

TESTIMONY OF PROFESSOR JANE STOEVER
University of California, Irvine School of Law

U.S. House of Representatives
Committee on the Judiciary
Subcommittee on Immigration Integrity, Security, and Enforcement

“Fairfax County, Virginia: The Dangerous Consequences of Sanctuary Policies”

May 14, 2026

PROTECTING IMMIGRANT DOMESTIC VIOLENCE SURVIVORS: THE URGENT NEED
FOR SAFE ACCESS TO LEGAL PROTECTION, POLICE RESPONSE, AND COMMUNITY
RESOURCES

INTRODUCTION

I come before you today having directed and taught domestic violence law clinics for over two decades, first here in the District of Columbia at Georgetown University Law Center and American University Washington College of Law, then in Seattle, and now at the University of California, Irvine School of Law. I also direct an interdisciplinary research center, the UCI Initiative to End Family Violence, and co-chair my county’s Domestic Violence Death Review Team.

When I started representing abuse survivors, I initially focused on the family-law remedies of civil protection orders, child custody, and divorce cases. I soon realized the vulnerability that would persist for any of my clients who lacked secure immigration status, so twenty years ago, I expanded my teaching, research, and legal representation to include the immigration remedies enacted through the Violence Against Women Act (VAWA), the Victims of Trafficking and Violence Protection Act and other federal protections for abuse survivors.

Today’s hearing was prompted by an unthinkable, preventable tragedy, and I extend my deepest condolences to Ms. Cheryl Minter for the loss of her daughter, Stephanie Minter.

As Congress legislates and has broad authority, my testimony cautions against viewing immigrants as criminals and focuses on how current, sweeping immigration enforcement practices endanger abuse survivors. What I witness every day in my Domestic Violence Clinic is survival, but it’s a survival made increasingly impossible by the current immigration enforcement environment. As I represent abuse survivors who have been strangled, stabbed, beaten, sexually assaulted, and threatened with deportation by someone who also professes love, and who is more often than not a U.S. citizen, I make the promise to try to walk out of every immigration courthouse and deportation-officer appointment together, a commitment that is increasingly hard to keep. I urge this Committee to take seriously the devastating impact current policies are having on immigrant abuse survivors and to act to restore the protections they urgently need.

At the outset, I acknowledge that many women and abuse victim-survivors often feel failed by the systems that are supposed to support them and keep them safe. There are many actions that the government could undertake to increase safety in our communities and reduce violence against women, but focusing on immigration enforcement and mass deportation as the solution to crimes against women is rooted in bias and false narratives and not facts.

Everyone who is victimized matters and deserves support and services. Immigrant survivors are uniquely vulnerable and face compounded barriers to seeking and receiving the help they need to be safe, and this has never been truer.

I. THE COMPOUNDING BARRIERS FACING IMMIGRANT SURVIVORS OF DOMESTIC VIOLENCE

Immigrant women in the United States, including in Virginia, face alarmingly high rates of victimization. Research indicates that immigrant women face a lifetime risk of domestic violence as high as 49.8%, which is three times the national average for prevalence of abuse.¹

Many abusive partners deliberately exploit and abuse a survivor's immigration status and fear of deportation as mechanisms of power and control. Sixty percent of immigrant women married to a U.S. citizen spouse experience immigration-related abuse.² For survivors who lack secure immigration status, "deportability is the ever-present threat . . . that shapes everyday life-limiting freedom,"³ allows physical and sexual abuse to escalate, and prevents psychological and emotional security. Abusive partners may exploit immigration status by threatening to contact or by actually contacting authorities to report their partners for violating immigration law. My clinics have served countless clients who said that their husbands threatened that if they call the police, then they will be deported and forever separated from their children. Other clients' partners have destroyed vital documents, such as birth certificates or passports, or kept the client's and their children's documents only in the abusive partner's possession. In addition to constant threats of deportation, abusive partners may also lie about their ability to assist in providing legal status to the survivor, have the survivor sign paperwork they do not understand, threaten to revoke any existing applications for status, and refuse to seek legal status for the survivor, which prevents them from working, ensures their reliance on the abusive partner for basic needs, and leaves them forever vulnerable.⁴ Among abusive spouses who could have filed

¹ Mary Ann Dutton, Rocio Molina & Loretta Young, *Evidence of Coercive Control: Proof of Extreme Cruelty in Immigration Cases and Power and Control Dynamics in Family Law Cases*, NATIONAL IMMIGRANT WOMEN'S ADVOCACY PROJECT (July 30, 2015), <http://library.niwap.org/wp-content/uploads/Powerpoint-Evidence-of-Coercive-Control-Proof-of-Extreme-Cruelty-in-Immigration-Cases-and-Power-and-Control-Dynamics-in-Family-Law-Cases.pdf>.

² *Id.*

³ Maryam Rafeifar, Toni A. Gallegos, & Regina T. Praetorius, *Understanding Family Dynamics in Mixed-Status Families: A Qualitative Interpretive Meta-Synthesis*, *Child & Family Social Work* 1, 1-14 (2025).

⁴ Leslye Orloff & Olivia Garcia, *Dynamics of Domestic Violence Experienced by Immigrant Victims*, AM. UNIV. WASH. COLL. OF L. (2015); Stephanie Thurrott, *A Guide to Domestic Violence for U.S. Immigrants*, DOMESTICSHELTERS.ORG (Nov. 15, 2023), <https://www.domesticshelters.org/articles/escaping-violence/a-guide-to-domestic-violence-for-u-s-immigrants>.

for legal immigration status for victims, 72.3% never did, and the 27.7% who did file had an average delay of 3.97 years.⁵

Today's immigration enforcement regime puts even more power in the hands of abusive intimate partners. Increased isolation and exposure to their abuser gives abusive partners more control, while survivors' external support systems are severely limited.⁶ Abuse and coercive control, coupled with language barriers, isolation, and fear of authorities, entrap abused immigrants in violent relationships and present barriers to seeking help. It is in this context that immigrant survivors of domestic violence, sexual assault, and human trafficking are reporting increased fear of reaching out for help at all.

II. THE DEVASTATING IMPACT OF CURRENT IMMIGRATION ENFORCEMENT ON SURVIVORS

Many immigrant abuse survivors contend with a “catch-22 situation: ask for help and risk deportation, retaliation by an abuser, and separation from one's children, or stay with a violent partner and risk one's life.”⁷ Among compounding barriers to safety, immigration enforcement policies now jeopardize access to resources that may be critical to survivor assistance, including hospitals, law enforcement, social service providers, and legal mechanisms such as Violence Against Women Act (VAWA) Self-Petitions and U and T visas.

The situation for immigrants has become substantially more precarious and dangerous under the current Administration. Presidential Executive Orders have attempted to eliminate humanitarian protections previously afforded to some immigrants and expanded the enforcement focus from the border to the interior of the country. These efforts have resulted in the detention of not only those without immigration status, but also those with lawfully issued visas or pending applications for relief, including survivors of domestic violence and human trafficking, refugees in line for entry, lawful permanent residents awaiting oath ceremonies for citizenship, and others.

Immigration enforcement has increased drastically in scale and scope. Congress has allocated \$170 billion for immigration enforcement.⁸ ICE has increased its size by adding more than 12,000 new agents and adopted a daily target of 3,000 arrests, leading to record detention

⁵ *Intimate Partner Violence Undocumented & Immigrant Women*, NATIONAL ORGANIZATION FOR WOMEN (NOW), <https://now.org/wp-content/uploads/2017/06/Learn-More-IPV-and-Immigrant-Womenpdf.pdf>.

⁶ See *Understanding the Intersections of Sexual Assault and Immigration Status*, TAHIRIH JUST. CTR. (Apr. 26, 2023), <https://www.tahirih.org/news/understanding-the-intersections-of-sexual-assault-and-immigration-status/>.

⁷ Caroline Bettinger-Lopez et al., *The Effects of Anti-Immigrant Laws in the U.S. on Victims of Domestic Violence*, 23 HARV. LATINX L. REV. 17, 19 (2020).

⁸ One Big Beautiful Bill Act, Pub. L. No. 119-21, § 100051–55, 139 Stat. 71, 385–92 (2025); see also Senate Approves Unprecedented Spending for Mass Deportation, Ignoring What's Broken for our Immigration System, AM. IMMIGR. COUNCIL (Jul. 1, 2025), <https://www.americanimmigrationcouncil.org/press-release/congress-approves-unprecedented-funding-mass-detention-deportation-2025/>.

numbers of more than 70,000 in 2025.⁹ ICE agents are now empowered to stop, arrest, and detain people on the basis of race, language, location, and employment.¹⁰

Nationwide, immigrant survivors are more afraid than ever to seek help from courts or law enforcement.¹¹

Service providers struggle to provide services without increasing their clients' risk of detection by ICE. As one Illinois advocate shared: "The chilling effect of U.S. Immigration and Customs Enforcement's presence undermines safety, justice, and healing for immigrant survivors. Many survivors avoid going to domestic violence agencies or courthouses out of fear of detention, deportation, or family separation. This prevents them from filing police reports, obtaining orders of protection, or accessing other vital social services, and abusers often exploit this fear to maintain control."¹²

The Alliance for Immigrant Survivors (AIS) conducted a nationwide survey of over 170 advocates and attorneys nationwide to better understand the current experiences, needs, and lived realities of immigrant survivors in the United States. Findings reveal how changes to federal immigration policies are negatively impacting the help-seeking behaviors of immigrant survivors, such as reporting crime, pursuing orders of protection, or contacting advocates for support. According to this 2025 survey:

- 75.6% of immigrant survivors of domestic violence, sexual assault, and human trafficking have concerns about contacting the police.
- 70.3% have concerns about attending court hearings relating to their abuse.
- 50% of those with concerns ultimately chose not to contact the police or go to court.
- 35.6% of advocates served survivors who dropped civil or criminal cases relating to their abuse due to fear of contact with ICE.
- 76% of advocates reported that abusive partners were using deportation threats against survivors.¹³

Virginia-specific findings from the AIS survey include open-ended responses from a victim service provider in Fairfax County, a legal services provider in Fairfax County, and a legal aid provider in Alexandria, Virginia.

⁹ See *ICE Announces Historic 120% Manpower Increase, Thanks to Recruitment Campaign that Brought in 12,000 Officers and Agents*, DEP'T OF HOMELAND SEC. (Jan. 3, 2026), <https://www.dhs.gov/news/2026/01/03/ice-announces-historic-120-manpower-increase-thanks-recruitment-campaign-brought>; Jose Olivares, *Trump Administration Sets Quota to Arrest 3,000 People a Day in Anti-immigration Agenda*, THE GUARDIAN (May 29, 2025), <https://www.theguardian.com/us-news/2025/may/29/trump-ice-arrest-quota>; *Detention Management*, U.S. IMMIGR. AND CUSTOMS ENF'T, <https://www.ice.gov/detain/detention-management> (last visited Mar. 25, 2026) (to find 2025 detention statistics navigate to the bottom of the page and click "FY 2025 ICE Statistics").

¹⁰ See *Order Granting Application for Stay, Noem v. Vasquez-Perdomo*, 146 S. Ct. 1 (2025) (staying an injunction barring immigration enforcement stops based on race, language, location, and employment, and thereby allowing these practices to continue during the course of litigation on this issue).

¹¹ *Fear and Silence: 2025 Insights from Advocates for Immigrant Survivors of Domestic Violence, Sexual Assault, and Human Trafficking*, ALLIANCE FOR IMMIGR. SURVIVORS (Dec. 10, 2025), <https://www.immigrantsurvivors.org/fear-and-silence-report>.

¹² *20th Annual Domestic Violence Counts Report*, NATIONAL NETWORK TO END DOMESTIC VIOLENCE, 1, 7 (2026), <https://nnedv.org/wp-content/uploads/2026/03/20th-Annual-DV-Counts-Report-Full-Report-FINAL.pdf>.

¹³ See *id.*

The victim service provider in Fairfax County reported:

- One client did not call the police when her abuser stalked and assaulted her because she was afraid that the police would find out her immigration status and deport her. This client also felt that her abuser would disclose that information to the police as retaliation for reporting him.
- Another client decided to stay with her abuser because he was in control of her visa. Her abuser leveraged deportation as a form of control.
- In general, immigrant clients are having their immigration status used as a form of abuse, they are afraid to report abuse to law enforcement as their immigration status could lead to their deportation, and they are afraid to leave their abusers because of their immigration status.
- Immigrants report feeling unsure of the safety at food banks and shelters due to ICE raids and they are concerned about ICE presence at the courthouse.

The legal services provider in Fairfax County reported:

- Law enforcement and law enforcement-adjacent partners have reported an increased rate of no-shows at court proceedings by victims, as well as an increase in the number of withdrawn complaints by immigrant victims.
- The Fairfax County office responded by offering remote services for individuals who don't feel safe leaving the home, which was especially used by clients in areas with heavy ICE enforcement, and attending biometrics appointments with clients who were afraid of what might happen if they went alone.
- The county has strong immigrant protection policies in place and has actively sought training and information to understand how to help make immigrants feel safe and comfortable accessing services.

A legal aid office in Alexandria, VA, which borders Fairfax County and where the Sheriff has taken a different approach than Fairfax County, reported:

- Many people are not calling the police nor getting help from the courts for abuse because they are afraid of the immigration consequences. Not only are they not pursuing the criminal route, but they are often avoiding civil cases like protective orders because of this fear.
- Some people are not going to court at all, including for unrelated issues like housing or traffic offenses and getting default judgments, even when they have legal defenses, because of it.
- Many people are also filing for third parties to have custody of their children so that they can leave their children with someone in the U.S. if they are deported.
- I have had very few immigrant survivor clients recently.

During the first year of the prior Trump presidency, there was a policy change in 2017 that resulted in detaining people who went to court. A 2018 national ACLU survey similarly revealed that 69% of police officers reported that domestic violence was harder to investigate in 2017 than

in 2016 because immigrant survivors were fearful and less willing to cooperate with police after ICE began detaining people who appeared in court for hearings.¹⁴

It has long been the case that fear of immigration consequences is a substantial reason that many immigrants do not report violence to law enforcement. But the risk of engaging with law enforcement is now magnified by current immigration enforcement practices and Section 287(g) agreements, as well as less formal cooperation and coordination between state and local law enforcement and immigration enforcement including intergovernmental agreements and MOUs. Expanded interior enforcement and the increasingly indistinguishable and interdependent relationship between local law enforcement and ICE have eroded the usefulness of prior access points for safety and transformed them into enforcement opportunities for immigration detention.

III. COMMUNITY ACCESS: CHURCHES, CLINICS, HOSPITALS, AND SCHOOLS ARE NO LONGER SAFE

Immigrants are not only afraid to call the police, but they also fear accessing community services altogether. Increases in ICE enforcement have made places like churches, community organizations, and schools feel like dangerous spaces. Documentation requirements and ICE presence at hospitals have resulted in healthcare providers reporting an uptick in patients delaying care, opting for telehealth appointments when in-person care is needed, and refusing long-term care options.¹⁵

Even for lawfully present immigrants, racial and ethnic targeting and reports of those with legal status being detained and even deported has created a climate of fear that causes them to avoid essential services. Reports of the Administration seeking to denaturalize hundreds of citizens further fuels fear. Service providers describe immigrant patients as feeling “increased levels of anxiety, fear, and uncertainty due to heightened immigration enforcement, detentions, and deportations, leading to negative impacts on mental health, including depression and PTSD symptoms.”¹⁶

One service provider reported that a pregnant immigrant client did not seek prenatal care for eight months because she was afraid that going to the doctor and accessing healthcare could risk being picked up by ICE and deported. Only after extensive counseling from her attorney and social worker did she finally get the care she needed in her ninth month of pregnancy.¹⁷

¹⁴ *Freezing Out Justice*, AMERICAN CIVIL LIBERTIES UNION (ACLU) (May 3, 2018), <https://www.aclu.org/publications/freezing-out-justice>.

¹⁵ <https://www.kff.org/immigrant-health/kff-new-york-times-2025-survey-of-immigrants-health-and-health-care-experiences-during-the-second-trump-administration/>,

¹⁶ Rod Harris, *The Impact of Mass Detention and Deportation Efforts on the Mental Health of Immigrant Families*, UNIV. OF ILL. CTR. ON DEPRESSION AND RESILIENCE (Oct. 17, 2025), <https://uifightdepression.psych.uic.edu/ui-center-on-depression-and-resilience/the-impact-of-mass-detention-and-deportation-efforts-on-the-mental-health-of-immigrant-families>.

¹⁷ Client account on file with the Author.

I see this fear preventing my own clients' medical care, safety protections, and basic needs. Multiple clients asked me, when the injunction in *Noem v. Vasquez-Perdomo*¹⁸ was in effect barring immigration enforcement stops based on race, language, location, and employment, if they could safely take care of medical needs they had been postponing while afraid to leave their homes. The fact that a client must ask whether she is safe enough to seek medical attention illustrates the profound harm being executed. With that injunction lifted, many of my clients are again postponing medical care and help seeking.

A Washington, D.C., legal advocate reported: "Since a recent emergency order brought more federal agencies to patrol DC, we have observed a significant decrease in walk-in visitors to our clinics that primarily serve immigrant clients. There is a heightened fear among our clients, and we had at least one young immigrant detained despite having no history of criminal activity."¹⁹

All of this has also increased immigrant isolation, psychological stress, and financial strain, thereby increasing the risks for intimate partner violence. Heightened enforcement and threat of ICE raids reactivates "intergenerational trauma for families who have experienced displacement or detention in the past."²⁰ These stressors increase the risk for violence in the home, close off avenues of assistance, and make it all the more difficult for survivors to gain the resources they need to increase their safety.

Immigrant survivors are under greater financial strain than ever, as previously eligible lawfully present immigrants have been cut off from federal safety net benefits that are often critical for a survivor who is working to create some financial independence and reduce her vulnerability. One result of the One Big Beautiful Bill Act (H.R. 1) was that previously eligible immigrant victims of domestic violence and human trafficking, as well as refugees and asylees (many of whom have suffered gender-based violence), have been cut off from federal food stamps and healthcare access, leaving them with reduced access to lifesaving supports.²¹

Many survivors additionally fear the risks associated with the loss of a family member to deportation or the dangers of detention. This fear discourages survivors from seeking police intervention, particularly in mixed-status families where the deportation of an abusive partner may create financial instability or family separation. Together, these families face potentially permanent separation and multi-generational trauma and disruption, and the U.S. citizen children of undocumented parents risk foster care or the permanent loss of their parents' custody rights.²²

¹⁸ See Order Granting Application for Stay, *Noem v. Vasquez-Perdomo*, *supra* note 10 (staying an injunction barring immigration enforcement stops based on race, language, location, and employment, and thereby allowing these practices to continue during the course of litigation on this issue).

¹⁹ 20th Annual Domestic Violence Counts Report, *supra* note 12.

¹⁹ One Big Beautiful Bill Act, Pub. L. No. 119-21, § 100051–55, 139 Stat. 71, 385–92 (2025).

²⁰ Nadra Nittle, "This Is the First Time that I've Been Afraid that I Am a Latina": ICE Raids Set L.A. on Edge, THE 19TH (June 16, 2025), <https://19thnews.org/2025/06/ice-raids-los-angeles-mental-health/>.

²¹ One Big Beautiful Bill Act § 10108, 139 Stat. 2 (2025) (Alien SNAP eligibility); One Big Beautiful Bill Act, § 71109, 139 Stat. 77 (Alien Medicaid eligibility); One Big Beautiful Bill Act, § 71201, 139 Stat. 78 (Limiting Medicare coverage of certain individuals); One Big Beautiful Bill Act, § 71301, 139 Stat. 78 (Permitting premium tax credit only for certain individuals).

²² Lucila Ramos-Sanchez & Jasmin D Llamas, *Immigration Policy and Latinx/e' Children from Mixed-Status Families: Mental Health Consequences and Recommendations for Mental Health Providers*, 11 CHILDREN 1357

IV. LEGAL PROTECTIONS ARE UNDERMINED: VAWA, U VISAS, AND T VISAS IN CRISIS

Over 30 years ago, Congress enshrined critical immigration protections in the Violence Against Women Act (VAWA) with bipartisan support.²³ In doing so, Congress recognized that abusive partners routinely use a person’s lack of legal immigration status or their dependent immigration status to maintain power and control, threatening deportation to keep survivors of domestic violence, sexual assault, human trafficking, and other crimes silent. The VAWA self-petition process²⁴ grants certain abused family members of U.S. citizens or legal permanent residents, including abused spouses and children of U.S. citizens or lawful permanent residents, and abused parents of U.S. citizens, to apply for status independently. The immigrant survivor gains permission to petition to adjust their immigration status on their own, rather than needing to be sponsored by and reliant on an abusive spouse or family member, and this legal remedy provides “the ability to self-petition for immigrant classification without the abuser’s knowledge, consent, or participation in the immigration process. This allows victims to seek both safety and independence from their abuser.”²⁵

A bipartisan majority in Congress later established two additional remedies for immigrant survivors in the Victims of Trafficking and Violence Prevention Act of 2000 (TVPA): the T visa to assist victims of human trafficking,²⁶ and the U visa to assist noncitizen victims of certain qualifying crimes²⁷ (including domestic violence, sexual assault, and stalking) who are willing to assist in the investigation or prosecution of those crimes. These protections were deliberately designed to remove immigration-related barriers that prevent survivors from seeking help.²⁸ The goal of these protections was to “strengthen the ability of law enforcement agencies to detect, investigate, and prosecute” certain serious crimes “while offering protection to victims of such offenses and keeping with the humanitarian interests of the United States.”²⁹ Congress recognized that pathways to legal status and protection from deportation were essential to

(2024) (finding that children of undocumented parents face persistent anxiety, stress, and hypervigilance due to fears of parental deportation).

²³ 34 U.S.C. §§ 12291–12514 (2022).

²⁴ INA § 204(a)(1) (8 U.S.C. § 1154(a)(1)) (noting the primary statute authorizing the filing of a self-petition by victims of battery or extreme cruelty); 8 CFR § 204.2(c), 8 CFR § 204.2(e) (2025) (defining eligibility, “good faith marriage,” “battery or extreme cruelty,” and “resided with” requirements.); *see also* U.S. CITIZENSHIP AND IMMIGR. SERV.’S POLICY MANUAL vol. 3, part D, VAWA Self-Petitioner (noting official guidance on eligibility; evidence, including “any credible evidence” standard; and adjudication processes).

²⁵ U.S. CITIZENSHIP AND IMMIGR. SERV.’S POLICY MANUAL vol. 3, part D, ch. 1, Purpose and Background, <https://www.uscis.gov/policy-manual/volume-3-part-d-chapter-1> (current as of May 12, 2026).

²⁶ 8 C.F.R. § 214.11, 8 C.F.R. § 274a.12.

²⁷ INA § 101(a)(15)(U); 8 C.F.R. § 214.14; *see also* *Victims of Criminal Activity: U Nonimmigrant Status*, U.S. CITIZENSHIP AND IMMIGR. SERV.’S, <https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status> (last visited May 10, 2026).

²⁸ *See id.*

²⁹ *See* Victims of Trafficking and Violence Prevention Act, Pub. L. No. 106-386, §1513(a)(2)(A), 114 Stat. 1464. Congress found that “providing battered immigrant women and children . . . with protection against deportation . . . frees them to cooperate with law enforcement and prosecutors in criminal cases brought against their abusers.”

escaping domestic violence and other crimes and, more broadly, to protecting children and communities.

These protections can only succeed if survivors feel safe coming forward. Recent policy shifts, however, are eroding access to these protections and fueling a climate of fear. Local law enforcement participation in federal immigration actions, the detention and deportation of victims of crime who have come forward, and enforcement actions at courthouses all work against the intent of these laws. These policies and practices do not just undermine survivor protections; they embolden abusive partners and put lives and communities at risk.

These safety remedies paradoxically now create new risks for survivors who are made more vulnerable to ICE enforcement. Contrary to the Congressional intent to make these protections available to survivors, a pending application for VAWA, U, or T status will not prevent ICE from detaining someone and placing them in adversarial removal proceedings. ICE has also detained survivors who reported for routine check-in appointments. Advocates report that U- and T visa petitioners are being detained during the application process and that the pending victim-based petition has no bearing on ICE's detention determination, in direct violation of prior clear policy aimed at protecting crime survivors and witnesses.

For example, Americans for Immigrant Justice (AI Justice) reports that a U visa applicant with a bona fide determination and a valid employment authorization document was detained by ICE along with his derivative son while they were traveling to work in the Florida Keys. Both were carrying their immigration documents at the time of detention. They were initially detained at Glades Detention Center and later transferred to Otay Mesa in San Diego, California.³⁰ AI Justice is representing multiple other clients with approved VAWA petitions or U visas based on serious abuse who were detained for months, some for no stated reason, one for lacking proof of vehicle registration, another for operating a scooter with an international driver's license, and others for driving without a license.

A young survivor of intimate partner violence, who had been in the United States since she was a toddler, was in an abusive marriage with a U.S. citizen and involved in a custody dispute over their three-year-old U.S. citizen child. She had an approved VAWA self-petition and a pending adjustment of status application when she was arrested by a local sheriff for driving without a license and detained by ICE at Broward Transitional Center. She was later released on an ankle monitor but spent approximately three months in detention under threat of deportation and separated from her child.³¹ As another example, a survivor of domestic violence with a pending VAWA self-petition and adjustment of status application was detained by ICE after appearing in court to resolve a driving-without-a-license matter. She spent months detained, suffered medical problems due to conditions in the detention center, was hospitalized for four days, and ultimately chose voluntary departure to Nicaragua because of the conditions she endured in detention, despite having a valid VAWA case due to substantial abuse by her U.S. citizen spouse.³² Detention of abuse survivors with pending VAWA, U visa, or T visa remedies is contrary to

³⁰ Client account on file with the Author.

³¹ Client account on file with the Author.

³² Client account on file with the Author.

Congressional intent, and these vehicular code violations resulting in prolonged detention are not the danger that this hearing seeks to address.

USCIS backlog compounds survivors' fears and delays relief. Average case processing times for VAWA Self-Petition cases are 48.5 months as of May 2026.³³ U visas take an average of 19 months until a bona fide determination made through which work authorization can be granted,³⁴ and due to the Congressional cap on U Nonimmigrant visas issued annually, the total wait is at least a decade. There are currently nearly 239,000 primary U visa petitioners and an additional 158,000 family members awaiting processing.³⁵ As of May 2026, the USCIS processing time for a T visa is 29.5 months,³⁶ with 5,000 principal visas available annually. Lack of access to these remedies prolongs immigrant survivors' vulnerability to arrest, detention, and deportation.

Frequent transfers of detained abuse survivors create further barriers to safety. A 19-year-old who experienced child abuse by his lawful permanent resident father was arrested for driving without a license and transferred to ICE custody. AI Justice filed a VAWA petition on his behalf based on child abuse. ICE transferred him away from his attorneys to California, and he has been detained for approximately five months.³⁷

LGBTQ trafficking and domestic violence survivors face revictimization while detained. A trafficking and sexual assault survivor with a pending U visa and potential eligibility for a T visa was arrested by police and transferred to ICE custody. He is a gay man and has suffered multiple violent and homophobic attacks from other detained individuals. AI Justice filed a T visa application and an asylum application based on the presence of his trafficker in his home country. He was later transferred away from his attorneys to California and has been detained by ICE for approximately eight months.³⁸

Overall, legal protections enacted during the past three decades are now less protective, and instead of invoking a sense of safety, the application process is fraught with anxiety, fear, and questions about whether to apply under the current circumstances. Congressional remedies intended to protect crime victims have become sites of fear and even deportation.

V. CLIENT EXAMPLES: THE HUMAN COST

My own clinic clients' experiences illustrate the difficulty of accessing federal immigration remedies and how non-violent immigrants lacking secure status are increasingly put in removal proceedings.

One client entered the United States on a visa and fell in love with a U.S. citizen. It was, by all appearances, a dream relationship: the couple dated and formed mutual friendships, purchased a home together, planned their wedding, and wanted to start a family. It was when she became

³³ *Case Processing Times*, U.S. CITIZENSHIP AND IMMIGR. SERV.'S, <https://egov.uscis.gov/processing-times>.

³⁴ *Id.*

³⁵ *Immigration Policy*, NATIONAL NETWORK TO END DOMESTIC VIOLENCE (2024), <https://nnedv.org/content/immigration-policy/>.

³⁶ *Case Processing Times*, *supra* note 33.

³⁷ Client account on file with Author.

³⁸ Client account on file with Author.

pregnant that he became increasingly and life-threateningly abusive, with his abuse including strangulation, beatings, and extreme control. She escaped to a domestic violence shelter and was linked with my law clinic. We soon learned she had been placed in immigration proceedings, and the immigration judge ordered what seemed impossible: she would be deported to Ecuador—a country she had never set foot in—if she could not prove successful adjudication of her just-filed VAWA Self-Petition within one month. But USCIS processing times are currently 48.5 months.³⁹ We managed to expedite her case and receive a prima facie determination in record time. We await the judge’s decision. This survivor is married to a U.S. citizen, has a U.S. citizen child, experienced violence in her home country, and has no history of committing crimes involving moral turpitude. She is not the danger this Administration or this Judiciary Committee hearing purport to address.

A second client and her two children entered the United States with the children’s father to flee violence from their home country. Once here, the father of the client’s children committed life-threatening abuse when he stabbed her in the leg and broke her ribs. The family was put into removal proceedings. I represented her in having her and her children’s removal case separated from the abusive partner’s case and in having their cases dismissed while her U visa petition is pending. Yet every six months, under a new Executive Order, she must check in with a Deportation Officer. At the most recent appointment, the officer first insisted that she could not check in without the father of her children present, which would be extremely dangerous, and in any case impossible, as he has been deported. Although this should have been a routine appointment, we waited six hours in a standing-room-only office for the opportunity to lay out court filings and orders to convince the officer that she could leave the appointment and remain in the United States. My promise to her and to all my clients: we leave together.

VI. SANCTUARY POLICIES PROTECT ABUSE SURVIVORS AND PUBLIC SAFETY

Sanctuary policies are not obstacles to public safety. They instead help abuse survivors by allowing them to access community services, legal protection, medical care, and police help without the fear that a call for help will trigger immigration detention.

Law enforcement officers have voiced concerns about the chilling effect of involving local police with immigration enforcement.⁴⁰ Chris Magnus, a former commissioner of Customs and Border Patrol, has stated, “If undocumented people are afraid to engage with local police officers, they won’t come forward as witnesses—even when they are victims. This means criminals who endanger all residents are less likely to be apprehended and successfully prosecuted.”⁴¹ The U.S. Conference of Mayors CEO and the Major Cities Chiefs Associations took the position that it is essential for local law enforcement to build trust with immigrant communities, and that such jurisdictions “should not be punished because this is essential to reducing crime and helping victims. . . . [Cities] must continue to protect the safety of all

³⁹ *Id.*

⁴⁰ *Press Release: Law Enforcement Leaders Address ‘Sanctuary’ Policies*, NAT’L IMMIGR. F. (February 4, 2020), <https://immigrationforum.org/article/law-enforcement-leaders-address-sanctuary-policies/>.

⁴¹ Chris Magnus, *How Undocumented Immigrants Helped My Police Work*, WASH. POST (February 3, 2025), <https://www.washingtonpost.com/opinions/2025/02/03/immigrant-illegal-ice-trump-church-school-letters/>.

of our residents while ensuring that local law enforcement is focused on community policing.”⁴²

The January 2025 Executive Orders pressure states and localities to enter Section 287(g) agreements and to eradicate sanctuary policies.⁴³ Such agreements allow local law enforcement to act as federal immigration officers during normal police duties, for example, by stopping, interrogating, and arresting individuals suspected of violating immigration laws.⁴⁴ This entanglement between local policing and federal immigration enforcement is directly harmful to domestic violence survivors, who are already reluctant to call police. Section 287(g) agreements have proven to “exacerbate survivors’ and witnesses’ fears that calling or cooperating with the police may result in their removal, detention, and separation from their families”;⁴⁵ to result in increased racial profiling and civil rights violations;⁴⁶ and to be ineffective in reducing crime.⁴⁷ Although the Commonwealth of Virginia’s state-level Section 287(g) agreements were terminated in February 2026,⁴⁸ the ICE website lists approximately twenty-eight Virginia 287(g) programs.⁴⁹

Rather than presuming danger, extensive research instead proves that long-standing concerns about immigration as a major source of crime are unfounded.⁵⁰ In fact, communities with more

⁴² Sara Durr, *U.S. Mayors, Police Chiefs Concerned with Sanctuary Cities Executive Order*, THE U.S./ CONF. OF MAYORS, (Jan. 25, 2017), <https://www.usmayors.org/2017/01/25/u-s-mayors-police-chiefs-concerned-with-sanctuary-cities-executive-order/>.

⁴³ See Exec. Order No. 14128, 90 Fed. Reg. 10581 (Feb. 19, 2025); Exec. Order No. 14159, 90 Fed. Reg. 8443 (Jan. 20, 2025); see also *Summary of Executive Orders and Other Actions on Migration*, CTR. FOR MIGRATION STUD. (Feb. 13, 2025), <https://cmsny.org/publications/essential-but-ignored-low-earning-immigrant-healthcare-workers-and-their-role-in-the-health-of-new-york-city/>.

⁴⁴ Veronica Egui Brito & Syra Ortiz Blanes, *Hialeah, city of immigrants, unanimously approves agreement to enforce immigration laws*, MIAMI HERALD (March 12, 2025), <https://www.miamiherald.com/news/local/immigration/article301888984.html>.

⁴⁵ *Statement of the Alliance for Immigrant Survivors House Committee on Oversight and Government Reform, “A Hearing with Sanctuary City Governors,”* ALL. FOR IMMIGR. SURVIVORS (June 12, 2025).

⁴⁶ Joel A. Capellan & Evan T. Sorg, *Do Local-Federal Immigration Enforcement Agreements Reduce Crime? A Nationwide Evaluation of the Crime Reduction Benefits of Section 287(g) of the United States Immigration and Nationality Act*, NAT’L CRIM. JUST. REFERENCE SERV. (Nov. 2022), <https://www.ojp.gov/pdffiles1/nij/grants/305488.pdf>.

⁴⁷ *Id.*

⁴⁸ COMMONWEALTH OF VIRGINIA EXECUTIVE DEPARTMENT, EXECUTIVE DIRECTIVE 1, DIRECTING THE COMMONWEALTH’S LAW ENFORCEMENT AGENCIES TO TERMINATE ANY AND ALL SECTION 287(G) AGREEMENTS (2026).

⁴⁹ Participating Agencies, U.S. IMMIGR. AND CUSTOMS ENF’T, <https://www.ice.gov/doclib/about/offices/ero/287g/participatingAgencies05112026am.xlsx>.

⁵⁰ See *Illegal Immigrant Incarceration Rates, 2010–2024*, CATO INST. (2026), https://www.cato.org/sites/cato.org/files/2025-08/PA%201003_update.pdf (“Because they commit fewer violent crimes, immigrants lower the violent-victimization rate in the United States.”); see also Alex Nowrasteh & Michelangelo Landgrave, *Illegal Immigrant Incarceration Rates, 2010–2024: The Demographics of American Imprisonment*, CATO INST. (Mar. 24, 2026), <https://www.cato.org/briefing-paper/illegal-immigrant-incarceration-rates-2010-2024-demographics-american-imprisonment> (noting that research from across the country has consistently shown that “crime rates either do not increase to a statistically significant extent when states create sanctuary jurisdictions that limit the scope of immigration enforcement, or that the rates for some crimes actually fall, which we would not expect to occur if illegal immigrants were more crime-prone than the rest of the population”); see also David K. Hausman, *Sanctuary Policies Reduce Deportations Without Increasing Crime*, PROC. NAT’L ACAD. SCI. (Oct. 19, 2020), <https://doi.org/10.1073/pnas.2014673117>; Charis E. Kubrin & Bradley J. Bartos, *Sanctuary Status and Crime in California: What’s the Connection?*, 3 JUSTICE EVALUATION

immigration tend to have less crime, especially violent crimes like homicide.⁵¹ Researchers have also found that immigrants are less involved in crime as both offenders and victims compared to the native-born, including the children of immigrants.⁵²

Research definitively supports the value of sanctuary policies. Criminology Professor Charis Kubrin at UC Irvine studied the California Values Act (SB 54) and found that it did not cause an increase in crime. She compared California's violent and property crime rates with an approximation of the state's rates had the law not been enacted, and found no significant difference. As Professor Kubrin stated: "The attacks on sanctuary policies assume that immigrants commit crimes at higher rates than the native-born population. Many studies have found the opposite is true. All of the policies take as a cornerstone these fundamental assumptions, and the problem is—and I've been studying this for 20 years so I can say this pretty definitively—those assumptions are flawed."⁵³ California's SB 54, the California Values Act, prevents police from arresting an individual solely because they have a deportation order and prevents jurisdictions from jailing an inmate for longer than sentenced for immigration agents to pick them up, but does allow local law enforcement to notify immigration agents of someone's impending release and to transfer them to immigration custody if the person has certain convictions. Qualifying convictions include felonies that resulted in state prison time, most other felonies within the last fifteen years, and higher-level misdemeanors within the last five years.⁵⁴

As co-chair of my county's Domestic Violence Death Review Team, I can also attest to what tragedies in my county and across the country consistently show: when examining the domestic histories of most people who commit mass violence and community killings, there is a history of domestic violence. Research shows that preventing abuse prevents intimate fatalities and broader community violence. Sanctuary policies that enable abuse survivors to seek police help, court protection, and community services are protective, and protect entire communities.

VII. RECOMMENDATIONS

JOURNAL, 115 (2020); Daniel E. Martínez et al., *Providing Sanctuary or Fostering Crime? A Review of the Research on 'Sanctuary Cities' and Crime*, 12 SOCIOLOGY COMPASS 1 (2017); Ricardo D. Martínez-Schuldt & Daniel E. Martínez, *Sanctuary Policies and City-Level Incidents of Violence, 1990 to 2010*, 36 JUSTICE QUARTERLY 567 (2017); R. D. Martínez-Schuldt et al., *Immigrant Sanctuary Policies and Crime-Reporting Behavior: A Multilevel Analysis of Reports of Crime Victimization to Law Enforcement, 1980 to 2004*, 86 AMERICAN SOCIOLOGICAL REVIEW (2021); LOREN COLLINGWOOD & BENJAMIN GONZALEZ O'BRIEN, *SANCTUARY CITIES: THE POLITICS OF REFUGE* 118-52 (Oxford University Press, 2019).

⁵¹ CHARIS KUBRIN & GRAHAM OUSEY, *IMMIGRATION AND CRIME: TAKING STOCK* (Springer Cham, 2023); Michael T. Light, Jingying He & Jason P. Robey, *Comparing Crime Rates Between Undocumented Immigrants, Legal Immigrants, and Native-Born US Citizens in Texas*, 117 PROC. NAT'L ACAD. SCI. (2020); Hannah Boyke & Yared Avalos Iniguez, *Immigrants Do Not Commit More Crimes in the US, Despite Fearmongering*, AM. IMM. COUNCIL (Oct. 17, 2024), <https://www.americanimmigrationcouncil.org/blog/immigrants-do-not-commit-more-crimes-in-the-us-despite-fearmongering/>.

⁵² KUBRIN & OUSEY, *supra* note 51.

⁵³ Andrea Castillo, *A Sanctuary Law Aimed to "Trump-Proof" California on Immigration. What Has It Accomplished?*, LOS ANGELES TIMES (Mar. 3, 2025), <https://www.latimes.com/politics/story/2025-03-03/california-has-been-a-sanctuary-state-for-seven-years-what-has-the-law-accomplished>.

⁵⁴ *Id.*

To seriously address victims' needs and safety, there is much that can and should occur. Based on the evidence presented, I respectfully urge Congress to take the following steps:

- 1) Prohibit funding from being used in support of any enforcement action at or near, **sensitive locations** including courthouses, domestic violence shelters, and medical facilities.
- 2) DHS must **reinstate the victim-centered approach**. Funding overbroad, unchecked enforcement actions has resulted in survivors and witnesses of crime being deported before they can pursue immigration relief for which they may be eligible. Congress should prohibit funding for enforcement actions against individuals with approved or pending survivor-based claims.
- 3) **Restore and Strengthen Protections for VAWA, U Visa, and T Visa Petitioners**. Congress must ensure that pending VAWA Self-Petitions and U and T visa petitions function as true protections from deportation, consistent with original Congressional intent. ICE must be barred from removing survivors with pending applications and from detaining pending applicants unless, after a hearing at which the noncitizen has the right to counsel, the government has established that the noncitizen is a danger by clear and convincing evidence.
- 4) **Address Processing Backlogs**. Congress must fund adequate USCIS staffing and increase the annual cap on U and T visas to ensure survivors can access protection in a timely manner.
- 5) **Reject Section 287(g) agreements**. Leave immigration enforcement to the federal government and allow state and local police to focus on what their communities need to feel safe. This means limiting collaboration to only when it is required by law. The entanglement of local police with federal immigration enforcement has a documented chilling effect on survivors' willingness to report abuse. Communities must be able to trust local law enforcement without fear that a call for help will trigger deportation.
- 6) Protect and preserve the ability of states and localities to maintain **sanctuary policies**, and oppose Executive Orders that withhold federal funding to coerce their elimination.
- 7) **Restore Access to Critical Safety Nets for Survivors**. H.R. 1 eliminated critical safety net benefits like SNAP, the Child Health Insurance Program, and Medicare for lawfully present individuals including immigrant survivors of domestic violence and human trafficking as well as refugees and asylees. Congress must act to restore these critical protections as they are key to helping end cycles of violence.
- 8) **Stop Funding to Harmful Rules**. Over the last year, DHS has proposed harmful rules, from transforming public charge considerations and the issuance of work permits to significant expansion of biometrics among others. Congress should ensure no funding supports the implementation of these harmful rules.
- 9) **Ensure Safe Access to Community Resources, Healthcare, and Courts**. Immigrants – including those with pending legal status – must be able to safely access hospitals, domestic

violence shelters, community organizations, and courthouses. ICE enforcement operations at or near these locations must be prohibited.

10) Finally, Congress must ensure that critically needed **funding for the programs and organizations that serve and support crime victims** is delivered. Federal grants fund critical services and can save the lives of abuse victims; however, \$200 million is sitting unspent. Changes made by the White House are preventing the distribution of funds meant to help survivors of domestic violence, sexual assault, stalking and trafficking, including 2026 grants that have not been delivered. Note that the National Network to End Domestic Violence's most recent DV Counts Survey found that, on just one day in 2025, programs in Virginia were unable to meet 121 requests for help because they lacked sufficient resources, funding, and/or staffing. Approximately 29% of these unmet requests were for emergency shelter, hotels, motels, transitional housing, and other housing.

CONCLUSION

Everyone deserves to live in safe and peaceful communities. Like all crime victims, immigrant survivors deserve safety, dignity and justice on their terms. Focusing on immigration enforcement as the solution to crime and violence against women is a harmful distraction that, instead of making communities safer, drives vulnerable survivors deeper into the shadows while their perpetrators harm with impunity.

The immigrant survivors I represent are mothers, partners, and children who seek safety and a better life, and who are instead trapped between the violence of an abusive partner and the threat of deportation. The laws Congress wisely enacted through VAWA and related statutes recognized that immigrant survivors needed special protections. Those protections are now being systematically dismantled.

Sanctuary policies, safe access to law enforcement, community resources, and legal protections are not political abstractions. They are the difference between life and death for my clients. I urge this Committee to act with urgency to restore and strengthen these vital safeguards.

Respectfully submitted,

Professor Jane Stoeber
University of California, Irvine School of Law
Director, UCI Law Domestic Violence Clinic
Director, UCI Initiative to End Family Violence
Co-Chair, Orange County Domestic Violence Death Review Team