

Utah Domestic Violence Council
Response Regarding Immigration Issues and Impact on Domestic Violence Victims

September 2010

The Utah Domestic Violence Council (UDVC) is recognized nationally as the state domestic violence coalition in Utah. The council's mission is to create a state where domestic violence is intolerable. Domestic violence crosses all socioeconomic and cultural lines. For decades, domestic violence service providers have worked diligently to empower victims in Utah by educating them to obey the law and trust the system with their personal information. Therefore, UDVC responds to the names and social security numbers of immigrants released by two former employees of the Utah Department of Workforce Services (DWS). UDVC appreciates the actions taken by DWS including holding a dialogue with community groups, plans to hold seminars on access to services in local communities, and responding quickly regarding the actions of involved employees.

The release of such lists, however, poses a dangerous impact on victims of domestic violence in Utah. As a result of the release of information, service providers immediately began to deal with the impact. Some direct results include statements to victim advocates and domestic violence shelter advocates from domestic violence victims:

- **Not reporting crimes:** "A victim called the shelter hotline after being abused; she did not provide her name for fear of having her name added to a list and becoming separated from her minor children."
- **Not seeking emergency medical help:** "When a victim's husband pushed her down the stairs, she was afraid to seek medical emergency help. Her injuries resulted in a miscarriage which might have been prevented."
- **Not seeking financial assistance:** "After leaving her abusive partner, a victim lived in her vehicle. She did not obtain financial assistance out of distrust and fear of the system."
- **Not seeking domestic violence services:** "A victim stayed in an abusive relationship and did not seek help from a domestic violence shelter. She was afraid that by doing so she would be turned in to authorities. It was not until a deeply concerned neighbor contacted law enforcement that she was taken to the hospital."
- **Not seeking assistance with food/shelter:** "A victim refused to ask for help for herself and her five natural American born children for fear of being deported without them."
- **Not completing domestic violence treatment programs:** "The Hispanic domestic violence offender program in our office has experienced an immediate

10% drop-out rate following the release of the immigration list. When offenders do not complete their prescribed treatment program, it greatly increases their risk to re-offend (possibly escalating the violence), and thus they escape accountability for their actions. In addition, they are avoiding consequences of court-ordered probation and plea in abeyance. This further endangers the family and impacts the larger community.

Victims have rights through the Constitutions of the United States and Utah. The constitutions afford victims the right to report crimes and be protected, the right to cooperate with law enforcement and the right to keep their personal information confidential.

Victim's rights are violated by the disclosure of their personal information. Many of the people listed in the immigration list sought help for their U.S. born children. Because of the release of this information many immigrant victims may become more isolated and may not seek help to escape abusive relationships due to the lack of trust for agencies providing service. This could further jeopardize their safety.

Creating a list and not respecting confidentiality does not solve immigration issues. It creates a much worse scenario by imposing fear on behalf of citizens and undocumented people.

Protected personal information needs to remain private for victims of domestic violence to access life saving services. Confidentiality is the core of our work.

Utah Domestic Violence Council

www.udvc.org

801-521-5544

For domestic violence response information and resources call 1-800-897-5465 (LINK)
24 hours daily.