
A BILL FOR AN ACT

RELATING TO THE FEDERAL VIOLENCE AGAINST WOMEN ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that one of the goals of
2 the federal Violence Against Women Act to protect women who are
3 victims of domestic violence or sexual assault, including
4 undocumented immigrants, from their perpetrators.

5 The United States Department of Justice, through the Office
6 on Violence Against Women, encourages nonprofits, community-
7 based organizations, and other social service organizations to
8 aid victims of violence by providing legal and social services
9 to enable women to report abuse and cooperate with law
10 enforcement without fear of being legally reprimanded due to
11 their immigration status. The Violence Against Women Act
12 created special rules for undocumented immigrants who are
13 victims of domestic violence or sexual assault to allow them to
14 apply for a work permit and a U-visa, which provides immigration
15 status to noncitizens willing to assist authorities investigate
16 crimes.

17 However, despite the provisions of the Violence Against
18 Women Act, many domestic violence or sexual assault victims do



1 not report perpetrators or help to prosecute them because of
2 fear of deportation. Many victims are unfamiliar with the laws
3 that protect them and their children. Additionally, women who
4 have cooperated with authorities have been unable to financially
5 support their families because of a lack of job experience, job
6 training, and interviewing skills.

7 The purpose of this Act is to require the department of
8 human services to establish a pilot project to enable community-
9 based organizations to provide legal advice and social services
10 to victims of domestic violence or sexual assault who are
11 undocumented immigrants, in accordance with the goals of the
12 federal Violence Against Women Act.

13 SECTION 2. (a) The department of human services shall
14 establish a pilot project to assist undocumented immigrants who
15 are victims of domestic violence or sexual assault, including
16 assistance with helping victims to qualify for protection under
17 the federal Violence Against Women Act. The department may
18 contract with a nonprofit organization to operate the pilot
19 project; provided that any nonprofit organization providing
20 services shall have expertise relating to the federal Violence
21 Against Women Act.



1 (b) The pilot project shall provide the following services
2 to undocumented immigrants who are victims of domestic violence
3 or sexual assault:

4 (1) Assistance with restraining orders;

5 (2) Assistance with applications for U-visas, petitions
6 under the federal Violence Against Women Act, and work
7 permits;

8 (3) Workshops on building self-esteem and self-confidence;

9 (4) Instruction on appropriate workplace etiquette and
10 appearance;

11 (5) Training in effective job search techniques;

12 (6) Career assessments, when appropriate, to identify
13 marketable skills and assess employability;

14 (7) Information about current labor market trends for
15 employment and training;

16 (8) Placement with employers who agree to hire a
17 prearranged number of victims;

18 (9) Post-employment services;

19 (10) Legal assistance with divorces, child custody and
20 support, housing and consumer issues, and other family
21 law issues; and



1 (11) Programs to address the lack of English skills and
 2 case management needs, including information and
 3 assistance with using public transportation, obtaining
 4 identification, and other skills.

5 (c) Funds received by an organization under this Act shall
 6 be used only for services described in subsection (b).

7 (d) The department of human services shall submit a report
 8 to the legislature no later than twenty days prior to the
 9 convening of the regular session of 2011 that shall include the
 10 following:

11 (1) A description of the process used to award contracts
 12 to nonprofit organizations that received funds
 13 pursuant to this Act;

14 (2) A list of nonprofit organizations that were awarded
 15 contracts and the amount of funds awarded to each of
 16 the nonprofit organizations; and

17 (3) The number of victims that received services and the
 18 types of assistance they received.

19 SECTION 3. This Act shall take effect upon its approval
 20 and shall be repealed on June 30, 2011.

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INTRODUCED BY:

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H.B. NO. 872

Don D. C. [Signature]

JAN 26 2009



Report Title:

Domestic Violence; Undocumented Immigrants; Pilot Project

Description:

Requires the department of human services to establish a pilot project to assist undocumented immigrants who are victims of domestic violence or sexual assault.

