restricted language, familial and community support, lack of employment, uncertain legal status, and experiences with law enforcement in their country of origin.

Similarly, Erez et al. (2009) agree that immigration is a factor that influences how battered women understand their domestic violence situation. In the 137 interviews with immigrant women in the U.S., Erez et al. (2009), discuss how immigration influences access to resources and responses to domestic violence for immigrant women in domestic violence situations.

1.1 Domestic violence

Globally domestic violence is not a rare event. The belief that other countries are not aware of the domestic violence problem is misleading (Gelles & Cornell, 1983). In the 1970s British feminist first acknowledge the domestic violence as a problem (Dobash & Dobash, 1981). However, in Japan it was not made illegal until October 2001 (Sorenson, 2006). In Mexico, domestic violence is a particular issue as a result of the patriarchal based society. The Mexican Federal District modified their criminal and civil code in 1997, to include domestic violence reforms (Frias & Angel, 2005). Mexican domestic violence legislation focuses on two contradictory objectives: to protective the family as a social institution and to seek protection for the woman and family members (Frias & Angel, 2005). Historically, domestic violence has not been an issue treated in the public sector, until recently it had been problems families dealt with privately. In 1824, the U.S. Supreme Court ruled it was acceptable for a husband to use physical force against their wife and first made it illegal in 1871 in Alabama (Kurz, 1989). In the United States, domestic violence was not systematically studied until the 1970s (Fox & Murry, 2000). In 1977 Congress sponsored the First National Women's Conference to address issues affecting women such as domestic violence (Tiefenthaler, Farmer, & Sambira, 2005) resulting in a plan of action presented to President Carter to concentrate on domestic violence. These are examples of recent events in history that have encouraged more attention on domestic violence. According to Kurz (1989), present acceptance of domestic violence is because of the continuous support of social and legal norms existing to control women in the marriage. Individuals in society, including both males and

females, normalize abusive behaviors such as gender roles; thus it becomes easier to make behaviors that are unacceptable become acceptable.

1.2 Domestic violence theoretical frameworks

There are currently two major social science frameworks on domestic violence known as the family violence perspective and the feminist perspective (Johnson, 1995; Kurz, 1989). The feminist perspective has foundations on patriarchal terrorism based on feminist perspectives of gender and families. Patriarchal terrorism is focused on the existing inequalities of men and women within the relationship (Kurz, 1989). The family violence perspective focuses on common couple violence (Johnson, 1995). In this perspective, the violence occurring in the family is part of a pattern among all members of the family as reactions to conflict within the family (Johnson, 1995; Kurz, 1989).

According to Johnson (1995), researchers of domestic violence from the perspective of family violence direct attention to the problems in families that get out of hand and become instances of domestic violence. According to Kurz (1989), these family conflicts are a consequence of the “stresses from difficult working conditions, unemployment, financial insecurity, and health problems” (p. 492). The violence, according to this perspective, does not occur frequently and the violence is initiated by both genders equally (Johnson, 1995). In addition, the family violence does not necessarily occur between the male and female partners, but among all members of the family (Kurz, 1989). The violence among family members does not escalate over time.

On the other hand, the feminist perspective gives importance to gender differences and stratification leading to social changes that result in gender inequalities (Fox & Murry, 2000). For example, a social role has a set of attitudes and behaviors for each gender to act out; as a result of the many times the role is played out many times in an individual’s life becomes an essential part of their life (Fox & Murry 2000). Consequently, expectations are created for each gender resulting in living life

as Fox and Murry (2000) call it “doing gender” (p. 1163). Whenever these expected set of attitudes and behaviors are not followed domestic violence occurs. This perspective is more precise in describing the dynamics of domestic violence (Kurz, 1989). For this reason, the following explanation of the dynamics of domestic violence uses the feminist perspective based on patriarchal terrorism to demonstrate violence as a consequence of gender inequalities in a relationship.

1.3 Dynamics of domestic violence

The dynamics of domestic violence against women in the feminist perspective focuses in ways men systematically terrorize their female partners (Johnson, 1995). The violence occurs frequently and escalates in severity during the length of the relationship. There is no standard time when the abuse will begin, increase, or end. It is the male partner who begins the assaults against the female partner with the intention to gain control over them (Johnson, 1995). The abuse against female partners does not initiate with physical violence, but with a series of patterns and tactics male partners use which then lead to physical and/or sexual violence. The male partner will use a variety of these verbal and mental tactics to control his partner and satisfy his need to control (Johnson, 1995). There are eight present tactics based on the power and control wheel (See Appendix C, Figure 1), which was created by a group of battered women in an effort to describe the aggressive and controlling behavior of their partners (Pence & Paymar, 1993). The tactics include the following abusive behaviors: intimidation, emotional abuse, isolation, minimizing, denying and blaming, using the children, male privilege, economic abuse, and lastly coercion and threats (Pence & Paymar, 1993). The combination of the power and control tactics consequently instills several specific fears in immigrant women. As a result, it has been demonstrated that vulnerability of immigrant women who experience domestic violence increases and is used by their partners to enforce control (Raj & Silverman, 2002).

It is essential to understand the functions of domestic violence in order to understand how this issue affects immigrant victims. The dynamics of domestic violence in the feminist perspective focuses

in ways men systematically terrorize their female partners (Johnson, 1995). The violence occurs frequently and escalates in severity during the length of the relationship. There is no standard time when the abuse will begin, increase, or end. It is the male partner who begins the assaults against the female partner with the intention to gain control over them (Johnson, 1995). The abuse against female partners does not initiate with physical violence but with a series of patterns and tactics male partners use to begin this control over their female partners, which leads to physical and/or sexual violence. The male partner will use a variety of these tactics to control his partner and satisfy his need to control (Johnson, 1995).

In 1984 a group of about 200 battered women in Duluth, Minnesota created the power and control wheel in an effort to describe the aggressive and controlling behavior of their partners (Pence & Paymar, 1993). The power and control wheel consists of eight tactics male partners use to have control and have power over their partners. The tactics in the wheel include the following abusive behaviors: intimidation, emotional abuse, isolation, minimizing, denying and blaming, using the children, male privilege, economic abuse, and lastly coercion and threats (Pence & Paymar, 1993). See Figure 1 the power and control wheel used in the Duluth Model curriculum. These tactics are combined and used against partners by the abusive partners in their relationship.

Johnson (1995) and Kurz (1989) suggest for the most part, these tactics are used on a daily basis to terrorize the victim partners and whenever the power and control tactics do not work because the victim partner in the relationship resists, then the abusive partner resorts to harsher abuse such as physical and/or sexual abuse. As a result, physical and sexual assaults occur sporadically, but remind the victim in the relationship about the power of the other tactics (Pence & Paymar, 1993). As the abusive relationship continues in duration, the number of physical and/or sexual assaults increases within time and severity. Unfortunately sometimes it ends with the death of one or both partners. This is not to misinterpret that domestic violence always results in physical or sexual abuse. A victim of domestic

violence is a victim as long as they experience any of the power and control tactics including or not, physical and/or sexual abuse. This is a continuous cycle of abuse because society supports the male dominating role (Anderson et al., 1988) on a daily basis through television, magazines, movies, songs, books, etc.

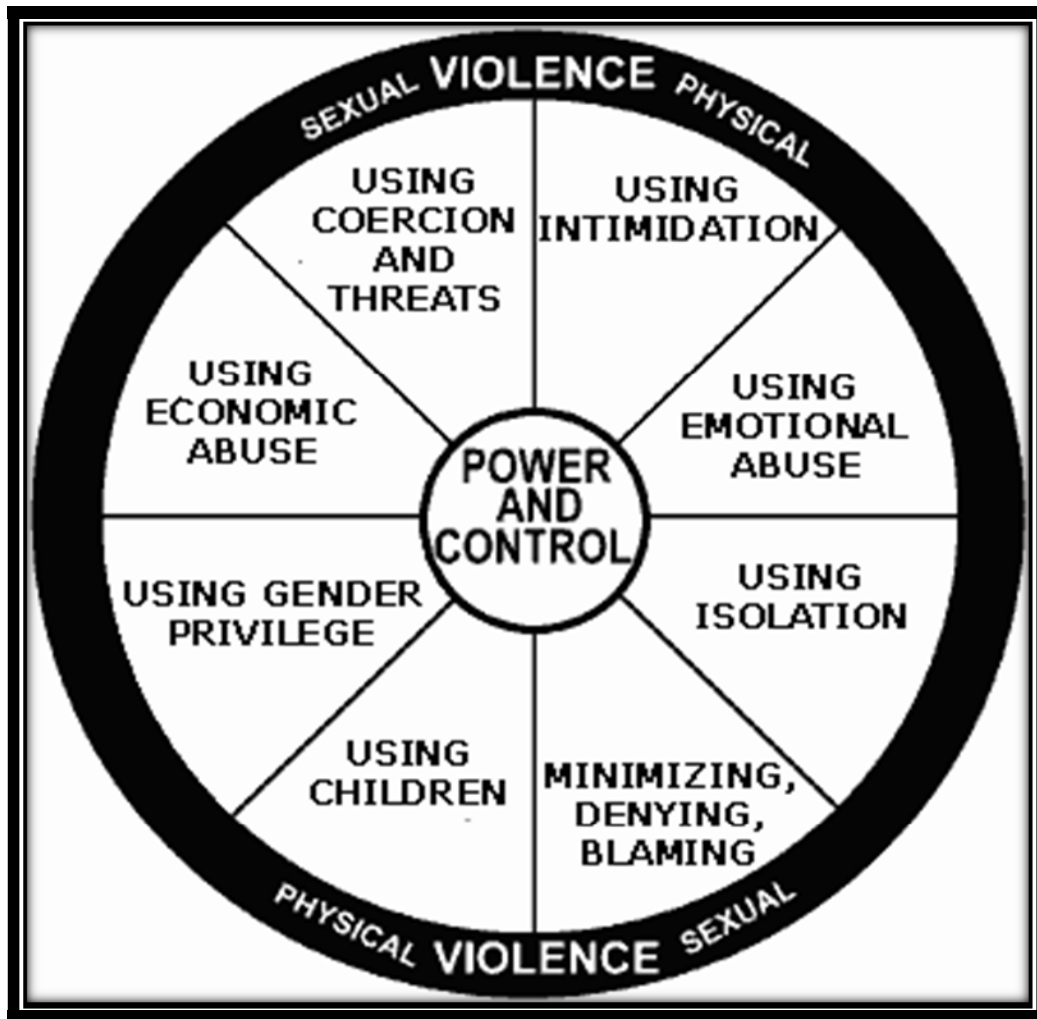


Figure 1 Duluth model Power and Control wheel

In order to further understand why immigrant victims become involved in a particular situation it is necessary to address how the power and control creates challenges for this population. According to the Duluth model (Pence and Paymar, 1993), the power and control tactics are explained as follows: intimidation is using particular looks, gestures, tone of voice and/or other actions that inspire fear in the female partner. These are limited actions the abusive partner uses to remind the victim partner of

deportation and/or losing their children if the abused partner does not do or stop doing what the abusive partner desires to.

Emotional abuse occurs when the abusive partner puts the partner down by calling them names or making them believe they are crazy. For example, the victim immigrant is called wetback, worthless, among other degrading names etc. The abusive partner uses this with the intention to destroy the partner's self-esteem and confidence. The abusive partner uses isolation by limiting outside contact of the partner with society. For the immigrant, this means no or little contact with family members or the opportunity to make new friends. The tactic of minimizing, denying, or blaming is used to convince the abused partner that the abusive actions are not important or were not mean to hurt him/her. For example, the abusive partner could blame the partner for stress at work because they are the one who have to work and provide for the family.

The abusive partner can use the children as a tactic to coerce, threaten or make the partner feel guilty. For example, the immigrant victim would likely do as the partner says in fear of losing the children if they were to be deported. The abusive partner uses gender privilege to remind the partner of the roles they both need to follow. For example, the immigrant victim is reminded of their respective roles: the woman as a housewife not allowed to work or the man as the bread winner charged with making all decisions at home. This female-male role system results in the woman not being able to leave the residence and not being exposed to available resources. Economic abuse occurs when the abusive partner uses money to control the partnership. The abusive partner could limit the immigrant victim's knowledge about how much money there is available and how to access the money. This situation makes it more difficult for the partner to be able to think about leaving if they wanted to.

Finally, there are coercion and threats. This tactic is used to introduce and maintain fear in the abused partner. For example, after verbal threats, the immigrant victim may become fearful of being deported or losing the family (particularly the children) if she does not do what the abusive partner tell

them to do so. These tactics are used in combination, in no order, and at times overlap with each other. There is not one that causes more harm than the other; they are all equally abusive and harmful.

1.4 Border enforcement and domestic violence

“The border is a tough area to work. Sometimes there are no rules.”- U.S. Representative Silvestre Reyes of El Paso, TX.

Beginning in the 1970s, in particular 1976 with the U.S. Supreme court establishing it constitutional for Border Patrol to stop a vehicle and interrogate its occupants, among other numerous terminations and implementations of policies and programs to control the flow of migration begun the negative connotation towards immigration (Brown & Bean, 2005). According to the National Immigration Forum (2010), in the El Paso, TX-Cd. Juarez, Chihuahua border region, efforts to enforce the control of the border has continued with the implementation of different various operations including Operation Hold the Line in El Paso, TX in the 1990s and later in 2004 with Operation Stonegarden. Additionally, in the 1990's the U.S. government spent millions in the construction of walls and fences to increase the surveillance throughout the border (Weeks, 1999). The recent construction of the fence along the 1,951 mile (National Immigration Forum, 2010) Southwest U.S. - Mexico border was authorized by Congress in 2006 as part of the Secure Fence Act. This act authorizes the construction “of at least 700 miles of physical fencing along the Southwest border. As of June 2011, CBP (U.S. Customs and Border Protection) reported it had completed 649 miles of pedestrian and vehicle fencing” (Mittelstadt, et al., 2011). Additionally, this bill authorized more checkpoints, lighting, barriers, cameras, satellites, and vehicles to stop illegal crossing. After the September 11, 2001 attacks, the immigration system in the U.S. has been strictly manipulated towards focus on national security and border enforcement (Mittelstadt, et al., 2011). Due to the new threat of terrorist, there has been more focus on the 6,000 miles of border with Mexico and Canada, but in particular in the Southwest border region resulting in billions of dollars spent in “man power, infrastructure, equipment and new or

amended policies” (Mittelstadt et al., 2011, p.8). Mittelstadt et al. (2011) report, there has been “the birth of a new generation of interoperable databases and systems that sit at the crossroads of intelligence and law enforcement, reshaping immigration enforcement at the federal, state and local levels through increased information collection and sharing”(p. 1). This allows for opportunities on behalf of the federal government to implement policies, programs and such with the aid of state and local law enforcement.

Furthermore, an example of such federal-state border enforcement is the 287(g). This is a statute from the 1996 Illegal Immigration Reform and Immigrant Responsibility Act which allows the federal government to give federal power to state and local officers. According to Mittelstadt et al. (2011), most of these powers are exercised during screening of individuals booked into jails for criminal charges or traffic violations and at times even while in the field. Hence, Secure Communities was created and became another enforcement initiative based off the 287(g). Secure Communities is a program of the Department of Homeland Security, headed by the U.S. Immigration and Customs Enforcement (I.C.E.) and functions to identify and deport undocumented immigrants in the country (Mittelstadt et al., 2011). Launched in 2008, under the Obama administration, Secure Communities runs the fingerprints of immigrant detainees with numerous state and federal databases for possible immigration and criminal histories (Mittelstadt et al., 2011). If there is a possible immigration violation I.C.E. will investigate and possibly deport the immigrant. (Mittelstadt et al., 2011). Since, according to the U.S. Immigration and Customs Enforcement website, the Department of Homeland Security has expanded its “Secure Communities” to more than 1,700 jurisdictions, to include all those along the Southwest border. Similarly, the federal government has modified policies to restrict the process for obtaining a driver’s license. The REAL ID Act of 2005 states certain document must be presented to be able to obtain identification. Among these documents are included, birth certificate or passport (Mittelstadt et al. 2011).

The U.S. government continuously attempts to implement preventive measures to control the flow of illegal entries into the country; yet increase in migration has continued during the 21st century as a result of the increase in economic globalization (Brown & Bean, 2005). Brown and Bean (2005), argue the increase in the flow of migration occurred as a consequence of the end of the Bracero Program in 1964, due to the demand for cheap labor. This program had been created to allow Mexican national farm workers to help with the labor needs after World War II, yet due to the increase of “mechanization of agribusiness” (Casas & Cabrera, 2011, p. 286) it was terminated and immigrant laborers were expected to return to their country of origin. This current expansion on globalization has landed the U.S. in a power position granting more ties with more countries which have amplified communication, capital flow, and trade (Brown & Bean, 2005). Although, government supports migration because it results in an increase of flow in resource, technology, and capital the government however, does not support the increase in flow of people (Brown & Bean, 2005). Many immigrants have continued to travel in and out of the border region despite policies and strategies to limit and restrict their entrance into the U.S. Socioeconomic advancement, improvement of social and cultural ties, and/or response to population and economic pressures in their origin country are among some of the reasons the numbers of immigrants have risked crossing the border (Marger, 2009; Brown & Bean, 2005; Massey et al., 1993; Massey, Durand & Malone, 2002). Included in this new wave of immigration are women who are possibly escaping domestic violence situations and seeking a non-violent lifestyle in the U.S. (Salcido & Adelman 2004).

The border is a site where the primary experience is that of movement in which social processes explain the ideas of power and resources within the border (Cunningham & Heyman, 2004). Enclosure is a social process that controls by limiting and restricting the movement of goods, people, and ideas within the border while mobility is what allows the movement of these (Cunningham & Heyman, 2004; Massey, 2002). Although both are different, when combined they define the dynamic between power,

resources and ideology of the border. This facilitates observations of specific instances of enclosure and situations of movement (Cunningham & Heyman, 2004). Furthermore, surveillance is a global disciplinary strategy used in policies and practices by political institutions to regulate the mobility of the immigrant population (Meghan & Wonders, 2009). Immigrant individuals move around the border avoiding surveillance, the inspection of identification through presentation of proper documents, therefore regulating the freedom of movement of this population (Nuñez & Heyman, 2007). Particularly, surveillance tactics and policing towards immigrant individuals is utilized to prohibit their presence in the public space (Meghan & Wonders, 2009). Comprehension of these social processes facilitates the understanding of mobility of immigrant abused women within their entrapped situation when dealing with abuse at home during instances of reporting abuse and obtaining resources.

In this study, I argue that immigrant individuals in domestic violence situations compromise their safety due to perceptions of and actual restrictions set by their legal status and border control initiatives/processes in the country while affecting their ability to access resources and respond to their personal domestic violence experience. These dynamics are particularly apparent along the Southwest U.S.-Mexico border region, where border control is strongest. Prior researchers have agreed that immigrant women arrive to the country with disadvantages compared to the male immigrants (Hondagneu-Sotelo, 1994). Also, in their study of Vietnamese American women's subjectability to domestic violence, Bui & Morash (1999) argue that immigrant women do not have the same social status and human capital as men do when arriving to the country.

Consequently, immigrant women are more likely to stay home while the men have the opportunity to interact in social networks outside home. As a result, immigrant women rarely know what to do or where to go if and when they experience domestic violence at home. Furthermore, "immigrant women's cultures, contexts, and legal status increase vulnerability for abuse, are used by batterers to control and abuse immigrant women, and create barriers to women seeking and receiving help" (Raj &

Silverman, 2002, p. 368). Similarly, Menjivar and Salido (2002), argue that the experience of immigrant women who experience domestic violence worsens because of the limitations set by their statuses as immigrants such as restricted language, familial and community support, lack of employment, uncertain legal status, and experiences with law enforcement in their country of origin. Likewise, Erez et al. (2009) agree that immigration is a factor that influences how battered women understand their domestic violence situation. In the 137 interviews with immigrant women in the U.S., Erez et al. (2009), discuss how immigration influences access to resources and responses to domestic violence for immigrant women in domestic violence situations. Recent research regarding immigration and domestic violence discuss the increased vulnerability of immigrant women that experience domestic violence. Consequently, researchers have discussed the scarcity of research specifically dealing with immigrant battered women (Castro et al., 2006; Menjivar & Salcido, 2002; Bui & Morash, 1999, Raj & Silverman, 2002).

1.5 The legal system and immigrants

Anti-immigration attitudes, acts, and laws have continued and perhaps worsen for this population. Aside from the U.S. government's attempts to control the immigration flow, immigrants have also experienced limited access to necessary services such as public health, resources, and opportunities such as employment that are available to citizens as well as physically violent actions such as beating and murders (Casas & Cabrera, 2011). Furthermore, although criminal rates in the U.S. have decreased since the 1990's, the immigrant population has continued to be used as scapegoats for the existing crime (Menjivar & Bejarano, 2004). Particularly, growth in migration may have possibly decreased crime rate in cities with the largest increases in immigration between 1990 and 2000 (Wadsworth, 2010). Research has observed immigrants are less violent than native-born U.S. citizens due to their cultural differences and hence strength of social networks (Wright, 2010). Yet, as stated earlier, with the continues migration flow into the country and perceptions that immigrants are criminals,

enforcement strategies, policies, structures, equipment and man power have as well, continued to be implemented at increasing rates.

Immigrants arrive with their set of cultural norms and beliefs in their country of origin and may initially not know about the legal system in the U.S., but do learn soon after (Sorenson, 2006). In their sixty-one in-depth interviews study in the Phoenix metropolitan area, Menjivar and Bejarano (2004) identified three main aspects that influence immigrant's perceptions of crime and law enforcement. A "bifocal lens", stating the immigrants perception is affected by their own experiences with crime and the judicial system in their country of origin; immigrants actual experiences with border law enforcement and the effect these have as they spill over to perceptions of other law enforcement such as police officers; and lastly the social networks whom share expectations about living in a new country with immigrants, including experiences with law enforcement (Menjivar & Bejarano, 2004). The perceptions immigrants have of crime and law enforcement develop their perceptions and the way they exercise their rights.

Similarly, Raj & Silverman (2002), state immigrant women's culture and immigration context place creates a vulnerable state for this population because they are within two cultures, isolated from their country of origin, and experience legal restrictions because of their legal status, hence creating challenges to seek and receive help in leaving the abusive relationship. Culturally the criminality and definition of domestic violence varies around the globe, resulting in immigrant's acceptability and awareness of the crime in the U.S. This includes the manner in which the immigrant adapts their attitude towards the new culture (Erez & Hartley, 2003), such as awareness and knowledge of rights. The immigration perspective gives immigrant battered women a disadvantage as well. Usually isolated in the country, lacking familial support (Ingram et al., 2010; Raj & Silverman, 2002; Erez & Hartley, 2003) at times the only family they have is that of their abusive partner's. Domestic violence has been reported to be higher among immigrant women particularly because of their lack of legal status (Raj & Silverman,

2002) and lack of legal rights (Hass et al., 2000). The immigrant's unwillingness to report a crime is a result of these cultural, social, and legal reasons (Erez & Hartley, 2003). On the contrary, Wright and Benson (2010), identify an "immigrant paradox", stating that contrary to frequent belief that because immigrants experience cultural alienation and lack economic freedom should experience the necessary conditions for crime yet do not, alleging that domestic violence decreases in neighborhoods where there is a high concentration of immigrants due to social ties and cultural norms.

Research focused on the occurrence of domestic violence among immigrant victims and how their lack of legal status increases victimization is recent (Ingram et al., 2010). As previously stated, immigrant's awareness of rights is limited and often what they know is as result of their social networks, and thus fail to report crimes or cooperate with law enforcement authorities. Diverse perceptions of U.S. law culture places immigrant domestic violence victim's with a limited legal status in a vulnerable state; in particular due to lack of familial support, economic dependence on aggressor, traditional gender roles, deportation concerns, U.S. citizen born children, misunderstanding of law culture in U.S., lack of services (such as education, public healthcare, employment, housing etc), and past experiences with law enforcement in their country of origin (Kasturirangan & Krishnan, 2004; Erez & Hartley, 2003; Raj & Silverman, 2002; Mejivar & Bejarano, 2004; Hass et al., 2000). For example, immigrant women may not know assault is a crime in this country or may not want police intervention because of the dependency on the aggressor. One reason may be that if victim and or their spouses are threatened with deportation for seeking police assistance their whole families may be affected as well (Mejivar & Bejarano 2004). Consequently, the victim's lack of legal status in the country places them at a social and human capital disadvantage, while pushing the immigrant victim to hesitate any police intervention. Therefore, creating a conflict for this population when they have to decide whether to report a crime against them or not because of the possible outcomes as a result of their abusive and legal status situations combined.

Human and social limitations for immigrant women have substantial social and political consequences. A comprehension of the effects government border control policies and restrictions have on immigrant women who are victims of domestic abuse is necessary for the initiation of any form of social advocacy in favor of this population. Particularly, because these affect the perceptions and experiences the immigrant population has with border control policies to include laws, policies, and local, state, and federal law enforcement personnel. Availability of resources to escape an abusive relationship is extremely important because staying in an abusive relationship positions undocumented immigrant women at high risk of continuous violence that can lead to undesirable events. An immigrant domestic violence victim's decision to call for assistance or not, is affected by the immigrant victim's fear of crime and perception of U.S. legal culture, exhibiting doubt concerning awareness and freedom to exercise their rights. Furthermore, observations resulting from this research will provide additional information that can potentially aid in new policies beneficial to battered undocumented immigrant women besides promoting others to advocate in conducting further research for this silenced population.

1.6 Challenges: Why does the immigrant victim stay?

There are existing myths about why abused partners do not leave the abusive relationships. As stated previously there is misleading statement that domestic violence is rare (Gelles and Cornell, 1990); in actuality it happens more often than thought. It is also mistaken that partners who use violence against their families are mentally ill. Only about 10% of the men who abuse their partners have mental health and/or mental retardation issues (Gelles and Cornell, 1990). Although domestic violence occurs among all social classes, it does affect the lower class more. This point, which will be discussed later, is one of the effects of domestic violence against immigrant victims. In addition, there is the misperception that partners who abuse, witnessed abuse when growing up and hence imitate the violent behavior. Although, at times true, since it does place them in a higher risk group, there are those who grow up not committing acts of domestic violence (Gelles and Cornell, 1990). According to Gelles and Cornell

(1990), another myth is that abused victims instead of leaving the relationship as the beatings become more frequent and severe they stay with their abusive partners because they like the beatings. There are other factors that influence why the victim does not leave the abusive relationship some of which specifically affect the immigrant victim. Lastly, Gelles and Cornell (1990) explain alcohol and drug usage do not cause domestic violence as many believe and discuss a survey that demonstrates alcohol and drugs influence domestic violence, but are not the primary causes. Additionally, the survey demonstrates there is no relationship between the increase level in alcohol use and the increase in level of violence (Gelles and Cornell, 1990).

Considering the dynamics of the power and control tactics, the challenges faced by an immigrant victim of domestic violence can be appreciated. There are specific reasons why it is more difficult for this population to be able to leave their abusive partners. For example, if the partner is an illegal immigrant the abusive partner will use threats of deportation to create fear. If the abused partner has a legal permanent residency then threats to take away or not cooperate in the process to become a citizen are made (Anderson, 1993). Further, they are threatened to be sent back to Mexico and leave their citizen children behind. As a result the abusive partner uses the citizenship status for power and control self-interests (Anderson, 1993). Consequently, the immigrant partner with a limited status is scared rarely leave their homes and create mistrust for law enforcement agencies and figures such as police officers and court personnel. This isolates the abused partner and creates an obstacle for those who want to ask for help. In a sample of low-income Hispanic subgroups there was more reporting of abuse by U.S. citizens than non-citizens (Frias and Angel, 2005).

In addition to the specific effects power and control tactics on immigrant victims, there is the problem of the present cultural barriers such as language and customs (Menjivar and Salcido, 2002) between the victim of domestic violence and the community available to help such as law enforcement (Anderson, 1993) and social workers. Not only does the immigrant lack the knowledge of the language,

but at times believe abusive relationships are normal for them as well. Victims of domestic violence are taught they deserve to be beaten yet still have strong feelings for the abusive partner (Gelles and Cornell, 1990). Most immigrants leave their families in quest for a better life and as a result, are alone and do not have support system to be able to escape the violent situation. Furthermore, it is likely that immigrant victims may often fall into a low-income socioeconomic group, which according to Frias and Angel (2005) can increase the risk of becoming a victim of domestic violence.

Moreover, one of the major challenges for an immigrant victim is the opposition to any law enforcement intervention or advocacy centers due to several fears. According to Davis and Erez (1998) possible reasons for this include past negative experiences with law enforcement in their country of origin, negative perceptions of law enforcement in the new country to include unfair treatment because of ethnicity, gender, and their immigration status. Generally, a combination of mistrust for government entities, ignorance about law and manipulation from their abusers misleads immigrant victims to continue to be in the abusive relationship (Erez & Ammar, 2003). In addition, to these social and legal factors, another difficulty in leaving the abusive relationship for an immigrant victim is that of economic; according to Raj and Silverman (2002), “economic insecurity of immigrants has also been cited as increasingly environmental stress and the likelihood of abuse” (p. 374). Many immigrant victims fear their abusive partners will be deported if there is any law enforcement involvement and therefore lose any and all economic security.

One of the constant fears for immigrant victims is that of deportation due to the misinterpretation and ignorance of the lengthy and constant changing legal protections for immigrant victims. For example, the 1922 Cable Act gave male citizens and permanent residents control over their family yet this law was not applicable if the citizen or permanent resident was a female. Later, the Immigration Marriage and Fraud Amendments (IMFA) passed by Congress in 1986 affected immigrant women who were married or wished to marry a American citizen or permanent resident male partner who had to

petition for their spouse for status (Anderson, 1993; Erez & Ammar, 2003). According to Anderson (1993), before this amendment was passed when a citizen petitioned for citizenship of their foreign spouse, she was offered permanent residency. Now, she would have to wait for 2 years to be allowed to change her conditional status to permanent residency (Anderson, 1993). The only way the foreign spouse could waive the conditional status was in the case of death of the citizen husband, show good cause termination of marriage or demonstrate the “extreme hardship of immigration” (Anderson 1993, p. 1413). In 1990 the Battered Spouse Abuse Waiver Law was passed in order to relinquish what the IMFA stated, now the abused spouse was not required to initiate a divorce and explain a good cause for termination of the marriage; also it exempted immigrant victims who were exposed to extreme cruelty by their abusive partner. Yet, the IMFA did not define if domestic violence qualified as a good cause to end the marriage (Anderson, 1993). In addition, domestic abuse was not considered by the IMFA to be an extreme hardship either (Anderson, 1993).

Immigrants are possibly at an increased risk for domestic violence because of their lack of legal rights (Raj and Silverman, 2002). In 1994 congress passed the first and only federal regulation to focus on violence against women (Tiefenthaer, Farmer, & Sambira, 2005) known as the Violence Against Women Act, also known as the VAWA, as part of a Violent Crime Control Act particularly passed to influence domestic violence (Erez & Ammar, 2003; Meyer-Emerick, 2001). This U.S. federal law was first introduced by Senator Joseph Biden in 1990, but had been addressed since the early 1970s (Meyer-Emerick, 2001). The objective of the VAWA was to “enhance justice system protection for battered women and to expand collaboration and cooperation between battered women’s supportive services and the criminal and civil justice system” (Erez & Ammar, 2003, p. 42). The significance of this law was that immigrant victims could self-petition for a legal status if they were married a citizen or lawful permanent resident, proof of extreme cruelty while married with abusive partner, and evidence of extreme hardship if deported (Erez & Ammar, 2003). The VAWA was revised in 2000 and provided \$3.3

billion over 5 years to confront the problem of domestic violence (Tiefenthaer, Farmer, & Sambira, 2005).

Yet, despite relives such as these for immigrant victims, this population continues to survive domestic violence experiences based on their fears. Immigrant victims in domestic violence situations compromise their safety due to perceptions of as well as actual restrictions set by their legal status and border control initiatives in the country while affecting their ability to access resources and response to their personal domestic violence experience. As a result, this leaves immigrant victim with the option of surviving with fear or at times leaving the country due to lack of positive alternatives.

Chapter 2: Research Methods

2.1 Participants and sampling

The research data consisted of thirty-three qualitative interviews with Mexican immigrants who are victims of domestic violence and are seeking assistance from the Center Against Family Violence (CAFV), the local domestic violence agency. Particularly important for this study, CAFV has a program that specifically focuses on the needs of immigrants battered individuals. The data represents thirty-one women and two men. The sampling method entails a convenience sample from individuals seeking recovery from the CAFV. Although research participants do not necessarily represent all immigrant domestic violence victims, we are able to examine the processes that enable or obstruct the recovery from domestic violence among the immigrant community.

All the respondents who participated in the research are in different stages in their recovery from domestic violence cycle; some had recently decided to leave the abusive relationship (about 8 hours to 1 day) while others had left the abusive relationship weeks and even years ago. It is important to keep in mind that the sample represented in this study are those that are seeking help from CAFV as opposed to those who may still be experiencing the abuse privately. All the respondents volunteered to participate in the study and gave us their verbal consent. Respondents understood that their participation in this study is not associated with the level or quality of care they receive at the CAFV.

2.2 Data collection

The research data was collected from November 2011 to January 2012. Recruitment of participants occurred at two locations that are part of CAFV. The first location was the emergency shelter's cafeteria and hallways; the second was the group sessions held at the Family Resource Center (a branch of the CAFV that focuses on non-residential outreach services for domestic violence victims).

After recruiting a respondent, I took the individual to a private room and provided them with background information about myself, including my past employment with domestic violence,

education, and why I believed this research was important. For the past nine years I have worked assisting domestic violence victims with resources to live healthy relationships, including immigrant victims. My employment and educational history helped to establish rapport with respondents and helped them feel more comfortable with the interview process. Moreover, my work experiences with this population provide me the skill to know what questions to ask and how to interview survivors of domestic violence. This is important because it allowed me, as a researcher, to be able to behave ethically with the respondent. Madison (2006) suggests becoming involved in the spaces of “Others” and to represent them and the ways in which they share their world perspectives is an important responsibility. This is especially important when researching aspects related to domestic violence given the trauma they have experienced. Latina women experience more traumas as a result of domestic violence events in their life (Edelson, Hokoda, and Ramos-Lira, 2007).

Prior to the interview, the respondent read and discussed a verbal consent. To finalize the interviews, the respondents were given an opportunity to ask any questions or state any comments regarding the issues discussed during the interview while the microphone continued to record. After the recording session was over, the opportunity to ask any questions “off the air” was welcomed. Respondents appreciated the opportunity to tell their story.

2.3 Survey instrument and interview guide

The data collection process involved two steps. First, respondents were asked to complete a survey with demographic and socioeconomic information (see appendix A). The second portion involves the in-depth interviews. Questions consisted of experienced with domestic violence, immigration history, and experiences with border and local law enforcement (See Appendix B, “Interview guide”). Each respondent was numerically identified and given a pseudo-name. The duration of the interviews ranged seven minutes to forty minutes. All interviews were conducted in the preferred language of the respondent. Of the thirty-three interviews, thirty-two were completed in Spanish and one

interview in English. All interviews were recorded and given a number that matched the respondent's verbal consent and demographic and socioeconomic background survey. The interviews were transcribed and analyzed through qualitative thematic coding themes such as history of victimization, expectations and interactions with the Department of Homeland Security (DHS) and El Paso Police Department (EPPD), and awareness of rights.

Chapter 3: Findings

3.1 Legal status and its effects on domestic violence

The lack of citizenship status is an additional and significant tool that abusive partners frequently use against their immigrant partner to continue exercising power and control. This study, in particular, observes that abusive partners use this tool to keep the immigrant victims isolated, economically dependent, and more commonly to threatened the victim to stay in the abusive relationship. One form in which abusive partners use this is to control any outside contact with the immigrant victim. This prohibits access to services that could potentially help the recovery from domestic violence. Linda, for instance, expressed her fear of the police kept her isolated because of her abusive husband's constant threats,

Well to start off my ex-partner would always scare me, he would tell me “do not drive the car because if you get caught by the police with the car or if you break the law well the first thing is they are going to ask for are your documents and your driver's license. And if you do not have them right away they are going to deport you. Go drop of the children to school and quickly come back. Do not leave for any reason because no sounds can come out of the apartment or the police will come to check. Sometimes the police comes to check the apartments...when he would attack me he would tell me, “Be quiet!” because the neighbors are going to notice and call the police and they are going to take the children away from us, they are going to take the children away from you and deport you.

The lack of legal status is even used to control the household finances which can have implications to be able to leave the abusive relationship because it keeps the immigrant victim economically dependent on the abusive partner. Lori, for instance, explains how her abusive husband used her legal status to prohibit her from access to money due to, “...the excuse that I cannot be listed in the bank account, they hide the money...” The perception is that undocumented people cannot have a

bank account because of the lack of a social security number. Yet, in these situations banks used a taxpayer identification number.

Consistent with Anderson (1993), if the aggressor has a legal status then he/she will threaten to take away the children and/or not cooperate in the legalization process for the immigrant victim. This affects those immigrant victims who entered the country legally and are married to a legal citizen who has or can petition for the legal status of the immigrant spouse. Mel, for example, explains how her abusive husband uses her undocumented status to keep her isolated, "...that immigration law enforcement will deport me, and that they would give my child to him". Similarly, Ann recounts her experience whenever she attempted to leave the relationship and would go to her sister's house. In this situation her abusive partner would use her legal status to threaten her to return to him by using their child and her family,

...he would threaten me that if I did not go back he was going to call immigration law enforcement so that they would take my sister and brother in law. He was going to say that I had kidnapped the girl (our daughter). He would say a million things, and that it was best for me to go back. So, I would go back to him again...

Moreover, abusive partners also use the lack of legal status of the immigrant victim to keep them from calling the police regarding the violence. By the time an immigrant victim of domestic violence called police, episodes of violence have happened numerous times. This factor causes an impediment to the immigrant victim with a limited documented status because it increases the likelihood of the violence to increase in frequency and severity. This is an event many of the immigrant survivors of domestic violence in the study experienced. Joy explains how she could not seek the police for help because of her legal status, "he (the abusive partner) would tell me that because I did not have legal documents, they (police) would not listen to me. On the contrary instead of helping me they (police) would deport me to Juarez". Paty had the same situation happen to her, "he (abusive partner) threatened

me because I left. We fought and I left. He told me that if I did not return he was going to call immigration law enforcement”. Deb expresses her similar fear,

...while I was never scared if I was stopped in the street, I was scared when he (the aggressor) would tell me he was going to report me to immigration law enforcement. And that they were going to take me. I did however get scared when he would tell me he was going to get me deported, that is when I got scared.

These are examples of how the abusive partner legal status for power and control (also see Anderson, 1993). It is evident that immigrant survivors of domestic violence experience different types of verbal and emotional abuse in comparison with those victims who do have a legal status. This intensified abuse creates a different situation dealing with immigrant survivors to deal with when attempting to leave and recover from the abusive relationship.

3.2 Perception of rights and effects on domestic violence

The threat of deportation imposed by the abusive partner influences the perceptions immigrant survivors have of their rights in the country. Consequently, part of the abused encountered by immigrant survivors of domestic violence are the misconceptions of legal rights fed by their abusive partners. Eva even states that when she would say, “I am going to call the police” he (abusive partner) would mock her and say “I am going to call the police” (laughing) and behind the police immigration law enforcement will follow”. Also, Jill mentions how her abusive partner would misinform her about the role of the police and border patrol:

he (abusive partner) would tell me that the police was one thing and what is the other called...yes, immigration law enforcement was another thing...different things, so then obviously he did know and he would take advantage of this. Every time we had arguments or anything like that, always, I would get scared... (he) is not going to let me go so easily, he would tell me, “how are you going to leave to Juarez, where are you going to go (here in the U.S.), you

cannot work (here in the U.S.), because if you work, immigration law enforcement will deport you and they will take your visa away and will return you to Juarez. You are going to stay without anything, without me, without a visa”. He would always tell me that. He had a very easy way to manipulate me in that manner.

Indeed, for this reason, undocumented victims express limiting the number of public outings to manage the fear of deportation. Kay expressed, “I try to go out only for the necessary things”. In order to minimize the risk of being stopped by law enforcement who may ask about their legal status immigrant survivors in this study take certain precautions. Andy agrees, “Well I try to minimize how much I go out, I do not go out much, I only leave for the necessary things such as to and from work”. Likewise, Meg expresses how she takes the bus because she would not want to risk driving a vehicle but that she was, “still scared they would arrest me for my appearance”. This affects the amount of mobility these victims engage in public, challenging the ways in which they seek help to recover from domestic violence. Additionally, although none expressed specific knowledge of laws and legal rights, immigrant survivors were aware of what had to be done to not be detected as well as what they could not access because of their limited status. Thus a way to navigate as an undocumented individual, immigrant survivors of domestic violence, constrict their mobility which had consequences for recovery, although there is still fear of being racially profiled.

Examples like this demonstrate how the abusive partner would use law enforcement entities to convince the immigrant victim of domestic violence that it did not matter what kind of help was sought. Immigrant victims believed law enforcement, whether local and/or federal, was going to be there and it was not going to be a favorable outcome. Situations like Jill’s show that at times when the immigrant victim is ready to leave the abusive relationship, it is hard to decide who to call for help or where to go when no one seems to help, or at least that what these victims have been forced to believe. Our study agrees with Erez and Hartley (2003), who discuss that the immigrant context in which these victims live

within involves cultural and legal cultures that obligate them to continue in the abusive relationship, are unwilling to report the abuse, and do not cooperate with any judicial proceedings.

Perceptions of deportation laws and legal rights whether true or not, lead respondents to act in certain ways and/or take certain precautions while living without proper documentation in this community. This demonstrates how fear is a factor that limits immigrant victims of domestic violence to seek help from law enforcement and social services. Immigrant victims are misinformed by their abusive partners regarding law enforcement law and legal rights. In addition, restrictive state level laws, such as those in Arizona, and the media attention they receive also create negative perceptions of law enforcement personnel for immigrant victims of domestic violence. Menjivar and Bejarano (2004), discuss factors that specifically influence immigrant's perceptions of crime and the police. One is the perceptions of the judicial system in their country of origin and the early experiences with border law enforcement officers that spill into those of other law enforcement. In this study, it is observed how these perceptions create expectations regarding interactions with law enforcement. In fact, it can be acknowledged that past experiences do influence perceptions and those early experiences with law enforcement affect perceptions of other law enforcement.

3.3 Immigrant survivors navigating their undocumented status

While some expressed fear about leaving the house, others used a set of tools to be able to leave the house while still protecting themselves from deportation. For instance, many expressed how they managed to commute daily without getting stopped simply by abiding by traffic law so as to evade any attention from law enforcement and/or border enforcement personnel. For example, Kim states, "Well I follow all the laws here, all the laws, to not make a mistake". Mel similarly explains, "I try to do things right so that we do not get caught. If I leave in the car, I put my seat belt on so that the police does not stop us and asks for our documents". Correspondingly, Erica shared that although she fears getting stopped by law enforcement she still has to go out in public and does so following the traffic laws:

...Every time I get into my car I am scared, very scared! I try to not make mistakes...I try to follow the law, I drive with a lot of caution, I am very careful although my situation does not permit me for the most part I am very fearful. It is because of the nerves I get from driving with caution.

Immigrant survivors of domestic violence expressed awareness and knowledge of at least traffic laws that could possibly affect their lives as immigrants. This information helped them to adapt and be able to move within the community carefully, so as to not get detained by either local and/or federal law enforcement. It is particular for immigrant survivors of this study who are pending legal documentation under VAWA. As a result they are obligated to adapt to these cautionary behaviors. Additionally, in the border region the presence of federal law enforcement in immigrant and throughout the city is not uncommon. This creates a fear among undocumented that can be dangerous for those seeking to recover from domestic violence.

In addition, several survivors are aware of laws in other states such as the Arizona SB 1070, Support Our Law Enforcement and Safe Neighborhoods Act. For example, Joy explains how she figured she had to become cautious of law enforcement, "...I would hear in the news that a police officer could not ask you so many questions. Like for proper legal documentation while in other places they would". This act has been one of the strictest anti-immigration acts that allowed Arizona state law enforcement officers to stop individuals for suspicion of being undocumented where they can detain and arrest undocumented individuals for up to six months, fine them up to \$500, and deport them (S. 1070, 2010; J. Heyman, 2010; N. Michaud, 2010). The Arizona House Bill 2162 (2010), modified the incarceration time to twenty days and the fine to \$100 for first time offenders. As well as prohibit prosecutors to consider complaints that were based on race, color, and national origin. Recently, in June 25, 2012 the Supreme court upheld several plans of the Arizona HB 2162, stating Arizona state police could investigate the immigration status of an individual stopped, and could detain and arrest without warrant

if there was any reasonable suspicion the person has no legal status, but did not allow the state of Arizona to introduce new immigration rules (AZ v. U.S., 2012).

Eva demonstrates some knowledge of this law and how it can potentially affect her life if similar laws are passed in Texas, “Well, right now am surprised by the law in Arizona. The laws that are being passed in other places, I say, we have to be more careful”. Ema, also expresses knowledge of laws where she can be stopped and detain because of her lack of legal status yet she manages to live with the daily fear, “...the state of being scared does not exist for me. I’m not scared. I used to be scared, but am not scared anymore. Why for? I do not doing anything illegal that would cause immigration law enforcement stop me”. Juan is also aware that there are laws being passed in other states in the country, “...well you know about the laws that are changing and well in some states you hear there are many deportations that even the police at times asks for documents...”. Contrary to the events in Arizona, where a stop, detain, and deport immigration policy obligated local law enforcement to ask about legal status in the country, interactions with law enforcement in the El Paso border region demonstrate otherwise.

3.4 Interactions with local and federal law enforcement

Immigrant survivors of this study had certain expectations of what an experience with a DHS officer and/or police officer would be like, yet their actual experiences did not meet those expectations. Numerous attempts to implement policies and procedures to limit migration to the U.S. have let to negative perceptions of DHS immigration enforcement personnel as well as the local police. For example, Operation linebacker, which increased the number of local border enforcement patrols and most recently the “Secure Communities”, a program to enforce immigration law through checking of fingerprints. These policies and procedures have implications for victimization and recovery from domestic violence. Paty, for instance, stated that she is scared to be out in public but when she was, “waiting for the bus, those (border patrol agents) that ride the bicycles passed by, I do panic some but I

try to not show it”. Juan agrees, “... when I first arrived I was very scared...I would see, for example, an immigration border enforcement close by, that would pass by, and I would get nervous, I would get very scared”.

Immigrant survivors of domestic violence expressed fear of the abusive partner calling law enforcement to have them arrested and then deported, although actual interactions with the local law enforcement have demonstrated that law enforcement actually does not punish the victim at all. The immigrant survivors reported supportive interactions from the police officers stating they helped them and respected their victim rights. A requirement to get into the shelter is to be brought by a police officer. Cris states how the police officer mentioned, “...your rights, which are your rights whether American citizen or not”. Similarly, Ida shares her experience the day she was stopped by police for traffic violation, “That day the police treated me well. I asked them what I was supposed to do. I was very scared, so then the man (police officer) tells me, “look immigration law enforcement is behind” (stating that he could have her detained if he wanted to do so...but) he only gave me a traffic ticket”. Incidents such as this one also happened with interactions with sheriff officers. Kit, for instance, besides being undocumented she only received tickets for no insurance, expired registration and inspection stickers, and no driver’s license.

Even when stopped and questioned by immigration agents the undocumented survivors did not experience being detained or deported. Contrary to perceptions though, immigration enforcement personnel provided unexpected experiences to the immigrant survivors. Such is the case of Lety who has had a couple of encounters with federal law enforcement. Specifically, she states, “...one time I was stopped in downtown area, but the immigration law enforcement officer did not ask me anything. He only asked me for a driver’s license and, I told him I did not have a license. He looked at the children behind, and told me, “I am not going to do anything to you, leave” and that was it”. More recently, Lety

had her second encounter with a border patrol agent, who stopped her near the bridge while she was on her way to pick up her sister,

They (border patrol) asked me for a driver's license...I told them I did not have a license...because I did not have legal citizenship. They had asked me for my passport, well I do not have one. And then they called whoever was in charge. I told him I was in a shelter. I showed him the paperwork and he said, "Ok this time I will let you go, just do not be driving.

At times other legal agencies get involved in the domestic dispute and get DHS involved. Such is the case of Juan, another undocumented survivor of domestic violence. After his spouse's probation officer calls DHS to come pick him up due to his illegal status in the country, when speaking with the immigration law officer he asks him about his status,

"You have pending resident process?" I told him I did. He then tells me, "Do not worry when your wife finishes with her probation" because she needed two more years, "when she's done you can petition again for your legal status".

Even at border check points the undocumented survivors felt relieved. For example, Amy recounts her experience at the Border Patrol checkpoint after abusive partner obligated her to travel outside the county into northern U.S. even after she had expressed her fear of getting caught and deported,

...the police officer (border patrol agent) asked if we were all citizens. He (her husband) told him no but that I was his wife and those were his children...the border patrol agent regrettably told us that we would not be able to travel...and we came back. He said you cannot pass, and that was it.

This demonstrates that although in other parts of the southern U.S. border, local and federal law enforcement although perceive negatively is educated on domestic violence and the rights of victims.

On the other hand, other undocumented victims/survivors were not as fortunate. This is the case of those with interactions with U.S. customs agents at port of entries. Jill explains her situation every time she would cross the bridge from Juarez, Chihuahua, MX,

He (US Customs agent) asked me questions such as: “who are you going with, how many times do you pass, why do you pass, do you have money with you, why don’t you have money with you”...He made me feel uncomfortable. He made me feel bad...He made me record my fingerprints for nothing...and he would speak to me in a bad mannered tone, very bad mannered.

Likewise, Lil also has an unpleasant experience when she felt at their mercy after U.S. customs agents handcuffed her and took her into custody to question her and take her thumbprints even after she had shown her visa and answered questions about her citizen husband, “...it was uncomfortable because it is embarrassing, that even though you have a visa, they take your fingerprints, it’s embarrassing to be handcuffed and taken inside like a criminal”. Alike, Joe, also shares a similar story after being stopped and taken into custody, “... they (officers) psychologically pressured me to sign a voluntary exit. I told them I had my attorney and they did not care. They still wanted me to sign the form telling me that it would not affect my record.” Others felt minimized after their experiences with immigration officers. Amy recounts her experience with an immigration officer, whom she felt mistreated her when she was attempting to renew her student visa,

The immigration officer tells me that I am not able to meet my expenses. I responded no because my ex-husband gave us (her children and her) child support. He (officer) asked about that paperwork but my ex-husband had it because we had been told that he did not have to come or bring anything. Then the officer yells at me, “forget what the other officer told you”. He (officer) then took my approved paperwork and ripped it apart.

These are some examples why immigrant survivors create negative perceptions of law enforcement. Even before they get to the U.S. they have already been mistreated by immigration law enforcement officers. As a result, the undocumented survivors of domestic violence believe they will again be mistreated if they ask for help from law enforcement. These experiences along with threats of deportation by their abusive partner create perceptions of future experiences with law enforcement.

3.5 Complications for recovery

Besides the lack of documentation status, the main struggle for all immigrant survivors deals with limited resources. All survivors expressed becoming economically independent was the biggest challenge after leaving the abusive relationship. Immigrant survivors state it is difficult to obtain a stable job because of lack of a social security number and limited English skills. Economic independence is a significant resource that immigrant survivors need to recover from domestic violence. When asked how things become complicated due to the fact of being in foreign country, Ema's statement generalizes how unemployment and lack of proper documentation creates more difficulties for the immigrant victim,

... I cannot do anything. Legally I cannot work. Legally I cannot drive. I cannot do anything; absolutely anything...I am tired to be told that I cannot, because I do not have a social security number. When Diego was younger we were under the El Paso Independent School District, I was literally taken out (of the school), because I did not have a social security number. I could not volunteer anymore. I say literally because they went into the classroom and told me that I had to stop volunteering because I did not have a social security number.

Even volunteering is a problem with a social security number which is symbolic of the difficulty to have access to formal institutions.

Less than half of the immigrant survivors had a job, and all made less than 10,000 a year. Several expressed having to work only for limited time because they did not possess proper documentation.

When asked about employment Ann stated,

Well I would work, in fact. I would work in restaurants but only for a while because they would ask, "well do you have your documents (legal citizenship and social security number)". I would tell them, "yes tomorrow". I would tell them on and on, every time the asked. Sometimes they would forget and they would not ask for anything. And so I would stay there longer, but the fear that they would ask for my documentation (legal citizenship and social security number) always

remains. When they would ask and I had no other choice but to bring them, well I would not return to work.

Furthermore, the fear of being caught working without a permit was also a reason some did not work and those who were working did so in fear. Lisa expresses, “My only risk would be at work. I was scared that immigration law enforcement would go there (to her workplace).” Similarly, Jill states, “I do not take the risk to ask for employment where I know they are going to ask me for documentation (legal citizenship and social security number), so instead taking the risk I just don’t”. The disappointing issue at hand is that many of the immigrant victims would have sought help to leave the abusive relationship if they had been employed because they would feel independent rather than be economically dependent on the abusive husband.

Considering that these immigrant survivors of domestic violence already had some access to resources via their involvement with CAFV such as applying for a legal status under VAWA, they experienced additional obstacles such as renting an apartment and attending school as well as access to healthcare. Jess stated her frustration at not being able to enroll in college and when she finally did so, paying for it was a challenge because she could not be employed due to her lack of paperwork. Amy also had difficulty leaving the abusive relationship because she could not get an apartment, “I used to live in apartment with my international student visa, but when I came back the person told me that even though I was a good tenant I would still need a social security number, so I got discouraged”. Therefore, not qualifying for a social security number affects the recovery from domestic violence in some ways: 1) you need a social security number to work in the formal labor market, 2) to be part of the social environment and 3) even to be able to rent an apartment.

In addition to lack of legal citizenship status, most immigrant survivors lacked official identification, which they felt necessary to mobilize within the public space without fear of being detained and deported. This impedes the immigrant victims to be able to leave their homes to ask for

help. Those that did have a driver's license were from New Mexico, where it is not necessary to have a social security number for a driver's license or state identification. The lack of official identification is a concern expressed by the survivors. Possession of a simply identification card provided immigrant victims a sense of security if stopped and asked for legal documentation. For example, Aly explains, "I have not been able to get a driver's license, since I do not have legal documentation (legal citizenship and social security number). They cannot help me with a driver's license not even an identification card."

In Texas, where the study takes place, a person who is applying for a state identification or driver's license must have legal status. According to the Texas Department of Public Safety, a person who wants to apply for a Texas identification card or driver's license must present several documents demonstrating their legal citizenship status such as proof of a social security number and completing an application that asks for citizenship status and place of birth among other questions. Another form of identification offered by the Mexican Consulate is a "matricular consular" which is a document demonstrating that the individual is residing in the foreign country and registered. In order for an immigrant to obtain a matricula consular, they must have proof of Mexican citizenship, proof of identity, and proof of residency within the zone belonging to that Mexican consulate. An identification card is of great importance to the immigrant survivors because it allows them entry into contracts such as rental agreements and interactions with law enforcement.

3.6 Factors that facilitate recovery

One of the most unique findings of this study was the way immigrant survivors exercised a camouflage strategy to prevent them from being identified as an immigrant and thus to blend in as U.S. citizens. Eva's tactic for moving around without fear of getting deported is to,

Act normal. My problem was that I did not have identification. I begin to act normal to the point that I could be sitting in a place where there was an immigration law enforcement officer or

police officers and act as if nothing was wrong. It is difficult to try to act like this, but one has to do it to protect one's self.

For many, having left their abusive homes had been a challenge accomplished, yet in order to continue to receive services for recovery of domestic violence they had to continue to move in public without being stopped. Immigrant survivors had to learn to engage in these behaviors, in order to not get caught in situations where they could possibly be detained and deported.

Another main finding of this study that helps in the recovery of domestic violence is the accessibility to safe places like the CAFV shelter. The immigrant survivors interviewed were already at a safe place, where they are going to be assisted with guidance and necessary services to recover from domestic violence. One of the reasons why this works out for those receiving services at the 24-hour emergency shelter is that having legal citizenship status is not a requirement. The only requirement to be accepted to the shelter is that the individual(s) must be in danger and/or homeless due to a domestic violence situation. This is contrary to other shelters in the nation where it is necessary that the victim speak English and provide some kind of proof of legal status, such as the case of the Vietnamese American population documented in the Bui and Morash (1999) study. Here in the border region, Latina/o immigrants do not face language or citizenship barriers.

Another factor that facilitates the recovery from domestic violence for immigrants is the VAWA federal law. Many immigrants are initially unaware of the VAWA at first. When the immigrant victims learn of VAWA they are relieved that they did not have to depend on their abusive partner for help with their immigration status. Such is the case of Lori, who had started the legalization process under her abusive partner but can now self-petition under VAWA.

Immigrant survivors of domestic violence interviewed expressed three major events that facilitate their road to recovery. Immigrant survivors create survival skills by limiting their presence outside their home/shelter camouflaging with their appearance, and/or learning the language and culture

to decrease their risk of getting stopped by local and federal law enforcement. Also, the requirements to enter the shelter are generous for immigrant survivors. In this way, immigrant victims seeking help do not have to be concerned about requirements of legal status or language skills. Additionally, many times the best news immigrant survivors of domestic violence receive is that VAWA can help them to remain in the U.S. legally. These things make the recovery for domestic violence easier for immigrant survivors of domestic violence.

3.7 Summary of findings

The findings highlight the process in which immigrant status affects the recovery from domestic violence victims. Contrary to the victims of domestic violence who have a legal status, those that are undocumented are largely unaware of domestic violence laws and services. Additionally, the lack of proper citizenship documentation reduces their access to the formal labor market necessary to be economically independent from the aggressor. Additionally, undocumented victims face cultural, educational, social, and emotional issues due to their legal status. Consequently, undocumented immigrant victims have limited social and human capital resulting in structural limitations to be liberated from the violence at home. The following figure illustrates the major findings of my study (figure 2).

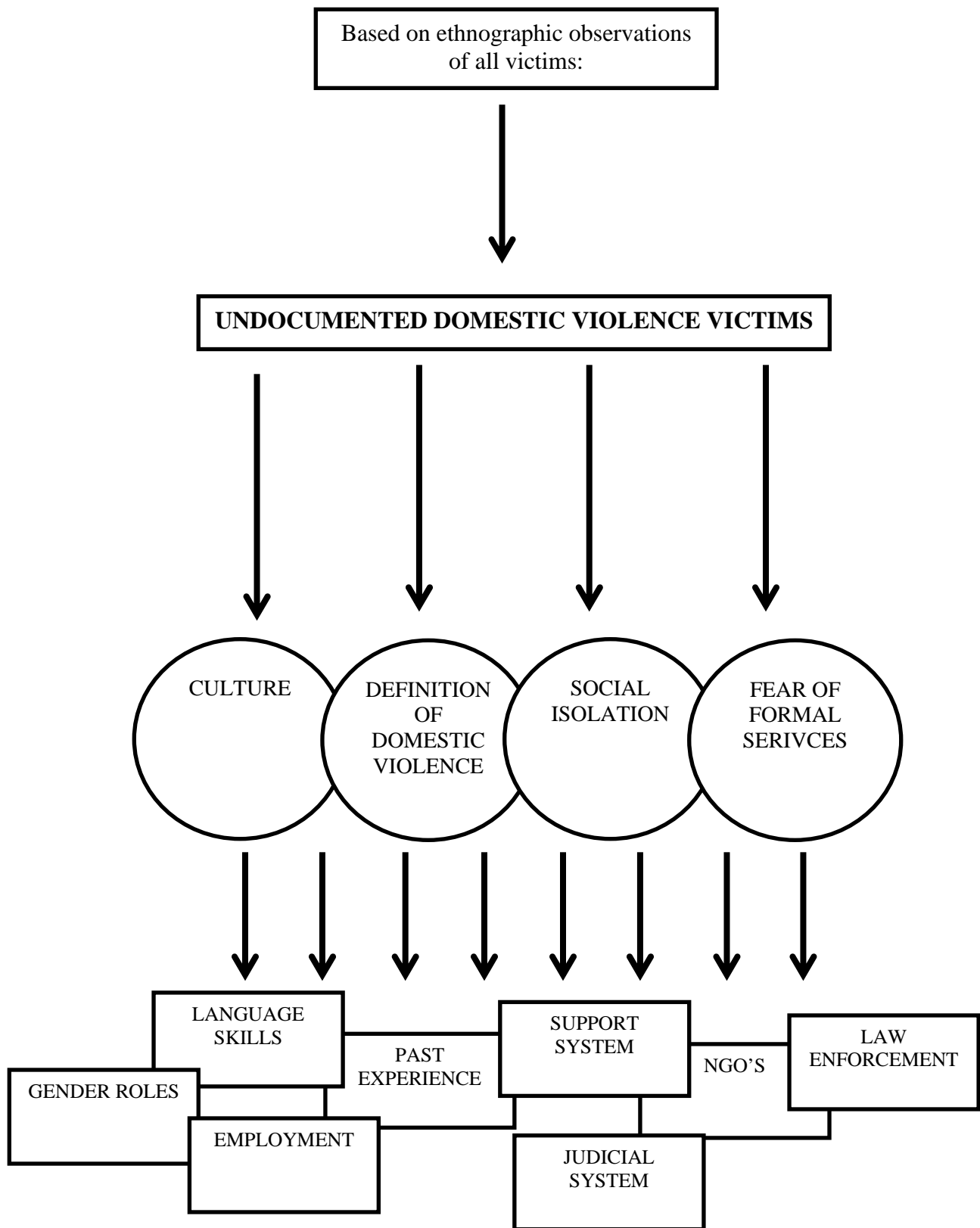


Figure 2 Findings

Chapter 4: Conclusions

In their report to the U.S. Department of Justice about experiences and challenges of immigrant battered women, Erez and Ammar (2003) point out the way in which asking for help can end in “compris(ing) their ability to resist the violence or to create opportunities to rebuild themselves and attain safety and security” (p. 9). In this study, I analyze how the legal status of the abusive partner affects the domestic violence experience. Also, I examine the perceptions of rights from the immigrant survivors of domestic violence. Similarly, I investigate perceptions of local and federal law enforcement, in this case the El Paso Police Department and DHS Border Patrol, ICE, and CBP, border enforcement departments, affects recovery from domestic violence among immigrant victims. Lastly, in addition to the obstacles to recover from domestic violence, I also examine the factors that facilitate recovery.

A major finding concerns the process by which being undocumented complicates the recovery from domestic violence. Throughout the interviews fear was an expressed reoccurring theme. Immigrant survivors of domestic violence feared the deportation threats of their abusive husbands would become a reality. Similar to Raj and Silverman (2002) who state, “for undocumented immigrant women deportation is a constant threat that batterers can use against them” (p.375). Compounding the influence of the lack of citizenship status on victims/survivors’ recovery from domestic violence are border control initiatives. Undocumented victims have limited mobility within the border community which instills fear in undocumented individuals seeking recovery from domestic violence. Border control measures, such as border check points and the presence of Border Patrol throughout the city prohibits them from moving within a set freedom to get the tools for the recovery of domestic violence. The regulation of movement of the immigrant population through inspections of legal documentation (Nunez & Heyman, 2007), generates this atmospheric fear. This surveillance tactic, of patrolling and road blocks to check for legal status, that is used in policies to regulate the mobility of the immigrant population (Meghan & Wonders, 2009), yet the government has no problem allowing the flow of goods and products (Brown &

Bean, 2005). Hence, immigrant survivors of domestic violence deal with certain perceptions of their rights and of law and border enforcement too.

Supplementary findings further illustrate the process in which immigrant status affects the recovery from domestic violence. The vulnerability of immigrant survivors of domestic violence because they are in a foreign country creates opportunities for abusive partners to exercise more control over them (Anderson, 1993; Raj, 2002). Menjivar and Salcido (2002) agree that the immigrant experience enhances the domestic violence because of restrictions such as that of language, familial and community supports, lack of employment, limited legal status, and experiences with law enforcement in their country of origin. This study demonstrates support for this data. In addition, actual interaction with local and federal law enforcement for the most part is a positive experience with the Border Patrol and ICE but differs with encounters with negative experiences with CBP agents; this is in comparison to the negative perceptions of immigrant survivors of domestic violence. This demonstrates that although immigrant survivors have negative misconceptions about calling the police for help or getting detained and deported by Border Patrol when attempting to go out to get help for the recovery of domestic violence, it shows immigrant survivors of domestic violence in this border region are safer than they think. This is because the local and law enforcement have revealed to be knowledgeable about the rights of immigrant victim of domestic violence.

Similar to other research, this study supports that lack of familial support, economic dependence on the abusive partner, sexism, fear of deportation, US citizen born children, lack of social services (i.e. education, public healthcare, employment, housing, etc.), and past experiences with law enforcement in their country of origin places this population in a vulnerable state (Kasturirangan & Krishnan, 2004; Erez & Hartley, 2003; Raj & Silverman, 2002; Menjivar & Bejarano, 2004; Hass et al., 2000). This concerns another finding in our study, the obstacles formed for immigrant survivors to recover from domestic violence. As Erez & Ammar (2003) suggest, it is a combination of mistrust for government entities,

ignorance about law, and manipulation from their abusive partners that mislead victims to continue in the abusive relationship. Therefore, it is not easy for an immigrant survivor to leave the relationship and many times takes trying to leave more than once for the survivors to eventually get help. Our study also found that there is mistrust and ignorance about the law entities in this border community, mostly due to the control of abusive partners and the misinformation that is given by them to immigrant victims. At times this fear of law entities increased when combined with the past experiences the immigrant survivors' interviewed had with immigration law enforcement. Immigrant survivors of this study felt relieved when receiving the necessary resources for recovery of domestic violence. Since the recovery is facilitated by agencies such as CAFV because they have no requirements that involve any formal document or that you speak English.

The VAWA, first passed in 1994 (Tiefenthaer , Farmer, & Sambria, 2005) to enhance the protection of abused women as well as the cooperation with advocacy services with the criminal justice system (Eres & Ammar, 2003) assists in allowing them to legally continue residency in the country. This law allows immigrant survivors of domestic violence to self-petition for a legal status if they were married to a citizen or lawful permanent resident and for those whose abusive partner had no legal status, it allows applying for a temporary type of visa. In this study immigrant survivors of domestic violence are also able to stay in the country despite their limited legal status because the VAWA helped them so. It did not matter if the immigrant survivor was married to a partner with a status or not, because they could still qualify for VAWA relieve. Immigrant survivors of domestic violence in this study were able to take advantage of these helpful resources despite their limited knowledge before entering CAFV.

A limitation of this study is the challenge to recruit immigrant survivors of domestic violence for several reasons which in turn influences the generalizability of the findings. One of the concerns is the recording of interviews. Although, they had volunteered there was still some hesitation to answer some questions. Immigrant survivors of domestic violence were notified that they can refuse to answer any

questions they did not feel comfortable with. Another impeding factor was the content of the interviews. Questioning the survivor's immigration status and experiences meant exposure to intimate parts of the immigrant survivors of domestic violence life. Immigrant survivors of domestic violence broke down during several specific questions of the interview, while others made fun of their responses. Furthermore, immigrant survivors of domestic violence felt insecure about sharing their thoughts regarding their experiences as undocumented immigrants in this country. Madison (2005) discusses the importance of acknowledging the attitude and demeanor of the Immigrant survivors of domestic violence as well as keeping in mind rapport, anticipation, active thinking and listening, status conferences, and probing. This helped while conducting the interview, because I was able to stop and given the immigrant survivors of domestic violence time as well as acknowledge and validate their emotions and thoughts.

As alluded to above, a limitation is that the data is based on a convenient sample. The population in this sample represents those immigrant survivors of domestic violence who have sought and are receiving services for their recovery of their violent relationships. It does not account for other in the shadows that are too fearful to ask for help. Researchers have continuously stated the importance of exploring this under represented population (Castro et al., 2006; Menjivar & Salcido, 2002; Bui & Morash, 1999, Raj & Silverman, 2002).

Future research should interview law enforcement officials about their perceptions of domestic violence situations as well as any interactions they had with immigrant domestic violence victims. These interviews would also include question what kind of knowledge they have about domestic violence and the immigrant community. It would be interesting to combine the experiences and knowledge of law enforcement with those of the immigrant domestic violence survivors when it comes to rights. Interviews with law enforcement would be combined with interviews key roles in the criminal justice system such as judges, attorneys, and probation officers. The social services advocacy

community should also be included; perhaps they have specific insight as well as outside perspective into some of the obstacles the immigrant population faces regarding recovery from domestic violence. These interviews include significant individuals in the community who at some time or another can make a difference in helping an immigrant survivor of domestic violence recover from their abusive relationship.

Another topic for future research involves the children in domestic violence situations. Children were a recurring theme not explored in this study. Further study on impacts domestic violence has on children and when their abused parent recovers from the domestic violence. A lot of times, the abused victim does not leave the relationship until the abusive partner turns to the children, until then will they leave and at times taking all the necessary risks. Exploring the idea of whether they have any impact on the decision to leave for the abused immigrant partner would be of value to this study. Addition of more men in the sample would also add a different perspective to the present literature regarding domestic violence specifically in the immigrant community. Moreover, interview with the immigrant community in general about domestic violence will complement this study because it will give information about the networks formed to pass along information about laws and services that affects the immigrants. This additional information will give insight to any support within the immigrant community regarding domestic violence.

In summary, I examined factors that affected the recovery of immigrant victims of domestic violence in the border region. The immigration status of the abusive partner affects domestic violence of the immigrant survivors because of the abuser's threats to have them deported if they do not do as they are told. Further, I explored the perceptions of immigrant survivors of domestic violence and how this creates fear for them to move about their community to receive the necessary services. Even though the victims are under high levels of stress, immigrant survivors employ tactics to navigate their citizenship status and their recovery. In particular, immigrant survivors engage in a camouflaging technique to

prevent law enforcement to stop and inquire about proper documentation. When immigrant survivors of domestic violence do interact with law enforcement despite perceptions of negative encounters, El Paso police and Border Patrol agents are sensitive to issues of immigrant victims of domestic violence. An exception is with CBP agents, for which immigrant survivors of domestic violence interviewed reported negative interactions. There are four difficulties immigrant survivors expressed they experience when attempting to recover from the domestic violence: unemployment, proper documentation, housing, and economic needs. On a positive note, there are three major things expressed by the immigrant survivors that facilitate the recovery from domestic violence: One is that CAFV does not require any proper documentation, two is that CAFV does not expect for them to speak English when accessing services, and last there is VAWA that allows immigrants survivors of domestic violence to obtain a legal status in order to retain residency in the country. Although, resources for this population have become more accessible with time, it is important to continue studies in order to further enhance and speed up the manner in which they have access to a safe recovery in particular for those victims who are still in the shadows.

4.1 Administrative policy recommendations

In this section I make policy recommendations to practitioners based on my findings. There are solutions to improve and possibly speed up the recovery from domestic violence for immigrant victims. Agencies that offer services for domestic violence should facilitate the recovery process by eliminating the language barrier immigrant victims encounter. For example, if possible, agencies should have a bilingual staff. Another solution is to have a protocol or directory of available translators. In addition, translation services should be available for immigrant victims as well. Translation services could smooth out and facilitate the experience of divorce, child custody, criminal and/or other civil cases for immigrant victims and their families.

Additionally, recovery would be likely if shelters for battered families did not have strict entrance requirements. Shelters offering services for immigrant domestic violence victims should not ask for requirements to receive help; such as legal status, identification, police report, or even gender. The only requirement should be a domestic violence outcry. Of course, this would demand agencies to have an assessment like interview to establish victimization has occurred.

Another suggestion is the implementation of outreach educational programs, in the appropriate language, to reach the immigrant community. For example the random digit telephone survey conducted in California by Sorenson (2006); found that immigrants do know domestic violence is illegal soon after their arrival. I suggest that outreach programs be developed to explain the judicial system including criminal and civil proceedings as well as law provisions like the V.A.W.A. Also education programs should focus on what is considered domestic violence and the services provided by social agencies like counseling and the shelter.

It is also important to educate the professional community about dynamics of domestic violence and immigration. This professional community would include those that interact with immigrant victims at some point of their recovery including, social workers, attorneys, judges, local and federal law enforcement officers, healthcare workers, and even probation officers. This is of significant importance because it would not matter from where or what type of assistance the immigrant victims would be receiving, the victim would be able to feel empowered if there is consistency in the services sought.

Finally, court advocacy would be another tool recommended to facilitate the recovery of domestic violence for immigrant victims. Social service agencies would have a staff member who is a liaison between the agency and the courts. This would mean the immigrant victims would have guidance about the complex U.S. judicial system on their path to recovery. As part of this court advocacy component it would also be helpful to include a paralegal that could help in the proper documentation for legal proceedings such as self-petitioned protective order and divorces as well as with any V.A.W.A.

paperwork. Similarly, the social service agency would also include an attorney. This attorney could provide assistance in questions about the law and if needed for representation of cases for the immigrant victim.

The implementation of such recommendations would not only facilitate the immigrant victim's recovery from violence but also encourage victims to report the abuse. The administrative policy recommendations include the following: 1) access to the immigrant's native language; 2) only requirement for entry into emergency shelter to be a domestic violence outcry; 3) educational outreach to reach the immigrant community; 4) educating the professional community that interacts with immigrant victims; and 5) implementation of a court advocacy program. These policy suggestions will help for the undocumented victim to transitions from victim to transitions from victim, to survivor, to being liberated.

References

- Anderson, M. J. (1993). A license to abuse: The impact of conditional status on female immigrants. *The Yale Law Journal*, 102, 1401-1430.
- Brown, S. K. & Bean, F. D. (2005). International migration. *Handbook of Population*. D. Posten & M. Micklin (Ed.). New York: Kluwer Academic/Plenum Publishers.
- Bui, Hoan N. and Morash, Merry (1999) Domestic violence in the vietnamese immigrant community: An exploratory study. *Violence Against Women*, 5, 769-795.
- Casas, M. J., & Cabrera, A. P. (2011). Latino/a immigration: Actions and outcomes based on perceptions and emotions or facts? *Hispanic Journal of Behavioral Sciences*, 33, 283-303.
- Castro, R., Garcia, L., Ruiz, A., & Peek-Asa, C. (2006). Developing an Index to Measure Violence Against Women for Comparative Studies between Mexico and the United States. *Journal of Family Violence*, 21, 95-104.
- Cunningham, H. & Heyman, J. M. (2004). Introduction: Mobilities and Enclosures at Borders. *Identities: Global Studies in Culture and Power*, 11, 289-302.
- Davis, R. C. & Erez, E. (1998). Immigration populations as victims: Toward a multicultural criminal justice system. *Research in Brief. National Institute of Justice*.
- Dobash, R. P. & Dobash, R. E. (1981). Community Response to Violence Against Wives: Charivari Abstract Justice and Patriarchy. *Social Problems*, 28, 563-581.
- Edelson, M. G., Hokoda, A., & Ramos-Lira, L. (2007). Differences in Effects of Domestic Violence Between Latina and Non-Latina. *Journal of Family Violence*, 22, 1-10.
- Erez, Edna, Adelman, Madelaine, and Gregory, Carol (2009). Intersection of Immigration and Domestic Violence: Voices of Battered Immigrant Women. *Feminist Criminology*. 4, 32-56.
- Erez, E., Ammar N., Orloff, L., Marin, L. & Pendelton, G. (2002). Violence against Immigrant Women and Systemic responses. A report submitted to the National Institute of Justice, Washington DC.

- Erez, E. & Ammar, N. (2003). Violence against women and systemic responses: An exploratory study. A report submitted to the National Institute of Justice, Washington DC.
- Erez, E. & Hartley, C. C. (2003). Battered Immigrant Women and the Legal System: A Therapeutic Jurisprudence Perspective. *Western Criminology Review*, 4, 155-169.
- Fox, G. L., & Murry, V. M. (2000). Gender and Families: Feminist Perspectives and Family Research. *Journal of Marriage and Family*, 62, 1160-1172.
- Frias, S. M., & Angel, R. J. (2005). The risk of partner violence among low-income Hispanic subgroups. *Journal of Marriage and Family*, 67, 552-564.
- Gelles, R. J., & Cornell, P. C. (1983). *International perspectives on family violence*. Lexington, MA: Lexington Books.
- Hass, G.A., Dutton, M.A., & Orloff, L. (2000). Lifetime prevalence of violence against latina immigrants: Legal policy implications. *International Review of Victimology*, 7, 93-113.
- Hollenshead, J. H., Dai, Y., Ragsdale, M. K., Massey, E., & Scott, R. (2006). Relationship Between Two Types of Help Seeking Behavior in Domestic Violence Victims. *Journal of Family Violence*, 21, 271-279.
- Hondagneu-Sotelo, P. (1994). *Gendered transitions: Mexican experiences of immigration*. Berkeley, CA: University of California Press.
- Ingram, M., McClelland, D. J., Martin, J., Caballero, M. F., Mayorga, T., & Gillespie, K. (2010). Experiences of Immigrant Women Who Self-Petition Under the Violence Against Women Act. *Violence Against Women*, 16, 858-880.
- Johnson, M. P. (1995). Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence Against Women. *Journal of Marriage and Family*, 57, 283-294.
- Kasturirangan, A., Krishnan, S., & Riger, S. (2004). The Impact of Culture and Minority Status on Women's Experience of Domestic Violence. *Trauma, Violence, & Abuse*, 5, 318-332.

- Kurz, D. (1989). Social Science Perspectives on Wife Abuse: Current Debates and Future Directions. *Gender and Society*, 3, 489-505.
- Madison, D.S. (2005). *Critical ethnography: Methods, ethics, and performance*. Thousand Oaks, California: Sage Publications, INC.
- Massey, D. S., Arango, J., Graema, H., Kouaquci, A., Pellegrino, A., & Taylor, E. J. (1993). *Theories of International Migration: A Review and Appraisal. Population and Development Review*, 19, 431-466.
- Massey, D. S., Durand, J. & Malone, N. J. (2002). *Beyond smoke and mirrors: Mexican immigration in an era of economic integration*. New York: Russell Sage Foundation.
- Marger, M. (2009). Race and Ethnic Relations: American and Global Perspectives. In A. Ferber, C. Jimenez, A. Herrera, & D. Samuels (Ed.), *The matrix reader. Examining the dynamics of oppression and privilege*, (pp. 391). McGraw-Hill Higher Education.
- Menjivar, C. & Bejarano, C. (2004). Latino Immigrant's Perceptions of Crime and Police Authorities in the United States: A Case Study from the Phoenix Metropolitan Area. *Ethnic and Racial Studies*, 27, 120-148.
- Menjivar, C. & Salcido, O. (2002). Immigrant Women and Domestic Violence: Common Experiences in Different Countries. *Gender and Society*, 16, 898-920.
- Meyer-Emerick, N. (2001). The violence against women act of 1994: An analysis of intent and perception. Westport, CT: Praeger Publishers.
- Michaud, N. D. (2010). From 287(g) to SB 1070: The decline of the federal immigration partnership and the rise of state-level immigration enforcement. *Arizona Law Review*, 52, 1083-1133.
- Mittelstadt, M., Speaker, B., Meissner, D. & Chishti, M. (2011). Through the prism of national security: Major immigration policy and program changes in the decade since 9/11. *Migration Policy Institute*. Retrieved from <http://www.migrationpolicy.org/>.

- Núñez, G. & Heyman, J. M. (2007). Entrapment Process and Immigrant Communities in a Time of Heightened Border Vigilance. *Human Organization*, 66, 354-365.
- Pence, E., & Paymar, M. (1993). *Education groups for men who batter*. New York, NY: Springer Publishing Company.
- Raj, A. & Silverman, J. (2002). Violence Against Immigrant Women: The Roles of Culture, Context and Legal Immigrant Status on Intimate Partner Violence. *Violence Against Women*, 8, 367-398.
- Salcido, O. & Adelman, M. (2004). He has Me Tied with the Blessed and Damned Papers: Undocumented-Immigrant Battered Women in Phoenix, Arizona. *Human Organization*, 63, 162-171.
- “Secure Communities.” Accessed on January 30, 2012. http://www.ice.gov/secure_communities/
- Sorenson, S. B. (2006). Judgments About Intimate Partner Violence: A Statewide Survey About Immigrants. *Public Health Reports*, 121, 445-452.
- Support our law enforcement and safe neighborhoods act. S. 1070, 49th Legislature, 2nd sess. (2010).
- Support our law enforcement and safe neighborhoods act. S. 2162, 49th Legislature, 2nd sess. (2010).
- Tiefenthaler, J., Farmer A., & Sambira A. (2005). Services and Intimate Partner Violence in the United States: A Country-Level Analysis. *Journal of Marriage and Family*, 67, 565-578.
- Texas Violence on Family Violence. (2010). Abuse in Texas. Retrieved from <http://www.tcfv.org/resources/abuse-in-texas/>
- United States v. Arizona, 567 U.S. 11. (2012).
- Weeks, J.R. (1999). *Population: An introduction to concepts and issues* (7th. ed.). Belmont, CA: Wadsworth.
- Wright, E. W., Benson, M. L. (2010). Immigration and Intimate Partner Violence: Exploring the Immigrant Paradox. *Social Problems*, 57, 480-503.

Appendices

Appendix A: Demographic Survey

Participant No. _____

Are you seeking VAWA services? Yes/No

Gender:

- a. Male
- b. Female

Marital status:

- a. Never married
- b. Married
- c. Divorced
- d. Widowed
- e. Living together, not legally married

If married is your:

- a. Spouse present
- b. Spouse separate

Age: _____

Latina-origin: _____

Income:

- a. \$10,000 or less
- b. \$11,000 to \$20,000
- c. \$21,000 to \$30,000
- d. \$31,000 to 40,000
- e. \$41,000 or more

Employment status:

- a. unemployed
- b. part-time
- c. full-time
- d. self-employed

If employed, what is your occupation? _____

Education attainment in the US:

- a. less than 6 yrs
- b. 7-8 yrs
- c. high school diploma/GED
- d. Trade/ Vocational school
- e. Some college (at least a year of college)
- d. College graduate
- g. Graduate/ Professional degree

Education attainment in home country:

- a. less than 6 yrs
- b. 7-8 yrs
- c. high school diploma/GED
- d. Trade/ Vocational school
- e. Some college (at least a year of college)
- d. College graduate
- g. Graduate/ Professional degree

Born in the U.S? Yes/ No If not where? _____

Number of children: _____

What is part of town do you live in? _____

How long have you lived in the US? _____

How long have you lived in the El Paso region? _____

Appendix B: Interview Guide

Victimization

- How long have you been in this abusive situation? What are the factors that complicated you leaving the relationship?
- Why did you seek services from Center Against Family Violence?
- What is the most difficult issue for you? How does being in a foreign country complicate that problem?
- Does your partner use immigration status against you. Describe how. How does it make you feel?
- Is there anything that will prevent you from applying to the Violence Against Women Act program?
- Does your immigration status prevent you from fleeing from a dangerous situation?

Immigration

- What were your motivations to come into another country? What was the degree of difficulty?
- Tell me about your journey to the United States.
- Does your partner have a type status in the U.S.? If so, do you know what?
- Have you considered returning to your native country in the event things do not work out in the U.S.?

Mobility

- Tell me about your commute to the Center Against Family Violence for appointments.
- Have you had any encounters with immigration enforcement? Explain.
- Have you had any encounters with local or county law enforcement?
- How often do you go through border check points? What are your experiences?
- Do you ever cross the border into Cd. Juarez? What are your experiences?
- Have you left El Paso to another city in the U.S.? Why or why not?

Social Networks

- How did you become aware about the services offered by the Center Against Family Violence?

-In an emergency whom do you turn to? (I do not need any names). How did you meet this person? Is there anyone else that has helped you?

-Is there another organization besides Center Against Family Violence that has helped you deal with your family problems?

- Would you pass along any information to others about what you are learning from Center Against Family Violence?

-Do you have any questions for me?

Vita

Heryca Serna graduated from the University of Texas El Paso in the summer of 2004. During her last semester while finishing her undergraduate studies she began to volunteer at the Center Against Family Violence, Battering Intervention and Prevention Program. Upon graduating with a bachelor degree in psychology, she was employed by the same agency. From 2004 to 2009, she worked with families affected by domestic violence, from victims and their children to aggressors. She was accepted to the Sociology graduate program in the spring of 2009, in which she continued to research the domestic violence population. In the spring of 2011, she was a presenter at the Southwestern Social Science Association. Recently she also presented her research findings at the 2012 Women's History Month Conference at the University of Texas at El Paso.

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