



Jane Doe Inc.
The Massachusetts Coalition
Against Sexual Assault and
Domestic Violence

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January 24, 2020

The Honorable Michael O. Moore
Senate Chair, Committee on Public Safety
and Homeland Security
MA State House Room 109-B
Boston, MA 02133

The Honorable Harold P. Naughton
House Chair, Committee on Public Safety
and Homeland Security
MA State House Room 167
Boston, MA 02133

RE: Testimony in support of S1401/H3573 *An Act to protect the civil rights and safety of all Massachusetts residents*

Dear Chairpersons Moore and Naughton,

I am writing today in support of S1401/H3573, *An Act to protect the civil rights and safety of all Massachusetts residents*, on behalf of Jane Doe Inc. (JDI) the Massachusetts Coalition Against Sexual Assault and Domestic Violence, and our 56 community-based member agencies that provide direct services to sexual and domestic violence survivors throughout the Commonwealth. We believe that passage of this bill would greatly support immigrant victims of sexual and domestic violence in accessing services and resources without fear of retribution.

Sexual and domestic violence occurs at incredibly high rates—nearly 1 in 3 women and 1 in 5 men have experienced rape, physical violence, or stalking by an intimate partner. For Massachusetts residents who identify as immigrant or foreign born, they are twice as likely to be victims of intimate partner violence (IPV) homicide compared to non-immigrant victims of IPV.¹

Immigrant survivors face numerous barriers and challenges to accessing supports and services; isolation due to language barriers and the lack of available culturally relevant services are just two of those reasons. Without appropriate supports and services, immigrant survivors are disadvantaged in their ability to seek help for sexual and domestic violence. Help can take many shapes and forms, but one resource that immigrant victims and survivors are afraid to access is law enforcement.

Policies that blur the lines between federal immigration enforcement and community law enforcement endanger the safety of victims of sexual and domestic violence, their families, and all communities. Immigrant survivors' access to justice is blocked when they cannot safely contact community law enforcement without fear of deportation—and thus separation from their families and communities—because of their immigration status. These policies embolden abusers to use documentation status and deportation as a threat and tactic of abuse to maintain power and control.

¹ Commonwealth of Massachusetts Executive Office of Public Safety and Security Office of grants and Research Justice and Prevention Division. (2018, February 15). *Violence Against Women Act STOP Grant Program FFY 2017-2020 Implementation Plan*. Retrieved from <https://www.mass.gov/files/documents/2018/05/09/2017-2020%20VAWA%20Implementation%20Plan.pdf>

Policies and practices that do not center the realities of immigrants consequently create risks and dire consequences for immigrants.

In addition to the fear of deportation and language barriers, immigrant populations may under-report domestic violence incidents to law enforcement because of a lack of a relationship between law enforcement and local communities.² The current climate across the United States—stirred by Executive orders, increased Immigration and Customs Enforcement (ICE) activity and anticipated local law enforcement collaboration with ICE—is having a chilling effect on survivors. Community-based service providers are telling us that survivors are afraid to contact law enforcement and advocates are also reporting a decrease in calls from immigrant survivors—fewer calls does not reflect a decrease in the need; it is a sign of fear. Advocates across the country are reporting that survivors have an increased fear of deportation, retaliation by their abusers and separation from their children.³

A May 2019 collaborative report by national sexual and domestic violence organizations confirms what we are hearing in Massachusetts:⁴

- 76.25% of immigrant victims of domestic and sexual violence are too afraid to call the police to get help;
- 3 out of 4 advocates report that immigrant survivors are too afraid to go to court to get help;
- 52% of immigrant survivors are dropping civil or criminal cases because they are fearful to continue with their case.

Congress has recognized the opportunity for power and control to flourish in intimate partner relationships where one or more person is an immigrant and has therefore created protections for immigrant survivors of domestic violence, sexual assault and human trafficking in the Violence Against Women's Act and the Trafficking Victims Prevention Act. Since 2005, Congress has encouraged immigrant victims to report crimes without fear of deportation. U-Visas and T-Visas were created for victims of violent crime and trafficking so that immigrants who are crime victims can safely cooperate with law enforcement investigations. These established federal legal protections has saved lives.

New national policies are undermining these protections and creating a climate of real fear. We don't need to speculate whether or not local law enforcement is cooperating with ICE—public reports provide the evidence. An October 2019 investigative report revealed that an officer in the Boston Police Department had close ties with ICE and would regularly exchange emails.⁵ Four months prior, in June 2019, sheriffs in three Massachusetts counties renewed their contracts with ICE despite public criticism that such contracts erodes trust between law enforcement and immigrant communities.⁶

² Ibid.

³ APIGBV, ASISTA, Casa de Esperanza, NAESV, NNEDV, National Domestic Violence Hotline, & Tahirih Justice Center. (2019). *Immigrant Survivors Fear Reporting Violence: May 2019 Findings*. Retrieved from <https://static1.squarespace.com/static/5b9f1d48da02bc44473c36f1/t/5d02ea986a2e6d0001537f31/1560472217547/May+2019+Advocate+Survey+Key+Findings.pdf>

⁴ Ibid.

⁵ Valencia, M. J. (2019, October 25). *Documents show Boston police officer worked closely with ICE*. Retrieved from <https://www.bostonglobe.com/metro/2019/10/25/documents-show-boston-police-officer-worked-closely-with-ice/PBJjMtFbTaV:0OCcPLdi9H/story.html>

⁶ DiFazio, J. (2019, June 26). *Sheriffs renew ICE agreements despite criticism*. Retrieved from <https://www.patriotledger.com/news/20190626/sheriffs-renew-ice-agreements-despite-criticism>

Without access to safety and supports, individuals and families experience greater harm and trauma resulting in a decline in health and well-being. For the public health and safety of this Commonwealth, we need to enact the provisions of the Safe Communities Act and direct greatly needed resources toward improving the safety and dignity of all members of our Commonwealth. Survivors of sexual and domestic violence deserve nothing less. JDI and our member programs respectfully urge the Committee to give S1401/H3573, *An Act to protect the civil rights and safety of all Massachusetts residents*, a quick and favorable report.

Sincerely,

A handwritten signature in cursive script that reads "Debra J. Robbin".

Debra Robbin
Executive Director