

Written Testimony: Americans for Immigrant Justice

Before the U.S. House Committee on the Judiciary

The Impact of Immigration Enforcement Entanglement on Immigrant Survivors of Gender-Based Violence and Witnesses of Crime

May 14, 2026

I. Introduction

Americans for Immigrant Justice (“AI Justice”) submits this testimony to address the public-safety consequences of entangling local law enforcement and victim-serving systems with federal immigration enforcement. For survivors of gender-based violence and witnesses to crime, trust in local institutions is often the deciding factor between seeking protection and remaining silent.

AI Justice has long represented immigrant survivors of domestic violence, sexual assault, human trafficking, and other serious crimes. Our experience—which we have detailed below with examples—consistently shows that survivors’ willingness to report abuse, seek medical care, obtain protective orders, cooperate with law enforcement, and access legal services depends on whether these systems are perceived as safe. When they are instead seen as gateways to detention, family separation, transfer away from counsel, or deportation, survivors are far less likely to come forward.

This dynamic is especially pronounced in Florida, where the expansion of local-federal immigration enforcement partnerships, including 287(g) agreements, has intensified the risks of reporting crimes. The consequences are particularly severe for undocumented survivors with pending or available humanitarian and protection-based claims, including U visas, T visas, VAWA self-petitions, asylum, Temporary Protected Status-related claims, and related forms of relief. When survivors reasonably fear that contact with police, courts, shelters, or hospitals may expose them or their loved ones to immigration enforcement, the result is not increased safety but widespread underreporting, weakened investigations, heightened vulnerability to coercion, and reduced accountability for perpetrators. The chilling effect created by increased immigration enforcement harms the survivors of crimes and makes communities less safe.

II. Survivor safety depends on trust in local systems

Gender-based violence is already significantly underreported. According to the Bureau of Justice Statistics, from 2020 to 2023, only about 38% of violent crime in urban areas were reported to police; for rape and sexual assault, the reporting rate in urban areas was only 13%.¹ Florida-specific service data further demonstrates the significant need for survivor support across the state. In FY 2024–2025, Florida’s certified domestic violence centers provided 624,269 nights of emergency shelter to 12,425 survivors and their children, handled 74,381 crisis hotline calls, and completed 229,076 safety plans with survivors.² These numbers capture only those survivors who reached formal domestic violence services; many survivors never contact law enforcement, enter shelter, or seek formal assistance. Immigrant survivors of gender-based violence may be even less likely to report crimes due to fear of immigration enforcement.³

Survivors may avoid reporting abuse or pursuing legal protection for multiple reasons, including fear that contact with law enforcement, or the courts could expose them or their families to immigration consequences. Recent data confirms this chilling effect. A 2025 national survey by the Alliance for Immigrant Survivors found that 76% of advocates reported immigrant survivors had concerns about contacting police to report domestic violence or sexual assault.⁴ The same survey found that 70.3% of advocates reported immigrant survivors had concerns about going to court for matters related to their abuser, and 50% had worked with immigrant survivors who dropped civil or criminal cases because they were afraid to continue.⁵

When survivors believe that calling 911, seeking a protective order, appearing in court, or speaking with law enforcement may lead to ICE involvement, many will stay silent. That silence benefits abusers, traffickers, and perpetrators of sexual violence. It also makes communities less

¹ Bureau of Justice Statistics, *Reporting to Police by Type of Crime and Location of Residence, 2020–2023*, NCJ 310166, July 2025, finding that 38.4% of violent victimizations and 13.5% of rape/sexual assault victimizations in urban areas were reported to police.

² Florida Partnership to End Domestic Violence, *Domestic Violence Statistics in Florida*, reporting that in FY 2024–2025 Florida certified domestic violence centers provided 624,269 nights of emergency shelter to 12,425 survivors and their children, handled 74,381 crisis hotline calls, and completed 229,076 safety plans with survivors, <https://www.fpedv.org/statistics/>

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⁴ Alliance for Immigrant Survivors, *Fear and Silence: 2025 Insights from Advocates for Immigrant Survivors of Domestic Violence, Sexual Assault, and Human Trafficking (2025)*, reporting that 76% of advocates surveyed said immigrant survivors had concerns about contacting police to report domestic violence or sexual assault, <https://www.immigrantsurvivors.org/2025-insights-from-advocates-for-immigrant-survivors>

⁵ *Id.* reporting that 70.3% of advocates surveyed said immigrant survivors had concerns about going to court for a matter related to their abuser, and 50% had worked with immigrant survivors who dropped civil or criminal cases because they were afraid to continue.

safe because crimes go unreported; investigations are weakened, and repeat perpetrators remain unidentified.

AI Justice's casework in Florida confirms that these fears are grounded in real experience. Survivors have been funneled into ICE custody after contact with local law enforcement or local court systems for minor, nonviolent matters, even when they had pending or approved humanitarian protection claims.⁶ Examples include:

- A domestic violence survivor with a pending VAWA self-petition and adjustment of status application who was detained by ICE after appearing in court to resolve a minor traffic-related matter. She was held at an ICE facility in Florida, later transferred out of state, and ultimately chose voluntary departure after experiencing serious detention conditions, including delayed access to necessary medical care.
- An intimate partner violence survivor with an approved VAWA petition and pending adjustment application who was arrested by a local sheriff for driving without a license, detained by ICE for approximately three months, and separated from her three-year-old U.S. citizen child before being released on an ankle monitor.
- Trafficking survivors, sexual assault survivors, LGBTQ+ survivors, and survivors of family abuse who were detained for months or transferred far from counsel despite pending or available U visa, T visa, VAWA, TPS-related, asylum, or other protection-based claims.

These cases illustrate the precise chilling effect at issue: when survivors see that contact with police, courts, or routine proceedings can lead to detention, transfer away from counsel, separation from children, and possible deportation before humanitarian claims are resolved, they are far less likely to seek help, report abuse, or cooperate with law enforcement.

Policies that separate victim protection from federal civil immigration enforcement are not abstract. Illinois provides one useful model: its TRUST Act limits state and local law enforcement participation in federal civil immigration enforcement,⁷ while its Voices of Immigrant Communities Empowering Survivors ("VOICES") Act creates procedures to support immigrant victims of violent crime and human trafficking in accessing law-enforcement certifications for victim-based immigration protections.⁸ Together, these measures reflect the same public-safety

⁶ Case examples on file with AI Justice. Identifying details have been omitted or generalized to protect survivor privacy, confidentiality, and ongoing legal matters.

⁷ Illinois TRUST Act, 5 Ill. Comp. Stat. 805/15, providing that a law enforcement agency or official shall not stop, arrest, search, detain, or continue to detain a person solely based on immigration status or an immigration detainer or non-judicial immigration warrant, <https://www.ilga.gov/Legislation/ILCS/Articles?ActID=3818&ChapterID=2>

⁸ Voices of Immigrant Communities Empowering Survivors Act, 5 Ill. Comp. Stat. 825/10, establishing procedures for immigrant victims of qualifying criminal activity and human trafficking to request completion of certification forms

principle at issue here: survivors and witnesses are more likely to seek help, report abuse, and cooperate with law enforcement when local systems are not perceived as pathways to immigration detention or deportation.

III. Florida's 287(g) expansion increases the chilling effect for survivors

Section 287(g) of the Immigration and Nationality Act allows ICE to enter into written agreements with state and local law enforcement agencies to delegate certain federal immigration enforcement functions to trained local officers under ICE supervision.⁹ ICE currently identifies three 287(g) models:

- **Jail Enforcement Model:** permits trained local officers in jail or detention settings to identify and process individuals with pending or active criminal charges who may be removable.
- **Task Force Model:** permits trained local officers to perform certain immigration enforcement functions during routine law enforcement duties or as part of ICE-led task force work.
- **Warrant Service Officer Model:** permits trained local officers to serve and execute ICE administrative warrants on individuals already in their agency's custody.

Florida's current enforcement landscape makes these concerns especially urgent because the state has mandated the Jail Enforcement Model in county detention facilities. As of 2022, with the enactment of section 908.11 of the Florida Statutes, Florida law requires county detention facilities to enter into written 287(g) agreements with ICE.¹⁰ The Florida Sheriffs Association announced in February 2025 that all 67 county jails in the state had signed such an agreement.¹¹ The expansion has also extended beyond county detention facilities. Public reporting has

from certifying officials, including law enforcement agencies,
<https://www.ilga.gov/Legislation/ILCS/Articles?ActID=3824&ChapterID=2>

⁹ U.S. Immigration and Customs Enforcement, *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act*, explaining that the 287(g) program allows ICE to enter agreements with state and local law enforcement agencies to delegate specified immigration enforcement functions to trained officers under ICE supervision, and identifying the Jail Enforcement Model, Task Force Model, and Warrant Service Officer Model, <https://www.ice.gov/identify-and-arrest/287g?>

¹⁰ Fla. Stat. § 908.11(1)–(2) (2025), requiring each sheriff or chief correctional officer operating a county detention facility to enter into a written agreement with ICE to participate in the 287(g) program unless the agency provides written notice explaining why it cannot do so; Florida Sheriffs Association, *Florida Sheriffs Association Announces 287(g) Compliance in All County Jails* (Feb. 24, 2025), stating that every county jail in Florida had signed a written agreement with ICE to comply with 287(g) program requirements, <https://flsheriffs.org/blog/entry/florida-sheriffs-association-announces-287g-compliance-in-all-county-jails/>

¹¹ Florida Sheriffs Association, *Florida Sheriffs Association Announces 287(g) Compliance in All County Jails* (Feb. 24, 2025), stating that every county jail in Florida had signed a written agreement with ICE to comply with 287(g) program requirements, <https://flsheriffs.org/blog/entry/florida-sheriffs-association-announces-287g-compliance-in-all-county-jails/>

identified Florida public universities and state colleges among the agencies pursuing or entering 287(g) agreements for campus police departments, including reporting that Florida Atlantic University, the University of Florida, and the University of South Florida were seeking such agreements, and that Florida International University was among at least 11 state colleges to enroll in the program.¹²

This statewide expansion changes the practical consequences of contact with local law enforcement. Where local agencies are formally authorized to carry out certain federal immigration enforcement functions, survivors do not need to misunderstand the system to fear it. They may reasonably weigh the risk that calling police, appearing in court, seeking a protective order, or entering a jail setting could lead to ICE involvement, detention, transfer, or separation from counsel and family. For survivors of gender-based violence, that risk can be enough to deter reporting, delay help-seeking, or prevent continued cooperation with law enforcement.¹³

AI Justice's detention and survivor casework further confirms why immigrant survivors may fear any pathway that could lead to immigration custody.

- In one matter, a transgender survivor of gender-based violence was transferred to ICE custody after police contact. While detained, she was housed in a unit inconsistent with her gender identity, subjected to violence, and placed in isolation before ultimately being released following legal intervention.
- In a separate case, a survivor of trafficking and sexual assault with a pending victim-based protection claim who was detained by ICE and transferred out of state, away from counsel, while pursuing relief.

These examples reinforce the central point: when survivors understand that seeking help may expose them to immigration custody, transfer, isolation, or further harm, they may be less likely to report violence, pursue protection, or cooperate with law enforcement.¹⁴

¹² Associated Press, *Florida Universities to Deputize Campus Police for Immigration Enforcement* (Apr. 11, 2025), reporting that Florida Atlantic University, the University of Florida, and the University of South Florida confirmed they were seeking 287(g) agreements for campus police departments, while noting that they were not yet listed in ICE's online log at that time; Richard Luscombe, *"Trust Is Gone": Fears Grow as Police on Some Florida Campuses Trained by ICE*, *The Guardian* (Apr. 21, 2025), reporting that Florida International University was one of at least 11 state colleges to enroll in the 287(g) program.

¹³ See supra notes 2, 4–5.

¹⁴ Examples are drawn from AI Justice's legal services and detention work in Florida. Identifying details have been omitted or generalized to protect survivor privacy, attorney-client confidentiality, and ongoing legal matters.

IV. Abusers can weaponize immigration enforcement

AI Justice is particularly concerned that immigration enforcement entanglement gives abusers another tool of coercive control. Abusers may threaten to call ICE, report a survivor's immigration status, take away children, interfere with immigration paperwork, or prevent a survivor from cooperating with law enforcement.

AI Justice's casework reflects how abusers use immigration status as a tool of coercive control.¹⁵ For example:

- In one AI Justice matter, a domestic violence survivor's U.S. citizen spouse repeatedly reminded her that she was undocumented, threatened to have her deported, and told her that no one would believe her over him because she lacked immigration status. The abuse included verbal, emotional, physical, and sexual abuse, as well as monitoring, humiliation, and threats tied directly to her immigration status. AI Justice later assisted the survivor with VAWA relief and adjustment of status, and she ultimately became a lawful permanent resident.
- Additional sensitive AIJ cases reflect that threats of deportation, interference with immigration paperwork, and fear of immigration consequences are recurring forms of coercion used to isolate survivors, discourage reporting, and prevent them from seeking protection.

These examples reflect why immigration enforcement entanglement is so dangerous for survivors. When abusers can credibly invoke deportation, and when survivors believe contact with police or courts may expose them to ICE involvement, the legal system becomes easier for abusers to manipulate and harder for survivors to access.

The result is that survivors may remain in dangerous situations longer. They may avoid shelters, decline to seek protective orders, refuse to testify, or withdraw from civil or criminal cases. This undermines both survivor safety and law enforcement's ability to hold perpetrators accountable.

V. Survivors with pending humanitarian claims remain vulnerable

Federal law recognizes that immigrant crime victims may need protection in order to safely cooperate with law enforcement. DHS identifies immigration protections for victims of domestic violence, certain serious crimes, and human trafficking, and recognizes that many noncitizen

¹⁵ Case examples and survivor casework observations on file with AI Justice. Identifying details have been omitted or generalized to protect survivor privacy, confidentiality, and ongoing legal matters.

victims fear reporting crimes because they believe doing so could lead to removal.¹⁶ USCIS similarly explains that Congress created U nonimmigrant status to strengthen law enforcement's ability to investigate and prosecute domestic violence, sexual assault, trafficking, and other crimes, while protecting victims who suffered substantial mental or physical abuse and are helpful to law enforcement.¹⁷

These protections exist for a reason. U visas, T visas, VAWA self-petitions, asylum, and related protections are intended to allow survivors to come forward, assist law enforcement where appropriate, and seek safety without remaining dependent on an abuser or trafficker.

But these protections are often delayed. Survivors with pending claims may still lack final immigration status, even after reporting abuse, cooperating with authorities, or becoming eligible for humanitarian protection. AI Justice has represented survivors with pending or available humanitarian protections who were detained, transferred away from counsel, or placed at risk of removal before their claims could be adjudicated. If local enforcement systems funnel survivors or witnesses toward ICE before their humanitarian claims are resolved, the protective purpose of these laws is undermined.¹⁸

AI Justice has seen this gap repeatedly¹⁹. Examples include:

- A trafficking survivor and mother of several U.S. citizen children who was transferred out of Florida, away from counsel, before AI Justice filed a T visa application, secured continued presence, and obtained termination of removal proceedings and release after months in detention.
- A trafficking and sexual assault survivor with a pending U visa and T visa eligibility who was transferred out of Florida, away from counsel, and remained detained for months while pursuing protection.

¹⁶ Federal law recognizes that immigrant crime victims may need protection in order to safely cooperate with law enforcement. DHS identifies immigration protections for victims of domestic violence, certain serious crimes, and human trafficking, and recognizes that many noncitizen victims fear reporting crimes because they believe doing so could lead to removal, <https://www.dhs.gov/immigration-options-victims-crime>

¹⁷ U.S. Citizenship and Immigration Services, *Victims of Criminal Activity: U Nonimmigrant Status*, explaining that Congress created U nonimmigrant status to strengthen law enforcement's ability to investigate and prosecute domestic violence, sexual assault, trafficking, and other crimes while protecting victims who suffered substantial mental or physical abuse and are helpful to law enforcement, <https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status>

¹⁸ Case examples on file with AI Justice. Identifying details have been omitted or generalized to protect survivor privacy, confidentiality, and ongoing legal matters.

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These cases show why survivor protections must be meaningful in practice, not only on paper. A survivor should not have to choose between reporting abuse and risking deportation.

VII. Recommendations

Examine the impact of 287(g) agreements and related local-federal immigration enforcement partnerships on survivors and witnesses of crime.

The Committee should request information from DHS and ICE on the location, model, screening procedures, and safeguards for active 287(g) agreements, including how they identify and protect survivors, witnesses, and individuals with pending or available humanitarian protection claims.

Require binding survivor and witness safeguards in 287(g) Memoranda of Agreement.

DHS and ICE should prohibit the use of delegated immigration authority against survivors, witnesses, or individuals with pending or available humanitarian protection claims when their law enforcement contact is connected to seeking protection, reporting abuse, appearing in court, or assisting an investigation.

Require meaningful screening before ICE referral, detainer, transfer, or immigration-related questioning.

Jurisdictions operating under 287(g) agreements should screen for pending or available U visa, T visa, VAWA, asylum, TPS-related, or other protection-based claims before routing individuals into immigration enforcement.

Protect access to victim-protection tools.

The Committee should examine whether current enforcement practices are undermining access to U visa certifications, T visa declarations, VAWA protections, protective orders, shelters, health care, and legal services.

Require data collection and reporting on survivors and witnesses encountered through 287(g) partnerships.

DHS and ICE should collect and report data on referrals, detainers, transfers, detention length, pending humanitarian claims, and outcomes for survivors and witnesses encountered through 287(g) partnerships.