THE RELATIONSHIP BETWEEN THE UNDOCUMENTED IMMIGRANT

BATTERED LATINA AND U.S. IMMIGRATION POLICY

"I feel at peace here, I don't want to leave"

By

DENISE L. MOWDER

A dissertation submitted in partial fulfillment of
The requirements for the degree of

DOCTOR OF PHILOSOPHY

WASHINGTON STATE UNIVERSITY
Program in Criminal Justice

MAY 2010

To the Faculty of Washington State University:

The members of the Committee appointed to examine the dissertation of DENISE L. MOWDER find it satisfactory and recommend that it be accepted.

_____

Faith Lutze, PhD., Chair

_____

Otto Marenin, PhD.

_____

Nicholas Lovrich, PhD.

Acknowledgements

It was a big decision to leave the courtroom, turn my back on the law, and make the classroom my future. This decision was influenced by many people along the way; however, Dr. Faith Lutze was instrumental in my original decision to come to WSU and truly was the driving force in my ability to finish this project. Without her vision and tenacity, I would not be at the place I am today.

Three years ago with the help of monies from the Thomas Foley Institute, I was able to begin my research into the lives and fears of undocumented battered immigrant Latinas in the Tri Cities area. I was able to start my research journey with the help of the Pasco Police Department, Domestic Violence Services of Benton and Franklin Counties, the Lower Valley Crisis and Support Services in Sunnyside, and in particular Mary Santoy, Rosa Aviles, Angela Alcosar, and Elena Ramirez. These victim advocates were invaluable in accessing victims of violence and it is their dedication to battered women that truly makes a difference. These women are rarely given their due course for the lives they save - I applaud them.

My parents, who have always been my biggest fans, have stuck by me throughout these past five years. My mother, Arlene Mowder, is my rock and my father, Jack Mowder, is my muse. Regardless of what curve in the road my life took, my parents were always there to support me. I am very privileged to have their love.

Two very important men in my life have weathered the day to day storms that occurred during my graduate school experience – my son Tony Mowder and my husband Juvenal Cortez. Without their love and support, I would not be the tremendous teacher that I am today…and of course there is Murphy the Beautiful Sheltie Dog…need I say more.

Dedication

To my son Scott who in life and in death will always be my main catalyst and forever in my heart.

THE RELATIONSHIP BETWEEN THE UNDOCUMENTED IMMIGRANT

BATTERED LATINA AND U.S. IMMIGRATION POLICY

"I feel at peace here, I don't want to leave"

Abstract

by Denise L. Mowder, PhD.
Washington State University
May 2010

Chair: Faith Lutze

In the United States currently 10% of all women are immigrants. Within this category are women who reside in the country in an undocumented immigrant status. This illegitimate status places these women in a precarious position of dependence on their spouse or partner. Federal immigration laws facilitate this dependence by mandating the filing of immigration petitions by the documented spouse, a process which allows them to become the immigrant's "sponsor." At this point, the immigrants in question lose complete control over their immigration filing status because the "sponsor" can decide when to file or withdraw a petition. For an immigrant woman who is also being abused, the result becomes a choice between enduring intimate partner violence (IPV) or facing deportation. Thus, the lives of this subset of "hidden" women are placed in jeopardy by the epidemic of IPV that permeates much of our society. Legislative changes in the 1990's pushed public officials to recognize the patriarchal origins of the law and create relief for immigrant battered women. This reprieve was short-lived however and mostly due to the aftermath of September 11, 2001 further changes were made in

regards to US immigration enforcement policy and the active employment of local law enforcement in federal immigration law enforcement.

This project looks specifically at immigrant battered Latinas and will directly address the following research questions: (1) does the fear of possible deportation negatively influence the undocumented battered Latina's decision to contact the police or other community agencies? (2) does undocumented immigration status place battered Latinas in continuing exposure to further victimization? and (3) what impact, if any, exists on the safety of undocumented battered Latinas when local police agencies participate in federal immigration enforcement. In particular, does the department's immigration enforcement participation influence the decisions made by battered immigrants?

Understanding when and why an abused immigrant woman will seek help from law enforcement will educate policy makers on how new immigration enforcement policies can influence the victims of abuse. This study will help legislators, law enforcement officials, and women's advocacy agencies to understand how to keep women and children safe while holding offenders accountable.

Table of Contents

LIST OF TABLES

CHAPTER ONE

"Looking at the unique challenges that confront immigrant women who may be experiencing violence forces people to realize that when we take these antagonistic approaches to immigration, we're putting women and kids at [the] greatest risk."

Anne Tapp

Currently, domestic violence is responsible for one-fifth of all violent crime within the United States, and translates into the victimization of 20% of American women by their intimate partners (Dobash, 2003). It is estimated that the corresponding injuries affect approximately 1.8 million women every year in the U.S. (Moracco et al., 2005). This high rate of violence results in more women being injured from intimate partner violence (IPV) than the combined injuries of car accidents, muggings, and rape (Raj et al., 2007; Rousseve, 2005).

The Latino population within the United States currently stands at 12.5% according to the 2000 U.S. Census; it is estimated that over half (52%) of all immigrants in the U.S. originate from Mexico or other countries from Latin America (Moracco et al., 2005). Existing research suggests that IPV is also a significant concern in the Latino population within the U.S. The 1985 National Family Violence Survey reported that 17.3% of Latino families living in the U.S. experienced IPV, while a survey by the National Violence Against Women Center found the rate of IPV incidences among Latinas to be 23.4% (Tjaden & Thoennes, 2000). Within this ethnic group are a subset of "hidden" victims who are immigrant and undocumented. They face a unique set of problems that increase their vulnerability to IPV because of their immigration status. These problems include language barriers, lack of familiarity with services, social isolation, negative experiences in their home countries with law enforcement, and a justified fear

of deportation (Bauer et al., 2000; Grossman & Lundy, 2007; McFarlane, Weist & Soekin, 1999). Although circumstances concerning IPV victimization and the decision to leave the abuser are similar across race and ethnicity, these decisions must also be understood within the context of a group's situation in U.S. society. For the immigrant Latina, IPV victimization is characterized by immigration status, acculturation, and socioeconomic disadvantage (Klevens et al., 2007). The research reported here is focused on this subset of victims, the undocumented immigrant, and their decisions concerning contacting law enforcement after suffering IPV or remaining silent and thereby invisible to the broader U.S. society.

Within U.S. society these undocumented IPV victims have very few options to escape their current abuse, and thus they experience a high degree of vulnerability to continued victimization which often increases in violence over time. Unlike other battered women, immigrant victims face a unique combination of problems - in particular, language barriers, intensified physical and cultural isolation, and fear of possible deportation. Arguably, fear of deportation can be directly related to the nature of the United States' immigration laws and administrative policies. For instance, U.S. immigration policies require that only the citizen spouse can file a pettition for legal residency (also called sponsoring), resulting in the citizen spouse being in absolute control of the immigration process as seen by the Latina victims of IPV. If the citizen spouse is the IPV offender, which is often the case, the victim may be hesitant to disrupt the immigration process by leaving the abusive relationship or contacting the police. In effect, for an immigrant spouse who is being victimized by their citizen spouse these sponsorship policies can result in prolonged continued victimization.

Currently, the most frequent and easiest means for an immigrant to obtain documented status is through the "family relationship" clause of U.S. immigration law. Immigrant spouses

are immediately eligible for a VISA based upon a petition by their sponsoring spouse. Once a sponsorship petition is filed, there is a two-year waiting period until complete legal status is obtained. At any time during those two years the petition sponsor may withdraw their support and refuse to continue; the result for the undocumented immigrant is immediate deportation. It follows, therefore, that once a petition is filed the sponsor has absolute control over the legal status of the immigrant, and if the sponsor declines to file or chooses to withdraw the petition, the immigrant has no recourse but to return to their native country (Wood, 2004). On average, almost 70% of spouse-based petitions are filed by male spouses on behalf of immigrant women (Calvo, 2004; Wood, 2004). Consequently, there is an inherent dependence built into the immigration law that leaves immigrant women far more vulnerable to the demands of their sponsoring spouse than is the case for most women. These federal regulations perpetuate their inability to leave their abuser (Anderson, 1993; Dutton et al., 2000; Raj et al., 2007; Rizer, 2005; Rousseve, 2005).

Another group of battered immigrant women, however, find themselves in an even more dangerous situation when they are both undocumented and married to another undocumented immigrant. Petitioning for status is not an option for these victims, and often the only way to stop the violence is to make a choice to call law enforcement. This call, however, may result in an increased risk of deportation of themselves and/or their spouse, plus possible separation from their children. Too many unknowns typically exist for an undocumented immigrant battered woman to make an informed decision regarding her own best interests. These unknowns are created by barriers in language, culture, and knowledge concerning the legal and social systems of the U.S. Many victims may find themselves putting up with what they understand - that is,

the abuse - rather than face what seems much more frightening - namely, deportation from the

U.S.

Research Goals

IPV occurs across all ethnic minorities and tends to affect women and children

disproportionately; however, estimated levels of IPV within the Latino culture vary considerably

across studies. Some prior studies suggest higher rates of abuse than occurs against non-Latina

white victims (Lown & Vega, 2001); other studies have reported somewhat lower rates of abuse

of women (Bauer, Rodriguez, & Perez-Stable, 2000). Tjaden & Thoennes (2000) found in their

review of the literature that studies concerning the occurrence of IPV and ethnicity vary

considerably. Some of these studies are somewhat problematic because they combined all

minority populations and then compared these results to the Anglo population, in so doing

obscuring variations across minority groups.   Tjaden and Thoennes (2000) studied the

significant variance of IPV among women of different races and ethnicities and concluded

thusly:

> Studies are needed to determine why the prevalence of intimate
> partner violence varies significantly among women of different
> racial and ethnic backgrounds. It is unclear from the survey data
> whether differences in intimate partner victimization rates among
> women of different racial and ethnic groups are caused by
> differences in reporting practices. It is also unclear how social,
> environmental, and demographic factors intersect with race and
> ethnicity to produce differences in intimate partner victimization
> rates among women of different racial and ethnic backgrounds.
> Thus, more research is needed to establish the degree of variance
> in the prevalence of intimate partner violence among women (and
> men) of diverse racial and ethnic groups and to determine how
> much of the variance may be explained by differences in such
> factors as cultural attitudes, community services, and income.
> Finally, research is needed to determine whether differences exist
> in intimate partner victimization rates among minority women born

4

in the United States and those who have recently immigrated (Tjaden & Thoennes, 2000, pg 56).

It is clear that socio-cultural factors need to be considered when comparing IPV studies. For Latinas, IPV often takes place within a context of poverty, underemployment, cultural isolation, poor education, language barriers, and undocumented immigration status. It is these contextual elements that create substantial barriers for Latinas to access resources along with increasing their reliance on familial ties. Although laws exist to aid women victims of IPV, many undocumented immigrants either do not meet the legal criteria for help or do not know or trust the legal system. Few studies have been conducted that consider the pressure of being undocumented or whether the fear of deportation plays a role in a victim's decision to access services, legal or otherwise (Grossman & Lundy, 2007). It is this gap in the empirical literature that the current research seeks to fill in some measure.

The research set forth here will consider if U.S. immigration policy is related to the help-seeking decisions made by the undocumented immigrant battered Latina within the context of culture and immigrant status. To accomplish this objective, two critical issues will be addressed. First, this study will determine whether the fear of possible deportation is related to the undocumented battered Latina's decision to contact the police or other community agencies. Second, this study will consider the perceptions and experiences of the battered Latina concerning the response of police agencies and whether negative interactions with the police are related to deportation fears.

CHAPTER TWO
LITERATURE REVIEW

Intimate Partner Violence in the U.S.

In the United States, it is estimated that 22-33% of all women will experience IPV at least once in their lifetime. This specific type of victimization generally creates lifelong adverse emotional and physical consequences for women victims (Tracy, 2007). Emotionally, a woman's fear of her batterer is often doubted by her family and friends when she approaches them for help. These cries for help can go unheard as relatives deal with their own conflicting feelings about IPV. Denial of the existence or seriousness of the abuse by those closest to the victim gives the batterer even more power by increasing the victim's isolation. Subsequently, the physical consequences become graver given the victim's inability to obtain timely help from family and friends. The inability to obtain help from those closest to the victim, however, is only one danger the victim encounters in an abusive situation. Differences in strength and size create the likelihood that women will incur serious and long-term physical injuries in any physical confrontation. Fear becomes the force that gives the abuser power while the resulting injuries sustain that fear. The isolation of the victim from family and friends heightens fear and often moves the victim toward the state of hopelessness. As a result, victim disempowerment is prolonged through this combination of emotional and physical abuse (Tracy, 2007).

Sadly, American society did not become generally aware of the lack of legal protections and injustices endured by IPV victims until the 1970's during the second-wave of the feminist movement. It was during this period that IPV received national attention and was broadly acknowledged as a widespread social problem (Belknap, 2007; Garcia, Hurwitz & Kraus, 2004).

The radical feminist slogan "the personal is political" became a consciousness-raising mantra among women advocates (Miller, 2008). The feminist argument involved bringing the private violence women suffered into public awareness. Awareness of the problem also expanded the definitions used to describe violence against women. What was once known as "wife battering" expanded into the concept of "domestic" or "family" violence. The term "intimate partner abuse" was used to define all varieties of abusive relationships rather than those limited by marriage or occurring only between family members (Belknap, 2007). Although intimate partner abuse defined violence that took place between partners, historically the term "abuse" was used and applied to altercations that resulted in physical injury. In modern usage, the term "abuse" gave way to the concept of "violence," resulting in the development and widespread use of the term "intimate partner violence." By broadening this concept to include emotional and psychological harm, it became easier for society to recognize how the abuser's use of power and control is as damaging as the "traditional" notion of physical assault (Belknap, 2007).

Analysis of Intimate Partner Violent Interactions. Beyond refining new definitions, IPV scholars also distinguished between two types of IPV interactions -- namely, "couple violence" and "terroristic violence." Couple violence is characterized by frequent, violent aggression that can result in less serious injuries. Terroristic violence, on the other hand, occurs less often but can result in extremely aggressive episodes resulting in severe physical injuries (Johnson 1995).

Differentiating between types of violence also aids IPV scholars in explaining the role of gender in violence. Scholars contend that IPV originates from notions of gender inequality and the use of power and control by males (Frieze, 2000; 2005). Many researchers dispute this claim by arguing that females also engage in IPV; however, it is the difference in the type of violence that is truly at issue in this particular study.

Common couple violence involves low levels of physical abuse that is often perpetrated by both genders, whereas terroristic violence occurs when men carry out violence against women in order to maintain power and control (Johnson, 1995). Terroristic violence is the systematic and frequent physical abuse that is represented by the theory of the "cycle of violence" (Walker, 1980). This theory illustrates a circular interaction between the batterer and victim initiated by a stress-induced, tension-building phase. This phase is followed by a violent incident, where the batterer begins a period of remorse and non-violence. The cycle renews itself again when a new stressor occurs; however, this time the abuse becomes more severe with shorter periods of remorse and non-violence. As this cycle continues and the non-violent periods shortened, the violent episodes become more frequent and more severe (Malley-Morrison & Hines, 2004).

To further explain the differences between terroristic violence and couple violence, Johnson (1995) found that victims who sought help from battered women's shelters were more likely to include populations indicative of terroristic violence, whereas non-sheltered victims experienced more incidences of couple violence. From these observations Johnson concluded that victims searched for different safety measures when the violence increased. Johnson (1995) found that both perpetrators of couple violence could be either male or female, although female perpetrators generally acted less aggressively and caused less serious injuries; male perpetrators generally inflicted more severe harm (McHugh, 2005).

Scholars continue to debate the type of acts that rise to the level of IPV, and in particular whether IPV exists if the victim was only abused once compared to victims who suffer from a systematic pattern of abuse (Belknap, 2007). Equally important, many scholars disagree over the issue concerning whether or not psychological or emotional abuse should fall within the IPV category. Complicating this discussion is the phenomenon of victim minimization and its effect

on gathering accurate data concerning occurrences of IPV. Victim minimization often occurs in relation to the frequency and seriousness of the violence. Victims often see the abuse as being their fault and are therefore reluctant to report these acts to the authorities or friends and family. These dynamics tend to limit IPV only to those incidences that re-occur with physical injuries. This limited definition devalues the devastating effects, hides the true nature, and obscures the intricacies of systematic partner abuse (Belknap, 2007).

To understand the differences between common "couple" violence and the more deadly "terroristic" form of violence, researchers have studied the cause and effect of societal and environmental influences within violent families. Violence not only occurs as a consequence of individual-level factors, but also occurs as a reaction to influences and stressors within the larger social and environmental context. Within a social ecology analysis framework, understanding the environmental aspects of microsystem, exosystem, and macrosystem helps explain the impacts of the multiple causes of the violent episodes (Malley-Morrison & Hines, 2004). Microsystems analysis allows researchers to study the individual characteristics, while exosystem analysis looks at relationships between and among individuals within their social environment. Finally, macrosystem analysis focuses on individual relationships within the context of their culture. Each system level contains norms and roles that shape the actions of both the victim and abuser in situations of IPV. By applying an ecological theory analytical framework within a microsystem environment, researchers found high levels of stress inherent in families where violence existed. In particular, environmental stresses-such as inadequate economic resources, limited education and few employment opportunities for either spouse, especially when children were in the home -- were found to exacerbate stress within the family (Malley-Morrison & Hines, 2004). Another environmental aspect incorporates the abuser's

childhood history of witnessing IPV, or other types of victimization, within their family of origin. Understanding these individual and environmental effects could explain why particular individuals engage in IPV. No single theory fully explains the potential origins of IPV or the origins of violent families; consequently, scholars are left to examine the elements of cause and effect within a multi-level framework for research.

In sum, IPV is a phenomenon that affects at least 25% of women and extends across all economic, racial and cultural categories. Researchers can show distinct patterns related to environmental stressors and individual emotional and cognitive problems; however, the exact causal mechanisms at play are still very much in question. One reason scholars struggle to pinpoint the causal effects of IPV is to further understand the help-seeking motivations of victims and the foundational beliefs underlying their decisions to contact authorities or forego that potential source of support.

Cultural Influence and the Existence of IPV
       "We are trapped in a legacy and its core is patriarchal." (Johnson, 1997)

Our society identifies itself principally by male ideas and concepts (Johnson 2007). This identification typically becomes focused around men, which results in a system where virtually everything done by men is considered superior to the accomplishments of women. A major consequence of a society led by men and centered on male ideas is the widespread oppression of women, and this oppression is accomplished through control of a male-privileged system. Under some circumstances control can be a good attribute; if used to put chaos into order, for example, control is a welcomed condition. In a patriarchal social system, patriarchy provides a path of least resistance that encourages men to accept gender difference and the privileges that follow.

Unfortunately, the resulting tenant is one of female oppression and life within a patriarchal society where their actions and reactions are constantly judged by male values (Johnson, 1997).

Feminist Theory and Intimate Partner Violence. Feminism is defined as a social movement whose goal is to raise the status of women (Lorber, 2001). Feminist activism has occurred through distinct patterns over the course of the past 100 years. One such pattern is geared towards ending gender inequality based on oppression and exploitation by a patriarchal society. Arguably, it is our culture's gender-biased socialization based on a male-centered society that lies at the root of violence against women (Dobash & Dobash, 2000; Lenton, 1995).

Feminist scholars argue that patriarchy is a conventional social construct that readily leads to violence between intimate partners (Dobash & Dobash, 2000). These scholars argue that IPV is the result of a patriarchal society that allows men to resort to violence when they feel that their power position is threatened. Based on the fundamental patriarchal belief that women are subordinate to men, patriarchy gives the authority to men to use physical violence; moreover, patriarchal ideology justifies the abuser's behavior (Dobash & Dobash, 2000; Lenton, 1995).

To understand how extensive a role patriarchy plays in IPV incidences, male privilege and male centeredness must be acknowledged as a core characteristic of all male abusers (Johnson, 1997). Abusive males typically suffer from a sense of low self-esteem, feelings of powerlessness, and suffer a sense of insecurity. These men use physical prowess to maintain their masculinity and strive to have power over women through either intimidation or the use of violence (Dobash & Dobash, 2000; Tracy, 2007). It is against the backdrop of male privilege that these insecure and powerless men use violence to enhance the degree of control exercised in their lives. Consequently, the present state of patriarchy may be the result of a history of male domination leading towards the ultimate cause of violence against women. Research shows that

10% of all men in the United States are prone to be violent toward women, providing strong evidence that patriarchy remains a strong, aggravating influence even after decades of progress toward gender equity in the law (Tracy, 2007).

The patriarchal nature of our modern society can partially be traced back to the historical application of our laws. Historically, laws were established based on male-centered attitudes which became codified for subsequent generations. In 1760 BC, the Code of Hammurabi legally allowed wives to be put to death if they humiliated their husbands or if they neglected their homes. Under Roman law a husband could legally kill his wife for adultery, but wives who killed their adulterous husbands were charged with murder (Tracy, 2007). Although modern laws have changed since these historical examples, the beliefs and attitudes underlying the original laws were not so easily dismissed, and to some extent modern laws continue to reflect a patriarchal bias in many areas (Lutze & Symons, 1998). Nationally, feminist and women advocates have worked to change this inherent patriarchal nature of many of our current laws; however, other cultural influences, also contribute to the failure of criminal laws to protect IPV victims.

Cultural Influence and the Criminal Justice System. Cultural differences, regardless of their origin, exist for all battered women regardless of their race, ethnicity, class, or immigration status. Common societal beliefs and attitudes complicate and obscure the legal response by the criminal justice system, including the police, prosecutors and the courts (Dobash, 2003). Inadequate legal responses to IPV by the criminal justice system fall into three main areas of justification for inaction: 1) IPV is a result of the otherwise respectful abuser temporarily losing control; 2) IPV is a result of longstanding relationship problems between the victim and the abuser; 3) IPV is just a social reaction to our violent culture (Dobash, 2003). Interestingly, all

three viewpoints move accountability away from the abuser by further reinforcing the belief that the IPV is not the abuser's fault. For instance, many offenders argue that without the influence of alcohol, drugs, or some emotional trauma the violence would never have occurred. Oftentimes offenders, along with family members, want to believe that ending their alcohol or drug use will also stop their acts of violence. Other offenders rely on an "abuse excuse" that relieves offenders of accountability because of past abuse they endured as a child. These perspectives continue to bolster the arguments that IPV is better dealt with as a private, family affair. These beliefs present in the patriarchical culture transform themselves into actions within the criminal justice system by justifying an officer's choice not to arrest, a prosecutor's decision to dismiss the case, or a judge's decision not to incarcerate the abuser (Dobash, 2007).

Changing the law and mandating compliance by officials within the criminal justice system is only a temporary fix, however, until U.S. society and lawmakers more fully understand the culture that houses these laws; only then can a more lasting positive response to IPV occur. Changing the mainstream attitudes and responses to IPV is admittedly an arduous task; such an effort made within the Latino culture would require coming to a deep understanding of the strong cultural importance of the family and the traditional prescribed roles of each member in the family unit.

The Latino Culture and Intimate Partner Violence
 "We keep quiet ... partly because Latin American women think first about our children, we do not want any scandal and we try to keep it confidential"

(Crandall et al., pg. 179, 2005)

Prior to the Mexican revolutions in the middle of the 19th century, a husband retained the right to apply "moderate physical violence to correct the faults of his wife" (Alonso, 1997, p.

31). Consequently, liberal Mexican leaders created the Criminal Code of 1871, and Mexican leader Ignacio Ramirez announced that it was "shameful in a civilized country [that] many unfortunate women are beaten by their husbands" (Alonso, 1997, p. 32). Although the liberal revolution of the late 1800's brought about the criminalization of intimate partner violence in Mexico, little changed within the broader culture. Even today, Latinas are socialized to preserve their families at all costs, and because of these "cultural roots" the incidence of IPV in Latino/Latina relationships is high (Alonso, 1997; Espenoza, p. 208, 1999).

In the Latino culture, the concept of family is instrumental to an individual member's self-esteem, strength, and self-identification. Individuals use the family unit as a source of moral and emotional strength. Thus, the needs of the family take precedence over those of any individual member. A Latina's identity is also defined by her role within the family and within many Latino households a woman is viewed as a wife and mother above all. Many Latinas are socialized to believe that the needs of the family come before any individual need, including their own private needs. The foundation for this value system begins within the family, but it is reinforced by Catholicism, the predominant religion among Latinos. In particular, the Catholic Church strongly disapproves of divorce and for many families a divorce is viewed as a disgrace. Consequently, many Latinas are reluctant to leave an abusive husband out of a sense of both familial and religious obligation (Acevedo, 2000).

Marianismo, Machismo, and Familism. Within the Latino culture, the traditional gender roles in Latina families include marianismo, machismo and familism (Malley-Morrison & Hines, 2004.) "Marianismo" promotes and encourages women to be spiritually untainted and model their behavior after the Virgin Mary. Women are expected to bear suffering without protest for the sake of their families, and they are strongly discouraged from reaching outside the family for

help. As noted, cultural expectations required women to place the maintenance of the family above all else, including themselves. Latinas are often socialized to allow someone else, usually either their father or their husband, to make decisions for them and usually rely financially on the male head of the household. "Machismo" describes the expected behavior of the men in the family. Latinos are taught to be the leader, decision maker and provider for the family. He has the responsibility for maintaining both the welfare and the family honor of the home. In addition, men are expected to be strong in the face of adversity and to maintain family pride at virtually all costs (Kasturirangan & Williams, 2003; Malley-Morrison & Hines, 2004).

Family is the core component of the Latino culture and family members are socialized to rely heavily on their nuclear and extended family, a unit of kinship which may extend somewhat into the community and encompass some persons who are not blood relations (Malley-Morrison & Hines, 2004). The needs of the individual are subordinate to those of the family unit is thusly understood. Showing respect for authority and carrying out the duties of traditional roles are activities which serve to maintain family ties.

The family unit has served as the principal social institution in Latino culture for many generations (Kaslurirangan & Williams, 2009; Malley-Morrison & Hines, 2004). In some circumstances, familism can be a protective factor against the occurrence of IPV because family members can help minimize stressors that trigger violent interactions. Conversely, the structure of the patriarchal culture within the Latino community can contribute to the incidence of IPV. Although in many Latino households machismo signifies there is one male person who will care for, nurture, and protect the family, it can also describe men who use violence to keep women in control. For a Latina, leaving an abusive spouse shatters a woman's marianismo identity and leaves many Latinas without familial and cultural support. This ideology is still found in many

Mexican-American and immigrant Mexican families today, and a battered Latina may be unwilling to leave a violent home for fear of tearing the family unit apart. This line of thought serves to perpetuate the belief that family violence is entirely a private affair (Davis & Erez, 1998; Espenoza, 1999; Kelly, 1998; Malley-Morrison & Hines, 2004).

IPV Research Within the Latino Culture. Estimated levels of IPV within the Latino culture vary from study to study, and some researchers suggest the presence of higher rates of abuse than found among non-Hispanic white couples (Lown & Vega, 2001); however, other studies have documented lower rates of abuse compared to other minority groups (Baur, Rodriguez, & Perez-Stable, 2000; Davis & Erez, 1998). Tjaden & Thoennes (2000) have argued that research concerning the occurrence of IPV within certain ethnicities will vary in outcomes because these studies often combine distinct minority groups with different rates of occurrence together and compare the combined value to the white Anglo population. This type of comparison not only hides the variations between race and ethnicity, but can give a false impression of actual IPV rates across these groups. Using the National Violence Against Women Survey, Tjaden and Thoennes (2000) found few differences in the levels of IPV between Latinos and non-Latinos. Asking the same research questions but using the National Crime Victimization Survey data, Rennison & Welchans (2000) also found generally equivalent rates of IPV within these same two population groups.

In summary, cultural differences of marianismo, machismo, and familism may be factors that increase the likelihood of the occurrence of IPV. Even if the victim is physically able to leave the violent-prone situation, very strongly felt family pressures often force the victim to return. However, it should be noted that pressures are not unique to Latino society (Malley-Morrison & Hines, 2004; Moracco et al., 2005). IPV is a problem for women worldwide and

16

occurs regardless of differences in race, ethnicity, or class. The occurrences of IPV must be understood within the context of the group's socio-cultural situation in our society.

The Immigrant Battered Latina
> *"...growing up in Mexico, I learned the man is the boss. If you don't do what he wants, then you must pay the price..."* (Espenoza, pg. 179, 1999).

The Immigrant Women's Task Force of the Coalition for Immigrant and Refugee Rights and Services reported that 34% of all immigrant women experienced intimate partner violence. Even more alarming, 48% of the respondents reported that the level of violence increased as their immigration status worsened. Researchers have also found that as vulnerability increases her ability to seek and receive help tends to decrease rather than increase (Dutton et al., 2000).

Cultural influences coupled with lower levels of income and education among Latino immigrants all give rise to higher risks of IPV when compared with other immigrant populations in the U.S. (Malley-Morrison & Hines, 2004; Moracco, Hilton, Hodges, & Frasier, 2005; Moracco et al., 2005). Studies from the Washington, DC area found rates of IPV among immigrant Latinas at almost 60% (Espenoza, 1999), while in other parts of the country the rate was 34% to 49% (Hass, Dutton, & Orloff, 2000; Hazen & Soriano, 2007). In order to explain this variation, scholars argue that socio-cultural factors are intertwined with the risk of IPV among this population and IPV incidents often take place within the context of poverty and underemployment, cultural isolation, low levels of education, language barriers, and undocumented immigration status (Cunradi et al., 2002; Rennison & Planty, 2000). Thus, researchers found that once structural variables such as socio-economic stressors were held constant, this rate of intimate violence was not significantly different within non-Latino households (Kantor, Jasinski, and Aldarondo, 1994).

In addition, it is important to note that less than fifty percent of battered immigrant Latinas sought help for IPV as compared to over two-thirds of white, non-Latino victims. This finding documents a propensity for Latinas to be less willing to seek out help to stop the violence than their non-Latino counterparts. The consequence of an inability to access services is higher exposure to IPV for the immigrant woman (Amnar et al., 2005; Dutton et al., 2000; Ingram, 2007). At this point it is important to identify which specific factors exist in the immigrant community that serve to keep victims of IPV from accessing either formal or informal services?

Help Seeking Abilities of Battered Immigrant Latinas. How a woman responds to personal violence in the home is most likely a reflection of both her social conditions and her resources. Research in this area shows that a battered woman tends to look first towards informal sources for support, such as friends and family, followed by more formal sources such as the social services and legal professionals. Researchers found, however, that the use of informal sources was generally less successful than formal strategies in ending the abuse in questions while going to friends and family may be the first choice in most cases, this decision is generally less effective than engaging with a women's shelter or requesting a police response (Bowder, 1979; Dobash and Dobash, 1987). Every time a woman employs either strategy successfully, the result is to increase the victim's feelings of self-esteem and efficacy. Conversely, when a battered woman is unsuccessful in her use of either formal or informal sources, her perceptions of efficacy decrease along with the likelihood of renewed contact (Dutton, 2000).

Battered Latinas employ the same type of informal and formal strategies as other IPV victims. Research in this area suggests that battered Latinas will engage in help-seeking at the same rate as other IPV victims; however, the types of help sought and the resulting effectiveness

tends to differ drastically from that of non-Hispanic women. Some scholars speculate that this may be due to the greater availability of family resources enjoyed in comparison to other ethnic groups (Dutton, 2000).

Latina IPV victims tend to respond to their abuse differently, especially if they are first-generation immigrants and are born in Mexico. These victims will often remain in abusive relationships for extended periods, experience violence for a longer time, and return to their abuser more frequently than non-Latina victims (Brabeck & Guzman, 2008; Dutton et al., 2000). Studies conducted in this area also found that Latina victims are less willing to seek out medical attention, secure legal assistance (Krishnan, Hilbert, & Van Leeuwen, 2001) or solicit social services (Dutton et al., 2000) than other groups of IPV victims. Further, using data from the 1994 National Alcohol and Family Violence Survey, researchers found less than half of battered Latinas had sought outside help compared to non-Latina victims (West, Kaufman-Kantor & Jasinski, 1998). However, like many victims, battered Latinas will often first turn to informal sources such as friends and family concerning the abuse (Dutton et al., 2000; West et al., 1998).

From the point of view of U.S. society, IPV victims are expected to protect themselves from further abuse by seeking help from formal resources (Gondolf & Fisher, 1988), but for the battered Latina problems with language, culture, social isolation, financial instability, and lack of legal information make formal help-seeking a challenging endeavor for many Latinas (Orloff & Little, 1999). For the immigrant battered Latina, moreover, these same barriers become virtually insurmountable, with the result being that a significant portion of the Latina population are at risk for a higher exposure to violence (Amnar et al., 2005; Dutton et al., 2000; Ingram, 2007). Knowing this, the key issue becomes identifying the specific factors in the immigrant community that keep victims from accessing both informal and formal support services effectively.

Latinas often have the added problems of language, culture and social isolation. For most immigrant battered Latinas, these same problems are compounded by their undocumented immigration status and lack of connection to the dominant culture. Attempts to remove or minimize these barriers are often unsuccessful and stem from a lack of understanding by society regarding these particular victims. Barriers concerning social isolation, language fluency, economic status, and immigration status serve as the most critical areas that need to be addressed to provide timely assistance to these IPV victims (Amnar et al., 2005).

Isolation is faced by immigrant victims as a result of migration from their country of origin, a life course development which often brings with it a major fragmentation of familial ties. Without their cherished familial ties, victims lose their ability to rely on the informal support systems which formerly provided support. Increasing the victim's level of isolation is the inability to speak English and the lack of familiarity with American social service and justice systems (Malley-Morrison & Hines, 2004; Ingram, 2007). The most obvious, and frequent, result of not being able to speak English is the inability to communicate with different governmental agencies which might offer help. Although many agencies have created bilingual documentation for Latina victims, many victims of abuse are illiterate in both Spanish and English.

Davis & Erez (1998) studied the impact of language capacity on an immigrant woman's ability to contact the police and gain access to the justice system. Their study found that language barriers generally impeded access to the legal system for all immigrant crime victims. Further, they found IPV victims in particular were even more affected by their lack of social contacts to help in translating communications and understanding the justice system. A double edged sword is present for immigrant victims when they try to access help through governmental

agencies. Immigrant victims are hesitant to contact official agencies because of their inability to speak English or communicate well enough to obtain the needed information. Alternatively, even if translation services exist in some agencies the immigrant victim may not be aware that either the service agency exists or that someone in the agency speaks Spanish.

Isolation is not only a risk factor in understanding the justice system or contacting appropriate social services, but also drives immigrant women into marriage. Undocumented immigrant Latinas living in the United States often enter into marriage with documented men in hopes of finding companionship, establishing family ties, and building economic stability (Salcido & Adelman, 2004). After the wedding, however, the batterer often cuts the victim off from any new-found friends or family and the victim finds themselves isolated and living in an abusive situation. Besides feelings of isolation and experiencing problems with communication, often economic barriers also block a victim's decision to contact law enforcement.

Many immigrant victims depend on their abuser as their role means of support, not only because of the victim's undocumented status but also because of needed child care. If the police are contacted due to an IPV incidence, the victim risks the arrest of the abuser and the possible end of her only means of financial support. This lack of economic independence, coupled with an undocumented immigration status, limits victim's options to escape the abuse and allows the batterer to exercise continued control and engage in further abuse (Orloff, Dutton, Hass, & Amnar, 2003; Raj & Silverman, 2002). Isolation, language, and economic dependence are major barriers that keep the battered immigrant Latina from seeking help; in addition, limited acculturation into the American system of rights plays a major role in the help-seeking decisions of immigrant women (Torres, 1987).

Acculturation is a process that occurs when individuals of one culture assimilate a new culture through contact with members of the dominant cultural group (Berry, 2004). Lack of acculturation has adverse consequences for the immigrant women who may be unaware that the abuse they suffer has been deemed illegal in the United States. Even if the victim realized that the abuse being suffered is illegal, her cultural experiences may have taught her that IPV is a private matter which should stay within the family. Moreover, misunderstandings concerning the victim's legal rights within the American criminal justice system are aggravated by the fear of deportation.

For the battered immigrant Latina, attempts to access formal channels to obtain help are hindered by the additional problem undocumented immigration status. Without documented status, there is limited access to community resources, educational opportunities, and gainful employment. Undocumented immigrants are not eligible for most social service benefits, thus resulting in a stronger financial dependence on the abuser (Dutton et al., 2000).

Further, undocumented immigration status deters the battered Latina from accessing formal governmental social services because of a mistaken belief that contacting social services would lead to deportation. In a recent study, 27% of undocumented battered Latinas indicated that fear of deportation was either their first or second reason to stay in an abusive relationship (Dutton et al., 2000). A study conducted by the Immigrant Women's Task Force of the Coalition for Immigrant and Refugee Rights and Services found that 34% of Latinas surveyed experienced IPV, and within this group 48% reported the level of violence increased with their immigration to the U.S. (Dutton et al., 2000). When compared to other immigrant groups, Latinas had the lowest income-typically surviving on part-time employment and the income of their abuser. In addition 60% of those surveyed had between one and three children, and 17% had from four or

more children. As a result, a victim's socio-economic status, personal resources, and cultural influence the types of strategies and decisions made regarding personal safety. Although Dutton et al. (2000) found little connection between the victim's immigration status and the likelihood of abuse, other research shows that over half of the known undocumented immigrant Latina victims were married to documented abusers. Among married immigrant Latinas, the Dutton et al. (2000) study also showed documented spouses did control their undocumented spouse's immigration process by either refusing to file immigration paperwork or delaying the immigration process. These authors also found that over 21% of battered Latina immigrants remain with their abusers for fear of being reported to immigration.   The fear of being reported and/or deported rated as the first and second most frequently noted reasons why victims of abuse were afraid to seek out help.

Immigrant Latina victims also worry about the effects of deportation on their children if the police are contacted (Kelly, 1998). Many abusers tell their victims that if the police are notified, the victim of IPV will be arrested and will be deported because of her undocumented immigration status. Additionally, the abuser will exploit this fear by telling the victim that the children will remain in the United States while she is deported, especially if the abuser and the children are U.S. citizens.

Beyond the fear of deportation, researchers found that victims of IPV were more willing to contact the police when their children's level of exposure to the violence was high. These mothers contacted the police regardless of their undocumented status because the safety of their children became more important to them than their own deportation fears. The authors of one study observed that being free from the fear of deportation allows IPV victims to focus on the

potential danger of the violence in their home and its effect on the welfare of their children (Orloff et al., 2003).

Abuse victims, regardless of race or ethnicity, generally just want the abuse to end and they very often don't want anything adverse to happen to their battering spouse. If law enforcement is notified, the abuser may be arrested and, if he is also undocumented, he may be deported. At this point, the victim is left without any source of income and could find herself in a worse financial position than if she allowed the abuse to continue. As noted previously, the result is a bond between the abuser and victim that allows the abuser to exercise a great deal of control over the victim (Espenoza, 1999; Grossman & Lundy, 2007; Wood, 2004). To further complicate police response, immigrants are wary of law enforcement officials because of past experiences involving corrupt police agencies in their country of origin. Rarely do these victims try to navigate the daunting governmental bureaucracy that is needed to receive help, and they tend to perceive the legal and social systems as being more harmful than helpful.

Thus, it is these fears along with ignorance of law enforcement and other governmental social agencies which create a virtually impossible situation for the undocumented immigrant victim of abuse. Consequently, the undocumented, immigrant battered woman is left to either remain with the abuser or to turn to officials she was taught to mistrust. Exacerbating this fear is the reality that IPV victims can also be mistakenly arrested by law enforcement at an IPV incident. While their abusive situation cries out for intervention from the criminal justice system, their undocumented immigration status often keeps them isolated from agencies that could potentially help. Policies within both the criminal justice and immigration systems provide very few choices for these victims who often find themselves living in a "legal limbo"

(Espenoza, 1999; Salcido & Adelman, 2004). Ultimately, in the end these victims generally suffer in silence (Dutton et al., 2000).

In conclusion, IPV can be analyzed through a lens of patriarchy or, using criminological theories and explanations, can be found through micro system examination or risk and process theories. Regardless, of the approach taken to document the scope of the problem, the result remains that approximately 25% of all women in the U.S. will become victimized by an intimate partner at some point in their lives. Preventing and prosecuting these crimes must begin with cultural changes and public education. In order to address the problem of IPV within our society, our criminal justice system must take direct action by changing how police, prosecutors, and courts approach these crimes (Dobash, 2003). The first step forward starts with educating these agencies on the dynamics associated with and some of the nuances pertaining to IPV. The second step involves increasing pressure on the criminal justice system to take a more aggressive stance toward this problem. To this end, women advocates seeking progress on women victims of crime issues have pushed the criminal justice system into action in many areas of the country. In many states the advocacy in behalf of women victims of violence has been focused on the initiation of mandatory arrest policies for law enforcement officers who respond to IPV incidences (Dobash, 2003). The outcomes associated with this advocacy are discussed in the following chapters.

CHAPTER THREE
FEDERAL IMMIGRATION LAW AND IPV

By the late 1990's many members of Congress recognized that immigrant battered Latinas too often remained with their abusers because of their immigration status, or because of lack of employment, or because of lack of financial means to care for themselves and their children. These members of Congress also knew that these victims of abuse generally feared the legal system, and possible deportation, more than they feared the consequences of remaining in a violent relationship. Further, these members of Congress acknowledged that immigrant battered Latinas were typically isolated from local support systems, tended to be unfamiliar with the legal system, and generally faced language and cultural barriers (Teran, 1999). In response, Congress ultimately produced legislation particularly targeted to address the needs of those Latinas who found themselves trapped in an IPV situation by an abuser who was controlling the victim's ability to gain legal status (Teran, 1999).

The Origins of Immigration Law

Historically, as the new American colonies adopted English Common Law they tacitly absorbed many English concepts concerning women and their "proper place" within society (Hoff, 2007). In particular, the Doctrines of Coverture and Chastisement involved the loss of a woman's status and property upon marriage. Under English Common Law, the Doctrine of Coverture referred to restrictions that prevented married women from owning property or having any legal standing independent from their husbands. For legal purposes, wives were viewed as attachments to their husbands, including any property and wealth they brought with them to the marriage. This legal theory merged the woman's identity into that of her husband with respect to legal processes. This legal theory resulted in her identity ceasing to exist, and the loss of both

her property and her name. Paralleling these laws were the Doctrine of Chastisement, which allowed husbands to physically punish their wives without any legal repercussions (Calvo, 2004; Hoff, 2007; Kelly, 1998; Wood, 2004). The Doctrines of Coverture and Chastisement weaved themselves into the creation of American immigration law and became part of the legal building blocks that institutionalized the expectations that women were not equal to men.

The legacy of these doctrines has continued to echo within American immigration policy, and these doctrines continue to influence American family law. In 1952, the Immigration and Nationality Act (INA) restructured immigration laws with gender-neutral language that finally allowed a woman to "sponsor" (give legal immigration status) to her husband. While the INA was created to be facially gender neutral with a goal of equalizing the power of "sponsorship" between men and women, the doctrine of coverture continued to remain firmly rooted within immigration policy (Clark, 2007; Wood, 2005). For instance, immigration law required that a female citizen who chose to marry a non-citizen would lose her American citizenship. This policy was based on the concept that wives would move to their new husband's country and thus no longer needed the protections of their American citizenship. Additionally, even as recently as the 1940's American immigration policy required an immigrant's husband to petition to become their wife's sponsor in order for their wife to obtain documented status (Calvo, 2004; Hoff, 2007; Wood, 2004).

Immigration law in the 1960s focused on the development of policies to facilitate the meeting of labor needs, allowing immigrant laborers the freedom to return and re-unify with their families in their country of origin. By 1986, Congress enacted the Immigration Marriage Fraud Amendment (IMFA) which mandated that newly married immigrant spouses must remain in cohabitation for two years. The law was created as a response to societal fears of marital

fraud within immigrant marriages; in particular, this law was created to protect unsuspecting women who were U.S. citizens from being used by devious male immigrants in order to gain legal resident alien status (Wood, 2004). Within the realm of IPV, if a victim left her abuser the two-year waiting clause would be violated and she would automatically lose her immigration petition and be deported. Specifically, immigrant women who were caught in an abusive relationship had to either choose to stay with their abuser for the mandatory two-year waiting period or risk deportation. The end result of this erstwhile attempt to prevent fraud became the unfortunate implementation of laws that substantially increased the victimization of battered women (Anderson, 1993; Calvo, 2004; Kelly, 1998).

Finally, in 1990 an exception was created to the mandatory waiting period that gave battered, immigrant women a legal alternative. If the battered woman could prove she was being subjected to "extreme cruelty" (Kelly, p 670, 1998), the mandatory waiting period was waived. This new exception, however, helped only those immigrant women who had a pending petition and sufficient proof of "extreme cruelty" to satisfy a hearing officer. The level of proof required by immigration had to come from an official source such as law enforcement or from within the courts of the criminal justice system. Sadly, this new legislation left open two major exceptions: 1) the law did not help women who had no evidence to prove extreme cruelty; and 2) the law did not include relief for those women whose abusive spouses had not yet filed the initial petition (Kelly, 1998). Due to the continued efforts of women's advocates and the intensified accountability by Congress to the plight of battered immigrant women, major changes in the law occurred in the mid 1990's and these problems within the prior legislation were addressed. The 1990 changes allowed undocumented female immigrants to petition on their own behalf and they

were not dependent on their abusive, documented spouse for any part of this legal action

(Anderson, 1993; Calvo, 2004; Wood, 2004).

The Violence Against Women Act and The Undocumented Immigrant Battered Woman
"All persons within the United states shall have the right to be free from crimes of violence
motivated by gender…"
                    Violence Against Women Act, 1994 (Maloney, 1996)

By the early 1990's many members of Congress began to listen to the voices of IPV

activists and came to understand the connection between IPV and current immigration law. It

was realized how existing immigration policies perpetuated IPV by forcing the victim to remain

dependant on the abuser for their documented status (Calvo, 2004). The existing immigration

laws, however, inadvertently resulted in the deportation of IPV victims who chose to contact

authorities about their abuse. What appeared to be an oversight, and thus an easy fix, resulted in

a daunting task of changing laws that were historically established and based upon deeply-rooted

patriarchal ideas (Calvo, 2004).

Congress' first step to repair these problems was to enact legislation that allowed

immigrant battered victims the ability to self-petition. This ability allowed IPV victims to break

free from any reliance on an abusive spouse by creating a "battered spouse waiver." The waiver

allowed victims to self-petition, both for themselves and their children, if they had been "battered

by or ... the subject of extreme cruelty perpetrated by their spouses" (Mason, p. 658, 1998;

Wood, 2004). Although seemingly helpful, the level of proof required to establish the legal

element of "extreme cruelty" required documented evidence through police reports, court

documents, or eyewitness testimony. Unfortunately, for many battered women, let alone

immigrant battered women, coming forward with evidence became more overwhelming a task

than suffering the abuse in silence. The problem created a no win situation for the battered immigrant women who could rarely obtain the required proof without contacting law enforcement, the one police agency the battered Latina typically feared more than her abuser. This impediment in the law became a huge obstacle for the majority of undocumented IPV victims and remained unchanged until major changes were addressed through the 1994 Violence Against Women Act (Mason, 1998).

The 1994 Violence Against Women Act

In the 1994 Violence Against Women Act (VAWA) Congress sought to resolve many of the inequities found within established immigration law. Congress enacted groundbreaking legislation that afforded protections to undocumented IPV victims while simultaneously promoting the prosecution of their abusers. Congress' intent was to send a message that "society will not tolerate domestic violence" by recognizing that undocumented immigrant victims were highly vulnerable because of their tenuous immigration status and their fear of deportation (Teran, p. 10, 1999). This legislation required a collaborative team approach from the criminal justice system, social service system, and battered women shelters. These groundbreaking policies provided women victims of IPV the ability to self-petition along with adding flexibility to the extreme cruelty evidentiary burden. Finally, VAWA allowed suspension of any deportation proceeding of a battered immigrant woman until a self-petition was filed (Conyers, 2007; Teran, 1999; Wood, 2004). VAWA, however, did not protect all undocumented battered immigrant women and it was not until the year 2000 that many of the "gaps" in VAWA were resolved with amended legislation entitled the *Battered Immigrant Woman's Protection Act* (BIWPA) (Conyers, 2007; Kelly, 1998; Teran, 1999).

The BIWPA began by addressing issues of financial assistance and provided assurances that abusive spouses could not withdraw a victim's immigration petition. BIWPA created a new form of Visa called the "Uvisa" that allowed undocumented IPV victims legal status as long as they were cooperating with the police and prosecutors, regardless of their immigration status before the abuse. In other words, if an undocumented woman was being abused in the United States the Uvisa allowed the victim to cooperate with the police and prosecutors without fear of deportation. The goal of the Uvisa legislation was to eliminate deportation fears of crime victims while also removing barriers in prosecuting the abusers (Wood, 2004). Although the Uvisa removed many of the obstacles faced by undocumented battered women, realistically this legislation did not fully address all of the issues faced by these abuse victims and did not cover all undocumented IPV victims.

Even with the enactment of BIWPA and the use of Uvisas, many battered immigrant women still remained unprotected. First, undocumented battered women are often confused by, and unaccustomed to, the legal remedies available to them to help end their abuse. The result is an inability to understand the procedure for self-petitioning through VAWA. Second, regardless of the protections available within BIWPA, an IPV victim must first ask for timely help. Undocumented immigrant battered women can suffer from the same state of denial of their victimization as any documented battered woman. Virtually all IPV victims struggle with decision to contact legal authorities, and for immigrant battered women contacting the police may result in both cultural isolation and subsequent deportation. Additionally, a substantial subset of undocumented victims fell through the cracks in protections of the BIWPA. To address these issues these victims needed further legal protections added to VAWA that focused on known "gaps" in the legislation (Kelly, 1998).

Undocumented Battered Women Who Are Unprotected by the Law

Remarkably, societal prejudice and ignorance concerning the dynamics of IPV remains prevalent throughout the construction of VAWA. For many undocumented battered immigrant women, relief from VAWA was not attainable because of their circumstances, which sadly were not unique. First, as noted earlier, in order to acquire relief through BIWPA the law required proof of abuse through public documents, such as restraining orders and police reports, instead of relying on victim testimony. The demand for official documentation, in itself, shows the lack of understanding on the part of lawmakers concerning the plight of all IPV victims, and in particular the multiple problems faced by the undocumented immigrant battered woman. Second, BIWPA does not recognize death threats or stalking activities offered limited relief solely to women who are victims of physical abuse. Third, BIWPA only protects those women who were married to documented or resident spouses without addressing those victims married to undocumented men. Thus, undocumented victims abused by undocumented spouses receive absolutely no protections from BIWPA, and they could still face deportation if police authorities are contacted in connection with their victimization. Fourth, protection by BIWPA fails to extend to undocumented battered women who are not married to their abuser, even if the abuser is documented and/or a U.S. citizen. Therefore, if the abuser and victim are living together, even with children, the victim cannot qualify for protection under BIWPA; calling the police to end the abuse could end in deportation for these women. Further, if the children were born in the U.S. the children will likely remain with the abuser when the victim is deported. Consequently, many undocumented battered women do not, and cannot, file for BIWPA relief (Kelly, 1998; Wood, 2004).

IPV victims will often list economic dependence as a major factor in deciding to stay with their abuser. For the undocumented battered woman, economic dependency plays an even larger role. Undocumented women have a harder, often nearly impossible, time obtaining work and public assistance than other women. It is only through an approved BIWPA petition that the undocumented victim can obtain financial assistance. Thus, if the victim falls into the legal void left by the BIWPA legislation, the decision to leave the abuser can mean becoming destitute and homeless along with raising the fear of deportation (Espenoza, 1999).

In sum, all battered women face numerous, difficult decisions concerning how to bring an end to their abuse, regardless of their immigration status (Malley-Morrison & Hines, 2004). They struggle over whether to leave their abusers, and if they do decide to leave they need to consider who will support them and their children. They are reluctant to contact the police for fear of aggravating the abuse. Many battered women choose to endure the abuse rather than disrupt their family setting. Immigrant battered women have the additional problem of dealing with possible deportation if the authorities are notified. The fear of deportation likely takes precedent over the fear of being battered. Being Latina further exacerbates these problems because the foundation of the Latino culture reflects patriarchy, familism, and the values of machismo.

VAWA and BIWPA protect many undocumented immigrant women who come forward to obtain help. This legislation, however helpful for some Latino victims of IPV, leaves many women without protection who also deserve to be free from abuse. Layered on top of all these concerns by the undocumented immigrant battered woman is the change in U.S. federal policy to promote immigration enforcement by local police agencies.

Federal Immigration Policy and Local Law Enforcement

     The U.S. and Mexican Border. In 1848, the *Treaty of Guadalupe Hidalgo* separated the

states of California, Arizona, New Mexico and Texas from Mexico. Although an official border

existed, the intent of both countries was never to sever family or economic ties within this border

zone. As a result, crossing the border between Mexico and the United States initially was a very

informal process not requiring a visa. By 1875, however, Congress began to regulate entry of

Mexican immigrants across the southwestern border, a decision primarily based on national

economics. At the turn of the century, and through the 1980's, the ease of crossing the border

was often dependent on U.S. economic and political needs and rarely on the wishes of either the

Mexican people or the Mexican government (Salcido & Adelman, 2004).

     For example, in 1942 when the United States needed men to fill a wartime labor shortage

the border zones were re-configured to allow Mexican men into the United States in order to

work. Since then, Mexican workers have become a stable seasonal workforce within the

agricultural industry, often filling a demand for workers left vacant by U.S. citizens. The

seasonal Mexican worker routinely returned to their families in Mexico at the end of the growing

season; however, by the 1960's many of these seasonal workers became more permanent,

remaining throughout the year instead of returning home. Consequently, as the population of

permanent Mexican workers increased their community and familial networks increased as well.

Many employers encouraged the development of this stable workforce and disregarded the

expired work permits most of these undocumented workers used for identification (Salcido &

Adelman, 2004).

     Despite the preferences of many employers, local police found themselves routinely

enforcing federal immigration laws throughout the 1970's (Maya, 2002). Officers routinely

stopped and detained possible undocumented immigrants based only on reasonable suspicion that they were undocumented. Potential goodwill between local law enforcement and the immigrant population quickly dissipated when local agencies began undertaking federal enforcement duties. However federal immigration enforcement duties changed by the 1980's, and local police found themselves having to choose between enforcing federal regulations or maintaining access to informants, witnesses, and crime victims by foregoing such enforcement. These consequences of enforcement became apparent by the refusal of witnesses to come forward or crime victims to contact the police (Maya, 2002; Orloff et al., 2003). As a result of these dynamics, police agencies across the nation began instituting "don't ask, don't tell" policies when it came to an individual's immigration status (Boatright, p 1644, 2006). Consequently, the nexus between building a relationship with the immigrant population and continued community safety increased. Within the United States, the cities of Los Angeles, San Diego, and El Paso have continued to grapple with the effects of the "don't ask, don't tell" policies while trying to implement community-policing strategies.

In 1979, the Los Angeles Police Department enacted Special Order 40 that required officers to refrain from arresting an individual for illegal entry into the country or initiating any inquiries concerning a person's immigration status (Maya, 2000). The goal of this new enactment was to encourage the reporting of crimes and to decrease victimization of undocumented individuals. In the case of the San Diego Police Department, a policy was adopted that allowed contact with the Border Patrol only if a person's immigration status was apparent. SDPD officers, however, were prohibited from contacting Border Patrol during domestic violence incidences, during routine traffic stops, or in cases where individuals are reporting crimes to the police.

These community safety-oriented attitudes employed by California law enforcement were rejected by local law enforcement in Texas, and in El Paso the Border Patrol and city police work together by jointly responding to many calls (Maya, 2002). This federal/state team approach allowed the Border Patrol to pick up where the local police could not. The El Paso Police have been known to go one-step further and "physically" deport those who were suspected of illegal entry by escorting them to the Mexican side of the Rio Grande Bridge. Such enforcement activities that took place by federal and local agencies in El Paso were reported to the US Commission on Civil Rights. This federal commission opined that enforcement of federal immigration laws was the responsibility of the Immigration Naturalization Service (INS) and not that of local police agencies. Using local agencies to enforce federal regulations, the Commission reasoned, violated the U.S. Constitution. By the early 1980's the U.S. Supreme Court addressed this very issue and upheld the Commission's findings in the El Paso case.

The U.S. Supreme Court based their decision on the Fourteenth Amendment's Due Process and Equal Protection clauses arguing that these constitutional provisions apply to all persons regardless of citizenship status (Maya, 2002). In 1982, the U.S. Supreme Court held in *Plyler v Doe* that these constitutional provisions also applied to those persons who enter the United States illegally (Plyler v. Doe, 213 U.S. 214, 1982). The U.S. Supreme Court held that any person residing within the United States, regardless of their immigration status, enjoys Constitutional protections. Further, the Court held that if local police agencies based their actions on whether the individual does or does not enjoy lawful immigration status, they would be violating both the Due Process and Equal Protection clauses of the Constitution. In *Plyler*, (1982) Justice Brennan counseled local police agencies against gathering and reporting immigration-related information for the INS, and reiterated that continuing this conduct would

36

be a constitutional violation. Quoting Justice Bingham (1886), Brennan explained that the

Constitution "repeatedly refer[ed] to the need to provide protection, not only to the freedmen, but

to "the alien and stranger," and to "refugees ... and all men" (Plyler v Doe, 213 U.S. 214, 1982;

Maya, 2002). Further, in 1996, the Department of Justice (DOJ) re-interpreted the INS

enforcement statutes based on the *Plyler* (1982) decision and concluded that local police

agencies lacked the authority to enforce these federal civil provisions. This jurisprudence

remained the state of the law until the advent of September 11th, 2001 when local agencies went

back to enforcing federal immigration (Boatright, 2006; Maya, 2002).

With the aftermath of September 11th, attitudes in this country concerning immigration

enforcement changed radically (Boatright, 2006). Suddenly, state and federal agencies found

themselves in an intelligence-sharing relationship that was never previously experienced. With

the introduction of increased national security, Congress began to recruit local police agencies

for enforcing immigration regulations. Federal agencies viewed the state and local police as an

untapped resource for counterterrorism and viewed their participation as a great addition to the

nation's counterterrorism capabilities. Local agencies were seen as having a high possibility of

encountering terrorist activities long before any federal agent. Local agencies, however,

generally remained skeptical of re-involvement in immigration enforcement.

Their skepticism revolved in good measure around existing community-policing projects

relating to Latino communities. Many agencies appreciated the great benefit of acquiring a

collaborative problem-solving working relationship with the immigrant population (Boatright,

2006). These community-policing projects translated into improved crime prevention and

greater citizen safety by having the ability to "overlook" any undocumented individual.

Additionally, local agencies realized they possessed little understanding of the complex

immigration code, but they understood very well the harmful and long-lasting effects of mass immigrant roundups within their communities (Boatright, 2006).

To counter local agency refusals to go along with the plan to draft them into action, Congress employed a hybrid "coercive" and "permissive" approach towards local police by implementing the Border Protection Act of 2005 (Boatright, 2006). The "permissive" approach gave legal authority to local agencies to investigate, arrest, and detain foreign nationals who violated federal immigration law, while also "rewarding" agencies who cooperated by granting monies for equipment and technological purchases. Those agencies that refused found themselves on the losing end of numerous federal grant opportunities. This federal "coercive" stance resulted in denials of federal "equipment grants" to any state where local law enforcement prohibited their officers from cooperating with federal immigration regulation. This time there was not a civil rights commission to conduct a hearing or Supreme Court Justice ruling prohibiting these enforcement tactics. In fact, even the Department of Justice, which originally opined that local enforcement of federal regulations violated the U.S. Constitution, re-concluded that local police agencies did possess the inherent authority to enforce federal immigration laws (Boatright, 2006).

This is the current state of U.S. immigration policy as sanctioned by the Department of Homeland Security. Many local police agencies have chosen immigration enforcement duties over seeking the benefits of working with the immigrant population. The days of "don't ask, don't tell" are largely over for local police agencies across the nation. Stuck within this change of federal and local enforcement policy are the undocumented victims of IPV.

Arrest Policies and Intimate Partner Violence

Mandatory Arrest. The decision to arrest can be an effective intervention in IPV situations, and the method of police response can have a direct effect on the offender's attitudes concerning future violent acts (Dobash, 2003). Arguably, if an arrest is not effectuated, when it clearly could be, the offender is given a 'green light' for future violent acts. In other words, if the criminal justice system never intervenes the offenders receive a tacit approval of their actions. The victim also interprets this ineffectiveness as a signal that they are on their own to find a solution to end the violence (Dobash, 2003). It is clear that police decisions in these situations can have a direct influence on the lives of victims and, as a result, a great deal of research and debate has surrounded an officer's arrest decisions (Eitle, 2005).

An officer's decision to arrest, and the effectiveness of this arrest, has been studied from many different angles. The current literature divides itself into three prominent areas: 1) why victims fail to report; 2) what factors influence the officer's decision to arrest; and, 3) whether mandatory arrest policies affect recidivism.

Victim Reporting Behavior. The National Crime Victimization Survey (NCVS) reports that only half of all female victims of IPV report their abuse to the police (Hickman, 2003). The National Family Violence Survey reports a much lower reporting rate of about 20%. Regardless of whether data comes from IPV victims themselves or from law enforcement, it is evident that somewhere between 20-50% of IPV victims refuse to seek out police involvement, and thus the important question becomes **why?** Factors associated with non-reporting appear to have something to do with a victim's age, (Hickman, 2003; Hutchison, 1999), socio-economic status (Berk et al., 1984; Hickman, 2003), race (Felson, Messner, & Hoskin, 1999), or marital status (Felson, Messner, & Hoskin, 1999). Berk et al. (1984) found that married victims were less

likely to contact the police than unmarried victims. Additionally, when measuring race as a reporting factor, some researchers found no relationship between race and reporting (Felson, Messner, & Hoskin, 1999), while other researchers found that African American victims report more often than white victims (Hickman, 2003; Hutchison, 1999). Perhaps the answer has less to do with victim demographics and more to do with the interaction between victims and law enforcement.

Victims who experience a negative interaction when calling the police could refuse to call for help in the future, whereas positive experiences could lead to frequent police reporting (Hickman, 2003). To better understand the victim/police interaction experience, scholars have identified two possible explanatory hypotheses – namely, "process" and "outcome." The process hypothesis focuses on the officer's demeanor towards the victim. If the officer appears to be unsympathetic and hostile towards the victim, the victim is less likely to involve the police for future intervention. On the other hand, officers who appear to be caring and open-minded create an atmosphere where the victim feels more comfortable and is more likely to re-contact police if needed (Hickman, 2003). While the process hypothesis explains why victims may or may not call for future police intervention, this hypothesis does not explain why an officer may react to an IPV incident with a negative attitude. Educating law enforcement agencies through targeted training concerning a victim's motivation during and after an IPV incident will help their officers understand the conditions victims of IPV have learned to endure.

Often officers who are uneducated in the nuances of IPV can create an atmosphere of victim blaming which causes victims to feel somewhat re-victimized by this interaction. Victim demographics may also play a role in that some studies show that white and Hispanic victims tend to perceive unfair treatment by the responding officer, while African American victims tend

40

to feel they receive considerate and effective assistance by law enforcement (Hickman, 2003).

Hickman (2003) accounted for these differences by the amount of outside resources upon which these victims relied. While white victims tend to have supportive resources available to lessen their dependence on the police, African American victims tend to have less family and social support and thus must depend on the police more heavily. Hispanic victims, however, have cultural differences that create barriers with law enforcement. These cultural barriers range from social isolation to language abilities. In particular, the fear of immigration authorities can restrict the Hispanic victim's initial contact with the police (Hickman, 2003).

While the process hypothesis concentrates on the officer's demeanor and future reporting the outcome hypothesis focuses on the response to the incident coming from the justice system. The outcome hypothesis focuses on the victim's perception of the net result after police involvement. In other words, it is hypothesized that the amount of control a victim is given during the legal process is what is important for the prediction of future engagement. This hypothesis holds that victims who feel involved in the decision to arrest and/or prosecute are more willing to call for help during subsequent episodes of violence (Hickman, 2003). It is argued that when the police and prosecutors align their decision-making in accordance to the victim's wishes, victim satisfaction tends to increase (Hickman, 2003).

Officer's Decision to Arrest. Before mandatory arrest statutes, the common practice of law enforcement was to listen to both sides, calm down the parties, separate them for 24 hours, and provide the victim with shelter information (Sherman et al., 1992; Felson, Ackerman & Gallagher, 2005). If an arrest was made, the decisions concerning offender sanctions were based on three definable victim/offender characteristics: 1) demographics of the victim, suspect and/or responding officer; 2) officer's perception of the victim's attitude; and, 3) perception of

dangerousness of the situation (Robinson & Chandek, 2000). Unlike the victim's future decision to call law enforcement, as stated earlier, demographics were shown to play a major role in the officer's decision to arrest.

Demographics of both the victim and suspect influence the arrest decision. Minority victims are less likely to request that the responding officers arrest their abuser (Ferraro, 1989; Robinson & Chandek, 2000; Smith, 1987). Conversely, the responding officer's race does not affect the arrest decision, but the officer's gender and age did have some influence on the arrest decision. Female officers made fewer IPV arrests than male officers did. Experienced and older officers made fewer arrests than less experienced officers (Robinson & Chandek, 2000). Therefore, demographics of either the victim or the officer do not seem to carry much influence in the arrest decision; however, attitudinal variables likely play a big role in IPV arrests as well.

Attitudes of both the officer and the victim during their first interaction have an impact on the ultimate arrest outcome. Studies show that an officer's choice to arrest is directly influenced by the attitude of the victim (Feder, 1996; Robinson & Chandek, 2000; Smith, 1987). Moreover, if the victim acts uncooperatively during the initial investigation, the officer may view the arrest as a waste of time and resources (Feder, 1996; Robinson & Chandek, 2000; Smith, 1987). In particular, if the victim is intoxicated or aggressive towards the officer, the officer will often fail to arrest in lieu of admonishments or voluntary separation. Officers are more likely to arrest if the victim was rational and interacted in a respectful manner (Buzawa & Buzawa, 1993; Robinson & Chandek, 2000). Consequently, the focus becomes the victim's demeanor and the victim's actions instead of the abuser's violent acts. Officers often base arrest decisions on the reactions of the recently battered victims, relying on their idea of a "good" IPV victim.

In spite of the officer and victim relationship at the scene, the surrounding circumstances of the incident can be just as important in deciding if an arrest is appropriate. Circumstances that positively influence the choice to arrest are the presence of weapons (Smith, 1987), seriousness of the offense (Feder, 1996), occurrence of sustained injuries, and whether there are past, repeated IPV incidents on record (Robinson & Chandek, 2000). Circumstances that negatively affect an arrest include the couple's marital status and the absence of the offender when officers arrive at the scene (Robinson & Chandek, 2000). These studies show that officers often make arrest decisions based on extra-legal factors rather than on the law. For this reason, police departments across the United States began instituting mandatory arrest policies whereby arrest decisions were no longer left solely to an officer's discretion.

The Affect of Mandatory Arrest on Recidivism. In 1981, the U.S. National Institute of Justice (NIJ) first researched the impact of IPV arrests on rates of recidivism through a study known as the "Minneapolis Experiment" (Dobash & Dobash, 2000; Sherman & Berk, 1982). Upon law enforcement's presence on the scene, researchers randomly assigned IPV offenders to three possible arrest outcomes: 1) immediate arrest; 2) removal of the offender; or, 3) allowing the offender to remain at the scene. The initial findings of this study were groundbreaking and substantiated the fact that abusers who were immediately arrested experienced less IPV recidivism over the course of the next year. This study greatly affected future police policy; as a result of this study mandatory arrest statutes began appearing in jurisdictions all across the country (Dobash & Dobash, 2000; Sherman & Berk, 1982; Sherman, Smith, Schmidt & Rogan, 1992). By 1991, fifteen states had instituted mandatory arrest statutes that appealed to both "tough on crime" politicians and advocates fighting "violence against women" (Felson et al., 2005).

Replication studies were funded by NIJ in five additional cities – namely Omaha, Milwaukee, Charlotte, Metro-Dade County Miami Florida, and Colorado Springs. Each site used the same random assignment methodology as the Minneapolis study, but researchers conducting the studies were free to institute some improvements in the study design. Some of these improvements included a larger sampling size, along with better demographic measurements concerning race, education, socio-economic status, and employment. Additionally, some cities looked at the effect of recidivism by the issuance of arrest warrants and protective orders (Schmidt & Sherman, 1993). Although the basic focus of the study remained the same, the results of the replication studies were not as conclusive as the original Minneapolis study. In the Omaha, Charlotte, and Milwaukee studies, researchers did not find any deterrent affects from an arrest, but rather found increases in subsequent IPV incidences. Although researchers noted an increase in recidivism in these three cities, they did find some deterrent affects in the Colorado Springs and Metro-Dade settings. However, unlike the original Minneapolis study, none of the deterrent affects continued longer than six months (Sherman et al., 1992).

Replication studies in Omaha and Milwaukee did show evidence of long-term reduction in recidivism (Berk & Sherman, 1988; Dobash & Dobash, 2000; Schmidt & Sherman, 1993; Sherman et al., 1992). Researchers hypothesized that the differences in these results were not from the deterrent factors of mandatory arrest, but rather the influence of social controls within the abuser's community. Those abusers who were arrested in these two cities were more susceptible to the effect of arrest if they were employed and married. However, if the offender was unemployed and unmarried, an arrest could serve as a catalyst for continued family violence (Schmidt & Sherman, 1993; Sherman et al., 1992). It follows from these studies that the

effectiveness of arrest in IPV cases rests upon the offender's stakes in the community and the level of social control exhibited within those community relationships.

Additionally, demographic differences of an offender's race may play a role in the effects of mandatory arrest. For instance, recidivism among African American offenders decreased while white and Hispanic offenders were prone to continued violence despite the sanction of arrest (Schmidt & Sherman, 1993). Researchers believe that offenders may use the victim's involvement in the arrest as a basis for future violence, but to understand the influence of victim involvement researchers must first determine the effects of victim cooperation versus the effects of third party involvement (Felson et al., 2005; Sherman et al., 1992). Felson et al. (2005) hypothesized that retaliation after an IPV situation could increase if the victim initiated the complaint and cooperated with the police; however, their research revealed that recidivism did not depend to any great extent on who initiated or cooperated with law enforcement.

Of course, arrest in and of itself is not a cure for violent behavior. However, arrest does guarantee an immediate end to the violence, and it does send a strong message throughout a community that these acts are criminal violations of the law. Actions by the courts and the prosecutors must be in accordance with the police arrest, otherwise acts of mandatory arrest become little more than a meaningless gesture without substance and hence of little value as a deterrents to IPV.

When an undocumented immigrant is the victim of IPV and becomes involved in a mandatory arrest situation, the arrest becomes much more than a meaningless gesture. Having the police intervene brings a host of immigration problems most officers generally only scarcely consider. The arrest of the abuser could mean financial destitution and further isolation. The incorrect arrest of the victim could bring immediate deportation. Mandatory arrest in IPV

45

situations is difficult at best, but an arrest coupled with the current immigration policy can be permanently detrimental.

Arrest of the Victim. Even documented immigrant women are deported for an array of criminal activities, and those women who are falsely accused of a crime face a multitude of legal problems in getting justice. Abusers have used their knowledge of the American criminal justice system to interrupt the victim's residency petition by filing false allegations against the undocumented battered woman (Espenoza, 1999; Raj et al., 2002). False allegations not only create a credible threat of deportation, but also give the battering spouse an advantage in any future child custodial proceedings. Additionally, IPV abusers often report their victims to immigration when an undocumented, immigrant battered woman asks for child support.

Sadly, tools created by the state legislatures to address the problem of IPV are often used as weapons against the undocumented immigrant battered woman. For instance, mandatory arrest and "no drop" prosecution policies can become two of these weapons. Hard line prosecution policies designed to increase proactive handling of IPV cases can be manipulated by battering spouses who file false charges. Prosecuting offices that institute a strict "no drop" policy find themselves charging falsely-accused immigrant victims without any ability to undue this wrong (Espenoza, 1999).

Mandatory arrest policies are another example of agency protocols creating an increased number of dual arrests. When both the battering spouse and the victim are arrested, this dual arrest creates a double layer of adverse immigration consequences (Espenoza, 1999). Dual arrests occur because law enforcement officers have not been properly trained in IPV investigations. In other words, instead of taking the necessary time to fully investigate and determine the primary aggressor in the situation, officers literally give up and arrest both parties.

Not only are these women caught in a dual arrest net subject to deportation, but they will also lose any protections and relief under BIWPA for violating the "good moral character" requirement of that legislation (Espenoza, 1999).

Consequences of Arresting the Abuser. VAWA's legislation increased the punishments against immigrant IPV offenders by expanding the definition of types of law that initiate deportation proceedings. Traditionally only crimes involving "moral turpitude" would result in possible deportation; however VAWA's new legislation broadened the types of offenses that triggered offender deportation to include crimes such as assault and battery (Espenoza, 1999). On the surface, this tough stance in support of offender accountability, and thus deportation, was considered revolutionary by IPV victim advocates, but undocumented Latinas who are IPV victims have suffered unforeseen harmful consequences.

Undocumented immigrant battered women began to worry that contacting the police would result in the deportation of their spouse. Even if the abuser has legal status, conviction of an IPV charge may result in deportation. IPV victims routinely do not want anything "bad" to happen to the abuser, they just want the abuse to stop (Walker, 1980). This is especially true for an immigrant victim, who will lose financial stability and put her own petition in jeopardy if her abusing spouse is deported. Specifically, if the victim's abuser is her sponsor or the petition was based on her abuser's status, the victim is faced with starting the petition process all over again (Espenoza, 1999). At this point, restarting the petition process can only occur if the victim can qualify under BIWPA. Qualifying under BIWPA means that the victim must be married to her abuser and her abuser must be documented. Although Congress created the penalties against abusers with the intent to aid the plight of immigrant battered women, the effect became further victimization for many women. By deporting the abuser, the result can often be financial

47

destitution and, depending on the victim's situation, no protections from BIWPA (Espenoza, 1999; Kelly, 1998; Wood, 2004).

In conclusion, the Violence Against Women Act, in all its transformations, was dedicated to creating resources and protections for all battered women. Advocates soon realized that undocumented battered women faced unique hurdles that needed direct intervention. By 2000, the BIWPA became that intervention and succeeded in protecting many undocumented women by allowing self-petitions and suspension of deportation proceedings. The BIWPA was a giant step forward, but this legislation still left a significant portion of undocumented immigrant women unprotected. For instance, current legislation does not protect undocumented women who are battered by their undocumented spouses. In addition, if the undocumented woman is not married to her abuser, the legislative protections do not apply. If an undocumented battered woman does choose to leave the abuser, the social service system fails to aid abuse victims. Additionally, the criminal justice system's response often is to initiate deportation proceedings against the victim. New legislation is needed so these women can receive protection from BIWPA and stop fearing deportation (Wood, 2004).

Local police agencies have had a long history of shifting between strict adherence to U.S. immigration policy to indifferent disobedience. The result has been a tenuous relationship between the local police and the federal immigrant population (Salcido & Adelman, 2004). Regardless, many immigrants view local police synonymously with federal immigration agents. This viewpoint is well-founded and based on numerous incidences of threats of deportation made by local authorities. After the terrorist attacks on September 11th, 2001, this relationship between local police and immigrants worsened in many respects as federal authorities changed immigration policy to allow local police immigration enforcement.

CHAPTER FOUR
RESEARCH METHODOLOGY

The purpose of this study is to determine how undocumented immigrant status affects the lives and decisions made by the battered Latina within the context of culture and ethnicity and focuses on three specific research questions:

1. To what extent does fear of possible deportation influence the help-seeking behavior of an undocumented battered Latina in regards to her decision to contact the police or other community agencies concerning her victimization?

2. What typically happens after the battered Latina tells someone about her abuse?

3. a. What are the perceptions and experiences of the battered Latina with official police agencies?
   b. Are negative interactions with the police related to deportation fears?

This study's goals are to examine what conditions relate to an undocumented battered Latina's decision to contact law enforcement upon victimization, and to document how these decisions are influenced by local law enforcement and by federal immigration policy. This chapter describes the research sample used and summarizes the methodology utilized to study the decisions made by battered Latinas within the context of an undocumented immigration status.

The three research questions of this study -- framed within the literature concerning intimate partner violence, Latina's culture, and the effects of immigration policy -- lead to the following testable hypotheses.

1. A relationship exists between fear of deportation and the decisions made by undocumented battered Latinas concerning help-seeking behavior.
2. Experiences concerning subsequent help-seeking are related to deportation fears of the battered Latina.
3. An undocumented battered Latina's negative perceptions and experiences of police interaction are related to deportation fears.

Research Design

Research Setting

The sampling population is undocumented Latinas residing within the U.S., and who are also IPV victims. The south central area of Washington State was selected for this study because of the area's large population of migrant workers from Mexico employed in the local agricultural, landscaping, and construction industries. A large number of individuals and families of potential interest temporarily or semi-permanently reside in this area of Washington. Initial participants were recruited from Benton and Franklin Counties of Washington State, along with the Sunnyside area of Yakima County, Washington.

Benton and Franklin counties are located in the south central portion of Washington State and contain the three neighboring cities of Pasco, Kennewick, and Richland, known as the "Tri-Cities." Currently, the Tri-Cities area is one of the fastest growing urban regions in Washington State. It is a semi-arid region served by irrigation from the Columbia Basin Project situated within the convergence of the Yakima, Snake, and Columbia rivers. Historically, this area has relied on the Hanford Nuclear Weapons Production Facility and on agriculture as the primary economic drivers, and heavy use of migrant farm workers has been made to harvest apples, corn, cherries, grapes, and asparagus. As of 2008, the estimated population in Benton County was 165,500 with 16.4% being of Hispanic ethnicity and 10.9% of the total population living below the federal government's poverty level. The estimated population of Franklin County was 72,783 with 49.2% being of Hispanic ethnicity and 38.1% of the total population living below the official poverty level (Source: U.S. Census of 2010).

Fifty miles south of Benton and Franklin counties are the small communities of Sunnyside and Mabton in Yakima County, locations which are even more reliant on agriculture

and dairy farming than Benton and Franklin counties. In 2008, the estimated population in this combined rural area is 15,796 with 81.4% being of Latino ethnicity and 33.6% of the total population living below the federal poverty level (Source: U.S. Census of 2010).

After identifying the sampling region, the next step in the process of locating study participants involved identifying IPV victims from within the pool of undocumented Latinas residing in these areas. Using contacts made through Washington State University, I began by contacting the Domestic Violence Services of Benton and Franklin Counties (DVS). This nonprofit organization, which incorporated in late 2003, offers advocacy and support services for IPV victims. Their support services include an emergency shelter, a 24-hour crisis line, legal advocacy, group counseling, rental assistance, and volunteer and community education and training. In particular, DVS offers group counseling for Spanish-speaking Latinas where numerous participants are undocumented. The bulk of the funding supporting DVS comes from state service contracts, foundation and governmental grants, and community donations.

In addition to DVS, I also contacted Lower Valley Crisis & Support Services agency in the city of Sunnyside which provides similar services for the Yakima Valley and lower Benton County areas.   Although Lower Valley Crisis Support Services is a smaller, grass roots-type of operation, the agency works with the Migrant Headstart program in providing advocacy and counseling for victims of abuse. Working in tandem, both of these agencies were able to help identify and make connection to IPV victims who were undocumented Latinas.

Lastly, I received permission from the Pasco Police Department to enlist the assistance of their Victim Assistance Program to help identify IPV victims for this study. Pasco Police Chief Dennis Austin has long been dedicated to enhancing the quality of life for all residents of the multi-cultural community of Pasco, and in this respect the Pasco Police maintains a dedicated

51

Domestic Violence Response Unit that provides expeditious advocacy services to IPV victims.

Within their Response Unit, an experienced Domestic Violence Coordinator is responsible for an

on-the-scene crisis intervention unit and contains a dedicated bilingual victim advocate to assist

victims with the enforcement of protection orders, the arrangement of community referrals, and

the provision of court support services.

Research Procedure

This research uses a mixed methods design to explore and document the help-seeking

decision making of battered undocumented immigrant Latinas in south central Washington. A

mixed method approach entails collecting and analyzing both quantitative and qualitative data,

permitting the researcher to understand both the general patterns of behavior and the dynamics of

individual cases associated with the research problem. Typically this approach is used in

pragmatic and problem-centered research areas where neither quantitative nor qualitative

methods alone are sufficient, but which together allow for a more complete and more insightful

analysis (Creswell, 2003; Ivankova, Creswell & Stick, 2010).

While the mixed methods approach is used increasingly in social science, there are

noteworthy implementation issues concerning sequence and weight of data collection that can

create troublesome research design problems. To ameliorate these potential problems, a

sequential explanatory design is often used (Tashakkori & Teddlie, 2003; Creswell, 2003, 2008).

The main research strategy of this particular mixed methods design uses quantitative data first to

identify salient features of the study and then makes use of qualitative data in a subsequent phase

to generate a narrative which frames the research questions. For this type of research the

quantitative data are acquired through the use of a survey instrument administered to

undocumented Latina IPV victims. After surveys are administered, study participants were

given an opportunity to volunteer for follow-up interviews. In this study, out of 92 completed surveys administered only six follow-up interviews were conducted due to the extremely vulnerable circumstances associated with bettered Latina victims. While the quantitative survey data will address the research questions set out above, the qualitative data derived from the follow-up interviews will give the research rich context and allow the exploration of the nuances of the study.

Using convenience and snowball sampling procedures, 92 women were recruited from two rural communities and 3 urban communities over an 18-month time period. The criteria for study participation included the following: being 18 years old or older, being of Hispanic ethnicity, having immigrated to the United States without formal immigration documentation, and past or present involvement in IPV. Survey data collection took place beginning in May 2008 and continued until December 2009. The majority of participants were referred and screened by advocates from women's shelters, police department advocate offices, and Headstart offices. In addition, some participants were referred through word-of-mouth and made personal contact with either the researcher or agency advocates expressing a desire to participate. Agency advocates initially screened potential participants as Latina, then as victims of IPV, and lastly as undocumented immigrants. Methods of recruitment included solicitation of agency staff referrals, distribution of flyers, and group presentations.

Prior to data collection, detailed information about the study was presented, and written informed consent was obtained. All study procedures and consent forms were reviewed and approved by the Washington State University Institutional Review Board (see Appendix B). Before any survey or interview began, the goals of the study were explained, assurances of confidentiality were made, and study participants were given an opportunity to ask questions.

Surveys were conducted at women's shelters, participant's homes, police agency conference rooms, and public libraries. Both the survey sessions and follow-up interviews were often intensely emotional, but none of the participants asked for either the survey or interview to terminate. The participant's safety, both emotional and physical, was a primary concern throughout this research, along with the need to maintain strict confidentiality. Participant safety was addressed though advocate training concerning intimate personal violence.

Advocates were recruited because of their current employment within a local battered women's shelter or were recruited because they had recently been trained as an IPV volunteer advocate. Advocates were drawn from two categories: 1) advocates who held current employment within women's shelters; and, 2) advocates who held an interest in violence against women and were willing to volunteer their time. All advocates were bilingual and had received significant training concerning domestic violence.

To ensure participant safety, a domestic violence advocate was present and available to each participant in the event of any emotional distress. Physical safety concerns of the participant were addressed by allowing the participant to choose the time and place to take part in the survey or participate in a follow-up interview. Advocate and researcher safety concerns were addressed by agreeing to meet in pairs in either public places (restaurants, libraries, or schools) or at law enforcement agencies or at the local women's shelter.

Confidentiality concerns were addressed by assuring each participant that their responses were anonymous and confidential. Every study participant gave written consent, however many participants refused to sign their name for fear that Immigration Customs and Enforcement (ICE) would access this information. In these cases study participants verbally consented and often

signed with an "X", provided a fictional name, or wrote the words of "I understand" on their consent forms. Participants received a $10 honorarium for completing a survey or an interview.

The survey instrument employed in the study was an adaptation of a 1996 Violence Against Women survey used in Duluth, Minnesota. The survey included a set of 82 questions featuring both dichotomous, ordinal, and Likert-type scale answers, and the survey instrument was prepared in both English and Spanish. The survey instrument sought information regarding the participant's victimization, the nature of their help-seeking behavior, the results of their seeking out help, the nature of their interaction with police, their quality of life, support systems available to them, and personal background demographics. The questions were organized in the following categories:

- Intimate Partner Violence Indicators
- Quality of life information
- Victimization Index
- Help-Seeking
- Results of Help-seeking
- Law Enforcement Response
- Support services
- Demographic and background information.

Surveys were implemented either individually or within small groups of two or three participants. When surveys were given in small groups, the advocate/facilitator would be present and would read the questions aloud in Spanish. In this way, those participants who could not read either English or Spanish would not be singled out. Advocates/facilitators were also available for questions by participants, but they were counseled prior to the sessions to answer any participant's questions in a neutral, unbiased fashion. Surveys implemented individually were also often read aloud to the participant. In many cases, due to illiteracy, the participant would tell the advocate the answer and the advocate would mark the survey for the study participant.

Sample

There are 92 survey participants who identified themselves as having been victims of IPV, who are of Latino ethnicity, and who are without current documented immigrant status. Of the 92 participants, 91 are from Mexico and one participant is from another Latin American country. As shown in Table 4.0, all study participants are between 18 and 65 years old, and they have varying degrees of formal education and varying levels household annual income.

Eighty-eight percent of the participants report an annual household income of less than $15,000, with forty percent reporting household annual incomes of less than $4,000. All but four study participants have school aged children; 54.4% have 1-3 children and 41.1% have 4 or more children. A little over half of the women in the study reported being employed, however thirty-five percent have held their current job for less than one year. With regard to formal education, 26.5% have less than a 6th grade education, while 72% have some middle or high school education. Concerning immigration status, although all 92 participants were undocumented at the time of the study, 60.7% of their respective abusers were undocumented while 39.3% had either legal status or are US citizens (see Table 4.1).

Table 4.1 Characteristics of the Survey Sample

Characteristic	Total Sample N=92	
	%	(n)
Age mean (range 18-65)	28.5	(86)
# of Children		
0	4.4	(4)
1-2	25.5	(23)
3	28.9	(26)
4-5	30.0	(27)
6+	11.1	(10)
Formal Education		
$\leq 6^{th}$ grade	26.5	(22)
7-11th grade	54.1	(45)
Graduate HS	16.9	(14)
> High School	2.4	(2)
Employment		
Yes	56.5	(52)
No	43.5	(40)
Length of Employment		
< 1 year	35.3	(18)
1 to 3 years	31.4	(16)
> 3 years	33.4	(17)
Household Annual Income		
Less than $4,000	40.0	(30)
$4,001 - 6,999	18.7	(14)
$7,000 – 14,999	29.3	(22)
$15,000 – 24,999	5.3	(4)
$25,000 +	6.7	(5)
Marital Status		
Married	44.0	(40)
Single	47.3	(43)
Divorced	8.8	(8)
Partner Status		
Undocumented Status	62	(57)
Documented Status	38	(35)

Measures

Factor Analysis and Reliability

Factor analysis is useful to examine how underlying constructs might influence a set of variables featured in a survey instrument. To identify how different measures influence one another, the strength of the link between the factor and variable is identified examining the pattern of correlations obtained among the measures. Highly correlated measures are often influenced by the same factors, while uncorrelated variables could be influenced by different factors (DeCoster, 1998). Factor analysis allows the researcher to see patterns between numerous variables and is often referred to as a data-reduction technique used to reduce a set of variables to a smaller number of unobservable factors (Fabrigar, Wegener, McCallum, & Strahanl, 1999; Green, Salkind & Akey, 2000). This statistical procedure can give the researcher a better conceptual understanding of the correlation matrix of a group of variables by looking at what smaller number of underlying factors these many variables have in common.

Exploratory factor analysis (EFA) looks at the type of factors that influence a set of responses, while confirmatory factor analysis (CFA) tests the predictability of influences on a set of variables (DeCoster, 1998). EFA is normally used when the researcher needs to generate a theory about the underlying responses to the measures in question and is interested in which factors are responsible for a set of responses. CFA is more theory-driven than data-driven and examines the underlying construct of an instrument to test whether the variables are related as expected. CFA is used to examine how underlying constructs influence a set of responses in a predicted way and to reduce this data (Harrington, 2008). In this research, confirmatory factor analysis is used to group and reduce the measurement variables that fall within the study's theoretical framework. One important area of interest for this study is to understand whether the

fear of deportation is related to the subsequent help-seeking actions of battered Latinas. The survey in this study asks a variety of questions concerning types of abuse, when and what type of help was accessed, and what occurred after someone was told of the abuse. CFA will reduce these numerous variables which will aid in understanding the role that fear of deportation plays in help-seeking decision making.

Multiple-item scales are developed to understand the effect fear plays in the decision making characteristics of the study participants. These characteristics are called constructs, and these help researchers to explain participant behavior. A reliability analysis can analyze items in the construct to ensure internal reliability and to verify whether the items represent one distinct dimension or area of interest. This procedure estimates the reliability of the construct based on the consistency of covariance among variables; Chronbach's alpha is a measure of construct consistency whereby each item is correlated and compared for the presence of variability. Chronbach's alpha measures how well a set of variables are internally consistent within a multi-item construct. The larger the alpha value, the stronger the inter-correlation among the construct items (Salkind, 2005).

Survey Measures

The data in this study consist of 112 different variables taken from a survey containing 88 questions written in both English and Spanish. The Statistical Package for the Social Science (SPSS), version 17.0 was used to analyze the data collected over the course of the study. The primary purpose of this research is to identify potential areas within the life of the battered Latina that are related to their fear of deportation.

Research Question #1: Fear of deportation. The first research question concerns whether fear of deportation is related to the help-seeking behavior of the undocumented battered Latina. To answer this question, two levels of analysis are used to isolate multiple dependent variables; 1) measuring the victim's fear of deportation; and, 2) measuring whom the victim told about the abuse. First, in order to measure the participant's fear of deportation one specific survey question asks: *In the past 12 months, I have worried about being deported* which measures the participant's level of fear of deportation from their perspective. This is a dichotomous measure which is coded 0 for "no" and 1 for "yes" (see Table 4.2).

Table 4.2 Sample Characteristic of *Worry*

Variable	No		Yes	
	%	(n)	%	(n)
Worry about being deported	46.7	(43)	53.3	(49)

To understand which victim characteristics are related to this measure, univariate tests are run looking for any significant relationship with the three major areas in the survey: 1) different types of IPV experienced; 2) participant's quality of life; and, 3) the participant demographic characteristics. First, the types of IPV experienced by the participants is measured through numerous questions asking about different types of abuse based on the Power and Control Wheel created by the Domestic Abuse Intervention Project derived from the Duluth Model of domestic violence victimization (see Appendix A). Statements concerning different kinds of abuse are listed in the survey resulting in 18 individual questions that fall into two major different types of violence: *emotional abuse* and *physical abuse.* The survey participants could either agree or disagree with the statement by answering "yes" or "no". These 18 variables are dichotomous measures and are coded 0 for "no" and 1 for "yes" and include questions ranging from name calling, controlling money, threats with weapons, and actual physical injury (see Table 4.3).

60

A factor analysis was conducted on all 18 variables in order to reduce the data into a smaller set of measures that reflect groupings of inter-related items. Based on the literature in IPV and the use of the Power and Control Wheel created by the Domestic Abuse Intervention Project (see Appendix A), a confirmatory factor analysis is used as one tool to verify which variables statistically grouped together.[1] Although three factors are produced from this analysis, only two scales were ultimately created based on the existing literature. The *emotional abuse* category includes responses for name calling, receiving angry stares, and putting down family or friends. These questions identify emotional abuse along with abuse used through intimidation and isolation. The *physical abuse* category includes responses for threats of violence and destruction of property, along with focusing on an increased level of physical harm including driving a car recklessly, rape, and physical injury. The *emotional abuse scale* includes 9 variable items and has a very high coefficient alpha of .900 and the *physical abuse scale* includes 10 variable items and has a very high coefficient alpha of .922 (see Table 4.3).

---

[1] The analysis produced three factors with loadings of .54 or greater and the Eigenvalues for each subscale 10.08, 1.43 and 1.01, respectively, creating the possibility for three scales.

Table 4.3 Reliability Results Concerning Types of Intimate Partner Violence

Emotional Abuse Scale	Corrected Item-total Correlation
My abuser called me a name	.706
My abuser gave me angry stares	.714
My abuser put down my family/friends	.760
My abuser accused me of paying attention to others	.757
My abuser said things to scare me	.762
My abuser tried to keep me from doing something	.698
Upset when dinner/housework not done	.697
Prevented me from having money	.677
My abuser threatened to call immigration	.436
Coefficient Alpha: .900	
Inter-item Correlation: .525	
Scale Mean: 7.13	
Range: 0-9	

Physical Violence Subscale	Corrected Item-total Correlation
Threatened to hit or throw something	.637
My abuser slapped, hit, or punched me	.757
My abuser threw me	.768
My abuser pushed, grabbed, or shoved me	.678
My abuser threw, hit, kicked or smashed something	.799
My abuser droves reckless in the car	.669
My abuser threatened me with a knife/gun/weapon	.626
My abuser forced me to have sex	.721
My abuser kicked me	.679
My abuser choked me	.784
Coefficient Alpha: .922	
Inter-item Correlation: .553	
Scale Mean: 7.46	
Range: 0-10	

Next, to investigate whether a relationship exists between *worry* and the quality of life of victims, participants were asked to report their satisfaction or dissatisfaction with their neighborhood, employment, boss, and co-workers. These questions were given in the form of a Likert-type scale where answers were measured from 1 (strongly agree) to 6 (strongly disagree). To determine how well the items of neighborhood and employment satisfaction or dissatisfaction are related to each other, a factor analysis and reliability test were conducted on these 11

questions.[2]   From these survey responses, three distinct categories were created by the factor analysis – namely *neighborhood*, *positive work,* and *negative work*. The *neighborhood* category includes responses for those questions concerning safety and satisfaction in their homes and neighborhood. The *positive work* category includes responses for questions concerning overall job satisfaction and being treated well by one's employer. The *negative work* category includes responses about being threatened by one's employer and one's co-worker (see Table 4.4). Within the *negative work* category, these questions were negatively worded whereby a lower score indicates a lower measure. These questions were reversed scored resulting in a rating of "1" to indicate a negative response. The *neighborhood scale* includes 5 variable items with a strong coefficient alpha of .841, the *negative work scale* includes 2 variable items with a moderately strong coefficient alpha of .787, and the *positive work scale* also includes 2 variable items with a strong coefficient alpha of .845 (See Table 4.4). These three categories were collapsed into "agree" or "disagree" responses, and then they were coded 0 for "no" and 1 for "yes".

---

[2] The analysis produced four factors with loadings of .66 or greater and the Eigenvalues for each subscale are 3.59, 1.86, and 1.51, respectively, creating scales for *Neighborhood, Positive Work,* and N*egative Work*.

Table 4. 4 Reliability Results for the Quality of Life Scale

Neighborhood Scale	Corrected Item-total Correlation
I am satisfied with my quality of life	.461
I am satisfied with my neighborhood	.722
My house feels like home	.755
I feel safe walking in my neighborhood	.689
I feel safe home alone at night	.622

Coefficient Alpha:	.841
Inter-item Correlation:	.517
Scale Mean:	14.51
Range:	0-5

Negative Work Scale	Corrected Item-total Correlation
I am threatened by my boss	.651
I am threatened by my co-workers	.651

Coefficient Alpha:	.787
Inter-item Correlation:	.651
Scale Mean:	5.06
Range:	0-6

Positive Work Scale	Corrected Item-total Correlation
I am satisfied by my job	.733
My boss treats me well	.733

Coefficient Alpha:	845
Inter-item Correlation:	.733
Scale Mean:	5.72
Range:	0-6

The second analysis focuses on to whom the victim revealed the abuse and begins by asking the question *"who did you tell about the abuse?"* This is a dichotomous measure which is coded 0 for "no" and 1 for "yes" for each possible party listed (see Table 4.5). The survey contains eight statement choices and participants are instructed to "mark all that apply." A factor analysis was conducted on all eight variables in order to reduce the data into measures that are inter-related.[3] The *unofficial person* category includes responses for those types of contacts

---

[3] The analysis produced two factors with loadings of .53 or greater and the Eigenvalues for each subscale were 3.49 and 1.14, respectively, creating scales for *unofficial person* and *official person*.

made within the home and/or neighborhood while contacting an *official person* category includes

contacts made at governmental or state agencies. The *unofficial person* scale includes 4 variable

items with a moderate coefficient alpha of .730, and the *official person* scale includes 3 variable

items with a moderate coefficient alpha of .717 (see Table 4.5).

Table 4. 5 Reliability results concerning telling someone: *unofficial* and *official*

Told Someone "Unofficial" Scale		Corrected Item-total Correlation
Family member		.543
Friend		.509
Employer or co-worker		.470
Priest/Minister		.561
Coefficient Alpha:	.730	
Inter-item Correlation:	.404	
Scale Mean:	1.93	
Told Someone "Official" Scale		Corrected Item-total Correlation
Police/Prosecutor/Judge		.618
Victim Advocate		.488
Doctor or nurse		.508
Coefficient Alpha:	.717	
Inter-item Correlation:	.457	
Scale Mean:	1.42	

Research Question #2: Fear of Deportation and what happened after telling someone. To

understand if fear of deportation is related to what happened after the victim told about the

abuse, study participants answered the survey question *"what happened after telling someone*

about the abuse?" This is a dichotomous measure which is coded 0 for "no" and 1 for "yes".

The survey contains ten statement choices ranging from the police being called to leaving home.

A factor analysis was conducted on nine variables in order to reduce the data into measures that

are inter-related.[4] Two categories were created from the survey responses based on what is known in the literature concerning the organizational timing of police and government agency responses to IPV. The *primary result* category includes responses for those types of contacts that are made as a result of the police being called. The *secondary result* category includes responses for those types of contacts that came subsequent to the initial incident (see Table 4.6). The *primary result* scale includes 4 variables with a moderate coefficient alpha of .702 and the *secondary result* scale includes 5 variables with a weak coefficient alpha of .554 (see Table 4.6).

Table 4. 6 Reliability: Response by others: *Primary* and *Secondary Results*

Primary result Scale		Corrected Item-total Correlation
Police were called		.475
Police arrested abuser		.660
Went to doctor or hospital		.472
Stayed at shelter		.354
Coefficient Alpha:	.702	
Inter-item Correlation:	.367	
Scale Mean:	1.77	
Secondary result Scale		Corrected Item-total Correlation
Child Protection Services was called		.399
Immigration was called		.363
Stayed at motel		.323
Stayed with family or friends		.235
Family confronted the abuser		.310
Coefficient Alpha:	.554	
Inter-item Correlation:	.212	
Scale Mean:	1.32	

Knowing whom the victim initially contacted about the abuse provides only partial understanding of their help-seeking strategies. As a follow up to *who was told* and *what*

---

[4] The analysis produced three factors with loadings of .46 or greater, and the Eigenvalues for each subscale were 2.89, 1.39 and 1.13, respectively, creating scales for *police interaction, agency response,* and *family response.* Although the factor analysis found three possible factors, based on the literature concerning police interaction the IPV incident and reliability testing, it was determined that having only two scales was appropriate for this study.

happened after they were told, study participants were asked to identify the personal and community resources accessed throughout the history of the abuse suffered. These agencies and services ranged from support from family or friends, counseling, to legal services. These variables are also dichotomous measures and are coded 0 for "no" and 1 for "yes".[5] The *agency* category includes responses for contacts made with formal agencies such as domestic violence shelters, medical facilities, and legal offices while the *community* category includes contact with religious organizations, and the *law enforcement* category included both the prosecutor and police agencies (see Table 4.7). The *agency* scale includes 6 variables with a moderate coefficient alpha of .789; the *community* scale includes 3 variables with a relatively weak coefficient alpha of .712, and the *law enforcement scale* includes 2 variables with a weak coefficient alpha of .639 (see Table 4.7).

---

[5] A factor analysis is run on all 11 variables in order to reduce the data into measures that are inter-related. A factor analysis was conducted which produced four factors with loadings of .49 or greater and the Eigenvalues for each subscale were 4.36, 1.24, 1.12 and 1.01, respectively, creating scales for *help-seeking agency, help-seeking community, help-seeking law enforcement,* and *help-seeking family.*

Table 4. 7 Reliability Results for Personal and Community Resources Accessed Scale

Help-Seeking: Agency Sub-scale		Corrected Item-total Correlation
Victim Support Group		.588
Counseling		.573
Domestic Violence Shelter		.563
Doctor and/or nurse		.528
Child Protective Services		.530
Legal Services		.462
Coefficient Alpha:	.789	
Inter-item Correlation:	.385	
Scale Mean:	2.82	

Help-Seeking: Community Sub-scale		Corrected Item-total Correlation
Priest/Minister		.466
Migrant Council		.603
Headstart		.528
Coefficient Alpha:	.712	
Inter-item Correlation:	.452	
Scale Mean:	.86	

Help-Seeking: LEA Sub-scale		Corrected Item-total Correlation
Prosecutors Office		.470
Police Office		.470
Coefficient Alpha:	.639	
Inter-item Correlation:	.470	
Scale Mean	.97	

Third research question: Fear of deportation and police interaction. The third research question looks at the relationship between the battered undocumented Latina and police interaction, and it contains two areas of inquiry. To understand the perceptions and experiences of the victims with official police agencies, questions were created that fell within the two areas of actions of the officer and perceptions of the victim. In total, study participants answered 15 statements concerning police interaction – 10 were dichotomous measures which are coded 0 for "no" and 1 for "yes" replies, and five items provided a 6-category, Likert-type response scale.

Ten statements focused on the actions of the police when they responded to the IPV scene while six questions concerned the participant's perceptions of the responding officer's attitudes.

Questions concerning police actions include the introductory phrase *Did the police…* and participants are instructed to mark all that apply. Possible responses range from giving victim information, collecting evidence, to asking immigration status. Questions concerning the participant's perceptions of police interaction are a mixture of negative and positive statements ranging from the officer showing concern to acting in a hostile way. The responses are measured by a 6-category, Likert-type scale where "1" represents "Strongly Agree" and "6" represents "Strongly Disagree". Three of the five statements are negatively worded where a lower score indicates a lower measure. These statements were reversed scored resulting in a rating of "1" to indicate a negative response. The five Likert-type questions were collapsed into "agree" or "disagree" responses and then coded 0 for "no" and 1 for "yes".

To determine how well the items of police contact are related to each other, factor analysis and reliability tests are performed on these 15 questions. A *positive response* category was created which combined positive action by the police and positive perceptions by the victim. The responses for statements regarding positive actions taken by the police officer include giving the victim information, offering medical and shelter help and collecting evidence. The responses for statements regarding negative actions by the police included questions concerning the victim's immigration status and statements by the officer that there wasn't anything they could do to help. The responses for statements regarding the victim's positive perceptions of the police interaction dealt with whether the officer took the assault seriously and showed concern to the victim. The responses for statements regarding the victim's negative perceptions of the police interaction dealt with the officer's attitude towards them and whether the officer took the

abuser's side (see Table 4.8). The *positive response* scale includes 10 variable items with a

moderate coefficient alpha of .880 and the *negative response* scale includes 5 variables items

with a weak coefficient alpha of .645 (See Table 4.8).

Table 4.8 Reliability Results for *Police Response* Scale

Police interaction: Positive Response Scale	Corrected Item-total Correlation
Talked to you in private	.413
Gave you information	.726
Asked if you were injured	.662
Offered medical help	.570
Offered shelter help	.493
Gave victim rights information	.676
Collected evidence	.656
Wrote up report	.650
Showed concern	.624
Took assault seriously	.645
Coefficient Alpha: .880	
Inter-item Correlation: .429	
Scale Mean: 6.73	

Police interaction: Negative Response Scale	Corrected Item-total Correlation
Said there was nothing they could do	.370
Asked immigration status	.150
Were hostile toward me	.517
Sided with my abuser	.638
Treated unfairly because I'm Latina	.355
Coefficient Alpha: .645	
Inter-item Correlation: .265	
Scale Mean: 1.27	

Strengths and limitations of the sample

Trust in government and community agencies is rare among the undocumented segment of the population. For those individuals who are also battered, trusting their own loved ones can also be very difficult. Finding participants for this study proved to be a challenge. Originally the plan was to recruit participants from the community along with those who had already contacted official agencies. Recruiting from agencies became more successful than recruiting from the community. Flyers were put in public and private places throughout the Latino community that tied directly into a cell phone used only for this project. This phone was monitored 24 hours a day by a bilingual victim advocate; however, less than a dozen calls were received and no one who called would agree to participate in the survey. Contact was made with business and farm owners who employed many Latino workers and asked if announcements and contact could be made. The owners agreed to allow employee access, however no one volunteered to take part in the survey. Distrust and fear became the biggest issue for potential participants - fear of telling someone about the abuse, and distrust based on the fear that this was a ploy by immigration. Stories circulated about how immigration would falsely advertise for workers, and when these individuals arrived they would be placed into custody and assembled for deportation. Further, many women work in the same area as their husbands and often coming forward to take a survey created too much of a safety risk for these women.

The immediate goals of the analysis forthcoming in the next chapter are to examine the effect a battered Latina's immigration status has on deciding whether to contact law enforcement upon victimization, and to document how these decisions are influenced by local law enforcement actions and by federal immigration policy. To understand more of the decision making process relating to seeking out help, a control sample of documented battered Latinas

71

would have benefited and furthered this research. Unfortunately, limited time and high costs

became important practical limiting factors preventing the expansion of this project.   The

current study is best considered exploratory, and most certainly represents step one in an analysis

to understand the relationship between undocumented immigration status, victimization, and

help-seeking.

CHAPTER FIVE
RESULTS

The following analyses seek to understand the relationship between a victim's fears of deportation and whether she told anyone about her abuse, what happened when she told, and what were her experiences and perceptions of the police. First, univariate results are displayed in order to describe these women's experiences with abuse and other life issues that are considered relevant to IPV such as worries about deportation, and telling someone who could be trusted about the abuse. Second, bivariate analyses are presented to determine how various aspects of battered Latina's lives and their worry about being deported relates to telling someone about their abuse, their perceptions of the police, and what happened after they told. Finally, multivariate analyses are conducted; logistic regression and OLS regression are used to determine what factors are most likely to be related to an undocumented Latina's likelihood to report her abuse, the character of her experiences, and the outcome once a report was made, especially when reported to the police.

Description of Undocumented Battered Latinas and Intimate Personal Violence

The 92 participants in this study had experienced one or more incidences of emotional abuse (94.6%) and/or physical abuse (89.1%) (see Table 5.1). Within this group, 55% worried about being deported while 54% had been threatened with deportation by their abusers. Yet, 90.2% did tell someone about their abuse, most often a friend (72%), victim advocate (58%), or family member (55%). The police were called 72% of the time and the abuser was arrested 44% of the time. Participants often sought medical attention (32%), left to stay with friends or family (59%), or stayed at a shelter (30%). In some instances immigration was contacted (16%) or

Child Protective Services (25%) (see Table 5.2). Beyond their abuse these women have an

overall positive perspective concerning their quality of life. They reported being satisfied with

their neighborhood (78%) and employment (63%) (see table 5.3).

Table 5.1 Types of Violence

Survey Variable Subjects Answering Yes	Yes		No	
	%	**(n)**	**%**	**(n)**
Emotional violence	94.6	(88)	5.4	(5)
Survey Question:				
My abuser called me a name	84.8	(78)	15.2	(14)
My abuser gave me angry stares	90.2	(83)	9.8	(9)
My abuser put down my family/friends	82.6	(76)	17.4	(16)
Accused me of paying too much attention to others	81.5	(75)	18.5	(17)
My abuser said things to scare me	85.9	(79)	14.1	(13)
Tried to keep me from doing what I wanted to do	82.6	(76)	17.4	(16)
Upset when dinner/housework not done	79.3	(73)	20.7	(19)
Prevented me from having money	71.7	(66)	28.3	(26)
My abuser threatened to call immigration	54.3	(50)	45.7	(42)
Physical violence	89.1	(82)	10.9	(10)
Survey Question:				
My abuser droves reckless in the car	70.7	(65)	29.3	(27)
My abuser threatened me with a knife/gun/weapon	59.8	(55)	40.2	(37)
My abuser forced me to have sex	72.8	(67)	27.2	(25)
My abuser kicked me	65.2	(60)	34.8	(32)
My abuser choked me	62.0	(57)	38.0	(35)
Threatened to hit or throw something	85.9	(79)	14.1	(13)
My abuser slapped, hit, or punched me	81.5	(75)	18.5	(17)
My abuser threw me	81.5	(75)	18.5	(17)
My abuser pushed, grabbed, or shoved me	88.0	(81)	12.0	(11)
My abuser threw, hit, kicked or smashed something	78.3	(72)	21.7	(20)

N=92

Table 5.2 Description of Study Participants

Subjects Answering "yes"	Yes %	Yes (n)	No %	No (n)
Worried about being deported	53.3	(49)	46.7	(43)
Told anyone about the abuse	90.2	(83)	9.8	(9)
Who was told:				
Family Member	55.4	(51)	44.6	(41)
Friend	71.7	(66)	28.3	(26)
Employer or co-worker	32.6	(30)	67.4	(62)
Police, prosecutor, or judge	46.7	(43)	53.3	(49)
Victim Advocate	57.6	(53)	42.4	(39)
Doctor or nurse	38.0	(35)	62.0	(57)
What happened after I told someone:				
Police called	71.7	(66)	28.3	(26)
Abuser arrested	43.5	(40)	56.5	(52)
Went to hospital or doctor	31.5	(29)	68.5	(63)
Immigration was called	16.3	(15)	83.7	(77)
Child Protective Services were called	25.0	(23)	75.0	(69)
Family confronted the abuser	22.8	(21)	68.5	(63)
Left and stayed with family/friends	58.7	(54)	77.2	(71)
Left and stayed at a shelter	30.4	(28)	69.6	(64)

N=92

Table 5.3 Characteristics of Quality of Life

Subjects Answering "yes"	Agreed %	Agreed (n)	Disagreed %	Disagreed (n)
Satisfied with Quality of Life	70.7	(65)	29.4	(27)
Neighborhood				
Feel satisfied with the neighborhood	78.2	(72)	21.8	(20)
Feel safe walking in neighborhood	66.3	(61)	33.7	(31)
Feel safe being home alone at night	51.1	(47)	48.9	(45)
Landlord				
Would like to move away	24.2	(22)	75.9	(69)
I feel threatened by my landlord	22.2	(20)	77.8	(70)
Employment				
I am satisfied with my job	62.5	(45)	37.5	(27)
My boss treats me well	70.0	(49)	29.9	(21)
I feel threatened by my boss	14.4	(10)	85.7	(60)
I feel threatened by my co-workers	20.8	(15)	79.2	(57)

N=92

Characteristics of Those Who Worry About Being Deported

In order to aid all women who endure violence by their intimate partners, we must understand what influences women to contact police or other agencies for help. For the undocumented battered immigrant, the worry about being deported may be an overarching concern in regard to a decision to contact the police or other community agencies concerning her victimization. Thus, does a relationship exist between worry about being deported and the decisions made by undocumented battered Latinas regarding help-seeking behavior? This particular study attempts to determine if worry about being deported is related to the help-seeking strategies of the undocumented battered Latina interviewed in this study. To begin, the relationships between fear of being deported, telling someone about the abuse, and what others did after being told are explored.

The importance of this study stems from what is learned about the differences between victims who worry about being deported and those that do not. The subjects in this study were nearly equally divided between those who worry about being deported (53.3%) and those who do not (46.7%). Although there were no significant personal background differences, Latinas who worry about being deported were slightly older (30+ years: 65.3% vs. 59.8%), have more children (3+ children: 75.0% vs. 64.3%), were employed (63.3% vs. 46.8%), and were likely to be employed for a longer period of time (90% vs. 57.1%). The only significant differences between those who were worried about deportation and those who were not was the documented status of the abuser. Women who worried about being deported were more likely to be with abusers who were also less likely to be documented (81.4% vs. 51.2%) (see Table 5.4). These results may indicate that as victims become more acculturated within the community, either

through aging, raising children, or employment, their worries of being deported increases.

Results also indicate an increase in fear for those victims whose abusers are also undocumented.

Table 5.4 Characteristics of Those Who *Worry*

Characteristic	Total Sample % (n)	Worry about deportation % (n)	Not Worried % (n)	Chi Square
Age				
18-29	40.2 (37)	34.7 (17)	46.5 (20)	1.423
30-39	40.2 (37)	42.9 (21)	40.2 (16)	
40-69	19.6 (18)	22.4 (11)	19.6 (7)	
# of Children				
0	4.4 (4)	4.2 (2)	4.8 (2)	1.337
1-2	25.6 (23)	20.8 (10)	31.0 (13)	
3-4	47.8 (43)	52.1 (25)	42.9 (18)	
5-6	22.2 (20)	22.9 (11)	21.4 (9)	
Formal Education				
≤ 6th grade	26.5 (22)	26.8 (11)	26.2 (11)	.260
7-11th grade	54.2 (45)	56.1 (23)	52.4 (22)	
HS Grad	19.3 (16)	17.1 (7)	21.4 (9)	
Employment				
Yes	56.5 (52)	63.3 (31)	46.8 (21)	1.940
No	43.5 (40)	36.7 (18)	51.2 (22)	
Length of Employment				
< 1 year	35.3 (18)	30.0 (9)	42.9 (9)	2.550
1 to 3 years	31.4 (16)	40.0 (12)	19.0 (4)	
> 3 years	33.3 (17)	30.0 (9)	38.1 (8)	
Household Annual Income				
Less than $4,000	32.6 (30)	30.6 (15)	34.9 (15)	.267
$4,001 - 9,999	44.6 (41)	46.9 (23)	41.9 (18)	
Greater than $10,000	22.8 (21)	22.4 (11)	23.3 (10)	
Marital Status				
Married	44.0 (40)	43.8 (21)	44.2 (19)	2.974
Single	56.0 (51)	56.3 (27)	55.8 (24)	
Partner Status				
Undocumented Status	62.0 (57)	71.4 (35)	51.2 (22)	3.991*
Documented Status	38.0 (35)	28.6 (14)	48.8 (21)	
Only income				
Yes	71.6 (58)	72.7 (32)	70.3 (26)	.060
No	28.4 (23)	27.3 (12)	29.7 (11)	

Note: Only the "yes" responses are reported for the Chi Square analysis; N = 92

There was a difference between the types of abuse experienced for victims who worry about being deported and those who do not. Experiencing emotional abuse is significantly related with women who worry about being deported (t = -2.558, p=.01) while physical abuse is not significantly related to *worry* (t = -1.783, p=.08) but approaches significance (see Table 5.5). Concerning the differences in quality of life between study participants who *worry* and those who did not, there is no significant relationship between the *neighborhood scale* (t = 1.697; p =.093), *positive work scale* (t = 1.433; p =.156), and *negative work scale* (t =.092; p =.927) and *worry*. A significant relationship does exist between victims who worry about being deported and being threatened by their landlords (t = -4.766; p = .000), however, there is no significance between *worry* and *wanting to move* (t = -.444; p = .658) (see Table 5.5). These results indicate that the quality of life of these victims is not related to whether they also worry about being deported except for the relationship with their landlord.

Table 5.5 *Worry* about Being Deported

Variable	Worry about being deported					
	Yes		No			
	Mean	(n)	Mean	(n)	t	Sig.
Emotional Abuse Scale	7.98	(49)	6.16	(43)	-3.471	.001
Physical Abuse Scale	8.02	(49)	6.18	(43)	-1.783	.078
Neighborhood Scale	.73	(49)	1.28	(43)	1.690	.099
Positive Work Scale	.27	(49)	.49	(43)	1.433	.156
Negative Work Scale	.04	(49)	.05	(43)	.092	.927
Threats by Landlord	3.08	(49)	2.00	(41)	-4.766	.000
Would like to move away	4.65	(49)	4.50	(42)	-.444	.658

Based on the bivariate results displayed in Table 5.5, a logistic regression analysis is conducted on the significant relationships found between three of the quality of life characteristics - *emotional abuse, neighborhood,* and *threats by landlord* - and *worry*. Table 5.6 shows evidence of an overall statistically significant model (p=.000) and, after controlling for all

other variables, a significant relationship is shown between the two variables: *threats by landlord* and *worry*. Victims who reported emotional abuse were more likely to worry about being deported (1.2 times) and being threatened by their landlord (2.7 times) (see Table 5.6).

Table 5.6 Logistic Regression: Quality of Life Characteristics and *Worry*

Dependent Variable	Independent Variable	B	SE	Sig.	Exp(B)
Worry about being deported	Emotional Abuse Scale	.208	.106	.05	1.231
	Neighborhood Scale	-.230	.180	.200	.794
	Threats by Landlord	.991	.349	.004	2.694

Note: X^2 = 27.794, R^2 = .355, df = 3, n = 90, p=.000

Based on the bivariate results reported in Table 5.4, a logistic regression is conducted on the relationship found between *worry* and the victim's demographic information, such as age, number of children, employment, and marital status. Table 5.7 shows an overall insignificant model (p = .045) and, after holding all other variables constant, the only significant relationship occurs between the two variables: *abuser's immigration status* and *worry*. These results indicate that demographic information as a whole is not related to a victim's worries about being deported; however, when the abuser has an undocumented immigration status. Victims of abuse are 2.4 times more likely to worry about being deported (see Table 5.7).

Table 5.7 Logistic Regression: Demographic Characteristics and *Worry*

Dependent Variable	Independent Variable	B	SE	Sig.	Exp(B)
Worry about being deported	Abuser's immigration status	.915	.461	.047	2.496
	Number of children	.178	.300	.553	1.195
	Currently employed	.387	.455	.395	1.473
	Marital status	.145	.460	.753	1.156
	Age	.301	.328	.359	1.351

Note: X^2 = 7.100, R^2 = .101, df = 5, n = 90, p =.213

Concerning the quality of life and demographic characteristics of victims who worry about being deported, the logistic regression analyses supported the findings in the bivariate

results. Women who worry about being deported are more likely to experience increased

emotional abuse, threats by their landlord, and have abusers with undocumented status.

Worry About Being Deported and *Telling Someone*

To determine if a relationship exists between a victim's worries about being deported and

help-seeking strategies we begin by measuring whether or not victims initially revealed their

victimization and, if so, to whom. Only 90.2% of the study participants replied positively to the

question concerning whether or not they told someone about the abuse.[6] As shown in Table 5.8,

of those women who did tell about their abuse the most frequent person told was a friend

(71.7%), followed by telling a victim advocate (57.6%), and telling a family member (55.4%).

Telling the police/prosecutor/or judge occurred only 46.7% of the time, followed by medical

personnel (38%), clergy (33.7%), and one's employer (32.6%).

Table 5.8 Characteristics of *Who Did She Tell*

Variable	Total Sample				Worry about being deported		Not Worried		Chi Square
	No		Yes						
	%	(n)	%	(n)	%	(n)	%	(n)	
Did she tell anyone?	90.2	(83)	9.8	(9)	95.9	(47)	83.7	(36)	3.861*
Who did she tell?									
Family	55.4	(51)	44.6	(41)	65.3	(32)	44.2	(19)	4.135*
Friend	71.7	(66)	28.3	(26)	77.6	(38)	65.1	(28)	1.747
Employer/co-worker	32.6	(30)	67.4	(62)	36.7	(18)	27.9	(12)	.812
Priest/minister	33.7	(31)	66.3	(61)	36.7	(18)	30.2	(13)	.433
Police, Prosecutor, judge	46.7	(43)	53.3	(49)	51.0	(25)	41.9	(18)	.772
Victim Advocate	57.6	(53)	42.4	(39)	67.3	(33)	46.5	(20)	4.071*
Doctor or nurse	38.0	(35)	62.0	(57)	49.0	(24)	25.6	(11)	5.320*

Note: Only the "yes" responses are reported for the Chi Square analysis; N = 92

---

[6] It should be noted that *every* participant in this study had told someone of the abuse, otherwise they would not have been part of the study. However, only 90.2% affirmatively answered the question "did you tell anyone?" One possible explanation is the timing of the "telling". The question did not specify if the telling occurred right after the abuse or perhaps months after the abuse.

Table 5.8 illustrates the Chi-Square results between *who she told* and *worry*. Overall, a significant relationship exists between telling someone about the abuse and worrying about being deported with those who told (56.6%) being more likely to worry than those who did not tell anyone (43.4%). Also significantly related to worrying about being deported were who was told, and victims seemed to worry more when they told a victim advocate (67.3%), family (65.3%), and doctor or nurse (49%) (see Table 5.8). To better understand the relationship between *worry* and *who was told*, significance testing is conducted against the *unofficial* and *official persons* scale. The more *unofficial persons* that were told (family, friend, employer or priest) was not significantly related to *worry* (t = -1.672; p = .098). However a significant relationship did exist between *worry* and telling *official persons* (police, victim advocate, or doctor) (t = -2.195; p = .031) (see Table 5.9). The results indicate that telling more formal or official agencies is related to a victim's worry about being deported.

Table 5.9 Telling *Official* and *Unofficial persons*

Variable N=92	*Worry about being deported*					
	Yes		No			
	Mean	(n)	Mean	(n)	t	Sig.
Unofficial Scale	2.16	(49)	1.67	(43)	-1.672	.098
Official Scale	1.67	(49)	1.14	(43)	-2.195	.031

Based on the bivariate analyses in Tables 5.5 and 5.6, two linear regression analyses are conducted to evaluate how well the five significant measures are related to whether the victim told an *unofficial* or *official person* about their abuse. The predictor variables include: 1) w*orry,* 2) e*motional abuse*, 3) ab*user's immigration status*, 4) n*eighborhood*, and 5) *threats by landlord*.

The first model uses telling an *official person* as the dependent variable and the second model uses telling an *unofficial person* as the dependent variable. Table 5.10 shows an overall

significant model (p=.005) with a multiple correlation coefficient of .42, indicating that approximately 18% of the variance in telling an *official person* in the sample can be accounted for by the linear combination of these five measures. This model shows that after holding all other variables constant, *worry* is not significantly related to reporting to an *official person* but *emotional abuse* is significant. Reporting to an *official person* increases .18 units for every one unit increase in *emotional abuse*. This result indicates when victims experience an increase in emotional abuse they are more likely to contact an *official person* about their abuse and their worries about being deported become less important (see Table 5.10). These results indicate that the victim's level of abuse seems to be a better indicator of telling an *official person*.

Based on the previous findings and the bivariate results set forth in table 5.6 showing that the variable *physical abuse* approached significance (p=.078), a second linear regression analysis is conducted using the *physical abuse* measure in lieu of *emotional abuse*. Table 5.11 shows an overall significant model (p = .000) with a multiple correlation coefficient of .52, indicating that approximately 27% of the variance in telling an *official person* in the sample can be accounted for by the linear combination of these five measures. This model shows that after holding all other variables constant, *worry* is not significantly related to reporting to an *official person* but *physical abuse* along with the *neighborhood scale* is significant (p=.000 and p=.05, respectively). Reporting to an *official person* increases .17 units for every one unit increase in *physical abuse* and .15 units for every one unit increase in the *neighborhood scale*. These results indicate that when victims experience an increase in physical abuse they are more likely to contact an *official person* concerning their abuse and their worries about being deported become less important. The results also indicate that when victims feel safe in their neighborhoods they

are more likely to contact an *official person*. This may be the result of the victim having come in

positive contact with the police inside their neighborhoods (see Table 5.11).

Table 5.10 Linear Regression Model 1a: Telling an *Official Person*

Dependent Variable	Independent Variable	B	SE	t	Sig.
Official Person	Worry about being deported	.183	.273	.670	.504
	Emotional Abuse	.166	.048	3.457	.001
	Neighborhood	.122	.080	1.520	.132
	Abuser's status	.175	.248	.705	.483
	Threats by Landlord	.013	.104	.120	.904

Note: R^2 = .176, df = 5, n = 89, p =.005

Table 5.11 Linear Regression Model 1b: Telling an *Official Person*

Dependent Variable	Independent Variable	B	SE	t	Sig.
Official Person	Worry about being deported	.252	.252	.670	.320
	Physical Abuse	.173	.035	3.457	.000
	Neighborhood	.150	.076	1.520	.050
	Abuser's status	.099	.234	.705	.672
	Threats by Landlord	.054	.097	.120	.576

Note: R^2 = .270, df = 5, n = 89, p =.000.

The second model uses telling an *unofficial person* as the dependent variable and the

first analysis used the predictor variables of *worry, neighborhood, abuser's status, threats by*

landlord and included *emotional abuse.* This was not a significant model (table not shown) and

did not reveal any significant relationships with any of the five predictor variables.

Next, a linear regression analysis was conducted using the *physical abuse* measure in lieu

of *emotional abuse.* Table 5.12 shows an overall significant model (p = .038) with a multiple

correlation coefficient of .36, indicating that approximately 13% of the variance in telling an

unofficial person in the sample can be accounted for by the linear combination of these five

measures. This model shows that after holding all other variables constant, *worry* is not

significantly related to reporting to an *unofficial person* but *physical abuse* is significant

(p=.025). Reporting to an *unofficial person* increases .11 units for every one unit increase in

physical abuse (see Table 5.12). These results indicate that when victims experience an increase

in physical abuse they are more likely to contact an *unofficial person* concerning their abuse and

their worries about being deported become less important (see Table 5.12).

Table 5.12 Linear Regression Model 2: Telling an *Unofficial Person*

Dependent Variable	Independent Variable	B	SE	t	Sig.
Unofficial Person	Worry about being deported	.072	.331	.217	.829
	Physical Abuse	.105	.046	2.281	.025
	Neighborhood	-.071	.100	-.714	.477
	Abuser's status	.043	.308	.139	.890
	Threats by Landlord	.209	.127	1.643	.104

Note: R^2 = .128, df = 5, n = 89, p = .038

Concerning telling an *official* or *unofficial person*, the linear regression analyses did not

support the findings in the bivariate results which were controlling for *worry*. The regression

results showed that, depending on the type of abuse experienced by the victim, they told either an

official and *unofficial persons* and not whether they were worried about being deported.

Interestingly, when physical abuse was reported to an *official person* there was also a positive

relationship between the victim and her neighborhood. Consequently, the results reported here

suggest that victims will tell others based on the type of abuse they are experiencing and based

on the nature of their relationships within their respective neighborhood.

Worry About Being Deported and *Response By Others* After Being Told

To understand the full scope of the victim's help-seeking strategies, study participants

were asked to describe what happened after others were told about the abuse. The police were

called 71.7% of the time and the abuser was arrested 43.5% of the time. When the victim stayed

elsewhere they most often stayed with family or friends (58.7), at a shelter (30.4), or at a motel

(8.7). Thirty-one percent of victims went to the hospital and immigration was called 25% of the time (see table 5.13). The two significant results found between *worry* and *response by others* occurred when victims went to the hospital or stayed with family (see Table 5.13). Women who went to the hospital were significantly more likely to worry about being deported while those who stayed with family were less likely to be worried. There were no significant differences between the worry about being deported and the police being called to an IPV incident or when the abuser was arrested.

Table 5.13 Characteristics of *Response by Others*

Variables N=92	Total Sample				Worry about being deported		Not Worried		Chi Square
	Yes		No						
	%	(n)	%	(n)	%	(n)	%	(n)	
Response by others:									
Police called	71.7	(66)	28.3	(26)	53.0	(35)	47.0	(31)	.005
Police arrested abuser	43.5	(40)	56.5	(52)	60.0	(24)	40.0	(16)	1.291
CPS was called	25.0	(23)	75.0	(69)	69.6	(16)	30.4	(7)	3.275
ICE was called	16.3	(15)	83.7	(77)	66.7	(10)	33.3	(5)	1.294
Went to Hospital	31.5	(29)	68.5	(63)	72.4	(21)	27.6	(8)	6.241*
Family confronted abuser	22.8	(21)	77.2	(71)	52.4	(11)	47.6	(10)	.008
Stayed with family	58.7	(54)	41.3	(38)	44.4	(24)	55.6	(30)	4.082*
Stayed at shelter	30.4	(28)	69.6	(64)	53.6	(15)	46.4	(13)	.002
Stayed at a motel	8.7	(8)	91.3	(84)	62.5	(5)	37.5	(3)	.300
Nothing happened	9.8	(9)	90.2	(83)	66.7	(6)	33.3	(3)	.720

Note: Only the "yes" responses are reported for the Chi Square analysis.

To fully understand how much of a relationship exists between *worry* and *responses by others*, two scales were created based on the *response* characteristics: *primary* and *secondary results* scales. The *primary results* scale includes: calling police, arresting the abuser, seeking medical help, or staying at a shelter. The *secondary results* scale includes: calling immigration or CPS, staying with family or at a motel, or having the family confront the abuser.

A linear regression analysis is conducted to evaluate how well the predictor variables used in the previous linear regression model – *worry, emotional abuse, neighborhood, abuser's status, and threats by landlord* - (see Table 5.11) show a relationship with *response by others*. Two regression models are used to show this relationship using *primary* and *secondary results* as the dependent variable. Table 5.14 shows an overall significant model (p=.05) with a multiple correlation coefficient of .34, indicating that approximately 12% of the variance within the sample concerning *primary results* can be accounted for by the linear combination of these five measures. This model shows that after holding all other variables constant, *worry* is not significantly related to the response by others in the *primary results* scale, but *emotional abuse* is significant. Response by others in the *primary results* scale increases .16 units for every one unit increase in *emotional abuse*. This result indicates that when victims experience an increase in emotional abuse they may be more likely to experience one or more of the four types of contacts within the *primary results* scale (see Table 5.14). Therefore, when a victim does tell someone about her abuse, as her emotional abuse increases so do the number of people who respond.

Table 5.14 Linear Regression: *Primary Results* of Response by Others

Dependent Variable	Independent Variable	B	SE	t	Sig.
Primary Results of Response	Worry about being deported	.108	.329	.327	.744
	Emotional Abuse	.158	.058	2.734	.008
	Neighborhood	.112	.096	1.158	.250
	Abuser's status	.334	.299	1.117	.267
	Threats by Landlord	-.005	.125	-.042	.966

Note: R^2 = .119, df = 5, n = 89, p = .056

The *secondary results* model as shown in Table 5.15 shows an overall significant model (p=.005) with a multiple correlation coefficient of .42, indicating that approximately 18% of the variance within the sample concerning *secondary results* can be accounted for by the linear combination of these five measures. This model shows that after holding all other variables

constant, *worry* is not significantly related to the response by others in the *secondary results* scale but does approach significance (p=.07); however, *threats by landlord* is statistically significant. Response by others in the *secondary results* scale increases .36 units for every one unit increase in *threats by landlord*. This result indicates that when victims experience an increase in threats by their landlords they may be more likely to experience one or more of the five types of contacts within the *secondary results* scale (see Table 5.15). Therefore, telling others about the abuse and experiencing increased threats by her landlord may trigger a response for more people to become involved in her problem. However, as *worry* approaches significance the victim becomes more worried about deportation, an outcome which could be a result of more people becoming involved in the situation.

Table 5.15 Linear Regression: *Secondary Result* of Response by Others

Dependent Variable	Independent Variable	B	SE	t	Sig.
Secondary Results of Response	Worry about being deported	-.520	.284	-1.829	.071
	Emotional Abuse	.075	.050	1.494	.139
	Neighborhood	-.014	.083	-.165	.869
	Abuser's status	.374	.258	1.446	.152
	Threats by Landlord	.355	.109	3.277	.002

Note: R^2 = .178, df = 5, n = 89, p =.005

Worry About Being Deported and *Police Response*

Analyses were conducted to determine whether contact with the police is related to a victim's worry of being deported. The same subjects could report both positive and negative interactions with the police. Therefore, two separate models are constructed to determine what factors are related to positive perceptions/interactions of the police and what factors are associated with negative perceptions/interactions of the police. Table 5.16 focuses on positive characteristics of the police response at IPV scene and depicts an overall positive perception by

the victim. Victims reported the officers appeared to show concern during the contact (79.2%) and took the assault seriously (73.3%) (see Table 5.16).

Participants were asked a set of questions to determine if worrying about being deported has any relationship to negative police contacts. Table 5.17 illustrates the Chi-Square results between *positive police response* and *worry*. Overall, the majority of victims felt they were treated positively (78.3% vs. 21.7%). However, a significant relationship exists between *negative police response* and *worry*. Victims who reported a negative perception of the police (57%) were more likely to worry about deportation than those who did not (41.8%). In particular, victims who felt they were treated unfairly by the police because they were Latina worried more about being deported (see Table 5.17).

Table 5.16 Characteristics of *Positive Police Response*

Variables N=66	Total Sample				Worry about being deported		Not Worried		Chi Square
	Yes		No						
	%	(n)	%	(n)	%	(n)	%	(n)	
Positive Police Response	78.3	(72)	21.7	(20)	73.4	(36)	83.8	(36)	16.381*
Talked to me in private	59.5	(47)	40.5	(32)	64.1	(25)	55.0	(22)	.679
Gave me information	70.9	(56)	29.1	(23)	71.8	(28)	70.0	(28)	.031
Asked if I was injured	67.1	(53)	32.9	(26)	66.7	(26)	67.5	(27)	.006
Offered medical help	59.5	(47)	40.5	(32)	59.0	(23)	60.0	(24)	.009
Offered shelter help	53.2	(42)	46.8	(37)	56.4	(22)	50.0	(20)	.326
Gave victim rights info	72.2	(57)	27.8	(22)	69.2	(27)	75.0	(30)	.327
Collected evidence	51.3	(40)	48.7	(38)	59.0	(23)	43.6	(17)	1.847
Wrote up report	70.5	(55)	29.5	(23)	71.8	(28)	69.2	(27)	.062
Showed concern	79.2	(61)	20.8	(16)	74.4	(29)	84.2	(32)	1.135
Took Assault seriously	73.3	(55)	26.7	(20)	68.4	(26)	78.4	(29)	.950

Note: Only the "yes" responses are reported for the Chi Square analysis.

Table 5.17 Characteristics of *Negative Police Response*

Variables N=66	Total Sample				Worry about being deported		Not Worried		Chi Square
	Yes		No						
	%	(n)	%	(n)	%	(n)	%	(n)	
Negative Police Response	50.0	(46)	50.0	(46)	57.0	(28)	41.8	(18)	6.388
Acted hostile towards me	26.0	(19)	74.0	(54)	34.2	(13)	17.1	(6)	2.757
Was on my abuser's side	22.9	(16)	77.1	(54)	32.4	(11)	13.9	(5)	3.381
Treated me unfairly	31.1	(23)	68.9	(51)	44.7	(17)	16.7	(6)	6.800*
Nothing they could do	30.8	(24)	69.2	(54)	35.9	(14)	25.6	(10)	.963
Asked immigration status	20.3	(16)	79.7	(63)	25.0	(10)	15.4	(6)	1.13

Note: Only the "yes" responses are reported for the Chi Square analysis.

To fully understand how much of a relationship exists between *worry* and *positive* and *negative police response*, significance testing is conducted on both the *positive* and *negative response* scales. There was no significant relationship between *worry* and *positive police response* – either through the officer's actions or the victim's perceptions (t = .880; p = .381). However, there was a significant relationship between *worry* and *negative police response* (t = -2.087; p = .04) (see Table 5.18). These results indicate that when a victim perceives the officers response towards her as negative, her worries about being deported may increase.

Table 5.18 Police Response: *Positive* and *Negative Response*

Variable N=92	Worry about being deported					
	Yes		No			
	Mean	(n)	Mean	(n)	t	Sig.
Positive Police Response Scale	5.24	(49)	5.95	(43)	.880	.381
Negative Police Response Scale	.77	(49)	1.33	(43)	-2.087	.04

A linear regression analysis is conducted to determine if the five predictor variables used in the previous linear regression model (see Table 5.11) show a relationship with *positive* and *negative police response*. Four total regression models are used to examine whether a relationship exists using the *positive* and *negative police response* scores as the dependent variables. In the first two models five predictor variables, including *emotional abuse,* are used.

Neither model was significant, nor did any variables produce a statistically significant result (not shown). Next, the same dependent variables are used with the *physical abuse* variable replacing *emotional abuse.* Only the *positive police response* model shows an overall significant model (p=.008) with a multiple correlation coefficient of .47, indicating that approximately 22% of the variance within the sample concerning *positive police response* being accounted for by the linear combination of these five measures. This model shows that after holding all other variables constant, *worry* is not significantly related to *positive police response* but both *physical abuse* and *neighborhood* are significant. Perceiving a *positive police response* decreases .16 units for every one unit decrease in physical injury. This result indicates that a victim may perceive the officer's attitudes negatively change as the level of their physical injury decreases. Further, perceiving a *positive police response* decreases .21 units for every one unit decrease in a victim's feeling of safety in the neighborhood. This result indicates that a victim may perceive negative police attitudes when they also feel their neighborhood is not safe. (see Table 5.19). Therefore, a victim may feel that police are more responsive the more injury she received from the abuse and when she feels that her neighborhood is safe.

Table 5.19 Linear Regression: *Positive Police Response*

Dependent Variable	Independent Variable	B	SE	t	Sig.
Positive Police Response	Worry about being deported	.298	.252	1.183	.242
	Physical Abuse	-.133	.039	-3.435	.001
	Neighborhood	.098	.108	-2.581	.012
	Abuser's status	-.291	.241	-1.206	.232
	Threats by Landlord	-.214	.083	.904	.370

Note: R^2 = .221, df = 5, n = 66, p =.008

Summary

Based on the existing literature concerning IPV, concerning Latinas, and concerning undocumented immigrants several bivariate analysis are conducted with the survey data collected to identify the significant correlations obtained between the characteristics of the study sample and *worry*, *telling someone,* and *police response*. Logistic regression models were used to document any significant relationships between characteristics of participants and those who worry about being deported. These models showed that at the bivariate level, *worry* was significantly related to *emotional abuse, threats by landlords,* and *abuser's immigration status*; in addition two other variables approached statistical significance – *physical abuse* and *neighborhood.* These variables were used in logistic and linear regression models to determine any significant relationships with who was told about the abuse, what happened after they were told, and the dynamics of the police response.

Significant relationships were found between those victims who experienced both emotional and physical abuse and telling an official person. When the study looked at what happened once others were told of the abuse, increased emotional abuse was significantly related to police being called, the abuser being arrested, or medical attention being sought. Finally, the results of these analyses showed that when the police responded, a victim's perception of the officer's attitude seemed to be based on their own level of injury and their feelings towards safety in their neighborhood.

CHAPTER SIX
DISCUSSION

The importance of this study is its contribution to a growing body of research concerning violence against women and the application of federal legislation toward addressing this serious problem in American society. Historically, legislative changes in this area began with the creation of VAWA in 1994, a statute which addressed gaps in the law which left women unprotected (Calvo, 2004). It was not until 2000 that legislators created groundbreaking policies to aid immigrant battered women. Through BIWPA Congress addressed issues allowing immigrant battered women to self-petition for permanent status along with creating a new form of Visa (UVisa) that aided undocumented victims to obtain status without fear of deportation (Wood, 2004). However, even with these two important pieces of legislation, large numbers of undocumented immigrant women are not protected and are still at the total mercy of their batterer. This study looks at how the gaps in federal legislation, coupled with the response by local law enforcement, may be related to fears of deportation and it presents evidence that numerous elements are essential to understanding the help-seeking strategies of immigrant undocumented battered Latinas.

Battered women, regardless of race or ethnicity, respond to IPV differently depending on their social conditions or resources (Amnar et al., 2005). Dutton (2000) found that IPV victims will first look for support from informal sources – friends and family – before going to more formal sources such as police or governmental agencies. Regardless of where the victim initially seeks help, their success will dictate future decisions. The more successful the help-seeking strategy, the larger the increase of personal self-esteem and control; however, if the strategy is unsuccessful the likelihood of future reporting to that same person or agency decreases. The

questions remains, does being an immigrant and Latina change this basic scenario concerning help-seeking and IPV victimization?

Battered immigrant Latinas, especially first generation Mexican women, tend to remain in an abusive relationship longer and return to their abuser more often than non-Latina victims (Brabeck & Guzman, 2008; Dutton et al., 2000). Further, they are less likely to find medical help, legal assistance, or governmental services than their non-Latina counterparts. Research shows that less than 50% of immigrant battered Latinas will seek out help concerning their abuse. For those immigrant Latinas that do seek help, they employ the same type of strategies as other non-Latina victims, however the results differ drastically (Dutton, 2000). Researchers speculate this difference is due to the indirect effects of immigration, especially if the victim has an undocumented status that causes problems with acculturation (Amnar et al., 2005). Problems assimilating into the dominant culture create victim isolation which is exacerbated by lack of family ties, language barriers, and economic dependence on the abuser (Amnar et al., 2005, Berry, 2004). Besides limiting acculturation, does being undocumented keep the battered Latina from seeking help for her abuse? The findings from previous research are mixed. On this questions, Dutton et al. (2000) found 27% of their sample noted fear of deportation as the primary reason to remain in the abusive relationship, while 21% remained because they feared being reported to immigration. In addition to fear of deportation, women also placed economic dependence for themselves and their children over their own personal safety. Dutton argued that fear of being deported rated as the first or second reason victims remained with their abusers.

The current study builds upon prior research in two ways. First, this study did not show that worrying about being deported was the driving factor that kept victims from help-seeking activities. This is contrary from previous research which found evidence of a relationship

between deportation fears and decisions not to contact law enforcement (Bauer et al., 2000; Grossman & Lundy, 2007; McFarlane, Weist & Soekin, 1999). Instead, this study built on the notion that the help-seeking strategies of battered women are complicated by a myriad of life problems with immigration status being just one of those. Second, this study found that immigrant Latinas often has problems with their landlords. A noteworthy relationship existed between landlord problems and a victim's worries about being deported. For undocumented immigrants, finding a place to live can be as difficult as finding a place to work. Often their job and homes are tied together by the same person(s), and losing one can often cause the loss of the other. For the immigrant battered Latina, contacting the police because of the abuse situation may be regarded negatively by landlords. Landlords may hold victim's accountable for any police presence plus any damage to the property as a result of the violence. Further, hostility with the landlord may increase if the abuser is arrested and the victim's ability to pay rent is affected. This study showed that threats by their landlords was significantly related to worries about being deported which is a new area of concern not currently addressed in the existing literature.

Research Questions Discussion

Research Question 1: *To determine if fear of possible deportation influences the help-seeking behavior of an undocumented battered Latina in regards to her decision to contact the police or other community agencies concerning her victimization.*

The central point of this study begins with the differences between victims who fear deportation and those that do not. The first hypothesis argues that a relationship does exist between fear of deportation and the help-seeking decisions made by undocumented battered Latinas. Evidence from this study shows mixed results in this regard, and suggests that there are a myriad of conditions that play a part in the decision to contact help. To begin to understand the conditions behind a victim's decision to seek help we must begin by understanding the most frequently noted characteristics of the battered undocumented immigrant Latina.

Those victims who worry about deportation tended to be older (30+ years: 65.3% vs. 59.8%), have more children (3+ children: 75.0% vs. 64.3%), and were employed (63.3% vs. 46.8%). The abuser's immigration status also added to a victim's deportation fears. When the abuser is also undocumented, the victim was 2.5 times more likely to worry about being deported. Literature on general IPV victimization along with immigrant women in particular supports this finding. The literature tells us that battered women, regardless of deportation status, tend to love the abuser, just want the violence to end, and worry that having the abuser arrested will result in a loss of income and support for themselves and/or their children. For the battered immigrant woman arrest may also trigger immigration proceedings and result in the victim being left without any ties to the new immigrated country or support. These victims cannot apply for governmental assistance and are forced to find other alternatives to care for her children because of her undocumented status.

From a demographic perspective, study participants who worried about being deported were working mothers who were poor and uneducated. Beyond the demographics, the study looked at their quality of life and found positive attitudes concerning feeling safe and liking their neighborhood; however, there was a significant relationship between receiving threats from their landlords and worrying about being deported. It is not known if the landlord's threats involved increasing rent, eviction, or calling immigration, but for these victims their landlords could materially contribute to their deportation fears.

A large majority of study participants experienced either emotional and/or physical abuse; however, for those IPV victims who also worried about being deported there existed a significant relationship with emotional abuse in particular (t=-2.695, p<.005) but not necessarily with physical abuse. A possible explanation is that deportation worries became inseparable from the level of physical violence. An undocumented battered immigrant could be simultaneously concerned with experiencing emotional abuse and worry about being deported; however, when the violence escalated to physical injury staying safe became the overriding concern.

Therefore, it is important to understand whether or not the undocumented victim is worried about being deported, she will suffer her emotional abuse in silence. The results of this study indicate that telling a friend rated as the first person told regardless of deportation fears (77.6% vs. 71.7%). Victims who experienced emotional abuse were 1.28 times more likely to tell their friends; however, no significant relationship existed between telling a friend when the victim experienced physical abuse. Choosing to tell a friend about emotional abuse may indicate that victims felt safe confiding in their friends when they experience this level of abuse. Telling a victim advocate occurred more frequently when deportation was a worry (67.3% vs. 57.6%). Although the study could not place the cause and effect of seeing a victim advocate and when a

victim began worrying about being deported, the literature supports the view that battered women advocates may give aid and comfort to IPV victims and that going to a victim advocate will often relieve a victim's deportation worries.

Interestingly, telling family members (65.3%) occurred less than telling a friend (77.6%) or victim advocate (67.3%). One explanation is communication problems with an immigrant's family. Many immigrant women are separated from their families and keeping in touch with family is often very difficult due to a combination of problems relating to money, lack of technology, and distance. The literature suggests that within the Latino culture the concept of machismo and familism could play a role in keeping victims from telling family members. These social constructs drive the belief that family violence is a private affair, and further embedded within this concept are the cultural expectations that women must keep the family together regardless of their own personal loss.

It was expected that undocumented battered Latinas would be more likely to tell friends than to access an "official" agency, and that telling an "official" agency would increase victim's worries about being deported. Support for this line of reasoning is found in the form of a significant relationship between worrying about being deported and telling someone "official" about the abuse (t = -2.195; p = .031). The linear regression testing indicated, however, that worrying about being deported was no longer significant after controlling for other variables. The driving factor for contacting an "official" person was an increase in the level of emotional abuse.

For victims who worry about being deported, this fear did influence their help-seeking choices. Experiencing emotional abuse led these victims to tell their friends and possibly a victim advocate. As the level of emotional abuse increased, so did their decision to tell someone

even though there was a continuing worry of deportation. It would seem that these fears began to fall away when the violence escalated to physical violence.

Research Question 2: *What happened after the battered Latina told someone about their abuse?*

Once a victim did tell someone about their abuse, what subsequent actions took place because of coming forward? There were nine scenarios for study participants to choose from concerning what happened after they told someone. The goal was to see what types of acts others took in response to the information received about IPV. The second hypothesis holds that these events also contribute to a victim's worries about being deported. Although the study was successful in examining this area of interest, understanding whether the victim's deportation fears were related to what others did proved more difficult. Having the police called or even having the abuser arrested was not subsequent events that will be shown to be related to worrying about deportation.

Going to the hospital or staying with family, however, did show a significant relationship with deportation fears. Those who were worried were also more likely to seek out medical treatment. It may be that undocumented Latinas are less fearful of medical professionals than expected. Seeing a doctor or nurse is often calming for abuse victims because the victim is being helped by a caring individual. Staying with family may be considered a safe haven, even though conflict with their partner may expose the entire family to being detected by ICE.

Grouping together the subsequent responses made by others and running a linear regression, the results indicate that as the incidences of emotional abuse increased, the response by others was to contact those in the *primary result* category. As the victim's emotional abuse increased there was a significant likelihood that those she told would respond by: 1) calling the

police; 2) having the abuser arrested; 3) getting the victim medical help; and/or 4) having the victim stay at a shelter. The study also showed that when the victim received threats by their landlord there was a significant relationship with contact within the *secondary result* category.

To thoroughly understand how the actions of others tend to form in response to learning about the abuse of IPV victims, future research needs to consider carefully the chronology of events. Completely understanding the cause and effect dynamics of telling someone and they in turn acting will require very carefully designed research.

Research Question 3: *What are the perceptions and experiences of the battered Latina with official police agencies? Are negative interactions with the police related to deportation fears?*

In IPV situations, the decision by the police to arrest can be an effective intervention tool. Without an arrest, the abuser may believe that the police are sanctioning future violent acts and the victim may believe that calling the police for help is largely futile (Hickman, 2003). Before the police can even make an arrest they have to be notified of the incident. Scholars have generated mixed results concerning why and when IPV victims notify police, and the relevant research is divided on the frequencies and demographic factors relating to police reporting of IPV. Some studies show 50% of IPV victims report their abuse (Hickman, 2003) while other surveys show a reporting rate down around 20% (Hutchison, 1999). Factors related to reporting appear related to the abused victim's age, (Hickman, 2003; Hutchison, 1999), socio-economic status (Berk et al., 1984; Hickman, 2003), race (Felson, Messner, & Hoskin, 1999), or marital status (where married victims were less likely to contact the police) (Felson, Messner, & Hoskin, 1999). Some research shows no relationship between race and reporting (Felson, Messner, & Hoskin, 1999), while other studies found African American victims reporting more often than white victims (Hickman, 2003; Hutchison, 1999). It is reasonable to believe that women's

experiences with the police are related to other factors occurring in their life and how the police have treated them in the past.

Responding officers who appear to be caring and open-minded can create an atmosphere where the victims feel they are being heard and understood and thus ensuring possible future contact with the police if violence recurs (Hickman, 2003). Conversely, police officers who do not understand the nuances of IPV can create an atmosphere of victim blaming and helplessness resulting in victim's re-thinking the making of future calls to law enforcement. Further, studies show that white and Latino victims are more likely to perceive unfair treatment by responding officers than other races or ethnicities (Hickman, 2003). Prior research has demonstrated that attitudes of both the officer and victim have an impact on the decision to arrest, even arguing that an arrest is directly influenced by the attitude of the victim (Feder, 1996; Robinson & Chandek, 2000; Smith, 1987). Officers view an arrest as a waste of time when victims are uncooperative (Robinson & Chandek, 2000), intoxicated, or aggressive towards the officer (Buzawa & Buzawa, 1993). In these situations, the focus too easily becomes the victim's demeanor and actions instead of the abuser's violence.

This study considers whether an undocumented battered Latina's negative perceptions and experiences with police interaction are related to deportation fears. This study gives credence to this line of argument. How victims perceive their interaction with the police did seem to connect with the fact that whether a victim worried about being deported. Sixty-two percent of the victims called the police and 47% of the abusers were arrested, and overall the study participants viewed their interactions with the police in a mostly positive way. The victims of IPV interviewed in this study felt the responding officers showed concern for their safety (79% of the time) and took the assault suffered seriously (73% of the time). They also

consistently felt that the responding officer's were *not* hostile (74%), did *not* side with their

abuser (77%), *nor* did they treat women unfairly because they were Latina (69%). Even though

these results concerning interaction suggest that victims had a positive police response, 45% of

victims still worried that the police would call immigration.

Study results also showed that those participants who did have a negative interaction with

the police were 1.9 times more likely to worry about deportation and 1.7 times more likely to be

threatened with deportation by their abusers. On the other hand, those participants who had

positive police interaction did not worry about being deported. These results indicate that

victims who are treated with concern and fairness by the responding officer could be less likely

to fear deportation. Further, there seems to be a relationship between those that perceive they are

treated with hostility and fear of deportation.

To fully understand the victim/police interaction experience, past research explains a

victim's future help-seeking strategies through "process" and "outcome" hypotheses. In the

"process" hypothesis the focus is on the officer's attitudes and demeanor towards the victim. If

the officer is hostile towards the victim, this hypothesis argues the victim will be less likely to

involve the police in the future. Consequently, if the officer is caring and open-minded there is

more of a likelihood the victim will re-contact the police in the case of a need to do so (Hickman,

2003). The net result of police involvement focuses on the "outcome" of the contact from the

victim's perspective of the response coming from the justice system. The connection between

police interaction, subsequent outcome of telling someone, and fear of deportation may

contribute to understanding the help-seeking strategies of undocumented battered Latinas

elsewhere in the country where significant Latino populations can be found. The findings of the

current study lends further support to the importance of a positive police response in assisting

IVP victims.

Policy Recommendations

Over a decade of my life was spent learning, understanding, and fighting to keep women and children free from violence[7]. I educated myself about violence against women from grass roots organizations throughout the state of Oregon. I began to understand the challenges faced and the decisions made by battered women through time spent listening to stories about victimization in living rooms, in police departments, and in emergency rooms. I fought for these victims, over 50% being Latina, in the courtroom by using the laws available to protect them. This study began from a micro-system perspective after years of working in the "trenches" but changed to a macro-system perspective based on an interest in U.S. immigration policy. It is from this particular perspective that I begin my recommendations.

Recommendation 1: Modify the BIWPA to protect undocumented immigrant battered women who are abused by undocumented immigrant men.

With the creation of VAWA in 1994 both legislators and victim advocates viewed this new set of laws as the gold standard in protecting women from violence. However, it became apparent that US immigration policy ran contrary to the spirit of VAWA in that it mandates immigrant women to remain and rely on their abusing spouses. Six years later, Congress created a "fix" through the BIWPA which offered immigrant women options to self-petition, stop deportation proceedings, and obtain emergency status through UVisas. However, the BIWPA only protected those immigrant women who are married to *documented* men, if both parties are

---

[7] I began my legal career as a deputy district attorney in a small rural community in eastern Oregon where over 50% of the population was Latino. My primary duties were to create a coordinated community response to domestic violence that incorporated law enforcement, women's shelters, mental health, and the court system. After 10 years, our county successfully increased the prosecution rate from 34% to 86%, created a sustained batterer's intervention program, victim's intervention program, and a strong relationship with local domestic violence shelter.

undocumented, the BIWPA does not offer any protection to the women victims of IPV.

Congress needs to change this piece of legislation to include battered undocumented women

regardless of the immigration status of their abuser.

Recommendation 2: Repeal 8 USC § 1357g which authorizes local police agencies to negotiate 287 g agreements.

Prior to September 11, 2001, local police agencies were constitutionally restricted from

enforcing federal immigration laws. In other words, legally pursuing a person's immigration

status was left for the federal authorities while local authorities remained focused on enforcing

state laws. In fact, law enforcement agencies in Southern California already understood the

wisdom of "don't ask, don't tell" policies concerning the immigration status of witness and

crime victims. As more and more agencies adopted community policing initiatives, the notion of

enforcing federal immigration codes ran contrary to maintaining community safety and building

trust at the local level. However, under the Illegal Immigration Reform and Responsibility Act

(8 USC § 1357g), subsection 287(g) provides that a partnership can be formed between local law

enforcement and the federal immigration enforcement agency (Department of Homeland

Security) to enforce federal immigration laws. An agreement can be entered into that cross

designates law enforcement agencies to carry out federal immigration duties and in return these

agencies receive training, equipment, and some federal monies. Although currently these

agreements are voluntary, to date there are 63 agencies with more than 840 cross designated

immigration enforcement officers nationwide (Department of Homeland Security).

From the perspective of an undocumented battered woman, implementation of 287(g)

places just another hurdle in staying safe. A vital tool in stopping violence against women is law

enforcement. When an officer arrives at the scene of an IPV incident, their attitude towards the

victim and abuser becomes pivotal to doing their job and keeping victims safe. Within

jurisdictions that have mandated local police to enforce federal immigration laws, calling the

police for help within the immigrant population becomes the same as calling border patrol. If

an officer responds with a different agenda – immigration enforcement – or ill equipped in

understanding the nuances of IPV – *"why won't she tell me what he did?"* – violence against

women will continue and abusers will continue to abuse women.

Recommendation #3: Law enforcement agencies need to maintain continuing officer training concerning IPV response and cross cultural skills.

This study showed that an officer's attitude towards both the incident and the victim can

set the tone for witness cooperation. Very few officers innately understand the nuances of IPV

and this lack of knowledge can affect the outcome of the case along with the safety of the victim.

Law enforcement agencies need to initiate training that begins with the basics of IPV response

and continues through the different aspect of violence against women.

This study showed that officers who were perceived by victims to be concerned for their

welfare and took the assault seriously were less worried about being deported than victims who

perceived the responding officers to be hostile. Victims who perceived the officer as hostile

also believe they were being discriminated against because they were Latina. It is important that

law enforcement agencies set and maintain strict standards for cultural competency and teach

officers cross cultural skills. If this is done conscientiously, Latinas as a whole and immigrant

Latinas in particular will feel their voices are being heard and their needs for protection are being

addressed.

Recommendation #4: Law enforcement agencies need to create and/or maintain continuing victim outreach and intervention.

This study found that undocumented IPV victims who also worried about being deported would contact a victim advocate about their abuse over 67% of the time, second to only contacting a friend. Also, as the intensity of the abuse increased so did the victim's decision to contact this type of "official" person. Although the study could not show the order of contact – police then advocate or advocate then police – to have a voice within the process is paramount for these victims. Study participants were contacted through two types of victim advocates - those within shelters and those within police departments. Having advocates available through law enforcement allows the victim to be one step closer in accessing other criminal justice processes.

Conclusion

Intimate partner violence continues to exist in the lives of over 20% of American women. As society has become more aware of the perils of gender violence so have the reactions of policymakers. As a result during the past 20 years many local states have enacted mandatory arrest laws and Congress created federal acts such as the Violence Against Women Act. These approaches have increased the protections for all women, including those who have immigrated to the United States.

Although both male and female immigrants who relocate to the U.S. often need to overcome employment and housing hurdles, immigrant battered women must also endure that added burden of violence. Learning and understanding where to get help becomes a major safety concern for immigrant women. A battered Latinas culture, language, and familial ties become obstacles to finding help; however, for these study participants worrying about being deported does not seem to be a primary concern in help seeking decision making. This study found that the battered undocumented Latina will base the decision to call the police on the type of violence experienced. When the violence escalated to physical abuse, worries about deportation took a back seat and these victims sought help. Further, when they experienced physical abuse victims most often contacted an "official" person – police, victim advocate, or medical personnel. It was only when victims experienced emotional abuse that deportation worries played a role in help seeking decision making and family and friends were usually the persons contacted. Therefore, it is possible to conclude that battered women, regardless of immigration status, will decide to seek help based on the level of violence. This study suggests that as violence increases, battered women will focus on safety and may overlook barriers that previously kept them from contacting law enforcement authorities.

REFERENCES

Acevedo, Martina J. (2000). Battered Immigrant Mexican Women's Perspective Regarding Abuse and Help-Seeking. *Journal of Multicultural Social Work, Vol. 8, No. ¾, pp. 243-282, 2000.*

Alonso, Ana Maria (1997). Rationalizing Patriarchy: Gender, Domestic Violence, and Law in Mexico. *Identities, 2(1-2), 29-47.*

Anderson, Michelle (1993). A License to Abuse: The Impact of Conditional Status on Female Immigrants. *The Yale Law Journal, 102, 6, 1401-1430.*

Amnar, N.H., Orloff, L.E., Dutton, M.A. & Aguilar-Hass, G. (2005). Calls to police and police response: A case study of Latina immigrant women in the USA. *International Journal of Police Sceince & Management, Vol. 7, No. 4, 2005.*

Belknap, Joanne (2007). *The Invisible Woman: Gender, Crime, and Justice.* Thomson Wadsworth.

Berk, Richard A. and Sherman, Lawrence W. (1988). Police Responses to Family Violence Incidents: An Analysis of an Experimental Design with Incomplete Randomization. *Journal of the American Statistical Assocation, 83,401,70.*

Boatright, L.R. (2006). Clear Eye for the State Guy: Clarifying Authority and Trusting Federalism to Increase Nonfederal Assistance with Immigration Enforcement. *Texas Law Review, 84,1633-1674.*

Bowder, Bill (1979). The Wives who ask for it. *Community Care, March, pps 18-19 1979.*

Brabeck, Kalina and Guzman, Michelle (2008). Frequency and Perceived Effectiveness of Strategies to Survivie Abuse Employed by Battered Mexican-Origin Women. *Violence Against Women, Vol. 14, No. 11, Pps. 1274-1294, 2008.*

Buzawa, E. and Buzawa, C. (1996). *Domestic Violence: The Criminal Justice Response (2 nd ed.).* Thousand Oaks, Ca: Sage.

Calvo, Janet (2004). A Decade of Spouse-Based Immigration Laws: coverture's Diminishment, But Not Its Demise. *Northern Illinois University Law Review, 24, 153-209.*

Conyers, John, Jr. (2007). The 2005 Reauthorization of the Violence Against Women Act: why Congress Acted to Expand Protections to Immigrant Victims. *Violence Against Women, 13, 5, 457-468.*

Crandall, M., Senturia, K., Sullivan, M., & Shiu-Thornton, S.(2005). Latina Survivors of domestic Violence: Understanding Through Qualitative Analysis. *Hispanic Health Care International, 3, 3, 179-187.*

Davis, Robert C. & Erez, Edna (1998). Immigrant Populations as Victims: toward a Multicultural Criminal Justice System. *U.S. Departmnet of Justice, Office of Justice Programs, National Institute of Justice, May 1998.*

Dobash, R. Emerson, and Dobash, Russell P. (2000). Evaluating Criminal Justice Interventions for Domestic Violence. *Crime & Delinquency, 46,.2, 252-270.*

Dobash, Rebecca, E. (2003). Domestic Violence: Arrest, Prosecution, and Reducing Violence. *Criminology & Public Policy, 2, 2, 313.*

Dobash, Russell and Dobash, Emerson (1981). Community Response to Violence Against Wives: Charivari, Abstract Justice and Patriarchy. *Social Problems, Vol. 28, No. 5, pps. 563-581, June 1981.*

Dutton, M.A., Orloff, L.E. and Hass, G.A. (2000). Characteristics of Help-Seeking Behaviors, Resources and Service Needs of Battered Immigrant Latinas: Legal and Policy Implications. *Georgetown Journal on Poverty Law & Policy, 7, 245-305.*

Eitle, David (2005). The Influence of Mandatory Arrest Policies, Police Organizational Characteristics, and Situational Variables on the Probability of Arrest in Domestic Violence Cases. *Crime & Delinquency, 51, 4, 573-597.*

Erez, Edna and Harley, Carolyn (2003). Battered Immigrant Women and the Legal System: A Therapeutic Jurisprudence Perspective. *Western Criminology Review, 4(2), Pps 155-169 (2003).*

Espenoza, Cecelia (1999). No Relief for the Weary: VAWA Relief Denied for Battered Immigrants Lost in the Intersections. *Marquette Law Review, 83, 163-220.*

Felson, R.B., Messner, S.F. and Hoskin, A. (1999). The Victim-Offender Relationship and Calling the Police in Assaults. *Criminology 37, 931-947*

Felson, Richard B., Ackerman, Jeffrey M., and Gallagher, Catherine A. (2005). Police Intervention and the Repeat of Domestic Assault. *Criminology, 43, 3, 563.*

Garcia, L., Hurwitz, E.L., & Kraus, J.F. (2004). Acculturation and Reported Intimate Partner violence Among Latinas in Los Angeles. *Journal of Interpersonal Violence, Vol. 20, No. 5, pps. 569-590, 2004.*

Gondolf, E., Fisher, E., & McFerron, R. (1988). Racial differences among shelter residents: A comparison of Angle, Black, and Hispanic battered women. *Journal of Family Violence, No. 3, pps. 39-51, 1988.*

Grossman, Susan F & Lundy, Marta (2007). Domestic Violence Across Race and Ethnicity: Implications for Social Work Practice and Policy. *Violence Against Women, 13, 10, 1029-1052.*

Harrington, Donna (2008). *Confirmatory Factor Analysis*. Oxfor University Press

Hazen, A.L. and Soriano, F.I. (2007). Experiences with Intimate Partner Violence Among Latina Women. *Violence Against Women,13, 6, 562-582.*

Hickman, Laura J. (2003). Fair Treatment or Preferred Outcome? The Impact of Police Behavior on Victim Reports of Domestic Violence Incidents. *Law & Society Review, 37, 3, 603.*

Hoff, Joan (2007). American Women and the Lingering Implications of Coverture. *The Social Science Journal, 44, 41-55.*

Ingram, Eben M. (2007) A comparison of Help Seeking Between Latino and Non-Latino Victims of Intimate Partner Violence. *Violence Against Women, Vol 13, No. 2, pp. 159-171, 2007.*

Johnson, Allan (1997). *Gender Knot: Unraveling Our Patriarchichal Legacy.* Temple University Press.

Kantor, G.K., Jasinski, J.L., & Aldarondo, E. (1994). Socio-cultural status and incidence of marital violence in Hispanic families. *Violence and Victims, 9,3,207-222.*

Kasturirangan, Aarati and Williams, Elizabeth N. (2003). Counseling latina Battered
  Women: A Qualitative Study of the Latina Perspective. *Journal of Multicultural
  Counseling and Development, Vol. 31, pps. 162-178, 2003.*

Kelly, Linda (1998). Stories from the Front: Seeking Refuge for Battered Immigrants in
  the Violence Against Women Act. *Northwestern University Law Review, 92, 2,
  665-705*

Klevens, J., Shelley, G., Clavel-Arcas, C.,Barney, D., Tobar, C., Duran, E., Barajas-
  Mazaheri, R. & Esparza, J. (2007) Latinos' Perspectives and Experiences with
  Intimate Partner Violence. *Violence Against Women, Vol. 13, No. 2, pp. 141-158,
  2007.*

Krishnan, S., Hilbert, J., & Van Leeuwen, D. (2001). Domestic violence and help-
  seeking behaviors among rural women: Results from a shelter-based study.
  Family and Community Health, 24, pps. 28-38, 2001.

Lenton, Rhonda L. (1995). Power versus Feminist theories of Wife Abuse. *Canadian
  Journal of Criminology, 37,3, 305.*

Lorber, Judith (2001). *Gender Inequality: Feminist Theories and Politics.* Oxford
  University Press.

Lown, E.A. and Vega, W.A. (2001). Prevalence and Predictors of Physical Partner Abuse
  Among Mexican American Women. *American Journal of Public Health, Vol. 91,
  pp. 441-445, 2001.*

Malley-Morrison D. and Hines, D.A. (2004). *Family Violence in a Cultural Perspective:
  Defining, Understanding, and Combating Abuse.*   Sage Publications, Thousand
  Oaks, California.

Maloney, Kerrie (1996). Gender-Motivated Violence and the Commerce Clause: the Civil Rights Provision of the violence against Women Act after "Lopez". *Columbia Law Review, 96, 7, 1876-1939.*

Mason, J.M. (1998). Buying Time for Survivors of domestic violence: A Proposal for Implementing an Exception to Welfare Time Limits. *New York University Law Review, 73, 621-666.*

Maya, T.W. (2002). To Serve and Protect or to Betray and Neglect?: The LAPD and Undocumented Immigrants. *UCLA Law Review, 49, 1611-1653.*

McHugh, Maureen C. (2005). Understanding Gender and Intimate Partner Abuse. *Sex Roles, 52,11/12, 717-726.*

Miller, J. (2008). "Violence Against Urban African American Girls: Challenges for Feminist Advocacy." *Journal of Contemporary Criminal Justice*, 24,2,148-62.

Moracco, K., Hilton, A., Hodges, K., and Frasier, P. (2005). Knowledge and attitudes About Intimate Partner Violence Among Immigrant Latinos in Rural North Carolina: Baseline Information and Implications for Outreach. *Violence Against Women,11, 337-352.*

Orloff, L.E., Dutton, M.A., Hass, G.A. and Ammar, N (2003). Recent Development: Battered Immigrant Women's Willingness to Call for Help and Police Response. *UCLA Women's Law Journal,* 13, 43-100.

Orloff, Leslye E. and Little, Rachel (1999). *Somewhere to Turn: Making domestic violence Services Accessible to Battered Immigrant Women. A "How To" Manual for Battered Women's Advocates and Service Providers.* Washington, DC: AYUDA, Inc.

Raj, A., Santana, M.C. & Orloff, L.E. (2007). Guest Editors' Introduction. *Violence Against Women,13, 251.*

Raj, Anita and Silverman, Jay (2002) Violence Against Immigrant Women: the Roles of Culture, Context, and Legal Immigrant Status on Intimate Partner Violence. *Violence Against Women, 8,.3, 367-398.*

Rizer, Arthur L. III. (2005). Mandatory Arrest: Do We Need to Take a Closer Look? *The University of West Los Angeles Law Review, 36,1.*

Robinson, Amanda L., and Chandek, Meghan S. (2000). The Domestic Violence Arrest Decision: Examining Demographic, Attitudinal, and Situational Variables. *Crime & Delinquency, 46, 1,18-35.*

Rousseve, Anne. (2005). Sixth Annual Review of Gender and Sexuality Law: Domestic Violence and the States. *The Georgetown Journal of Gender and the Law, 6, 431.*

Salcido, Olivia & Adelman, Madelaine (2004). He has me tied with the blessed and damned papers: Undocumented-Immigrant Battered Women in Phoenix, Arizona. *Human Organization, 63, 2,162-171.*

Schmidt, Janell D. and Sherman, Lawrence W. (1993). Does Arrest Deter Domestic Violence? *The American Behavioral Scientist, 36, 5, 601.*

Sherman, Lawrence W., Smith, Douglas A., Schmidt, Janell D., and Rogan, Dennis P. (1992). Crime, Punishment, and Stake in Conformity: Legal and Informal Control of Domestic Violence. *American Sociological Review, 57, 680-690.*

Smith, Douglas A. (1987). Police Response to Interpersonal Violence: Defining the Parameters of Legal Control." *Social Forces 65 pps 767-82 1987.*

Tapp, Anne (2006). Reclaiming Out social Justice Organizations. *Grassroots Fundraising Journal.*

Teran, Lee J. (1999). Barriers to Protection at Home and Abroad: Mexican Victims of Domestic Violence and the Violence Against Women Act. *Boston University International Law Journal, 17,1-77.*

Torres, S. (1987). Hispanic-american battered women: Why consider cultural differences? *Response to the Victimization of Women & Children, Vol. 10, No, 3, pp. 20, 1987.*

Tracy, Steve R. (2007). Patriarchy and Domestic Violence: Challenging Common Misconceptions. *Journal of the Evangelical Theological Society, 50, 3, 573.*

Walker, Lenore (1980) *Battered Woman*. HarperCollins.

West,C., Kaufman, K.G., & Jasinski, J. (1998) Sociodemographic predictors and cultural barriers to help-seeking behavior by Latina and Anglo-American battered women. *Violence and Victims, 13, 361-375, 1998.*

Wood, Sarah M. (2004). VAWA's Unifnished Business: The Immigrant Women Who Fall Through the Cracks. *Duke Journal of Gender Law & Policy, 11,141-156.*

APPENDICES

IPV Latina Survey Appendix A

POWER AND CONTROL WHEEL

PHYSICAL **VIOLENCE** SEXUAL

USING COERCION AND THREATS
Making and/or carrying out threats to do something to hurt her • threatening to leave her, to commit suicide, to report her to welfare • making her drop charges • making her do illegal things.

USING INTIMIDATION
Making her afraid by using looks, actions, gestures • smashing things • destroying her property • abusing pets • displaying weapons.

USING ECONOMIC ABUSE
Preventing her from getting or keeping a job • making her ask for money • giving her an allowance • taking her money • not letting her know about or have access to family income.

USING EMOTIONAL ABUSE
Putting her down • making her feel bad about herself • calling her names • making her think she's crazy • playing mind games • humiliating her • making her feel guilty.

POWER AND CONTROL

USING MALE PRIVILEGE
Treating her like a servant • making all the big decisions • acting like the "master of the castle" • being the one to define men's and women's roles

USING ISOLATION
Controlling what she does, who she sees and talks to, what she reads, where she goes • limiting her outside involvement • using jealousy to justify actions.

USING CHILDREN
Making her feel guilty about the children • using the children to relay messages • using visitation to harass her • threatening to take the children away.

MINIMIZING, DENYING AND BLAMING
Making light of the abuse and not taking her concerns about it seriously • saying the abuse didn't happen • shifting responsibility for abusive behavior • saying she caused it.

PHYSICAL **VIOLENCE** SEXUAL

IPV Latina Survey Appendix B

The Response of the Criminal Justice System to Battered Latinas

This survey will take about 20 minutes to complete. The information you provide will be used to tell us how the police and community can better help Latinas. Your information will be extremely helpful and everything in the survey will be confidential.

Throughout the survey, there are questions about being harmed physically and/or emotionally by those around you. The reason these questions are important is so that we can better understand your circumstances as well as the effect of this violence upon your life.

Esta encuesta durara más o menos 20 minutos para completar. La información que usted proporcione será usada para darnos una ideas sobre como la policía e comunidad puede ayudar mejor a las Latinas. Su información será extremadamente valiosa y todo en esta encuesta será confidencial.

A través de esta encuesta, habrá preguntas sobre ser físicamente o/e emocionalmente lastimada por los que la rodean. La razón por las cuales estas preguntas son importantes es para mejor entender su circunstancias igual que los efectos de dicha violencia en su vida.

WASHINGTON STATE UNIVERSITY

Section 1: In this section, I am interested in your life experiences. Please indicate whether the event happened to you. Please remember, you will NOT be individually identifiable in any of our reports

La Sección 1: En esta sección estamos interesados en sus experiencias vividas. Indique por favor si uno de estos acontecimientos le han sucedió a usted. Usted no será individualmente identificada/o en ninguna manera dentro de nuestros reportes.

1. **Please place an X in the square that fits your feelings:**
   Por favor marque una X lo que mejor describe sus sentimientos:

Statement Declaración	Strongly Agree Muy de Acuerdo	Agree De Acuerdo	Somewhat Agree Algo de Acuerdo	Somewhat Disagree Algo en desacuerdo	Disagree En desacuerdo	Strongly Disagree En completo desacuerdo
I am satisfied with the quality of my life. Estoy satisfecha/o con mi nivel de vida.						
I am satisfied with the neighborhood I live in. Estoy satisfecha con la comunidad en la que vivo.						
I consider the area where I live as home. Yo considero el área donde que vivo como mi casa.						
I feel safe walking alone during the day in my neighborhood. Me siento segura/o al caminar por esta avecinda durante el día.						
I feel safe being alone at night in my neighborhood. Me siento seguro/a estando solo/a en esta vencida durante la noche.						
If I could, I would find another place to live. Si pudiera buscaría un Nuevo lugar para vivir.						
I feel threatened by my landlord.						

Statement Declaración	Strongly Agree Muy de Acuerdo	Agree De Acuerdo	Somewhat Agree Algo de Acuerdo	Somewhat Disagree Algo en desacuerdo	Disagree En desacuerdo	Strongly Disagree En completo desacuerdo
Me siento amenazado/a por el dueño de esta propiedad.						
I am satisfied with my current employment. Estoy satisfecha con mí trabajo actual.						
My boss treats me well. Mi patrón/patrona me trata bien.						
I feel threatened by my boss at work Me siento amenazado/a por mi patrón/patrona en el trabajo.						
I feel threatened by my co-workers at work Me siento amenazado/a por mis compañeros/as de trabajo.						

Were you ever a victim of a robbery or a mugging? ¿Ha sido alguna vez usted victima de un robo o ataque?	☐ Yes/Si ☐ No/No
Has a stranger ever threatened you with a knife or a gun? ¿Alguna vez ha sido usted amenazado/a por alguien con un cuchillo o pistola?	☐ Yes/Si ☐ No/No
Have you ever been present when another person was killed, seriously injured or physically assaulted? ¿Alguna vez usted ha presenciado cuando alguien ha sido matado o fue seriamente lastimado físicamente o asaltado?	☐ Yes/Si ☐ No/No
Was your home ever burglarized? ¿Alguna vez fue su casa robada?	☐ Yes/Si ☐ No/No
Was your car ever stolen or damaged? ¿Fue alguna vez su carro robado o dañado?	☐ Yes/Si ☐ No/No

2. In the past 12 months, my spouse/boyfriend/partner has treated me in the following ways.
En los últimos 12 meses, mi esposo/novio/pareja me ha amenazado en las siguientes maneras.

	Yes/Si	No/No
Called me a name and/or criticized me. Me ha llamado sobrenombres y me ha insultado o me ha criticado.	☐	☐
Tried to keep me from doing something I wanted to do. Ha intentado de estorbarme cuando yo he querido hacer algo.	☐	☐
Gave me angry stares or looks. Fija su mira enojado como si quisiera intimidarme.	☐	☐
Prevented me from having money of my own. Me impide el que yo maneje o tenga mi propio dinero.	☐	☐
Threatened to hit or throw something at me. Me ha amenazado con pegarme o con tirarme algo.	☐	☐
Pushed, grabbed, or shoved me. Me ha empujado, agarrado, o aventado.	☐	☐
Put down my family and friends. Ridiculiza mi familia y amigos/as.	☐	☐
Accused me of paying too much attention to someone or something else. Me ha acusado de prestar demasiada atención a alguien o a algo.	☐	☐
Became very upset with me because dinner was not ready or housework was not done. Se ha enojado de una manera exagerada porque la cena no esta lista o el quehacer no esta hecho.	☐	☐
Said things to scare me. Me ha dicho cosas para asustarme.	☐	☐
Slapped, hit, or punched me. Me ha abofeteado, golpeado, apueteado.	☐	☐
Drove recklessly when we were in the car. Maneja peligrosamente cuando vamos en el coche o en el carro.	☐	☐
Forced me to have sex Me ha forzado a tener relaciones sexuales.	☐	☐
Threatened me with a knife, gun, or other weapon. Me ha amenazado con un cuchillo, pistola o cualquier otra cosa poniéndome en peligro.	☐	☐

	Yes/Si	No/No
Threw, hit, kicked, or smashed something. Ha tirado, pegado, pateado, o aplastado cosas.	☐	☐
Kicked me Me ha pateado.	☐	☐
Choked or strangled me. Me ha ahorcado o estrangulado.	☐	☐
Threw me around. Me ha golpeado, bofeteado o botado.	☐	☐

3. Did you ever tell anyone about these incidences?   ☐ Yes/Si   ☐ No/No
   ¿Alguna vez usted contó lo que le ocurrió a alguien?

Who did you tell? ¿A quien lo contó?	Did he/she believe you? ¿Le creyeron?
☐ Family Member Miembros de mi Familia	☐ Yes/Si ☐ No/No
☐ Friend Amigos/as	☐ Yes/Si ☐ No/No
☐ Employer/Co-Worker Patrón/patrona / compañero/a / Compadre / Comadre	☐ Yes/Si ☐ No/No
☐ Police, prosecutor, or judge Policía, Fiscal / abogado acusador, o al Juez	☐ Yes/Si ☐ No/No
☐ Victim Advocate Abogado/a o representante defensor	☐ Yes/Si ☐ No/No
☐ Doctor, nurse, or other medical Doctor, enfermera, o otro personal médico	☐ Yes/Si ☐ No/No
☐ Priest/Minister Padre/Ministro de iglesia	☐ Yes/Si ☐ No/No
☐ Other Otra Persona_____	☐ Yes/Si ☐ No/No

4. What happened after you told someone? Check all that apply:
   ¿Que paso después de que usted contó su experiencia a alguien?
      Marque todo que aplica:

Police were called	☐
La Policía fue llamada	
Police arrested my abuser	☐
La Policía arrestó a la persona que me estuvo abusando	
Child protective services were called	☐
Los servicios de protección de niños fueron llamados	
Immigration was called	☐
Inmigración fue llamada	
Went to the doctor or hospital	☐
Fui al doctor o al hospital/clinica	
Left my home and stayed with family or friends	☐
Me fui de la casa y me quede con mi familia o amigos/as	
Left my home and went to a domestic violence shelter	☐
Deje mi casa y me fui a un asilo de victimas de violencia domestica	
My family confronted my abuser	☐
Me familia confrontó a la persona que me estuvo abusando	
Left my home and went to a motel	☐
Deje mi casa y me fui a un hotel	
Nothing happened	☐
No paso nada	

In the past 12 months, have the police been called because of a domestic violence situation: En los últimos 12 meses, ha sido llamada la policía debido a una situación de violencia domestica :	☐ Never/Nunca **Skip to Section 2 #3** **Vaya a la Sección 2 #3** ☐ 1 time/vez ☐ 2-5 times/veces ☐ 6-10 times/ veces ☐ More than 10 times/mas de 10 veces
Who called the police? ¿Quien llamo la policía?	☐ I did/Si lo hice ☐ My children/Mis hijos/as ☐ My friends/Mis Amigos/as ☐ My family/Mi Familia ☐ My Neighbor/Mi Vecino/a ☐ I don't know/No Se ☐ Other/Otras personas
In the past 12 months, has your spouse been arrested because of a domestic violence situation? En los últimos 12 meses, ¿ha sido su esposo/a arrestado debido a una situación de violencia domestica?	☐ Never/Nunca ☐ 1 time/vez ☐ 2-5 times/veces ☐ 6-10 times/ veces ☐ More than 10 times/mas de 10 veces
In the past 12 months, have you been arrested because of a domestic violence situation: En los últimos 12 meses, ¿has sido usted arrestada/o debido a una situación de violencia domestica?	☐ Never/Nunca ☐ 1 time/vez ☐ 2-5 times/veces ☐ 6-10 times/ veces ☐ More than 10 times/mas de 10 veces

Section 2: In this section I am interested in your last contact with the police. Please indicate if any of the following happened. You will NOT be individually identifiable in any of our reports.

Sección 2: En esta sección estamos interesados en los contactos con el policía. Indique por favor si algo de los siguientes acontecimientos le han sucedido a usted. Usted NO será individualmente identificado/a en ninguna manera dentro de nuestros reportes.

1. **Did the Police:**
   ¿Alguna vez la policía?

Talk to you in private without anyone overhearing?		
El podr a hablar con m en privado sin cualquier persona que o a por casualidad?	☐ Yes/Si	☐ No/No
Give you information about getting a protection or restraining order?		
Dio informaci n sobre conseguir un orden de la protecci n o de detenci n?	☐ Yes/Si	☐ No/No
Ask or try to see if you were injured?	☐ Yes/Si	☐ No/No
Pregunto o trato de investigar si estaba lastimada?		
Offer to help with medical assistance?	☐ Yes/Si	☐ No/No
Se ofreció a ayudar con ayuda m dica?		
Help you to get away to a shelter or other safe place?	☐ Yes/Si	☐ No/No
Le ayudo a escapar conseguir refugio o al otro lugar seguro?		
Talk to you about your rights as a victim and available services?		
Le hablo sobre sus derechos como victima y los servicios disponibles?	☐ Yes/Si	☐ No/No
Collect evidence of the assault:	☐ Yes/Si	☐ No/No
Colecto evidencia del asalto:		
Write up a report, take notes or tape record your statement?	☐ Yes/Si	☐ No/No
Escribió un reporte, tomo notas, o grabo su demanda?		
Say there was nothing they could do about the incident?		
Dijo que no hubo nada que podrían hacer sobre el incidente?	☐ Yes/Si	☐ No/No
Ask your immigration status?	☐ Yes/Si	☐ No/No
Le pregunto su estado migratorio?		

2. The Officers:
Los Oficiales:

Statement Declaración	Strongly Agree Muy de Acuerdo	Agree De Acuerdo	Somewhat Agree Algo de Acuerdo	Somewhat Disagree Algo en desacuerdo	Disagree En desacuerdo	Strongly Disagree En completo desacuerdo
Showed concern about me and tried to be helpful Demostr preocupaci n por mi caso e intento ayudarme.						
Took the assault seriously and treated it as a crime. Tomaron el asalto seriamente y lo trataron como crimen.						
Were hostile or nasty toward me. Me trataron hostilmente o sin respeto						
Sided with my partner. Se pusieron del lado mi abusador/ra.						
I feel I was treated unfairly by the police because I am Latina Sent que fui tratada injustamente por la polic a por ser Latina/o.						
I am worried that contacting the police will result in immigration being contacted: Temo que al contactarme con la polic a resultara en una posibilidad de que las oficinas de inmigraci n sean notificadas.						

3. Have you used any of the following services as a result of domestic violence? Please indicate which you received and whether you would go back to them for help: (Check all that Applies)

¿Ha usted usado alguno de los siguientes servicios como resultado de actos de violencia domestica? Por favor indique cuales ha recibido y si volvería a usarlos o volvería a pedir ayuda: (Marque todo lo que aplique)

Services and/or Resources Servicios y/o Recursos	Would you go back for help again? ¿Regresara usted por más ayuda, si la necesita?	
Emotional support from friends or family Apoyo emocional de parte de su familia o amigos/as	☐ Yes/Si	☐ No/No
Victim support group Apoyo de grupos para victimas	☐ Yes/Si	☐ No/No
Counseling Terapia de orientación o guía/asesoramiento	☐ Yes/Si	☐ No/No
Domestic Violence Shelter Asilo de violencia domestica	☐ Yes/Si	☐ No/No
Doctor or nurse Ayuda medica de doctor o enfermería	☐ Yes/Si	☐ No/No
Prosecutors office Ayuda de las oficinas fiscales o de abogados	☐ Yes/Si	☐ No/No
Child Protective Service Agency Agencia de Protección para niños	☐ Yes/Si	☐ No/No
Legal Services for divorce/restraining order Servicios legales de divorcio o para Orden de restricción	☐ Yes/Si	☐ No/No
Migrant Council services Servicios por el Concilio Migrante	☐ Yes/Si	☐ No/No
Guidance from my Priest/minister Guía de un Padre./Ministro o oficial de una iglesia	☐ Yes/Si	☐ No/No
Police Policía	☐ Yes/Si	☐ No/No
Headstart Servicios de cuidados de niños	☐ Yes/Si	☐ No/No

I don't know where to go for help to stop my abuser: No se donde ir a pedir ayuda para parar a la persona que me esta abusado.	☐ Yes/Si ☐ No/No
In the past 12 months, I have worried about being deported. En los últimos 12 meses he temido de ser deportada/o.	☐ Yes/Si ☐ No/No
In the past 12 months my abuser has threatened me with deportation. En los últimos 12 meses la persona que me abusa me ha amenazado con ser deportada/o.	☐ Yes/Si ☐ No/No
Have you immigrated to the United States from another country? If yes, which country? ¿Usted emigro a los Estados Unidos de otro país? Si es correcto por favor díganos de cual país	☐ Yes/Si ☐ No/No _____
What is your immigration Status? (This question is for informational purposes only and will be kept confidential **please feel free not to answer this question**). Cual es su situación legal con emigración (Esta pregunta es para información únicamente y cera confidencial. **Por favor siéntase libre de no contestarla si se siente apenada/o)**	☐ U.S.Citizen/ Ciudadano Americano ☐ Legal Resident/ Residente Legal ☐ Temporary Visa/ Visa Temporal ☐ U Visa/U Visa ☐ Undocumented/ Indocumentado
What is your abusers immigration status? Cual es la situación legal con emigración de la persona que le esta abusando.	☐ U.S.Citizen/ Ciudadano Americano ☐ Legal Resident/ Residente Legal ☐ Temporary Visa/ Visa Temporal ☐ U Visa/U Visa ☐ Undocumented/ Indocumentado

Section 3
These questions deal with aspects of your personal background. This information is needed we can compare your experiences with people who are similar to you. You will NOT be individually identifiable in any of our reports.
Sección 3
Estas preguntas tratan con los aspectos de su pasado personal. Esta información es necesaria para comparar sus experiencias con otras personas que están en situaciones similares a usted. Usted no será individualmente identificado/a en ninguna manera dentro de nuestros reportes.

Please indicate your age _____
Indique por favor su edad _____

What racial or ethnic group do you consider yourself to be a member of?
¿A que grupo étnico o racial usted cree que pertenece?

☐ White/Blanco ☐ Asian/Pacific Islander/ Asiatico o de las isles del Pacifico

☐ African-American or Black / ☐ American Indian / Indio Americano
Afreco-Americano o de raza Negra

☐ Latina/o or Hispanic / ☐ Other / Otro _____
Latino/a o Hispano Americano

What is the highest grade or year of school that you have completed?
¿Hasta que grado de educación usted logro en la escuela?

Grade School   High School   CollegeGraduate School
Escuela Elemental   Secundaria/preparatoria   Universidad   Escuela de Master
1 2 3 4 5 6 7 8   9 10 11 12   13 14 15 16   17 18 19 20 21+

Do you work?
¿Usted trabaja?   ☐ Yes/Si   ☐ No/No

How long have you been at this job?
¿Cuanto tiempo usted ha estado en este trabajo?

How many years/ Cuántos años? _____,
months/ o meses de _____,
weeks/ o semanas _____.

What is your approximate family income?
¿Aproximadamente cuanto son sus ingresos como familia?

☐ Less than/menos de $4000 ☐ $10,000 - $14,999 ☐ $25,000 - $29,999
☐ $4,000 - $6,999 ☐ $15,000 - $19,999 ☐ $30,000 - $49,999 ☐
$7,000 - $9,999 ☐ $20,000 - $24,999 ☐ $50,000 – $69,999
☐ Greater than/mas de $70,000

Are you the only one in your family/partnership who has an income of any kind?
¿Es usted el único en su familia que tiene ingresos en su hogar?

☐ Yes/Si ☐ No/No

Marital Status/
Estado Civil:
☐ Married/Casado/a
☐ Single/Soltero/a
☐ Divorced/Divorciado/a
☐ Widow(er)/Viudo/a

Who do you live with?
¿Con quién vive usted?
☐ Spouse/ Esposo/a
☐ Partner/compadre/comadre
☐ Roommate(s)/Compañero de domicilio (casa)
☐ Family members (parents, brother/sister, grandparent, etc.)/ Miembros de la
familia (padres, hermano/hermana, abuelo, etc.)
☐ Alone/Solo/a
☐ Shelter/Safe House residents, etc./Residente de una casa de refugio, etc.

How many children do you have? _____
¿Cuántos niños tiene usted?_____

Do they live with you?
¿Ellos vive con usted? ☐ Yes/Si ☐ No/No

Any Comments:
Si tiene algún Comentario: