

Virtual Briefing: 2023 WISE Act Will Provide Vital Support to Immigrant Survivors

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ALLIANCE FOR IMMIGRANT SURVIVORS



Coordinators of the Immigration Subcommittee

National Task Force to End
Sexual & Domestic Violence



The Alliance for Immigrant Survivors (AIS)

Mission

The Alliance for Immigrant Survivors (AIS) is a network of advocates and allies across the country dedicated to defending and advocating for policies that ensure immigrant survivors of domestic violence, sexual assault, trafficking, and other gender-based abuses have access to life-saving protections that **all** survivors of violence deserve.

Our Work

- Build a network of advocates, service providers, organizations, and allies to take action on policies that impact immigrant survivors of violence
- Provide tools and resources to stakeholders about the effects of immigration policies on survivors' ability to access protections and services
- Analyze the impact of immigration-related policies on survivors of violence
- Use communication strategies to positively influence the public narrative around survivors

Our Values

- Safety and wellbeing for all
- Public safety
- Upholding human rights
- Respect
- Dignity
- Resilience

Goals for the webinar

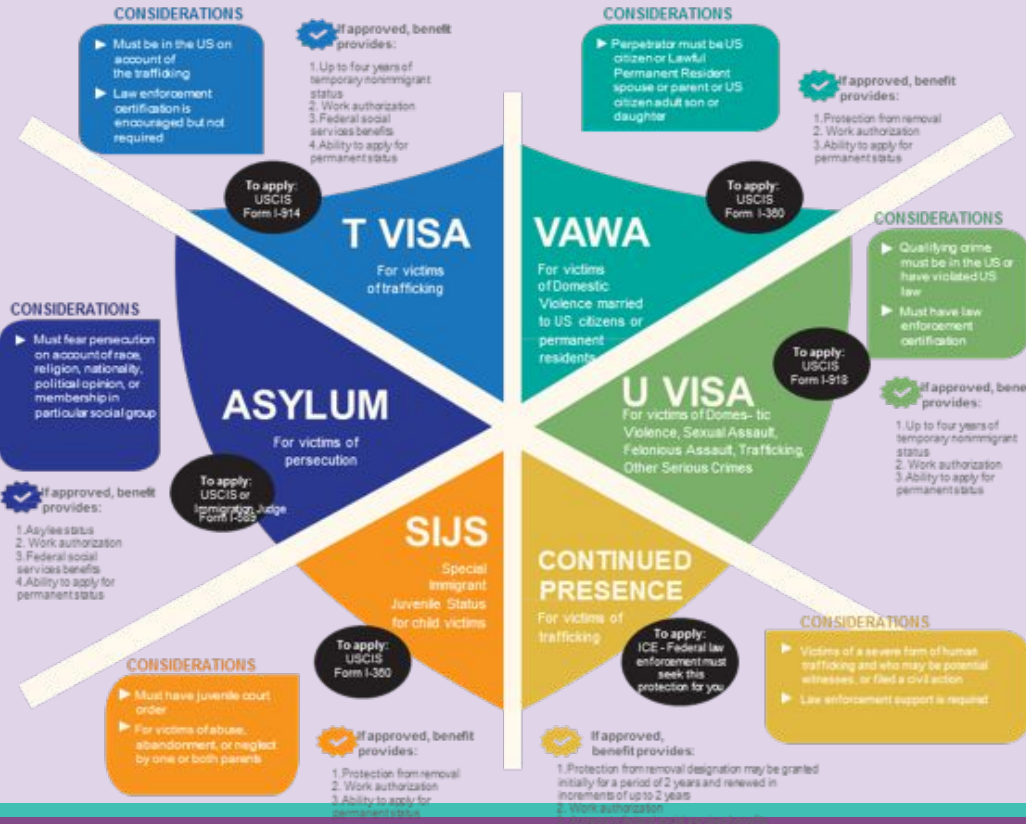
- GOAL #1 - Share background information on the WISE Act
- GOAL #2 - Highlight how this bill will directly impact immigrant survivors
- GOAL #3 - Ways to share information about the WISE Act



**ALLIANCE FOR
IMMIGRANT SURVIVORS**

History of the WISE Act

- Many of provisions in WISE identified as priorities from VAWA 2010 and Comprehensive Immigration Reform legislation of 2013
- Introduced this past August as H.R. 5145 (IH) - Working for Immigrant Safety and Empowerment Act of 2023, also introduced last session (2021-2022)
- HEAL and Lift the Bar are separate bills that also incorporate provisions included in WISE
- Includes Protecting Immigrant Victims of Domestic Violence Act (S. 2711)
- Currently working on Senate Companion bill



U Visa Improvements

- Eliminates Cap
- Expands eligibility for U visas where there are civil findings of culpability for identified crimes, ie by employment or child welfare agencies
- Adds new purposes for U visa, including child abuse, elder abuse, hate crime victimization
- Decreases barriers to U visa by allowing victims to establish they are helpful to investigation or prosecution of criminal activity with evidence besides law enforcement certification

Employment Authorization

- Critical to immigrant survivors' ability to achieve independence and decrease vulnerability.
- As with all survivors cut off from access to financial independence, they may be faced with the choice of returning to abusive relationships or becoming unhoused.
- WISE would require DHS to issue employment authorization ("work permit") within 180 days of filing for a U Visa vs the status quo of waiting several years due to backlogs.

Core Principles of Survivor-Based Immigration Relief Include Safety from Removal

- VAWA/TVPA were passed by bi-partisan majorities concerned with protecting immigrant survivors from threats of deportation as a tool of abuse and coercion.
- Protection of immigrant survivors from removal encourages them to come forward and cooperate with law enforcement, making all of our communities safer.

Protecting Immigrant Survivors from Detention & Deportation

- It is the sense of Congress that the Secretary of Homeland Security should ... refrain from deporting crime victims before their applications for humanitarian relief are fully adjudicated, as it undermines critical bi-partisan protections created in VAWA and the TVPA. [Secs. 2; 11]
- [T]here shall be a presumption that the alien described in paragraph (2) shall be released from detention without conditions. [Sec. 5]

Protected Areas

- The WISE Act codifies Protected Areas Guidance [Sec. 7]:
 - The WISE Act limits immigration enforcement at locations where survivors frequently access support including health care facilities, domestic violence shelters, rape crisis centers, victim services agencies, courthouses, places of worship, childcare facilities, and public demonstrations or ceremonies.

Exceptions

- The WISE Act contains exceptions similar to those included in current guidance, for the limited purposes of protecting national security and threats to public safety.
- The WISE Act protections against detention, removal, and enforcement actions in protected areas are consistent with public safety.

Access to Public Benefits

- Ensures survivors have the support necessary to thrive and reduce reliance on abusers by providing access to certain assistance, including:
 - Temporary Assistance for Needy Families (TANF)
 - Supplemental Security Income (SSI)
 - Social Services Block Grant (SSBG)
 - Medicaid
- Eliminates arbitrary five-year bar, which prevents many immigrant survivors from accessing TANF, Medicaid, etc.
- Helps immigrant survivors' ability to seek safety and stability and recover from violence and trauma

Confidentiality Provisions

- Strengthens confidentiality and privacy protections for immigrant survivors by amending 8 U.S. Code § 1367
- Limits the use or disclosure of information pertaining to a pending immigrant survivor's VAWA, T, U, or SIJ applications, except to adjudicate the applications
- Comes out of the challenges from the last administration, which issued policy that they would refer denied survivor applications to ICE

Call to Action

- Talk to your representative about how this issue impacts you, your work and community.
 - [Ask your Member of Congress to cosponsor the WISE Act](#)
 - Find your representative [here](#)
- [Organizational endorsements/sign-ons](#) & share within your networks.
- Share on social media - please share the video widely!
- Spanish language toolkits will be available for domestic violence awareness month, during the first week of October.

Web Pages

National Taskforce to End Sexual and Domestic Violence

www.4vawa.org or @NTFSDV  

Asian Pacific Institute on Gender-Based Violence www.api-gbv.org

ASISTA Immigration Assistance- www.asistahelp.org

Esperanza United www.esperanzaunited.org

Tahirih Justice Center- www.tahirih.org

Thank you for joining the webinar today!

For more information visit:

www.immigrantsurvivors.org

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