



TO: Maile Shimabukuro, Chair
Karl Rhoads, Vice Chair
Members of the Committee

FR: Nanci Kreidman, M.A.
Executive Director

RE: HB 2140

Aloha. As a program serving the community of victims in Hawaii, with specialized legal advocacy, legal representation, helpline assistance, court outreach and crisis support, we are acutely aware of the need to extend our services to expanded communities of victims. This would include undocumented immigrant victims.

The language in the Bill accurately captures some of the challenges faced by immigrant victims of intimate partner abuse. Seeking assistance in an unfamiliar system, living with the threat of violence and deportation, and barriers to access are immobilizing. Outreach to these victims will serve the entire community, as the well being of some is about the well-being of us all.

Thank you for the inclusion of this Bill in Session work, as the work proposed is precious and certainly within the scope and mission of programs in our community.

NA LOIO

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January 23, 2008

Hearing date and time: January 24, 2008 at 8:30 a.m., Committee on Human Services and Housing

RE: H.B. 2140, RELATING TO VIOLENCE AGAINST WOMEN ACT

TO: Chair Shimabukuro, Vice Chair Rhoads and the Committee on Human Services and Housing

Na Loio *supports the intent of this bill*, to fund a pilot project through the Department of Human Services to assist undocumented immigrants who are victims of domestic violence and sexual assault.

In its 24th year, Na Loio is a statewide nonprofit agency providing immigration legal services to indigent immigrants, including adjustment of status, naturalization, trafficking and asylum cases. Responding to the need in the immigrant community, Na Loio has made it a priority to serve the most vulnerable of our community, immigrant victims of domestic violence and sexual assault, who are isolated by abuse, language and culture. Na Loio has two programs providing services to this vulnerable population: the Legal Assistance to Victims (LAV) project, and the Chinese Family Violence Awareness Project, both funded by federal and state funds.

In the past calendar year, about one-third of these immigrant abuse cases involved undocumented immigrants who needed assistance with their immigration remedies under the Violence Against Women Act, through I-360 self-petitions (self petitions) and U visas. Na Loio has an unwritten policy of not refusing services to undocumented immigrant abuse victims who want help and who have a meritorious immigration case. Na Loio also helps immigrant abuse victims who are conditional permanent residents remove the conditions on their residency. Na Loio has built an expertise in working with immigrant abuse victims and is regarded as a local and national expert on issues related to this vulnerable population.

Understanding that immigrant abuse victims require a variety of services to leave an abusive situation and live in safety and independence, under the LAV project, Na Loio actively collaborates with partners on Oahu, Maui, Hawaii and Kauai to provide its clients social and

legal services. Na Loio's partners are domestic violence shelter workers, domestic violence and sexual assault advocates, and family law attorneys. Domestic violence shelters provide temporary housing, food and other basic necessities. Domestic violence advocates assist with the process of starting a new life, such as applying for financial assistance, obtaining a driver's license, opening a bank account, and activities such as these. Family law attorneys offer representation in orders for protection, divorces, and custody and support issues. All services are at no-cost to the immigrant abuse victim. Starting its fifth year in its LAV project, Na Loio's LAV partners are the Sex Abuse Treatment Center, Domestic Violence Action Center, Child & Family Services, Turning Points for Families, Women Helping Women, Kauai YWCA, Legal Aid Society of Hawaii, and private family law attorneys who are experienced in working with domestic violence victims.

Na Loio and its collaborating partners recognize the particular and specific issues in working with immigrant abuse victims. Na Loio's clients often lack English skills, lack the cultural awareness of the differences between their country and the U.S., and lack the knowledge of their rights to be free from abuse. Na Loio works closely with interpreters/translators and cultural experts to assist its clients.

Na Loio supports further funding to assist immigrant abuse victims to transition safely and competently into our community. Under H.B. 2140, services to immigrant abuse victims would only include assistance with restraining orders, assistance with self-petitions and U visas, as well as employment training and placement. These services should be expanded to provide a full range of assistance for immigrant victims. In terms of legal issues, immigrant abuse victims often need assistance with family law issues such divorces, custody, support, housing issues, consumer issues, and related issues. In terms of non-legal issues, employment is not the only area in which immigrant abuse victims need help. There are often situations in which the abuse victim is not ready for employment, either because of the severity of the abuse suffered, lack of English skills, lack of child care, or other reasons. Therefore, non-legal services to immigrant abuse victims should not be limited to employment. A comprehensive program for immigrant victims must include addressing their lack of English skills, and their case management needs, including information and assistance on how to use public transportation, how to obtain identification, and other skills.

Recently an immigrant abuse victim wrote a thank you note to Na Loio, explaining how after the abuse she suffered, Na Loio helped re-gain her dignity. Services to immigrant abuse victims should be sufficiently comprehensive to help them restore dignity in their lives.

Thank you for allowing Na Loio to testify on this bill.