

# Spotlight: Immigration

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## Inside Issue 2

- Learn how immigrant victims of domestic violence can gain legal status independently through a VAWA Self-Petition.
- **\*\*If you are a victim of domestic violence and you need help, call the National Domestic Violence Hotline at 1-800-799-7233. Services available in Spanish and many other languages. If you are having an emergency, call 911.\*\***
- Tips for safe summer travel.
- Staff announcements from Catholic Charities.

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## From Victim to Citizen: VAWA

Imagine you are an immigrant who comes to the United States to look for a better life. You marry someone who promises to love you forever. But suddenly, your wonderful spouse becomes cruel and violent. You want to leave, call the police, but you are afraid. You are just an undocumented immigrant, and this person has legal status. What if the police don't believe you? What if your spouse reports you to immigration? You wait, hoping things will get better, but the abuse only gets worse.

If you or someone you know is in this position, do not lose hope! There is a way to escape the abusive relationship AND get legal status without relying on help from the abuser. The path to escape is known as a "Violence Against Women Act self-petition," or VAWA for short.

To qualify for VAWA, the undocumented immigrant must be the victim of domestic violence from a spouse, parent, or child. If the immigrant can prove that abuse occurred, and that their family member has legal status, she or he may be able to apply for a "green card" *completely independently*. With the security of legal status from VAWA, immigrants can leave abusive relationships and begin safe, independent lives. And just like anyone with a green card, after a few years they can apply to become US citizens.

More important information about VAWA:

1. **Domestic Violence does NOT just mean physical abuse.** If your spouse pushes or slaps you, that is domestic violence. If your spouse controls your bank account, your phone, and your ability to leave the house, that is domestic violence. If your spouse constantly insults you, embarrasses you in front of other people, threatens to call immigra-



tion on you, and tells you that nobody will help you because you are "illegal", that is domestic violence! If you think you are in this position, contact an immigration attorney immediately.

2. To qualify for VAWA, you are not required to report the abuse to the police. Police reports and restraining orders can help you prove to immigration that you were abused, but you can also submit photos of injuries, letters from friends, family, social workers and therapists, text messages, hospital records, and more as evidence of the abuse.
3. You can include your undocumented children in a VAWA self-petition.
4. VAWA is available to female and male victims of domestic abuse.
5. **EVEN IF YOU HAVE ALREADY DIVORCED AN ABUSIVE SPOUSE, YOU MIGHT STILL QUALIFY FOR VAWA.**

Even if you have not yet applied for VAWA, do not be afraid to leave your spouse. Undocumented immigrants have a legal right to protection from abuse, and immigration officials will not usually deport someone with a valid VAWA claim. The most important thing to do is get help. If you are an immigrant victim of domestic abuse, please contact Catholic Charities at (414) 643-8570 ext. 4418.

## CATHOLIC CHARITIES OF THE ARCHDIOCESE OF MILWAUKEE, LEGAL SERVICES FOR IMMIGRANTS

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*The information presented in this newsletter should not be considered legal advice. Please remember that immigration laws and regulations can change at any time. If you have a question about immigration law, you should speak with an immigration attorney. To schedule an intake appointment at Catholic Charities, please call (414) 643 8570 x. 4418.*

## By the Way...

1. Catholic Charities has just hired a new bilingual therapist for the Milwaukee Area Office. **Nevada Myers Wesley**, a Spanish-speaking, licensed professional counselor, is accepting new patients. Call 414-771-2881 to schedule an appointment with her. Catholic Charities' Behavioral Health program accepts patients regardless of ability to pay.
2. We are pleased to announce the arrival of new staff attorney **Gaby Parra** at LSI. Gaby just graduated from the University of Wisconsin Law School, where she worked in the Immigrant Justice Clinic, as well as with Disability Rights Wisconsin. She is looking forward to working on a wide variety of cases at Catholic Charities.
3. Current Jesuit Volunteer **Vanessa Garza** will transition into a staff position as paralegal and outreach coordinator this summer. Vanessa is already a familiar face to our clients and looks forward to taking on more responsibility in her new role. She is replacing paralegal **Elizabeth Pierson**, who will start law school this fall after almost two years at LSI. She will miss her clients and coworkers, but looks forward to a new adventure.

## Tips for safe summer travel

Summer is a popular time to travel, but depending on your immigration status, it could be a very bad idea to travel outside the U.S. Please review the restrictions on your legal status before planning any travel. Here is a rough guide to travel for immigrants:

1. **Lawful permanent residents**, or green card holders, are allowed to travel outside the U.S. Bring your valid, unexpired passport and green card with you every time you travel internationally. And remember, you can actually lose your legal status if you remain outside the US for more than six months in one year.
2. If you have Deferred Action for Childhood Arrivals, or **DACA**, do not leave the country without a document granting you "Advance Parole." You will need to present this document to reenter the United States. You can apply to Immigration for this document if you need to travel abroad for humanitarian, educational, or employment reasons. You must apply
4. **IMPORTANT: if you do not have legal status**, you should not leave the US and you should exercise extreme caution if you must travel within the US. The Border Patrol, the offi-

ply four to five months before your travel dates, so plan ahead. Contact an immigration lawyer for more information.

3. If you do not have a green card, but do have DACA, the U Visa, VAWA, or **any other lawful immigration status recognized by the government**, you can travel legally within the USA. This includes destinations such as Hawaii and Puerto Rico, assuming that your travel does not involve stopping in other countries. To travel by plane you will need a valid photo ID, which can be your driver's license, employment authorization card (work permit), or passport. Make sure you carry proof of your immigration status.



cial border police force, has the right to investigate and detain persons they suspect of being undocumented immigrants. Be careful when driving near international borders, because the Border Patrol can stop vehicles in border areas, not just on the border itself. There is also evidence of Border Patrol officers boarding Greyhound buses to catch and deport undocumented immigrants.

**Have fun this summer, but be careful! No trip is worth the loss of your legal status.**

### Have you been arrested lately?



If you are a green card holder, or other lawfully present non-citizen, and you have had any contact with the police since you last left the U.S., consult an immigration attorney before making international travel plans. Certain criminal convictions can make you ineligible to reenter the U.S. This is a very complicated area of immigration law—do not take any risks!