

NEW DANGERS FOR BATTERED IMMIGRANTS:

The Untold Effects When Immigrant Victims Have
to Leave the U.S. to Obtain Lawful Permanent
Residency as VAWA Self-Petitioners¹

Compiled on behalf of the
National Network to End Violence Against Immigrant Women

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FOR BATTERED IMMIGRANTS: The Untold Effects of the Demise of 245(i) (Ayuda: 1999)

INTRODUCTION

The stories recounted in this volume document the experiences of battered immigrants from around the country. In all of these cases, battered immigrants either filed or are in the process of filing self-petitions for lawful permanent residency pursuant to Subtitle G of the Violence Against Women Act (VAWA) of 1994. The purpose of this compilation has been to highlight the potential hardships and dangers that battered immigrants face when they are required to leave the country to receive lawful permanent residency based upon their approved VAWA self-petition. Historically, battered immigrants abused by their U.S. citizen or lawful permanent resident spouses or parents have been generally able to attain lawful permanent residency while continuing to reside in the United States. Over the years since the creation of VAWA self-petitioning in 1994, there have been a number of changes in immigration laws that would have forced battered immigrant VAWA self-petitioners to leave the United States to attain lawful permanent residency. The first time immigrant victims faced this problem was in 1999 when §245(i) of the Immigration and Nationality Act (INA) was set to expire. This provision previously allowed many immigrants, including battered immigrants, to obtain lawful permanent residency while they remained in the United States.

As part of VAWA 2000, Congress enacted provisions that allowed battered immigrants abused by their U.S. citizen and lawful permanent resident spouses or parents to attain lawful permanent residency while remaining safely in the United States under Immigration and Nationality Act section 245(a) and (c). The sponsors of this legislation made it clear that they were concerned about and seeking to ensure that immigrant victims of domestic violence would not have to face the dangers of traveling abroad and risking not being able to reenter the United States for many years. The legislative history of VAWA contains the following statements from one of VAWA 2000's immigration provision sponsors Senator Kennedy (D, MA)² and Senator Abraham (R. MI):³

“Mr. KENNEDY... One of the most important provisions in the bill is the Battered Immigrant Protection Act. This provision helps battered immigrants by restoring access to a variety of legal protections undermined by the 1996 immigration laws. The Violence Against Women Act passed in 1994 included provisions that allowed battered immigrants to apply for legal status without the cooperation of their abusers, and enabled victims to seek protective orders and cooperate with law enforcement officials to prosecute crimes of domestic violence.

Unfortunately, the subsequent changes in immigration laws have reduced access to those protections. Thousands of battered immigrants are again being forced to remain in abusive relationships, out of fear of being deported or losing their children. The pending

² CONGRESSIONAL RECORD, VOL.146, NO.126 TRAFFICKING VICTIMS PROTECTION ACT OF 2000-- CONFERENCE REPORT -- (Senate - October 11, 2000) Page: S10170

³ CONGRESSIONAL RECORD, VOL.146, NO.126 TRAFFICKING VICTIMS PROTECTION ACT OF 2000-- CONFERENCE REPORT -- (Senate - October 11, 2000) Page: S10219-10220.

bill removes obstacles currently hindering the ability of battered immigrants to escape domestic violence safely and prosecute their abusers.

It restores and expands vital legal protections like 245(i) relief. This provision will assist battered immigrants, like Donna, who have been in legal limbo since the passage of the 1996 immigration laws. Donna, a national of Ethiopia, fled to the U.S. in 1992 after her father, a member of a prominent political party, was murdered. In 1994, Donna met Saul, a lawful permanent resident and native of Ethiopia. They married and moved to Saul's home in Massachusetts. Two years later, Saul began drinking heavily and gradually became physically and verbally abusive. The abuse escalated and Donna was forced to flee from their home. She moved in with close family friends who helped her seek counseling. She also filed a petition for permanent residence under the provisions of the Violence Against Women Act.

Unfortunately, with the elimination of 245(i), the only way for Donna to obtain her green card is to return to Ethiopia, the country where her father was murdered. The possibility of returning there terrifies her. This legislation will enable her to obtain her green card here, where she has the support and protection of family and access to the domestic violence counseling she needs.'

“Mr. ABRAHAM. I rise to express my strong support for this conference report. It contains two very important measures: the Trafficking Victims Protection Act, aimed at combating the scourge of sex trafficking, and the Violence Against Women Act of 2000, aimed at reauthorizing and improving on federal programs and other measures designed to assist in the fight against domestic violence.

The conference report follows the Senate VAWA reauthorization bill in building on the important work of VAWA 1994 in these areas. I will not describe all of the provisions of title V of division B of this bill, but I will discuss one of them, which I believe is the most important one....

In this bill, we establish procedures under which a battered immigrant can take all the steps he or she needs to take to become a lawful permanent resident without leaving this country. Right now, no such mechanism is available to a battered immigrant, who can begin the process here but must return to his or her home country to complete it.

VAWA 1994 created a mechanism for the immigrant to take the first step, the filing of an application to be classified as a battered immigrant spouse or child. But it did not create a mechanism for him or her to obtain the necessary papers to get lawful permanent residency while staying in the U.S. That is because at the time it was enacted, there was a general mechanism available to many to adjust here, which has since been eliminated. As a result, under current law, the battered immigrant has to go back to his or her home country, get a visa, and return here in order to adjust status.

That is not true of spouses whose citizens or lawful permanent resident husband or wife is filing immigration papers for them. They do have a mechanism for completing the whole process here. Section 1503 of this bill gives the abused spouse that same right.

The importance of such a provision is demonstrated, for example, by the case of a battered immigrant whose real name I will not use, but whom I will instead call Yaa. I use her as an example because her case arose in my own State of Michigan.

Yaa is a 38-year-old mother of two from Nigeria. She met her husband, whom I will call Martin, while he was visiting family members in Nigeria. After a long courtship, Martin persuaded Yaa to marry him and join him in the United States. He told her he would help her further her education and file the necessary papers to enable her to become a lawful permanent resident.

Following their marriage, Martin assisted Yaa in obtaining a visitor's visa. When she arrived in the United States, however, he did not follow through on any of his promises. He refused to support her going to school, and indeed would not let her leave the house for fear that other men might find her attractive and steal her away. He also refused to file immigration papers for her and threatened her with deportation if she ever disobeyed his orders.

After the birth of their first child, Martin began physically abusing Yaa. He slapped her if she questioned his authority or asked about her immigration status. He spat on her if she refused to have sex with him. He used a hidden recording device to tape all of her phone conversations. As a result, she came to feel that she was a prisoner in her own home.

On one occasion, Martin beat Yaa with his fists and a bottle of alcohol. Yaa suffered severe facial injuries and had to be rushed to a hospital by ambulance for treatment. This incident resulted in Martin's arrest and prosecution for domestic violence. Martin retaliated by refusing to pay the mortgage, buy food, or other necessities. At that point, with the help of her best friend, Yaa moved out, found a job, and filed a self-petition under VAWA. INS approved her self-petition, and Yaa has obtained a restraining order against Martin.

Unfortunately, she still has to go to Nigeria to obtain a visa in order to complete the process of becoming a lawful permanent resident. And this is a major problem. Martin's family in Nigeria blames her for Martin's conviction. They have called her from there and threatened to have her deported because she "brought shame" to the family. They also know where she lives in Nigeria and they have threatened to hurt her and kidnap the children if she comes back. She has no one in the U.S. to leave the children with if she were to return alone. She is also frightened of what Martin's family will do to her if she sets foot in Nigeria.

Yaa should be allowed to complete the process of becoming a lawful permanent resident here in the United States, without facing these risks. Our legislation will give her the means to do so."

Of all the victims of domestic abuse, the immigrant dependent on an abusive spouse for her right to be in this country faces some of the most severe problems. In addition to the ordinary difficulties that confront anyone trying to deal with an abusive relationship, the battered immigrant also is afraid that if she goes to the authorities, she risks deportation at the instance of her abusive spouse, and either having her children deported too or being separated from them and unable to protect them.

We in Congress who write the immigration laws have a responsibility to do what we can to make sure they are not misused in this fashion. That is why I am so pleased that the final version of this legislation includes this and other important provisions.”

The following stories provide the background that led to bi-partisan consensus as part of VAWA 2000 that battered immigrant spouses and children filing for and receiving approved VAWA self-petitions are to be able to file their VAWA self-petitions and receive lawful permanent residency based on those self-petitions without having to leave the United States. These stories, collected in 1999 illustrate the dangers to immigrant victims and their children of having to leave the United States to attain lawful permanent residency. The following text refers to the Immigration and Naturalization Service (INS) the predecessor agency to the Department of Homeland Security that upon its creation took on the immigration benefits granting and enforcement functions that INS had previously been responsible to implement.

I. *Empowering Battered Immigrants Through VAWA*

Immigrants who are abused by their U.S. citizen or lawful permanent resident spouses or parents may obtain their “green cards” without relying on their abusers to file the papers for them with the Immigration and Naturalization Service (INS). The Violence Against Women Act of 1994 included a provision that allowed battered immigrants the opportunity to “self-petition,” that is, file an application for permanent residency based on the abuse that occurred in the marriage or the parent-child relationship.¹ By filing a self-petition, the battered immigrant would be free to leave the abusive household. Prior to 1994, abusers had total control over their spouses’ or children’s immigration status. Battered immigrants could not file for lawful permanent residency on their own behalf. As a result, many battered immigrants remained without legal immigration status in the U.S. because their abusers used control over their immigration status as a tool to continue the abuse.

II. *The Expiration of §245(i)*

At the time that VAWA was passed, there already existed a provision in the INA that allowed immigrants who had entered the U.S. illegally to “adjust” from approved visa status to permanent resident status while remaining in the U.S. Since 1994, any immigrant who entered the U.S. illegally, or in the case of relatives of lawful permanent residents, entered lawfully but worked without permission or overstayed a visa, could pay a fine of \$1,000 and adjust to

¹ Violent Crime Control and Law Enforcement Act, Pub. L. No. 103-322, 108 Stat. 1796, 1953-1955 (1994) (codified at 8 U.S.C.A. §1554). For overviews of the VAWA provisions affecting battered immigrants, see Linda Kelly, Domestic Violence Survivors: Surviving the Beatings of 1996, 11 Geo. Immigr. L.J. 303, 313-314 (1997) (detailing the Congressional rationale for adopting VAWA); Note, Trapped in Domestic Violence: The Impact of United States Immigration Laws on Battered Immigrant Women, 6 B.U. Pub. Int. L.J. 589, 600-603 (1997) (noting that VAWA became effective in 1995, but the INS did not issue interim regulations for the implementation of VAWA until March 26, 1996); and Linda Kelly, Stories from the Front: Seeking Refuge for Battered Immigrants in the Violence Against Women Act, 92 Nw. U.L. Rev. 665, 671-688 (1998) (outlining VAWA’s evidentiary requirements).

permanent resident status while remaining in the U.S.² The INA provision that allowed for this adjustment of status was §245(i). This provision brought in significant revenue to the INS³ and allowed those with approved immigrant visa petitions to remain in the U.S. to continue working and supporting their families while adjusting their residency status.⁴

Section 245(i) was scheduled to sunset on September 30, 1997.⁵ The absence of §245(i) would have meant that all immigrants⁶ with approved immigrant visas who either entered the U.S. illegally or overstayed an earlier visa could no longer adjust status within the continental United States. Instead, these immigrants would be forced to return to their home countries of origin and obtain their green cards through processing at U.S. embassies or consulates abroad.

On July 29, 1997, the Senate voted to permanently extend §245(i); but on September 30, 1997, the House of Representatives voted to allow §245(i) to expire.⁷ A day later, on October 1, 1997, President Clinton signed a resolution that extended §245(i) until October 23, 1997.⁸ When October 23, 1997, arrived, the President again extended §245(i), this time until November 7, 1997.⁹ Finally, on November 13, 1997, both the House and Senate voted to let §245(i) sunset on January 14, 1998.¹⁰ On November 26, 1997, the President signed legislation entitled the “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998.”¹¹ This legislation contained a provision that eliminated the benefits of §245(i) for all immigrants seeking permanent residency status. When §245(i) ended, battered immigrants petitioning for immigration relief under VAWA lost their ability to obtain green cards while remaining safely within U.S. borders.

III. *U.S. Citizen and Lawful Permanent Resident Abuser’s Ability to Freely Travel Abroad*⁴

The sunset of §245(i) presented an urgent problem for battered immigrants who self-petition under VAWA. Without §245(i), many battered immigrants with approved VAWA self-petitions filed after January 14, 1998, would be required to return to their countries of origin to

² Congress set the fine at \$1000 in 1996; before then, the amount of the fine had fluctuated. H.R. Conf. Rep. 104-863, 104th Cong. §376 (1996).

³ Revenues were used, in large part, to fund detention centers for illegal and criminal aliens. S.Rep. 105-48, 105th Cong. (1997).

⁴ Gabrielle M. Buckley, *International Legal Developments in Review: 1997*, 32 INTLLAW 471, 474 (1998).

⁵ H.R. Rep. 105-845, 105th Cong. (1998).

⁶ Except that immigrants who entered lawfully and were spouses or children of US citizens who violated the terms on their visas may continue to adjust their status within the United States.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998, Pub. L. No. 105-119, H.R. 2267 (1997).

⁴ 2011 Note: This section was amended from the original to reflect VAWA 2000 statutory change that eliminated the VAWA self-petitioning extreme hardship requirement.

obtain their green cards. VAWA self-petitioners are required to be the spouse, former spouse or child of a U.S. citizen or lawful permanent resident. The battered immigrant's abusive spouse is fully able to travel to follow the victim to her country of origin. Victims required to leave the country will be in danger due to the loss of her U.S. restraining order when she travels outside the U.S. Many of the victims' countries of origin lack laws or services to protect her from abuse. Other victims face losing custody or visitation of her children if she is forced to leave the U.S. and is then faced with a bar on her reentry into the United States for 3, 5 or 10 years. Leaving the U.S. can also cause victims and/or their children to suffer from physical or mental health problems by discontinuing the treatment they receive in the U.S. to help them cope with the effects of the abuse.

IV. *Negative Effects for VAWA Self-petitioners*

Battered immigrants who have successfully self-petitioned under VAWA would have suffered many hardships and dangers if they were forced to return to their countries of origin to obtain their green cards. The stories contained here illustrate the fact that battered immigrant VAWA self-petitioners experience many of the same hardships and dangers even though they come from different countries, live in different states, and make their homes in both urban and rural communities. These hardships and dangers can be summarized as follows:

A. Risk of being abused abroad

Leaving the U.S. deprives battered immigrants of the protection provided by U.S. laws, court orders, and law enforcement.¹⁵ Restraining orders are not valid outside the territory of the U.S., which makes battered immigrants vulnerable to abuse the moment they leave the jurisdiction of the U.S. courts.¹⁶ The Violence Against Women Act made restraining orders enforceable across state lines in every U.S. jurisdiction; however, these orders have no effect outside of the U.S.¹⁷ Batterers who are U.S. citizens or lawful permanent residents have the ability to travel abroad easily and can take advantage of abused immigrants' lack of legal protection. Since the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 made the crime of domestic violence a deportable offense, a batterer who is a lawful permanent resident convicted of a domestic violence crime may be deported to the same country where the battered immigrant will be forced to return to obtain her green card.¹⁸

B. Loss of custody of the children

¹⁵ *Id.* at 677 (explaining that battered women must often struggle to obtain custody of their children because of the perception that they are "weak" and thus unable to care for their children).

¹⁶ See Shawn Foster, *Law's Demise Puts Immigrant Wives at Risk*, SLTR, January 25, 1999, at B1.

¹⁷ Violent Crime Control and Law Enforcement Act, *supra* note 1 at Sec. 40221.

¹⁸ Kelly, *supra* note 1, 11 Geo. Immigr. L.J. at 303, *citing* Illegal Immigration Reform and Immigrant Responsibility Act, Pub. L. No. 104-208, 110 Stat. 3009 (1996).

There are no procedures at U.S. embassies and consulates abroad for processing cases of battered immigrants with VAWA self-petitions approved by the INS. Further most battered immigrants who have been unlawfully present in the United States risk being subjected to the three- and ten-year bars to re-entry if they leave the U.S. for any reason including to obtain lawful permanent residency.

A battered immigrant who must travel abroad will be separated from her children for an indeterminate period of time if forced to leave the U.S. to obtain her green card. Often, a battered immigrant woman is the sole caretaker of her children and has a court order awarding her custody of the children. Knowing that she will have to leave the U.S. and potentially remain abroad for several months to obtain her green card will create significant problems for a battered immigrant. For example, she may have to take her children with her so that she can protect them from her abuser; however, taking the children with her may be economically impossible, since she cannot predict how long she will have to remain abroad. Taking the children with her also may result in the violation of a court order awarding her abuser visitation of the children. The abuser may even succeed in having parental kidnapping charges filed against her.

If a battered immigrant decides not to take her children with her when she travels abroad to get her green card, she must then locate a temporary place for the children to stay that is safe from her abuser. This is often a very difficult, if not impossible, task. If the battered immigrant does succeed in finding a place for her children to stay, once she leaves the U.S., her abuser may file for permanent custody of the children, claiming that she has abandoned them.

Furthermore, many battered immigrants may not be able to leave the U.S. because custody matters are still pending in the courts. A battered immigrant may not remove the children from the country without court permission while custody is being adjudicated. To attain such court permission, a battered immigrant must be able to guarantee to the court that she will return to the U.S. by a fixed date. Providing such a date is impossible as victims who leave the U.S. can be stranded abroad unable to reenter the United States for many years. If she misses a U.S. court date for a pending custody matter, she may risk losing custody of her children permanently.

C. Abuser kidnapping the children

Battered immigrants are concerned that if they leave their children in the U.S. with a trusted relative, their abusers will either petition the courts for custody of the children or attempt to kidnap the children. Conversely, battered immigrants are also concerned that if they bring their children with them to their countries of origin, their batterers will follow them there, kidnap the children from them, and take the children back to the U.S. or to another country.

D. Shame and loss of familial support

Many battered immigrants will face severe social stigma if forced to return to their

countries of origin after divorcing or separating from their husbands.²⁰ Women are often deterred from reporting domestic violence in the U.S. or leaving their abusers because they fear that their families and communities in their countries of origin will condemn them for exposing their husbands' abuse and breaking up the traditional family unit.²¹ Religious norms and social constructions of gender roles in the immigrants' home countries will also penalize the returning immigrant who has dared to leave her abusive husband.²² Thus, VAWA self-petitioners forced to return to their home countries to obtain their green cards may not be able to access help and support from their families and communities in their home countries during the time they must remain abroad. They may be ostracized because they publicly exposed their husbands' abuse.

E. Lack of physical and mental health care abroad for battered immigrants or their children

Victims of domestic violence and their children often suffer from physical and mental health problems as a result of the abuse.²³ These problems include depression, low self-esteem, post-traumatic stress disorder, and long-term physical injuries caused by the abuse.

If a battered immigrant or her children receive treatment from mental health professionals in the U.S., discontinuing treatment for the weeks or months needed to obtain a green card abroad could cause tremendous emotional damage for women and children struggling to rebuild their lives.

Additionally, for some battered immigrants or their children, travel abroad for any period of time would disrupt treatments they are receiving in the U.S. for physical ailments. Often, these immigrants will be unable to find an adequate level of affordable health care treatment in their countries of origin. The issue becomes even more complicated when a battered immigrant's child has a physical ailment that requires treatment in the U.S. If the battered immigrant is the sole caretaker of the child, and the immigrant is forced to take the child with her when seeking her green card, discontinuing the child's medical treatment may result in life-threatening consequences for the child.

F. Poor socio-political conditions abroad

²⁰ In some countries, shelters and services for survivors of domestic violence may not exist. In other countries, laws against domestic violence may be greatly under enforced, either because the laws have only recently been passed or because law enforcement fails to respond to domestic violence reports. See Kelly, *supra* note 1, 92 Nw. U.L. Rev. at 681-682. See also Uma Narayan, "Male-order" Brides: Immigrant Women, Domestic Violence and Immigration Law, 10 HYP 104 (1995), where the author describes the ostracism of Indian women who return home after having left their abusive husbands.

²¹ *Id.*, citing Nilda Rimonte, A Question of Culture: Cultural Approval of Violence Against Women in the Pacific-Asian Community and the Cultural Defense, 43 Stan. L.R. 1311 (1991), and giving the example of Asian women at a Los Angeles battered women's shelter who refrained from reporting domestic violence due to a need to "preserve the family honor."

²² Michelle J. Anderson, A License to Abuse: The Impact of Conditional Status on Female Immigrants, 102 Yale L.J. 1401, 1420-21 (1993).

²³ Deborah Weissman, Protecting the Battered Immigrant Woman, 68-OCT Fla. B.J. 81, 82 (1994).

Returning to the battered immigrant's country of origin could also, in some cases, subject her to political persecution, war, torture, jail, extreme poverty, disease, entrenched gender discrimination, or death.²⁴

V. *Infeasibility of Consular Processing for VAWA Self-petitions*

Consular officers abroad have not received the training they need to enter proper decisions regarding VAWA self-petitioners' qualifications for lawful permanent residency. Untrained consular officials may choose to re-open and re-evaluate approved VAWA self-petitions. Allowing consular officials who do not appreciate the particular problems that battered immigrants face to overturn decisions made by INS adjudicators with expertise in domestic violence poses grave dangers to battered immigrants.

The INS has followed the lead of other justice system professionals who work on issues of domestic violence. Many courts, police departments, and prosecutors' offices have created specialized units with trained staff to handle domestic violence cases.²⁵

The INS has adopted this integrated approach, as demonstrated by its training of INS officials assigned to adjudicate VAWA self-petitions.²⁶ INS centralized the collection and adjudication of VAWA self-petitions so that all VAWA cases would be handled by a group of specially trained immigration adjudicators at the INS Vermont Service Center. This group of officers has been made aware of the particular evidentiary burdens that victims of domestic violence face, and they have developed expertise in adjudicating these cases.

The problem and danger to battered immigrants lies in allowing consular officers abroad to determine whether or not battered immigrants will receive their green cards. Within the U.S., both administrative agency and judicial review is afforded to all immigrants whose petitions are denied approval by the INS. By contrast, no judicial review is available to immigrants for decisions made by consular officers at embassies and consulates abroad. Even though a battered immigrant has left the U.S. with an approved VAWA petition in hand, a consular officer abroad could determine that the battered immigrant's personal affidavit was not believable or that the petition did not contain sufficient evidence to meet the required burdens of proof. Since the domestic violence that the approved VAWA self-petition was based upon must have occurred in the U.S., and any evidence to support the self-petition also must have remained in the U.S., a battered immigrant would be unable to gather whatever additional evidence might be needed to convince the consular official to grant her lawful permanent residency status based on her self-petition. The consular officer could deny the battered immigrant a green card and trap her in her

²⁴ Id.

²⁵ See Catherine F. Klein and Leslye E. Orloff, Providing Legal Protection for Battered Women: An Analysis of State Statutes and Case Law, 21 Hofstra L. Rev. 801, 1020 (1993), noting that the effective provision of legal assistance and services to battered immigrant women requires that advocates, attorneys, police, and courts receive training and education on domestic violence issues.

²⁶ Kelly, supra note 1, 92 Nw. U.L. Rev. at 675.

country of origin without a way to legally re-enter the U.S. No review of the consular officer's decision would be available.²⁷

VI. Methodology

The case summaries in this compilation describe the experiences of ____ battered immigrant women in 41 states and the District of Columbia, and the U.S. Virgin Islands. The information contained in these case summaries was provided by domestic violence agencies, domestic violence shelters, immigration attorneys, and battered immigrants from across the country. All case summaries were compiled from one or more of the following sources: 1) affidavits prepared by battered immigrants and their attorneys; 2) case files and notes recorded by social workers and domestic violence advocates at agencies and shelters; and 3) telephone interviews with battered immigrants self-petitioning under VAWA. The cases compiled here constitute only a fraction of the total number of VAWA cases in which battered immigrants will face hardships and dangers because of the sunset of section 245(i) of the INA.

All names have been changed to protect the identities of those involved in these incidents.

Cases were submitted by a variety of organizations, including the following*:

Albuquerque Border City Project
Albuquerque, New Mexico

American Friends Service Committee
Newark, New Jersey

Asian Pacific American Legal Center of Southern California
Los Angeles, California

Ayuda, Inc.
Washington, D.C.

Casa Cornelia Law Center
San Diego, California

Central American Resource Center
Los Angeles, California

Centro Legal

²⁷ Pena v. Kissinger, 409 F.Supp. 1182 (S.D.N.Y. 1976).

St. Paul, Minnesota

Nancy Chen, Attorney at Law
New York, New York

Congresso de Latinos Unidos, Inc.
Philadelphia, Pennsylvania

Diocesan Migrant and Refugee Services, Inc.
El Paso, Texas

Domestic Violence Intervention Program
Iowa City, Iowa

Florida Immigrant Advocacy Center
Miami, Florida

Greater Boston Legal Services
Boston, Massachusetts

Immigrant Initiatives, CUNY School of Law
Flushing, New York

Iowa Coalition Against Domestic Violence
Des Moines, Iowa

Legal Aid of Central Texas
Austin, Texas

Legal Aid Foundation of Los Angeles
Los Angeles, California

Legal Assistance Foundation of Chicago
Chicago, Illinois

Legal Services of North Carolina, Inc.
Raleigh, North Carolina

Milwaukee Women's Center, Inc.
Milwaukee, Wisconsin

Na Loio Immigrant Rights and Public Interest Legal Center
Honolulu, Hawaii

Northern Manhattan Coalition
New York, New York

Northwest Immigrant Rights Project
Seattle, Washington

NYANA
New York, New York

Project VAWA
Tucson, Arizona

Sanctuary for Families, Inc.
New York, New York

Southern Arizona Legal Aid
Tucson, Arizona

Travelers and Immigrants Aid
Chicago, Illinois

*A complete list of organizations is not provided in order to protect the anonymity of the victims.

Summary of Cases

	COUNTRY OF ORIGIN	STATUS OF SPOUSE	PAGE NUMBER
 NEW YORK			
Aminata	Afghanistan	LPR	1
Lupe	El Salvador	USC	3
Sol	Guatemala	USC	5
Gabrielle	Haiti	USC	7
Raquel	Dominican Republic	LPR	8
Belinda	Dominican Republic	LPR	9
Violeta	Trinidad	LPR	10
Pilar	Mexico	LPR	11
Lilly	Canada	USC	13
Johanna	Jamaica	LPR	14
Sima	Pakistan	LPR	15
 TEXAS			
Carmela	Mexico	USC	16
Linda	Mexico	USC	18
Estrella	Mexico	LPR	20
Dolores	Mexico	LPR	22
Victoria	Mexico	LPR	24
Lisa	Mexico	LPR	27
Doris	Mexico	USC	30
Ina	Mexico	USC	34
Lola	Mexico	USC	36
Pamela	Mexico	LPR	38
Veronica	Mexico	USC	107
Berta	Mexico	USC	153
Rosita	Mexico	LPR	205
 ILLINOIS			
Paulina	Mexico	LPR	40
Valerian	Mexico	USC	42
Julia	Mexico	LPR	44
Carolina	Mexico	LPR	46
Melanie	Jamaica	LPR	48

Celeste	Mexico	LPR	49
Tamara	Mexico	LPR	51
Nancy	Mexico	LPR	53
Beatriz	Mexico	LPR	99
Angela	Mexico	LPR	201

CALIFORNIA

Marina	Mexico	LPR	55
Fatma	Bangladesh	LPR	57
Melissa	Mexico	LPR	59
Philippa	Romania	LPR	61
Anita	Philippines	LPR	63
Paola	Peru	LPR	64
Marta	Mexico	LPR	65
Val	Thailand	LPR	67
Rosa	Mexico	LPR	69
Pamina	Mexico	LPR	71
Patricia	Mexico	USC	73
Lina	El Salvador	USC	75
Victoria	Mexico	LPR	24
Doris	Mexico	USC	30
Carolina	Mexico	LPR	46
Conchita	Mexico	USC	94
Milagros	Mexico	USC	101
Laura	Mexico	USC	141
Cristina	Mexico	LPR	163
Nuria	Guatemala	USC	180

MARYLAND

Elise	Nigeria	USC	76
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ARIZONA

Paloma	Mexico	LPR	79
Susana	Mexico	LPR	81
Elena	Mexico	USC	83
Mercedes	Mexico	USC	84
Maria	Mexico	USC	86
Doris	Mexico	USC	30

IOWA

Ayesha	Lesotho	LPR	88
Allegra	Mexico	LPR	90
Marisia	Mexico	LPR	92
Conchita	Mexico	USC	94
Tatiana	Mexico	LPR	96
MICHIGAN			
Yaa	Nigeria	LPR	97
Beatriz	Mexico	LPR	99
UTAH			
Milagros	Mexico	USC	101
Lina	El Salvador	USC	75
Laura	Mexico	USC	141
FLORIDA			
Felicia	Honduras	USC	103
Emilia	Costa Rica	LPR	105
Veronica	Mexico	USC	107
MASSACHUSETTS			
Mona	Poland	LPR	110
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This case originated in New York.

AMINATA

Aminata is a 33-year-old citizen of Afghanistan. She met her husband, Ahmed, in Afghanistan. Ahmed is a lawful permanent resident of the United States.

The circumstances under which the couple met and married are disturbing. While in Afghanistan, Ahmed began stalking Aminata. He would stop her in the street and tell her that she was to be his and no one else's. He later threatened to kill her if she did not marry him. Aminata was very afraid of his stalking and his threats, but she had no one to turn to for protection. She lived with her elderly parents who could not help her, and the police force offered little to no protection, due to the civil strife in Afghanistan at the time. She was afraid, but she felt she had no choice but to marry Ahmed.

During the first week of their marriage and every week thereafter, Ahmed slapped Aminata. Initially, she sought refuge with her parents, but they forced her to return to her husband and "do her duty" as a wife. Ahmed frequently slapped, punched, pushed, and threatened to kill Aminata. This abuse only intensified after the couple moved to the United States and settled in New York.

During one of Aminata's pregnancies, Ahmed grabbed a kitchen knife and tried to cut open her stomach and remove the baby from her womb. Aminata defended herself and her baby as best she could from Ahmed's attack. Her hands were cut and bruised. On another occasion, Ahmed put a knife against Aminata's chest and cut her hand when she tried to protect herself. He also threatened to kill her by running her over with his car. He began abusing their daughters, as well, often pulling their hair and hitting them.

After this incident, Aminata received a restraining order against Ahmed. She further sought to protect her daughters from Ahmed by getting a court order limiting Ahmed's visitation of the girls to supervised visits only.

Over the course of her marriage, Aminata has suffered constant physical and verbal abuse from Ahmed. Even though he was excluded from the family home pursuant to the restraining order, Ahmed has continued to threaten and harass Aminata. She has struggled to survive without his income, supporting her girls with meager assistance from her family and other agencies. Her husband does not pay child support even though he is self-employed.

Aminata has filed her VAWA self-petition for residency status, which has been approved. If she is forced to leave the United States to get her green card in Afghanistan, she believes that Ahmed will follow her there and kill her. In Afghanistan, Ahmed is fully able to do anything he wishes to Aminata because she is his wife. He knows exactly where she would stay in Afghanistan, and he is aware that the police force and laws of Afghanistan would not hold him accountable for any violence committed against Aminata or the children. He is watching her very closely in the United States, and he would know when she left the country with the children.

Aminata's restraining order would not keep her safe in Afghanistan from Ahmed's abuse.

This case originated in New York.

LUPE

Lupe is originally from El Salvador. She met Christopher, a United States citizen, at a dance club where he was working as a disc jockey. They started dating and quickly fell in love. Later, they moved in together. They married in New York three years later.

Christopher began controlling Lupe's movements from the beginning of their relationship. He would call her every five minutes when she was at home, just to check up on her. When she got pregnant with their first child, he purchased a cellular phone so he could call her even more frequently. He told her that she did not need anyone but him and the baby. A few months into her pregnancy, though, Lupe discovered that Christopher was having an affair with another woman. She left him and went to her parents' house.

Christopher began stalking Lupe at her parents' home, parking his car directly across the street and calling out "I love you!" whenever she would leave the house. One day, she was standing outside the house with her mother and brother when Christopher came barreling into the driveway in his car, ordering Lupe to "get in." When she refused, he got out of the car and dragged her by the hair into the passenger's seat. Her pregnant belly got stuck between the seats, and Lupe could not move. Lupe's brother got a baseball bat and hit the back windshield of the car as Lupe's mother tried to pull Lupe out of the car. Christopher threw Lupe's mother to the sidewalk and sped off with Lupe in the car. He drove her to his apartment and locked her inside with him, telling her that if she did not come back to him, he would do something drastic. He told her it was all her fault that he did these crazy things. He kept repeating that he loved her and begged her not to leave him. Then he pulled the phone off the wall and laid down next to her in bed. He convinced her to stay.

On other occasions, Christopher would force Lupe to perform sexual acts against her will. Three weeks after giving birth, the baby was sleeping next to Lupe in the bed when Christopher came into the room and began to undress Lupe. She told him that the doctor had strongly recommended no sexual activity for at least one month. Christopher became angry and called her nasty names. Then he pushed her onto her knees and demanded that she give him oral sex. When she said "no," he pinned her against the wall and screamed at her to do it now. She had no choice but to follow his orders. Then he had sex with her against her will, even though she told him that he was hurting her.

Later that year, Christopher began complaining that Lupe was spending too much time with the baby. One day, he forced her into the car and made her drop the baby off at her mother's house. Then he took her back to their house and pushed her around the bedroom, ripping off her clothes and calling her a whore and a slut. Then he pulled his pants off as Lupe screamed and tried to reach for the phone. He told her to act like the whore she was and have sex with him like one. She was so afraid that she held still as he raped her again and again. When he was done, he acted as though nothing had happened and treated her as if she had enjoyed it. From then on, the sexual

abuse was more frequent. When he would come home for lunch he would order her to put the baby to nap so that they could have sex. Every time he wanted rough sex and oral sex, Lupe would feel sick. Christopher would respond by pushing her, smacking her, pulling her hair, and telling her that she would never see the baby again unless she did what he asked.

Christopher abused the baby, as well. He would lock him in the closet to punish him for crying. He would also crush the baby's favorite toys with his foot. Lupe discovered Christopher's abuse of her son and immediately left Christopher, fleeing to her parents' house. Christopher came to her parents' house and stalked her for a week, calling her and parking his car outside the house. When she finally agreed to talk with him, he forced her into his car and drove away at a high speed, swerving all over the road and telling her that they were both going to die that day. He said that if he could not have her, no one would. She was so frightened that she told him that she would return to him.

Lupe got a restraining order against Christopher after he abducted her from the local gym and drove her to a lake, where he threatened to drown her. Lupe talked to him and calmed him down for hours before he finally agreed to take her back to the gym, where she called the police. She later consulted an attorney and filed a VAWA self-petition for her residency.

If Lupe is forced to return to El Salvador to get her green card, she will face severe hardships. First of all, her restraining order is unenforceable in El Salvador. Additionally, Lupe fled the war in El Salvador along with all her family when she was only five years old and has horrible memories of gunfire, hiding, and running for cover in El Salvador. She has not been to El Salvador since she fled many years ago, and she no longer speaks Spanish or knows any contacts in El Salvador. Finally, the expense of the trip would be a significant financial burden to a young, single mother of two young sons. She is trying to rebuild her life and support her babies entirely on her own, with no help from Christopher. Forcing Lupe to return to El Salvador would be a nightmare of confusion and emotional trauma for a woman who has already suffered so much in her life.

This case originated in New York.

SOL

Sol was born in Guatemala. She met her husband, Jeffrey, in New York in 1987. Jeffrey was the owner of the apartment building where Sol lived when she first arrived in New York. He is a United States citizen.

Sol and Jeffrey started living together shortly after they met. They married almost six years later. While they were living together, Jeffrey revealed to Sol that he was addicted to cocaine and that he was trying his best to quit. Sol tried to be supportive of Jeffrey, but she soon discovered that he was still partying with friends and taking drugs without attempting to quit. Knowing that her husband was a drug addict upset Sol and created tension in their relationship.

Jeffrey began abusing her shortly after their first child, Maggie, was born. He would push Sol forcefully when he would get angry. He would also grab and shake her violently. He threatened to throw her out of the apartment and leave her homeless. Only 15 days after Maggie was born, Sol became so afraid of Jeffrey that she attempted to leave him and move in with her brother. Before she could leave, Jeffrey told her that unless she stayed with him he would hurt her brother. Fearing for her brother's life and not knowing the extent of Jeffrey's capacity for violence, Sol stayed with him and abandoned her plans to flee.

On another occasion, after Jeffrey held Sol by the arms and shook her repeatedly, Sol feared for her and her daughter's life and fled to her local church. There, the pastor called the police and helped her enter a women's shelter. She remained there for the next year. Towards the end of that year, Jeffrey sought out Sol's brother and demanded he tell him where Sol was living. When Sol's brother refused to tell him, Jeffrey beat him up and rummaged through his house. He found a phone bill and from there traced one of the phone numbers to the shelter where Sol was staying. He arrived at the shelter and demanded that Sol return to him, or else he would kill her whole family. Believing his threats, Sol felt she had no choice but to move back in with him. Immediately afterward, Jeffrey began pressuring Sol to have a second child and refused to allow Sol to use birth control.

Sol's second child, Anthony, was born needing a liver transplant. Money was tight in the household at that time, and one day Jeffrey flew into a rage over how much money Sol had spent for household supplies. He started to throw things around the apartment, kicking and hitting the furniture and walls. He also threatened to kill Sol's mother. At that moment, Sol decided that she would risk everything to escape this man's violence. She left the apartment with the children and filed for a restraining order, which is still in effect and which granted her sole custody of the children to protect them from Jeffrey's violence.

Since Sol left Jeffrey, he has continued to stalk her, harassing and threatening to kill her and her family. He has also sent her threatening letters and a videotape of him filming the place where Sol and the children were now living. The police are trying to arrest Jeffrey for violation

of the restraining order, but so far, he has managed to evade them. Sol believes he is capable of the greatest violence--including killing her and her family and kidnapping the children.

If Sol is forced to return to Mexico to get her green card under VAWA, she fears that Jeffrey will follow her there and abuse her. She knows that he is currently stalking her and the children and that he follows her movements closely in the U.S. The restraining order she has against him is the only thing that is keeping her safe from Jeffrey's violence. Outside of the U.S., her restraining order would not be valid.

In addition, if forced to leave the U.S. to get her green card, Sol would have to take her children with her for an unknown period of time while the consulate processes her visa. Sol's U.S. citizen son, Anthony, would face life-threatening health problems if he went with his mother to Mexico to get her green card. He requires ongoing treatment and dialysis for his liver problems, and he depends on Sol as his primary caretaker. He cannot interrupt his medical treatment for a trip with his mother to Mexico. There is no one that Sol can risk leaving the children with in her absence. Any caretaker would be subject to violent attacks while caring for the children and may not be able to protect the children from Jeffrey.

This case originated in New York.

GABRIELLE

Gabrielle was born in Haiti. She has lived in the United States for the past three years. While she was living in Haiti, she met Pierre, a United States citizen also originally from Haiti. Pierre had been visiting his mother near Gabrielle's hometown. In time, Pierre and Gabrielle started dating and soon fell in love. Pierre later brought Gabrielle with him to the U.S. and married her in New York.

Soon after the marriage took place, Gabrielle noticed a change in Pierre. He isolated her in a small town where she had neither friends nor family. Gabrielle felt depressed and lonely and longed to make American friends, but Pierre never allowed her to leave the house without him. He even pinned down the curtains and told her that she "had no business looking outside." He refused to let her go to school or learn to speak English because he wanted her to be entirely dependent upon him. Pierre would inform Gabrielle that she was only good for cooking, cleaning, and having sex with him. He even proposed bringing women to the house to have sex with both Gabrielle and himself. This proposition horrified Gabrielle.

One day, after a long period of severe emotional abuse and isolation, Gabrielle finally disobeyed Pierre's orders and left the house to take a walk by herself. When she returned home after the walk, she found that Pierre had called the police and had told them that she was taking drugs. Gabrielle did not understand English, so she could not answer the police officer's questions. After a translator was called, Gabrielle explained to the police how Pierre had been abusing her during their marriage. The police took Gabrielle to a battered women's shelter.

Pierre later served divorce papers on Gabrielle and threatened to have her deported. He told her that since he was an American citizen, he could do whatever he wanted to her, and nothing would happen to him. Gabrielle went to an attorney and received a restraining order against Pierre and assistance in applying for her green card under VAWA. Pierre was furious at Gabrielle's actions. He immediately made a trip to Haiti and visited Gabrielle's parents, her adult daughter, and her former place of employment, spreading lies about Gabrielle and threatening to kill her if she ever set foot in Haiti again. He also threatened to hurt Gabrielle's parents and daughter if Gabrielle ever came back to Haiti. He knew full well that Gabrielle's restraining order would not protect her outside the United States.

Gabrielle's family and friends in Haiti have called and written to her to warn her of Pierre's plan to kill her or have her killed if she ever returns to Haiti. Gabrielle is very afraid of Pierre and believes she will be in serious danger if she returns to Haiti to get her green card under VAWA. Gabrielle feels that Haiti is an insecure place where Pierre could easily kidnap, hurt, or kill her without police intervention. She has no doubt that once she sets foot in Haiti, Pierre will be waiting for her.

This case originated in New York.

RAQUEL

Raquel is a citizen of the Dominican Republic. She has lived in the United States for the past four years. After her arrival in the United States, Raquel met and fell in love with Gerardo, a lawful permanent resident of the United States originally from the Dominican Republic. After a period of courtship, Raquel and Gerardo were married. Raquel had no idea at the time of her marriage that Gerardo was an abusive man.

Shortly after their marriage, Raquel noticed a change in Gerardo's behavior. He began to be very controlling and domineering with Raquel. He also started criticizing the way she talked and acted. He would insult her verbally, telling her "you're not good enough," and calling her an unfit wife. When their son, Pablo, was born, Gerardo began criticizing Raquel's skills as a mother. He was never satisfied with anything Raquel did, and soon his verbal abuse made Raquel depressed, afraid, and severely lacking in self-confidence.

Gerardo's abuse of Raquel escalated drastically over time. He began calling Raquel at work, threatening and harassing her. During one call, he threatened to burn down their home. Finally, in April of 1998, Gerardo beat Raquel severely all over her body. Bruised and fearful for her and her son's safety, Raquel went to the police and reported the beating. She received a permanent restraining order against Gerardo, in which Gerardo was ordered to leave the family home. Shortly after this incident, Raquel consulted a lawyer who began helping her self-petition for permanent residency under VAWA.

If Raquel is forced to return to the Dominican Republic as the only way she can get her green card under VAWA, her U.S. citizen son will suffer serious, perhaps life-threatening, health risks. Raquel's son, Pablo, was born with severe atopic dermatitis, a rare disease which makes him sensitive to weather changes and puts his life in jeopardy if he is exposed to sunlight. Pablo has been receiving ongoing medical treatment for this disease, and he requires close care and monitoring. Treatment for Pablo's disease is unavailable in the Dominican Republic. In fact, doctors from the leading medical centers in the Dominican Republic have reported to Raquel's attorney that there are no reported cases of Pablo's disease in the Dominican Republic and that the Dominican Republic is unprepared to treat such a disease as Pablo's. Sending Raquel and Pablo back to the Dominican Republic to obtain Raquel's green card could be a death sentence for young Pablo.

This case originated in New York.

BELINDA

Belinda's long-term boyfriend, Francisco, brought Belinda and their child to the United States from the Dominican Republic. Belinda and the child entered illegally. Francisco is a lawful permanent resident of the United States. After several years of living together both in the Dominican Republic and the United States, Belinda and Francisco were married in New York. Later, they had a second child here in the United States.

The year after Belinda entered the U.S., Francisco began to physically abuse her. He would punch and slap her repeatedly, and when she would attempt to call the police, he would threaten to report her to the INS. He was very controlling and would monitor her movements and her phone calls. She was not allowed to leave the house, make friends, or associate with anyone without Francisco's permission.

The physical and emotional abuse was so severe that Belinda separated from Francisco and fled the family home with her two children. She sought refuge with Francisco's sister and began living with her. One day, Francisco arrived at his sister's house and demanded to see Belinda. When she came out, he began beating her face and body with his fists and pulling her hair. She managed to escape his grasp, open the door, and run out into the street. To her horror, Francisco followed her to the street and attacked her with a machete. The attack only ended when police arrived on the scene and arrested Francisco for domestic assault and battery. Belinda was hospitalized with the severe injuries that Francisco inflicted upon her. Later, she obtained a protective order against Francisco.

The state filed criminal charges against Francisco for assaulting Belinda. The criminal case is still pending. Francisco is filled with rage and blames Belinda for getting him arrested and charged with this crime. He has vowed to follow her to the ends of the earth to exact his revenge upon her. Belinda believes his threats and is afraid that Francisco will hurt or kill her if he ever comes in contact with her again.

If Belinda is forced to return to the Dominican Republic as the only way to obtain her green card under VAWA, she fears that Francisco will follow her and hurt her. His family knows Belinda, and Belinda is certain that Francisco could find her easily in the Dominican Republic. Belinda's restraining order would not keep her safe from Francisco's abuse outside the United States. In addition, making the trip to the Dominican Republic to get her green card would be a devastating financial hardship to Belinda. She and her two children are living in a shelter for battered women and children, and she does not have the resources to finance a trip now or in the near future. Her protection order awards Belinda custody of their two small children. She has no one in the United States on whom she can rely to take care of her children while she is in the Dominican Republic. All of these hardships would make it dangerous impossible for Belinda to return to the Dominican Republic to get her green card.

This case originated in New York.

VIOLETA

Violeta was born in Trinidad. She came to the United States along with other family members. While Violeta was living in New York, she met Kurt, a lawful permanent resident of the U.S. originally from Trinidad. Kurt and Violeta fell in love and were married in 1997. Shortly after their marriage, Kurt began mistreating Violeta.

Kurt had an uncontrollable temper. He would savagely beat Violeta for no particular reason. The beatings were frequent and unpredictable. He would punch her, scratch her, and kick her repeatedly during these attacks. He constantly threatened to kill her by throwing her out of the window. Violeta sincerely believed these threats. She knew that it was only a matter of time before Kurt snapped and beat her to death. He had already begun beating her in front of others, including Violeta's mother.

Kurt's brutal physical abuse of Violeta caused her to miscarry their child in the second month of pregnancy. At that time, Kurt was unemployed, and Violeta's income from her own job was the only means of support for the couple. Despite this, Kurt called Violeta's boss to try to get her fired. It was then that Violeta decided she could not stand to be with Kurt any longer. Even though she feared what he would do if she left him, Violeta gathered her courage and moved in with her mother. She applied for and received a restraining order against Kurt and applied for legal immigration status under VAWA.

Despite Violeta's attempts to sever her relationship with Kurt, he has continued to stalk her ever since she moved out of their house. He calls her on the telephone 10-12 times every night. Violeta is so frightened of Kurt that she goes everywhere with an escort and always has either her mother or a friend in the house with her at all times. Her body is covered with scars and bruises left from Kurt's abuse. She is now undergoing counseling and psychiatric treatment for the trauma she experienced living with Kurt.

If Violeta must return to Trinidad as the only way of getting her green card under VAWA, she will face possible injury and death at the hands of Kurt. Since her restraining order will not be valid in Trinidad, she will have no way to protect herself from Kurt, who has maintained his contacts in Trinidad. He has already vowed to kill her in the U.S., and he continues to stalk her to this day. Violeta does not doubt that he would follow her to Trinidad, a place where she would be alone and unprotected. Violeta has no friends or family to rely upon for support and protection in Trinidad, and she cannot even imagine walking the streets alone, either in the U.S. or in Trinidad. She lives in a constant state of terror and is in such terrible physical and emotional shape that she cannot endure a trip to Trinidad. To Violeta, the only place where she stands a chance at protecting herself from Kurt is here in the United States. If she is forced to return to Trinidad for any period of time to obtain her lawful permanent residency under VAWA, she knows she will be a target for violence.

This case originated in New York.

PILAR

Pilar is originally from Mexico. She first entered the United States when she was fifteen years old. Her parents disapproved of her leaving Mexico to live with her aunt in the U.S. at such a young age. Consequently, Pilar's family and community in Mexico cut all ties with her.

When Pilar was sixteen, she met and fell in love with Roberto, a twenty-year-old lawful permanent resident of the United States who was originally from Nicaragua. Pilar moved in with Roberto and became pregnant with their child when Pilar was seventeen. Roberto forced Pilar to have an abortion, even though this decision was against Pilar's religious and moral beliefs. Since Pilar was under age at the time of the abortion, Roberto posed as her brother and signed all the consent papers for the procedure. Pilar still carries severe emotional scars as a result of this forced abortion.

Throughout the next three years of their relationship, Roberto physically and emotionally abused Pilar. He would punch, slap, and kick her when she displeased or "disobeyed" him. He refused to let her out of the house and isolated her from friends and family. During the day, Roberto kept an eye on Pilar by getting her a waitressing job at the same restaurant at which he worked. He would exercise complete control over Pilar's every movement, often threatening to have her deported if she did not obey his commands.

When Pilar was twenty, she again became pregnant with Roberto's child. Roberto married her at that time. Soon after this, he tried to make her have another abortion, but Pilar refused. In response, Roberto beat Pilar severely during all nine months of her pregnancy, regularly punching her in the stomach so that she would miscarry the child. At the end of nine months, when Pilar went into labor, Roberto refused to take her to the hospital, and instead told her to "call a cab." After their baby was born, Roberto did not pick Pilar and the baby up from the hospital, and Pilar was forced to take a bus home.

About a month after the baby was born, Roberto attacked Pilar for the last time. He began beating her even though she was holding the baby in her arms. He attacked her with such force that she dropped the baby. Although the baby was not hurt in the fall, the incident made Pilar fear for her baby's safety. She found the strength to pack her things, go to the police, and enter a shelter for battered women and children. She left Roberto that day. Since then, she has sought counsel to assist her in obtaining her green card via a VAWA self-petition.

Pilar has lived in the United States since she was a young girl. If she is required to return to Mexico as the only way to get her green card under VAWA, Pilar will face extreme hardship. She has no family in the U.S. with whom she may leave her U.S. citizen child while she is getting her green card. In Mexico, Pilar no longer has ties to her family, who disowned her when she left for the United States, nor does she have any ties with her hometown community. Her parents refuse to see her and do not communicate with her. She and her baby would be shunned

if they returned to Mexico, and no one would help and support Pilar there. Because of the years of abuse that Pilar has suffered in her relationship with Roberto, she now lacks the emotional strength to confront her family. After all she has suffered, she must not be forced to leave the United States to obtain her green card.

This case originated in New York.

LILLY

Lilly is originally from Canada. Her mother, an alcoholic named Mary, and her father, a violent, abusive man named John, mistreated Lilly both physically and emotionally when she was a little girl. They would belittle her, call her names, and beat her severely whenever they perceived she had misbehaved. Lilly suffered such tremendous emotional scars from the abuse and neglect of her parents that she was placed in Child Protective Services by the Canadian authorities. Lilly was released to her uncle's care in the United States, and she entered the country without inspection in 1990.

Lilly later married a U.S. citizen named Stuart. Unfortunately for Lilly, Stuart was also a controlling, violent man who abused her just as her parents had. Stuart would insult her and damage her self-esteem, and he would punch, slap, and kick her when angry. After years of abuse and terror, Lilly finally escaped to a shelter with her two children, Greg and Katie. After consulting with a lawyer, Lilly filed her paperwork for a VAWA self-petition, and it was approved.

Lilly's two children are U.S. citizens, and they are both involved in the community and enrolled in school. Lilly would not be able to leave them behind if she were forced to return to Canada to get her green card under VAWA. Furthermore, she is unable to afford the trip to Canada at all, considering that she is currently living with her children in a battered women's shelter. Assuming she did go back to Canada, though, Lilly would face painful memories from her childhood and severe emotional trauma.

Lilly has no other friends or family in Canada aside from her abusive parents. She and her children would have no one else to rely on for help and support while in Canada. The prospect of seeing her parents again fills Lilly with fear. Her contact with them has been very limited, but they still try to control and emotionally abuse her to this day. Her mother has even threatened to call the police and the INS to have Lilly deported to Canada. Considering her parents' emotionally controlling nature, Lilly cannot fathom returning to Canada and facing the painful memories from her childhood after the abuse she has recently suffered at the hands of her husband.

This case originated in New York.

JOHANNA

Johanna is a citizen of Jamaica who entered the United States in 1991 with a visitor's visa. In 1992, Johanna's landlord introduced her to Irving, a citizen of Jamaica who had gained permanent residency through his mother. The two dated and lived together for several years, and had two American citizen daughters. They finally married in 1997.

Johanna constantly suffered physical and emotional abuse throughout the course of their relationship. Irving was extremely possessive and controlling, preventing Johanna even from picking out her own clothes to wear. Both Johanna and her neighbors reported several incidents of abuse to the police. Johanna required medical attention for her injuries after several brutal incidents. It was not uncommon for Irving to punch Johanna in the face and slap her. Specific incidents of abuse include shaking her violently while she was pregnant with their daughter, slapping her while she was holding their child in her arms, and hitting her in the head with a ceramic mug.

The worst incident of abuse Johanna suffered was in June of 1997, when Irving invited his mother to move in with the couple and their children. Johanna told Irving this was not a good idea because the apartment was already very crowded. Enraged, Irving punched her in the ears, grabbed her, and pushed her up against the wall and then down onto the floor. Johanna's ears were seriously injured from this abuse and rang for two weeks after this incident.

Soon after this episode, Johanna escaped the home with her two daughters and moved to a shelter for battered women. Irving never filed a spousal petition for Johanna's green card, and Johanna has now filed a self-petition. However, she is afraid to return to Jamaica to receive her green card. Irving knows he could abuse her there without legal consequences and would likely follow her there to do so. In addition, she cannot afford to take her children to Jamaica for an indeterminate length of time, but has no one with whom to leave them. Johanna has no support system left in Jamaica to aid and protect her while she is there. It is necessary that Johanna be allowed to remain in the United States to become a lawful permanent resident in order to protect her safety.

This case originated in New York.

SIMA

Sima is a citizen of Pakistan who entered the United States on a student visa in 1981. She met her future husband, Rashid, in 1985. The couple dated for many years, and eventually married in September of 1997. Rashid, a citizen of Pakistan and a lawful permanent resident, refused to file a spousal petition for Sima.

Rashid became both physically and emotionally abusive to Sima immediately after they were married. He would often tell her she was no longer attractive, and that he no longer wanted her. On one occasion, he shouted curses at her and spit toothpaste on her several times. Rashid first hit Sima in the face in November of 1997. Having sustained extensive bruising, she went to the police after this incident. Subsequently, physical violence such as hitting, pushing, and slapping took place about once a month, and verbal abuse took place almost every day. During one incident, Rashid slapped Sima and pulled her by the hair. Sima called the police, which only further enraged Rashid. He exacted revenge by threatening Sima's friends and family and spreading malicious lies about her in their close-knit community.

In December of 1997, Sima's husband started forbidding her to answer the phone, and denied that they were married to many of the couple's friends and acquaintances. Rashid would also constantly threaten to have Sima deported. Throughout the marriage, women would call the couple's home and harass Sima by telling her that they were Rashid's lovers.

In October of 1998, Sima came home to their marital residence to find the locks had been changed. She later found that Rashid had put half of her possessions in storage and the rest in garbage bags. After a warrant for her husband's arrest was issued due to the history of domestic violence culminating in the illegal lockout, Rashid wrote letters to Sima's family in Pakistan threatening to have Sima and her family members killed. Rashid then served Sima with divorce papers.

Sima is currently staying with friends while awaiting space so she can move into a shelter for battered women. She has filed a self-petition for residency, but she is frightened to return to Pakistan for visa issuance. She has no doubt that if she returns home Rashid will follow through with his threats to kill her and her family. Once she leaves the United States, Sima will no longer be protected by the American criminal justice system that has, for now, brought a halt to the physical violence if not the threats. Sima will face grave danger in her tumultuous home country where husbands have full legal right to control and abuse their wives. Since Rashid is also a Pakistani citizen and maintains contacts in Pakistan, he knows this and will be able to carry out his threats. Sima must be allowed to remain safe within the boundaries of the United States, and not be required to return to Pakistan in order to become a lawful permanent resident.

This case originated in Texas.

CARMELA

Carmela is originally from Mexico. She moved to Texas in 1988, after both her parents died in Mexico. She met Jed, a United States citizen, in 1995 through a mutual friend. She and Jed began dating, and eventually they moved in together in El Paso. A few months after they moved in together, Carmela found out that Jed had a drinking problem. He was arrested for causing an accident while driving under the influence, and when he was released from jail, he begged Carmela to help him quit drinking. Carmela thought he was a good person and was in love with him, so she told him she would try to help. They were married in 1996, when Jed became sober. Carmela believed that he would not drink again.

The first month of their marriage was happy; however, soon after that, Jed began coming home drunk. When Carmela confronted him about his drinking, he screamed at her and insulted her. His verbal abuse of Carmela grew more frequent over time. Jed would yell at Carmela, call her a prostitute, throw her clothes all over the floor, and kick her out of the house when he would get angry at her. He began disappearing every weekend, leaving Carmela alone and without transportation. She began to suspect that he was having affairs with other women.

At this time, Carmela was diagnosed with uterine cancer. She had a very difficult time getting Jed to take her to the doctor, and he refused to give her money to pay the clinic fees. He began telling her that he wished she were dead. He also began sexually abusing her, and on one occasion, he purposely urinated inside of her while they were having intercourse. He became more violent, as well. One evening, he got angry at her while they were at a bar. He smashed two glasses, insulted her, and drove off without her. By the time she got home, Jed had destroyed a clock and had ripped the telephone out of the wall and thrown it across the room. Carmela was very afraid of his violence.

After Carmela had an operation to remove the cancer from her uterus, Jed did not bring her food while she was recuperating, and he abused her physically. About a week after her operation, she asked Jed to bring her some food, and he became so angry that he pulled her out of bed and threw her against the sofa. Then he pushed her out the door and refused to let her back in the house.

She separated from him shortly after that incident. First she went to a shelter, and then she found an apartment of her own. Jed came to her apartment shortly after she moved in, asking her to let him inside. When she refused, he broke the door down and slapped her so hard that her gums bled. Then he spat in her face and called her a prostitute. Carmela raced to her bedroom and called the police. Jed was arrested, and Carmela received a restraining order to protect her from his abuse. She also obtained counsel to assist her in filing a VAWA petition for residency.

Now Carmela will be forced to return to Mexico as the only way of getting her green card under VAWA. She has lived in the U.S. for the past ten years, since she was a very young girl.

She has no relatives to help and support her in Mexico, and making the trip alone would cause her great emotional stress. In addition, Carmela cannot leave the U.S. to journey to Mexico because she is receiving ongoing treatment in Texas for uterine cancer. She pays for her own treatment, but it is affordable and accessible in the U.S. In Mexico, similar treatment would be too expensive for Carmela to afford, and the quality of care would not match that of the U.S. Because Carmela must aggressively treat her uterine cancer through intensive therapies, she cannot put her life at risk by leaving the U.S. and discontinuing her treatment.

This case originated in Texas.

LINDA

Linda is originally from Mexico. She met her husband, Tom, a United States citizen, while she was living in Texas. At the time, Linda had a four-year-old daughter from a previous relationship named Jan. When Linda and Tom started dating, she was pleased to see that he was very thoughtful and considerate toward her and her daughter. In time, Linda fell in love with Tom, and she accepted his proposal of marriage.

Once Linda and Jan moved in with Tom, his behavior began to change. He controlled Linda's movements and restricted her phone calls. He made up a schedule of foods that could only be eaten at certain times and on certain days, and he refused to buy fruit, saying it was "not food." He also refused to give Linda money to buy groceries, telling her that she did not know how to shop properly. He enjoyed making her cry and insulting her in public, using foul language and calling her names like "dummy," "garbage," and "bitch." After only a few months of marriage, Linda became depressed and lacking in self-esteem. She felt powerless in her marriage and was very upset when Tom told her that he was "the king" and that she must "always obey him."

Linda also suffered sexual abuse at her husband's hands. He would hurt her when they were having sex, pulling her hair and forcing her to perform acts that she did not want to perform. He would get angry if she refused to perform these acts, and then he would rape her with much force and violence. This sexual abuse continued while Linda was pregnant with their child. He raped her several times in the few weeks before the baby was born, causing her great pain and concern for her unborn baby's health.

Tom was drinking alcohol and getting drunk every day, which only made him more violent. On one occasion after their daughter, Jodie, was born, he refused to buy milk for the baby and told Linda that she should give her water instead. When Linda protested, he told her that she should become a prostitute if she wanted to make money of her own. He then demanded that she have sex with him, although she had given birth only a few days before. When she declined, he forced himself upon her, hurting her because she had not yet healed from the child's birth. On another occasion, he got angry and hit the bathroom wall with his fist, making a hole in the wall. His growing violence frightened Linda, and she considered leaving him.

She separated from him after an incident in March of 1998. He had told little Jan to tie her tennis shoes, and when she was slow to react, he pulled her by the legs and dropped her on the floor. Linda told him not to treat her that way, and in response, Tom grabbed Linda and pinned her arms to the door. Linda told her daughter to call the police, but Tom pushed Jan out of the way and pulled the phone cord from the wall. Once Tom let Linda go, she raced upstairs to baby Jodie's room and attempted to pick her up from the crib. Tom followed her and shoved her against the crib, then he yanked the baby blanket out of Linda's hands, almost causing her to drop the baby. He put his face close to Linda's and shouted that he was the one to give the orders in

their house. Just then, the police arrived and arrested Tom. Linda obtained a restraining order against him, and the court ordered him to vacate the family home immediately.

Since then, Linda has filed a VAWA self-petition for residency. She remains extremely afraid that Tom will return to her home and try to abuse her or kill her. He is very angry at her for having left him, getting a restraining order and calling the police. Considering Tom's violent, unpredictable nature, Linda must rely exclusively on her restraining order to keep her and her children safe from Tom.

Since Tom is a U.S. citizen, he can cross borders easily, and he is familiar with where Linda's family lives in Mexico. If Linda were forced to return to Mexico to get her green card under VAWA, she believes Tom would follow her there and try to hurt or kill her. Linda knows that in Mexico her restraining order would not protect her, and the Mexican police would not stop Tom from abusing her. She is also fearful that Tom would try to kidnap her daughters while she was in Mexico. Because Tom has threatened to take Linda's daughters from her in the past, she believes he will act on these threats. In order for Linda and her children to be safe, she cannot return to Mexico to get her green card.

This case originated in Texas.

ESTRELLA

Estrella is a citizen of Mexico. She met Báltazar, a lawful permanent resident of the United States, while she was in Mexico. They dated for a short while, and Báltazar proposed to her. Estrella is deaf-mute, and at the time that she married Báltazar, she was only 18 years old. Nevertheless, her parents approved of the marriage, and Estrella also believed that Báltazar loved her and would be good to her. The couple immediately moved to Texas, where most of Báltazar's family lived.

Estrella and Báltazar moved in with his mother and sisters. At first, all went well in the marriage, but little by little, problems arose. Báltazar would leave Estrella alone with his family for days at a time, and no one would speak or sign to her during those days. She felt very isolated. When her husband would come home, he would argue with her and become frustrated with her inability to hear or talk. He would shout at her and shake her violently, then he would slap and punch her. His family knew that he was abusing her, but they did nothing to stop him.

On other occasions, Báltazar would abuse Estrella outside, where the neighbors could see. He would push her and slap her repeatedly across the face until a neighbor would step in and calm him down. Because Estrella was deaf and unable to use the telephone, she could not call the police, nor could she rely on Báltazar's family to help her. Her own family lived far away in Mexico and could not protect her.

Estrella gave birth to three daughters during her marriage to Báltazar. He continued to either ignore her completely or physically abuse her at every opportunity. On top of that, he ordered Estrella to give the babies to his mother and sisters to raise, since he thought she would not be a good mother. After all of her children's births, Estrella was kept from having too much contact with her them, despite her protests. Her mother-in-law refused to let her feed them or play with them except on rare occasions. Also, Estrella was not permitted to leave the house, even to buy groceries. Báltazar's family used the fact that they kept the children from her to qualify to receive government assistance, food stamps, and WIC.

One evening, Báltazar came home and told Estrella that he had a girlfriend in Mexico whom he wanted to marry. He told Estrella that he did not love her anymore, and that he wanted her to leave his home and go back to Mexico. If she refused to leave, he would call the police and the INS and have her deported. Finally, he informed her that when she was deported, he would keep all three of the children and let his mother raise them. Estrella was horrified. She pleaded with Báltazar to reconsider, but he just got angry and started beating her. Their three girls watched as Báltazar punched their mother repeatedly in the stomach with his closed fists. Then he kicked her with all his strength, grabbed her by the neck, and told her he wanted her to die. He dragged her by her hair to their bed and smothered her face with a pillow until she passed out from lack of oxygen. After he left the house, one of the children ran to a neighbor's house to get help. The neighbor called Estrella's mother-in-law.

No one took Estrella to the hospital for treatment of her injuries, even though she was vomiting blood. Eventually, Estrella's mother contacted Báltazar's family and came to Texas when she learned that Báltazar had beaten her daughter. It was Estrella's mother who called the police after seeing the extent of her daughter's injuries. Estrella had been vomiting blood from the internal stomach injuries, was yellow in color, and had difficulty walking. The police arrived and helped Estrella obtain a restraining order and get help at a battered women's shelter. The judge in the restraining order case found that Báltazar had abused Estrella and that he and his family had also harmed their oldest daughter. The protection order Estrella custody of the children. Since leaving Báltazar, Estrella has also sought assistance in filing a VAWA self-petition for residency.

If Estrella is forced to return to Mexico as the only way of getting her green card under VAWA, Báltazar would go to court as soon as she left to get custody of their three children, telling the judge that she had abandoned them. she could lose custody of her three children. Even before Estrella left Báltazar, he had been trying to have her deported so that he could marry his new girlfriend. It was his plan to take custody of Estrella's three girls and get rid of Estrella--either by having her deported or by beating her to death. Now Estrella faces a bitter custody battle for the three children. She does not want them to grow up with Báltazar or his family, since they all have mistreated her and would likely mistreat her children. Estrella is a good mother to her children and believes that only she can protect them.

She cannot afford to make the trip to Mexico because she is currently living in a shelter and does not have the funds to pay for the trip. Even if she were able to travel to Mexico, she would not be able to leave her children with Báltazar's family without risking losing custody of the children to them. Leaving the U.S. for any period of time would increase her chances of losing custody, since she would miss important court dates while she was out of the country. Therefore, in order to keep her children safe from her husband's violence, she must be allowed to obtain her green card in the U.S.

This case originated in Texas.

DOLORES

Dolores was born in Mexico. Her boyfriend, César, lived in the same small Mexican town. When Dolores and César were both 16 years old, they got married. A little while after their marriage, César found work in the United States, and he eventually became a lawful permanent resident of the U.S. Dolores was happy in her marriage to César until their first child was born. It was at that time that César began abusing Dolores.

When their baby was only eight days old, Dolores came home from work one evening and found her husband smoking marijuana and drinking. She said nothing to him and went straight to bed. He came into the bedroom and started yelling at her, then he slapped and kicked her and pulled her hair. Next, he demanded that she give him his gun, which she had previously hidden from him. She refused and ran to hide behind some furniture. She did not call the Mexican police because they were located two hours from her house, and she knew that they would not help a woman who was being abused by her husband. Dolores knew that the police would not help because she had witnessed her own father beating her mother when Dolores was a little girl. When the police had been called, they never did anything to stop the abuse.

César left the following day for the U.S., where he had been working for the past several months. He moved Dolores and the baby to Texas that same year, and the abuse began again. One evening, he locked her in their bedroom and started to hit her repeatedly on her head and body until she was knocked unconscious. Dolores' mother, who was staying with them at the time, got Dolores' son to call the police and ambulance. On another occasion, César smacked Dolores repeatedly across the face as punishment for not going to work when she was sick. He never needed an excuse to beat her.

Dolores left César several times, but each time she would return to him out of fear. He often threatened to kill her if she left him. When she finally separated from him permanently, the separation followed a horrifying incident involving her young daughter, Amy. One morning, little Amy woke up with a fever, so Dolores decided not to send her to school for the day. Later that same afternoon, Dolores had to leave for work, and she left Amy in her father's care. Two or three days later, Dolores noticed that Amy was very sad. She asked Amy what was wrong, but she did not get an answer. The school called to tell Dolores that Amy was very upset and was scheduled to speak to a counselor. Dolores later discovered that Amy told the counselor that César had done something very bad to her. That same day, Amy confessed to Dolores that her father had sexually molested her, and that he had told her that if she told anyone about it, he would kill her mother.

Dolores was sick with the news that César had sexually abused their daughter. She called Child Protective Services, and they conducted an investigation. Now César is serving time in jail for pleading guilty to the charge of indecency with a minor. Dolores moved out of the house with her children and sought counseling for herself and her daughter. She also filed a VAWA self-

petition for residency.

If Dolores is forced to return to Mexico as the only way of getting her green card, she and her children would face many hardships. She has no family in the U.S., so she would have to remove her two children from school and take them with her to Mexico. Her daughter is currently receiving counseling to help her cope with the trauma of being sexually abused by her father. Stopping this counseling would be detrimental to the little girl's mental health. In addition, Dolores is afraid that César would hurt or kill her and the children while in Mexico. Dolores and César are from the same town, so he would know if she were staying in Mexico with her family. Since he will be released from jail on probation and possibly deported back to Mexico for his crime, he will be in a position to find Dolores in Mexico and take revenge on her for reporting him to the police. Dolores knows that she cannot be safe from his abuse in Mexico.

This case originated in Texas, moved to California, and is currently in Texas.

VICTORIA

Victoria is 39 years old. She is originally from Mexico, where she studied theology and worked in a church. She met her husband, Beto, a lawful permanent resident of the United States, while he was visiting family and friends in Mexico near Victoria's home. The two became friends and began dating. After an eight-month courtship, Victoria and Beto were married in Texas. Victoria was in love with Beto and was very happy about beginning a new life with him in Texas.

The couple moved in with Beto's mother, and had their first child in 1987. The next year, Beto's mother died. After this, Beto began physically abusing Victoria. At the time of the first incident of abuse, Victoria was eight months pregnant with their second child. That day, Victoria had discovered she was not eligible for assistance from WIC because she was missing a document from Beto. When she told Beto this, he began to hit her. He proceeded to kick her in the stomach, pull her hair, and slap her. Beto then kicked Victoria out of the house, and she had no choice but to return to Mexico to stay with her mother. After a few weeks, Beto followed Victoria to Mexico and insisted she return to Texas with him. She was about to give birth, and felt she had no choice. She had the baby in Texas that night.

Another serious incident of abuse occurred in 1990, shortly after the birth of their third son. Beto was injured and told Victoria to clean up his wound. She did, but it was not to his liking. He became angry with Victoria and started hitting her. Then their infant began to cry, and Victoria went to pick him up. Beto tried to hit her again, but missed and hit the baby in the lip instead. Victoria and the two children entered a shelter, and the police arrested Beto. Once Beto was in jail, Victoria felt it was safe to return to the house. However, Beto's sister bailed him out of jail and he immediately returned home. Enraged, he ripped out the heating and air conditioning units and then reported Victoria to INS. But Victoria was not deported, and she decided to divorce Beto to get away from his abuse.

In 1991, Victoria and the children moved to California because one of her sons had serious heart problems and needed a heart transplant. Beto came to visit and reconciled with Victoria. During his visit, the couple conceived another child. After her son's operation, Victoria took the children back to Texas and moved into an apartment. Beto visited often and put pressure on Victoria to abort her baby since it was conceived out of wedlock. Victoria insisted upon having the baby, and he was born in 1992. This child also had heart problems. In 1993, Victoria had to move with the children to a different city in Texas to obtain a heart transplant for her youngest son.

In 1994, Victoria decided to remarry Beto. She thought he had changed, and needed his support in raising the children. A few months later, they had a fifth son together. A week after this, their fourth son died of cancer due to his heart medication. This was an extremely difficult time for Victoria, but she forced herself to keep going for her four other children. Beto only

worsened things for Victoria by abusing her verbally, often in front of the children. He accused her of sleeping with other men and lied to her to make her angry. When his anger escalated, he would pull her hair, throw things at her, and throw her against the wall. Beto also often forced Victoria out of the house without any money or clothes.

The beatings continued as well. Beto often beat her in places where her bruises could not be seen by others, so as to hide the fact of his abuse. On one occasion, however, Beto beat Victoria so brutally that she had a severe cut under her left eye and her blood pressure dropped dramatically. Yet Beto refused to take Victoria to the hospital, and ripped out the phone cord so she could not call the police.

Beto increasingly treated Victoria as a slave. He would become livid if his dinner was not ready when he arrived home, or if it was cold. He also forced Victoria to have sex with him. If she refused, he would get angry and call her names or beat her. Beto made Victoria do virtually everything for him, and became enraged when she stopped attending to him to help the children. He would not let her watch television or sleep late, leaving Victoria little personal freedom. The telephone was also restricted from Victoria, preventing her to keep in touch with her family. Victoria's and Beto's oldest son began treating Victoria as his father did, demeaning her and ordering her around. When Victoria tried to punish the son, Beto would beat her. Beto also beat the children when they did not obey him. The spankings would become beatings, and Victoria would intervene to protect the children, and be further beaten herself.

The last incident of abuse occurred when Victoria complimented their pastor on his new suit. A jealous Beto became furious and beat Victoria brutally. She wanted to call the police, but they were in a hotel room and did not have access to a phone. That night, Beto made Victoria sleep on the floor and would not even give her a blanket. The next day, Victoria decided she had suffered enough abuse, and called the police to take her and her children to a shelter. She then obtained a restraining order, began learning English, and filed a VAWA self-petition for residency. Victoria and her children are receiving counseling to help them overcome the effects of the violence.

Law requires that Victoria return to Mexico to obtain her green card based on her VAWA self-petition. If she is forced to return, Victoria will face the fear and danger of being stalked by her abusive husband in Mexico. Beto has already followed Victoria to Mexico once before. He knows exactly where she would be staying in Mexico while getting her green card, and he would take advantage of the fact that her restraining order would not be valid in Mexico and would offer her no protection from his abusive attacks. Further interrupting ongoing therapy sessions for Victoria and especially for her boys when they travel to Mexico would have severe consequences.

In addition, Victoria would be unable to return to Mexico to get her green card because it would put her child at serious medical risk. Her six-year-old son Bobby has a heart condition which is life-threatening and requires constant, specialized medical attention. If Victoria is forced to go to Mexico to get her green card, she would have to take Bobby and her other four children

with her, since she has no family or friends in the U.S. whom she trusts to care for her children, and who can keep the children safe from Beto's violence. Taking Bobby with her to Mexico may worsen the child's heart condition and put him at risk of illness and death, according to doctors. Mexico does not have the facilities, specialized medical care, and resources to adequately treat Bobby's heart condition. Consequently, Victoria must be allowed to remain in the United States to get her green card. Forcing her to return to Mexico will put her and her children at risk of abuse at the hands of her husband, and discontinuing her son's medical care in the U.S. will jeopardize his health.

This case originated in Texas.

LISA

Lisa is a 37-year-old woman from Mexico. She met her husband Manrique in Mexico, and they got married in 1982. The couple had three children together while living in Mexico. In 1992, the family moved to the United States when Manrique became a lawful permanent resident. However, he never petitioned for the residency of his family.

Lisa's marriage to Manrique was plagued from the outset. Manrique began verbally and physically abusing Lisa shortly after their wedding. Sometimes he would abuse her every day for a week, and sometimes he would go for weeks without abusing her. Manrique's unpredictable nature caused Lisa to live in constant fear. She had to go to a clinic in Mexico three times because of the severe beatings and mental cruelty inflicted upon her. She developed symptoms of anxiety and mental distress and had to take medication to calm her nerves.

One incident of abuse occurred when their oldest child was ill. Lisa was quite concerned and knew the child needed medical attention. However, Manrique refused to take their daughter to the doctor. He instead began to scream at Lisa, blaming her for the illness of the child. He then began to beat Lisa. When he delivered a hard blow to her face, it knocked her unconscious. She also suffered a large cut on her eye as a result.

Once, when the beatings became especially severe, Lisa tried to go to the Mexican police for help. However, she discovered that no one would take her seriously. She said that they refused to prosecute her claim because she could not provide them with a large sum of money. Domestic violence reports are ignored in Mexico, because it is socially accepted for men to beat women. Lisa's mother-in-law had no sympathy for Lisa, telling her that real women can take the abuse.

When the family moved to Texas in 1992, the beatings continued. Manrique also started beating the children. However, he knew he could be punished for abuse more easily in this country. He began hitting his family in less obvious places and in ways that would not leave a mark. For example, he would hit their son in the back and drag Lisa across the floor by her hair.

Manrique would not let Lisa talk to anyone or have any friends. He said they would only put ideas in her head. If anyone visited the house, he would yell and throw them out. He wanted absolute control over Lisa's life, and was able to use her residency status as a way to control her. He threatened never to file papers for her if she did not do as he said, or if she did not forgive him for abusing her. Manrique also refused to support his family. He worked, but said that whatever money he made was his to keep. There was never any money for food or clothing, and the children did not even have shoes. Lisa tried to make some money by selling cold drinks and sewing. Sometimes Manrique would forcefully take what little money Lisa made. He said she was responsible for paying for his expenses. As far as the children were concerned, Manrique insisted that they should get jobs to support themselves. Of course, they were much too young to

work.

In the spring of 1998, Manrique again beat Lisa, causing her nose and lip to bleed. However, she was too afraid to call the police. A few weeks later, Manrique again abused Lisa. He saw her on the street near their house, forced her into the car, and started beating her. Lisa jumped out of the car and ran into a restaurant, where the police were called. Manrique was arrested and served a few days in jail.

Manrique had always been unfaithful to Lisa throughout their marriage, but his infidelities have recently become more flagrant. On one occasion, he and a girlfriend tried to take the children with them to Chicago so that Lisa could not find them. Another time, he brought a different girlfriend home with him. This one was pregnant with his baby. Manrique tried to make Lisa lick this woman's dirty shoes, telling Lisa she had to because his girlfriend was a "real woman."

Lisa grew most concerned about the welfare of her children. Manrique was cruel to them, especially their son. He beat and screamed at his son frequently. Lisa has tried to shield her children with her body to protect them from getting hurt. One day, when the entire family was in the car, Manrique kept swerving off the road threatening to kill them all. The children were terrified and begged him to stop. Lisa is quite worried about the way Manrique has affected the children. They are all afraid of their father, and the boy suffers from some behavioral and learning problems as a result of the abuse he has suffered at home. The two girls are also afraid and angry and often act out. They feel powerless to stop the violence. The eight-year-old was so scared that she asked her teacher to help them find counseling. The older of the two daughters is afraid of men.

Lisa ultimately decided to free herself and her children from Manrique's torment and abuse, and they have entered a shelter. She has filed a self-petition for residency under VAWA, but is terrified of returning to Mexico for consular processing. Lisa believes that Manrique "would definitely come and find us and seek retribution against us for leaving him." He has already located the shelter and gone there to harass Lisa, and could easily travel to Mexico to find her.

As recently as January 1, 1998, Manrique traveled to Mexico to threaten Lisa's parents. He said that once Lisa returned to Mexico, she would never receive her immigration papers, and he would take the children away from them forever. As Lisa has discovered previously, Mexican law enforcement will not protect her against Manrique's abuse. She also fears Manrique's parents in Mexico, who are abusive as well. She refuses to take the children into this dangerous situation, but has no one with whom she can safely leave them behind. Additionally, Lisa cannot afford a journey for four to Mexico, and does not want to uproot her children from school and therapy for a period of weeks or months. Lisa and her children would have no help or support in Mexico, and would be isolated and endangered. It is therefore imperative that Lisa be permitted to remain in the United States to receive her green card, and not be required to return to Mexico for any reason.

This case originated in Texas, moved to Arizona and California, and is currently in Texas.

DORIS

Doris is a 33-year-old citizen of Mexico. She moved to the United States in 1985, living briefly in Texas, and then moving to Arizona. In Arizona, Doris worked as an aide to the elderly. There she met Nelson, an American citizen who lived nearby. Doris and Nelson met in 1988, dated for two months, and then moved in together when Doris became pregnant. She did not realize until a year later that Nelson was already married. Nelson finally obtained a divorce in 1992. Although Doris and Nelson were together for many years, they did not marry until 1997. Together they have three children, a nine-year-old son, an eight-year-old son, and a seven-year-old daughter.

After four years in Arizona, Doris and Nelson moved to California for a six months, and then settled in Texas in 1992. The relationship was plagued with abuse from the beginning. Nelson verbally abuses Doris every day, beginning as soon as he awakes in the morning. He curses at her and calls her obscene names, telling her she is better off dead than alive because she is worthless. Nelson says that because he is a citizen and Doris is not, he can do whatever he wants with her. He makes these remarks in front of the children, and often directs such remarks to them. Nelson's actions are also extremely cruel. When Doris was pregnant with their youngest child, she became violently sick one night. She was on the floor of their bedroom, doubled over in pain, begging for Nelson to help her and to call an ambulance. Nelson simply ignored her. Eventually, the apartment manager heard Doris's cries and called an ambulance. Doris was hospitalized for three days, but not once did Nelson visit her or even acknowledge she was ill.

Nelson has subjected Doris to constant physical and emotional abuse for the past eight years. The first time Nelson abused Doris was in 1990, during her pregnancy with their youngest child. Nelson came home and told Doris that the house was not clean enough, and proceeded to hit her in the head with his fists. On another occasion, Nelson lashed out at Doris because she had taken the car to buy groceries. He had forbidden her from driving, saying she was too stupid, but the children needed food. When she came back from the store, Nelson was waiting for her. He grabbed her by the hair and pulled her out of the car. She landed on the ground, and Nelson got in the car and tried to run her over. This was Nelson's first attempt to run her over with a car. Again, in 1998, Nelson pushed Doris out of their moving truck in front of the children, saying he did not love Doris or the children enough to give them money to eat. Nelson also frequently grabs Doris by the shoulders, shaking and pushing her, pulls her hair, kicks her in the legs, and hits her in the head.

Nelson often takes Doris's personal belongings and throws them away or hides them. For example, Nelson did not like the fact that Doris went to church on Sundays. To prevent her from going, he took away her only pair of nice shoes, knowing she would be uncomfortable going to church in tennis shoes. Another time, Doris had borrowed some books from a friend, but Nelson disapproved of her reading. He found the books and threw them at her when she arrived home one day.

When Nelson was working, he would make Doris perform humiliating acts in order to receive money from him to buy food and clothes for the children. He would make her get down on her knees to put his shoes on for him, and to take them off when he arrived home. Once when the couple was in a restaurant, he demanded that Doris tie his shoes for him in front of everyone. Doris had no choice but to get down on the floor and do this for him, and she recalls it as one of the most embarrassing moments of her life.

Nelson would also demand sexual acts from Doris, especially acts with which she was uncomfortable. Doris preferred to sleep with the children, but Nelson would frequently drag her into his room and demand that she perform all types of sexual acts. Doris would cry and fight him off, but Nelson said that it was her duty as his wife, and that it was the only way he would give her money for the children. Sometimes he would take the children's food stamp card away from Doris, only giving it back in exchange for sex. Once when Doris was taking a bath, Nelson broke the lock on the bathroom door and raped her. Since that time, Doris has had no choice but to give in to Nelson's sexual demands, because he constantly threatens to kill her if she does not do what he says. He tells her that he will break her neck and put her in the dumpster where no one will find her. On one occasion Nelson put a knife to her throat and told her that if she divorces him, he will send her back to Mexico in a coffin. Doris has no doubt that Nelson's threats are in earnest. He once told her that he beat his ex-girlfriend so badly that she was in the hospital for several weeks.

In early 1994, an especially violent incident prompted Doris to enter a shelter. Nelson came home and saw that Doris and the children were eating dinner. Nelson was furious, saying he should be the first to eat. Doris tried to explain to him that it would be better to eat after the children finished, when it would be quieter. He then became enraged, and began to punch and kick the walls. He overturned the table, sending dishes and food all over the kitchen. A piece of glass ricocheted off the floor and became lodged in one of the children's legs. Then Nelson left, and came home drunk much later. He tried to force Doris to have sex with him, but she was able to fight him off. The next morning, Doris took the children and entered a shelter.

Doris and the children eventually returned home to Nelson, because Nelson was working at the time. Doris could not support herself and the children on her own and she saw no other options. Although Nelson was a U.S. citizen, he never filed papers for Doris to obtain lawful permanent residency and a work permit, and he threatened to take the children from her. On this occasion and others when she sought to leave him, Nelson threatened to turn her in to INS.

In November of 1994, another violent incident caused Doris to return to a shelter. Nelson had been drinking at home and ran out of beer. He asked Doris where she had put the money he had given her earlier. Doris explained that she needed the money to pay bills and buy food, but he did not care. Doris gave him half the money, hoping he would believe that was all there was, and he left to buy beer. He returned home to drink the beer, and then left for a bar. He then returned home again looking for the rest of the money. Doris and the children were eating lunch when he stormed home, tore off the door to the closet, and threw its contents all over the floor.

Nelson then took Doris's purse and emptied it on the floor. He grabbed Doris by the hair and punched her in the face, giving her a black eye and bloody lips. Next he picked Doris up by the shirt and dragged her into the backyard, where he kicked her in the ribs with his boots on. Three days later, Doris took the children and again entered a shelter. While there, she became extremely ill and was taken to the hospital twice, but she was not properly treated because she lacked insurance. Nelson began to call the shelter and threaten its staff, saying he would burn the entire building down. The shelter asked Doris to leave because of Nelson's threats, and offered to move her to a shelter in another community. But Doris felt she had to return to Nelson at this point, for the safety of those helping her was compromised, and Nelson promised her things would be different.

However, nothing changed between the two. Doris had begun counseling through the shelter, but Nelson forced her to stop going. In 1996, Nelson woke Doris up in the middle of the night and pulled her by the hair into the living room. He started to argue with her, and then threw an iron at her. Doris put her hands up to prevent the iron from hitting her face. Her fingers were injured and badly bleeding. She ran out of the house and someone called the police, but Nelson begged Doris not to press charges. He said it would ruin his chances for a job, which Doris knew he needed to support the family. He spent less than 24 hours in jail.

Beginning in 1996 or 1997, Nelson began working only intermittently. In 1997, Doris began working as a housekeeper. One day, she was outside hanging clothes up to dry when Nelson demanded money to buy beer. When she told Nelson they needed the money to buy groceries, he picked up a brick and threw it at her. After this, Doris again entered a shelter and again felt compelled to return to Nelson after a few weeks.

Nelson promised to change, and they moved to a different city so he could get a job. Once they arrived, they moved into a homeless shelter because Nelson was not working. Nelson refused to do his chores at the shelter, and verbally and physically abused Doris and others at the shelter. When he did work, he spent all his money on alcohol. He was asked to leave, but Doris joined up with him again when he found a job. However, Nelson lost the job before long, and Doris had to begin work at a restaurant to have money to buy food and clothing for the children, and to pay rent.

In July of 1998, Doris wanted to see a movie with some friends. Nelson refused to let her go, threatening her with a wire hanger in front of her friends. Later that night, Doris awoke to find Nelson standing over her bed with the hanger, telling her he was going to kill her. He put the hanger around her neck and tried to strangle her. Doris ultimately fought him off, but he threatened that next time she would not be so lucky. The next month, Nelson began to argue with Doris, and kicked her twice in the leg. He told her she had until 6:00 the next morning to get out of the house, because he had called INS.

Doris again fled to a shelter, this time filing a self-petition under VAWA, because she has found a lawyer to help her file. She also applied for a protective order against Nelson, and filled out a police report to have Nelson prosecuted for the incidents with the wire hanger and the knife. Nelson continues to follow her everywhere, so once again, prior to receiving her protective

order, Doris returned to live with him for the time. When the protective order was delivered to their home, Nelson became livid. He yelled at Doris and kicked her while she was in bed. He then jumped on top of her and beat her head with his fists. Calling her a prostitute, he said he was going to buy a gun and kill her. He said he would put her dead body in the creek behind their apartment. Their seven-year-old daughter awoke and jumped on Nelson's back, trying to stop him. Doris put her daughter back to bed, at which point Nelson began to chase Doris around the house. When she went into the kitchen, Nelson broke dishes and glasses in front of her. Doris tried to run out, but Nelson blocked the door. There was no phone in the apartment to call for help. He kicked Doris several times, until she was finally able to lock herself in the bathroom. He then threatened to shoot Doris and hurt her lawyer, saying that if he shot Doris nothing would happen to him because he was a U.S. citizen and she was illegal. The next morning, as Doris was leaving to take the children to school, Nelson tried to push her down the concrete stairs to the sidewalk. Doris again entered the shelter for a few days, but returned to Nelson out of fear and desperation.

Doris's self-petition has been approved and she is now ready to become a lawful permanent resident, which would empower her to leave Nelson and his abuses behind. However, because she did not learn about self-petitioning until 1998, she will now be required to leave the country to get her green card. Returning to Mexico for consular processing would pose severe hardship for Doris and her children. Every time Doris has tried to leave Nelson, he has stalked her and forced her to return to him. She will only be able to fully free herself and her children from his abuses if she can obtain her green card and work legally. Doris knows that Nelson would follow her to Mexico so that he could harm her without legal consequences. Her protective order against him would not be valid in Mexico, and the Mexican police would be of no assistance to her. In addition, Doris feels her U.S. citizen children would suffer hardship if forced to travel to Mexico for an indeterminate period. Of course, she cannot leave them safely behind. None of her children speak Spanish or are familiar with Mexican culture. One child is extremely developmentally delayed and could not receive proper care in Mexico. Being uprooted from school and routines would be detrimental to the fragile emotional states of all of Doris's children, who have suffered tremendously by being raised with such abuse. Finally, Doris has no place to stay in Mexico, and no one there will support her. Her abusive father does not approve of Doris or her lack of tolerance for her husband's abuses. Doris's mother has also suffered years of physical abuse at the hands of Doris's father, who abused Doris and all of her siblings as well. Her parents still live together because Mexico had no shelters her mother could go to, and when called the Mexican authorities would do nothing to help her. Doris's mother works and her abusive father is always home. Doris cannot return to that home with her children where all would fall victim to abuse by her father. It is essential to the well-being of Doris and her children that she be allowed to remain in the United States to become a lawful permanent resident.

This case originated in Texas.

INA

Ina is originally from Mexico. She came to the United States in April of 1996 in order to visit relatives. While in Texas, she was introduced by her brother-in-law to a U.S. citizen named Seth. Ina found Seth to be educated, polite, and always smiling. She started dating him, and eventually they fell in love. After two months of dating, they became engaged. Ina suggested they postpone the wedding for a while so that they could continue getting to know one another.

A couple of months later, Ina became pregnant with Seth's child. After that, Seth's behavior began to change. Even though he said he wanted to support Ina and the baby, he stopped visiting Ina and taking her to the doctor for pre-natal visits. Ina felt very sad and confused at his sudden lack of attention. She wondered whether he still wanted to marry her, and he said that he did. On their wedding day, he showed up at the church two hours late and drunk. Ina was upset, but she figured he was just nervous about the wedding.

After their marriage, Ina moved in with Seth. She continued to feel depressed and lonely, since Seth would leave her in the house all day, and then he would go out with his friends at night and not return until the following morning. He began drinking quite heavily, which he had never done while he and Ina were dating. After weeks of being ignored and abandoned, Ina finally left the house one afternoon to go shopping with her sister. While Ina and her sister were at Wal-mart, Ina saw Seth standing in the aisle and holding hands with another woman. Ina felt humiliated. She felt a pain in her stomach that she had never felt before. She went home and cried all night, suffering from all the emotional abuse that Seth had put her through. She eventually decided to continue living despite the pain and humiliation, telling herself that needed to be strong for her unborn baby.

The baby was born premature. Ina tried to reach Seth because he had told her he wanted to be at the hospital when the baby was born. When he answered the phone, he said he was busy and would not come to the hospital until the following day. This hurt Ina immensely and made her feel depressed. He eventually visited that very afternoon, but he said that the only reason he came was because his boss ordered him to visit.

After the baby's birth, Seth promised Ina that he would come to visit their son and would bring clothes, food, and money to help support the baby. Ina waited for him to come, and despite his repeated promises, he rarely came to visit the baby, and he did not provide any support for the baby's care. When Ina asked him to be more involved in the baby's life and provide for some of the baby's necessities, Seth shouted at her and insulted her, calling her "stupid" and blaming her for everything that had gone wrong in his life.

The last time Seth had contact with Ina was when he served her with divorce papers and asked her for the baby's social security number so that he could claim the baby on his own tax return. Ina felt so abandoned and emotionally and verbally abused by her husband that she sought

help and counseling at a legal aid clinic for battered women. With the help of an attorney, she filed a VAWA self-petition for residency, which was approved.

To obtain lawful permanent residency based on her VAWA self-petition, Ina must return to Mexico. Her U.S. citizen son is only a year old, and he relies exclusively on Ina for his care. He frequently becomes ill, due to complications that arose from his premature birth. If Ina were forced to return to Mexico to get her green card, she would have to take her baby with her, and this would jeopardize her son's health and safety. He cannot get the necessary level of care in Mexico. Furthermore, his medical care in the U.S. is covered by Medicare, since he is a U.S. citizen. By contrast, if he were to require pediatric care while in Mexico, even in the event of an emergency, this care would be too expensive for Ina to afford, and he could risk developing a severe illness or dying. Since Seth has never paid child support to Ina for his son's upbringing, Ina is barely able to support her son, let alone find extra money to pay for the constant medical care her baby would require in Mexico. For these reasons, Ina must be allowed to stay in the U.S. to get her green card.

This case originated in North Carolina and is currently in Texas.

LOLA

Lola was born in Mexico. She first came to the United States in 1993, when she visited her relatives in North Carolina using a visitor's visa. While in North Carolina, she attended a dance at which she met Larry, a U.S. citizen. Lola returned to Mexico later that same month, but she and Larry continued to communicate with one another over the phone and through letter-writing. She came back to North Carolina to visit him the following year, and they continued to date long-distance until December of 1997, when they were married.

Lola came to live with Larry in North Carolina. They did not see one another for the first seven months of their marriage, since Larry was in the U.S. Navy on a seven-month tour of duty. When he returned home, he and Lola began having disagreements. On one occasion, Lola locked herself in a room, but Larry kicked the door open and went to the closet, throwing all of Lola's clothes on the floor in his fury. He ordered her to give him the \$1400 she had earned while working over the past seven months, saying he needed it to pay for their church wedding. When Lola told him that she did not want to marry him in the church, he grabbed a knife and told her he would kill himself if she did not marry him. After he cried and begged for the next few hours, Lola calmed him down and agreed to marry him in the church. They had a church wedding the next day.

Two months later, Larry began physically abusing Lola. He began yelling at her, and when she tried to leave the room, he pushed her to the floor and dragged her by her arms back inside the room. He then locked her in the room for hours. On other occasions, he verbally abused her, insulting her and telling her that she wasn't good for anything and was stupid. More abuse followed after Lola started working and Larry demanded that she hand over to him her paychecks. He would beat her with his fists until she would beg him to stop and would hand over her checks. One evening, when he took her out to get ice cream, he punched her in the nose after she told him that she was not hungry. Her nose turned blue and bruised from the blow, and her mouth bled.

Lola considered leaving Larry, but then she became pregnant with their child and felt that she should try to keep the family together. Larry continued to hit her during her pregnancy, usually in the head. A few months into her pregnancy, he pushed her off the bed, pulled her hair, and kicked her in the head. He also did humiliating things to her while she was pregnant, such as push her into the shower when she was fully clothed and soak her with cold water. When she was a couple of months away from having the baby, he got angry with her and pushed her outside into the snow. Another time, he pushed her into the metal corner of the air conditioning unit, creating a large, bloody cut on her lower back. She still bears the scar on her back.

After Lola gave birth to their baby, Larry told her he wanted to take the baby to Texas to introduce him to his parents. Lola wanted to come along, especially since she was breast-feeding the baby, but Larry told her to stay home. She always followed his orders because she feared that

he would hurt her or kill her if she did not. Larry told her that he and the baby would only be gone for a week, but when they arrived in Texas, Larry did not call. Finally, Lola got in contact with Larry's father, and he assured her that the baby was all right. A week later, Larry convinced her to move to Texas with him.

In Texas, Lola moved in with Larry's parents. Larry continued to abuse her, refusing to let her leave the house or give her money to do laundry. He beat Lola on the head with a sandal one afternoon when the baby was sleeping comfortably in her lap. On another afternoon, Larry came home from work as Lola was bathing the baby. He told her that he preferred that his father bathe the baby and told her to stop. When Lola insisted on bathing the baby herself, Larry slapped her and pulled her hair. He picked up the baby and put him in the next room, then he returned and grabbed Lola by the arms with such force that they became streaked with bruises. He pushed her into their bedroom and threw her to the floor. He kicked her in the left knee, and when she raised her hands to protect herself, he kicked her hands. When she tried to leave the room, he told his brother to stand at the door and prevent her from leaving. She could not get to a phone to call the police.

Lola gathered her courage and left her husband after she discovered that he was abusing their baby. First she noticed her father-in-law hitting the baby when he thought she was not looking. Next she saw Larry hit the baby twice to try to make him stop crying. She decided she had to escape before Larry killed her and the baby. One evening, she told Larry she was going to the store with the baby. To her surprise, he let her leave the house alone. She fled to a battered women's shelter and has been in hiding ever since.

Since leaving Larry, Lola has filed a VAWA self-petition for residency. If Lola is forced to return to Mexico as the only way of getting her green card, she would have no family to support or help her there. Lola's parents and siblings all live in the U.S. In addition, she is afraid that Larry would find her in Mexico and abuse her there. He has family in Mexico and has visited several times in the past. He would be able to travel to and from Mexico very easily, since he is a U.S. citizen. Lola knows that the Mexican police would not protect her from Larry's abuse, and that without her own family to protect her, Larry would probably kill her in Mexico.

In addition, Lola is worried that Larry will kidnap their child while she is in Mexico getting her green card. Lola would have to leave her baby with her family in the U.S. if she were forced to return to Mexico. Larry knows where her family in the U.S. live, and he would not hesitate to hurt or kill her family members in order to kidnap the baby. For these reasons, Lola needs to remain in hiding. She cannot risk placing her family and baby in danger by asking them to care for her baby while she goes to Mexico. Lola must remain in the United States to get her green card in order to be safe.

This case originated in Texas.

PAMELA

Pamela is originally from Mexico. She is college-educated and comes from an upper-middle class family. At the time that she met Tobias, a lawful permanent resident of the United States, Pamela was working as the administrative manager of her father's company. Tobias was a Mexican police officer, assigned to the narcotics division of the force. He told Pamela when they began dating that he was also working for the U.S. Drug Enforcement Agency, a story which later proved to be false. Pamela found Tobias to be a good, hardworking man, but she was often disturbed by how easily he would become angry and shout or throw things. She assumed that his difficult and dangerous job caused him stress and led to these angry outbursts.

Tobias and Pamela were married in Mexico and lived in Mexico City as husband and wife. While in Mexico, Tobias continued to lose his temper in front of Pamela, and over time, he began directing his anger at her. He would throw objects at her, scream at her, and insult her viciously. At that time, Tobias also began using marijuana and cocaine in front of Pamela, and his behavior grew more violent. He ended arguments by kicking her, punching her, and pulling her hair. Once he took his gun and placed it on Pamela's temple, threatening to kill her. After enduring several of Tobias's attacks, Pamela tried to report Tobias's abuse to the police. To her dismay, the police told her that they could do nothing to help her because Tobias was a police officer himself.

A little more than a year after their marriage, Tobias informed Pamela that they were moving to Texas. He told her that the move was job-related, so she believed him and agreed to move. She only discovered later that Tobias had wanted to leave Mexico because he had been fired from the Mexican police force and was being investigated for his role in murdering a drug trafficker.

By the time Pamela moved to the United States, Tobias's abuse of her had become a regular occurrence. She contemplated leaving him, but because of her negative experience with the unresponsive police force in Mexico, Pamela assumed that the U.S. police would not protect her either. One evening, Tobias beat Pamela on her face and body, leaving her bruised and lying in a heap on the floor. Pamela went to the hospital to be treated for her injuries, and there she learned of the services available to battered women in the U.S. She obtained a restraining order against Tobias and separated from him, despite the fact that she was pregnant with her second child and without family in the U.S. to rely on for support.

Since her separation, Pamela has been the sole caretaker of both of her children. Even though she has obtained a court order which obligates Tobias to pay child support, Tobias has not paid a penny toward his children's expenses. Without any financial assistance from Tobias, Pamela has supported herself and her children on the funds she saved while working as a professional in Mexico. She is currently enrolled in a community college in El Paso and is trying to enhance her academic qualifications so that she may obtain a professional job in the United

States. Both of her children are enrolled in school and are completely integrated into American culture.

Pamela has filed a VAWA self-petition for residency, which has been approved. If she is forced to return to Mexico as the only way of getting her green card under VAWA, she will suffer many dangers and hardships. First of all, Pamela has no family in the U.S. with whom to leave her two children. In order to make the trip to Mexico, Pamela would have to remove the children from their courses of study in their public schools and take them with her to Mexico. This would jeopardize the children's educational opportunities dramatically. Second of all, Pamela fears that Tobias will discover that she is in Mexico and follow her there. Tobias's family members in Mexico are very supportive of him, and Pamela fears that they will keep him informed of her movements and help him track her down. She knows that Tobias still has friends on the Mexican police force and that the police would not help her if she reported Tobias's abuse. Tobias has threatened to kill her in the past, and he would have the perfect opportunity to do so if she were in Mexico, away from the protection of her restraining order. Furthermore, Pamela continues to be afraid that Tobias or his family will hurt or kill her own family in Mexico, as a way of seeking revenge on Pamela for reporting Tobias's abuse. Finally, Pamela believes that Tobias is capable of kidnapping the children in Mexico, especially if he has his family and friends on the police force to help him. She knows that the only way to ensure that she and her children remain safe is by allowing her to obtain her green card in the U.S.

This case originated in Illinois.

PAULINA

Paulina was born in Mexico. While living there, she met Ernesto, who was working as a security guard in the same department store as Paulina. Ernesto is a lawful permanent resident of the United States. Paulina and Ernesto soon began to date and quickly fell in love. They were married a few months later in Mexico.

Just after Paulina got pregnant with their first child, Ernesto began to hit her. He would slap her across the face without warning, even doing so in front of his mother. On one occasion, he kidnapped their child for three days, not telling Paulina where the child was or if she would ever see her baby again. Eventually Ernesto returned home with the child, and Paulina began to fear his irrational anger. She believed him capable of taking her child away from her if she ever displeased him.

Soon after this incident, Ernesto announced to Paulina that he was going to look for work in the United States. He left soon after and did not contact Paulina again for two years. He never sent her money or inquired after his child. It was only after two years had passed that he sent for Paulina. They all moved in together in an apartment in Illinois.

Paulina and Ernest had six children throughout the course of their marriage. Paulina always wanted to use birth control, but Ernest never allowed her to do so. He would make her have sex with him against her will, and he told her that having sex with him was her only useful function. Meanwhile, Ernest continued his physical and verbal abuse of Paulina. He would often beat Paulina on her face and body, then he would take off with the children for several hours. Each time he did this, Paulina feared she would never see her children again. Ernest used the threat of kidnapping the children as a way to make Paulina stay with him. He would also threaten to have her deported to Mexico so she would be separated from her children forever.

Ernest's violence became worse. He began abusing the children, and he purchased a gun, which he would wave in Paulina's face as he threatened to kill her. He would disappear for weeks at a time, not leaving Paulina money for food or rent. Eventually, Paulina and the children were evicted from their apartment, and they sought refuge at a church member's home. Ernest somehow tracked them down and parked his car outside the church member's house, waiting. Paulina feared that he would use his gun to shoot her or the children.

Recently, Paulina has received assistance in filing her VAWA petition for residency. She would be unable to return to Mexico to get her green card under VAWA because she cannot afford the trip for herself and her six children. She is supporting all her children on her own in the U.S., and she cannot leave them with anyone here. If she somehow managed to take them all with her to Mexico while she was obtaining her green card, she would have no one in Mexico to rely on for support and money during her stay. In addition, she is very afraid that Ernest's parents will help him kidnap her children while she is in Mexico. Ernest has threatened on several

occasions to kidnap the children when Paulina “least expects it,” and he has often said that he wants the children to live with his mother in Mexico. Paulina believes his threat, especially since he has kidnapped the children before. For all of these reasons, Paulina cannot return to Mexico to obtain her green card under VAWA.

This case originated in Illinois.

VALERIAN

Valerian is a 22-year-old Mexican native. She moved with her parents to Chicago and began work at a restaurant. There, she met Randall, a United States citizen, and the two started dating. Three months later, in February of 1997, they were married. Valerian was 20 years old.

Randall was respectful toward Valerian and treated her well throughout their courtship, and during the first two months of their marriage, when they lived with her parents. However, once the couple got an apartment of their own, problems began.

Randall began pestering Valerian to ask her parents for money so that he could buy a car. He said he wanted a car so that he could find better work. Randall was concerned about finances because Valerian was a high school student and could not work full time. Valerian had missed three years of school due to a kidney transplant, but had a strong desire to graduate. She was not comfortable asking her parents for money, because she knew they did not have any to spare. She gently declined Randall's requests, but each time this happened he became more and more angry.

The abuse escalated when Valerian and Randall were visiting his parents. When it was time for dinner, everyone was called into the dining room to eat except Valerian. Randall went in to eat, but did not invite Valerian to join them. When Randall finished eating, Valerian remarked to him that it was impolite that she was not invited to dine with everyone. Randall became enraged at this, and began poking Valerian hard in the face and swearing at her. Valerian slapped Randall in self-defense, which only increased his anger. He grabbed her by the neck and pushed her onto the sofa, choking her. He then started kicking her, and threw her school book bag at her. No one in the house attempted to stop Randall, and Valerian became fearful and ran out of the house. Randall followed her and chased her down the street. A woman in a car saw Valerian was in danger and stopped for her, giving her a ride to the subway.

After this incident, Valerian moved back in with her parents, and Randall moved in with his. Before long, Randall began asking Valerian for another chance. She finally relented, upon the condition that he find them their own apartment. She did not feel comfortable returning to Randall's parents' house.

Randall never found an apartment, but he continued to pursue Valerian. In July of 1997, he found Valerian and her mother on the street on their way to the supermarket. Valerian's mother went into the store, while Valerian and Randall talked outside in the car. Valerian told Randall she would prefer that he come to her house to speak with her, rather than follow her around town. Randall grew angry and said "you're going to listen to me, bitch," slapping her hard on the face twice. Valerian got out of the car, but Randall ran after her. He grabbed her arms and pushed her against the car, and she fell down. Bystanders witnessed this take place and came over to help, and the store's security called the police. Before the police arrived, Randall became even more violent, holding Valerian back. The police ordered Randall to let go of her, but he

would not. Three squad cars arrived, and eventually Randall surrendered. An ambulance then arrived to take Valerian to the hospital.

Randall was convicted of domestic battery, and Valerian received a protective order. The protective order has worked and Valerian has had no recent contact with Randall. She is in the process of obtaining a divorce. Valerian wishes to remain in the United States with her family, but cannot return to Mexico to obtain status as a lawful permanent resident. First, her order of protection against Randall would be invalid in Mexico, giving him license to seek revenge upon her without legal repercussions. Moreover, as a result of her kidney transplant, Valerian needs consistent medical treatment for the rest of her life. She would not be able to receive this in Mexico, and her health would be gravely endangered even if she were only there temporarily. There is no indication of how long she would have to remain in Mexico for consular processing. In addition, all of her family are in America, and she would have no support system in Mexico to assist her financially, medically, or emotionally. Finally, traveling to Mexico for an indeterminate amount of time would be too great a financial hardship for Valerian, who would have no means of sufficiently providing for herself while there. In this light, it is imperative Valerian be allowed to obtain legal immigration status without leaving this country and the security it provides.

This case originated in Illinois.

JULIA

Julia, a Mexican citizen, met Luis in Mexico in 1985. They dated, and were married in February of 1986. They lived in Mexico and went on to have two children. Shortly after the birth of their second child, Luis told Julia that he wanted to move to Chicago, where his parents live. Julia did not want to move because she had a good job in Mexico. Luis traveled back and forth between Chicago and Mexico until he finally persuaded Julia that living in Chicago would be best for the family.

Luis became a lawful permanent resident of the United States in August 1995, through his parents. Julia and her daughters joined Luis in Chicago in 1996. Julia always intended to return to Mexico eventually, but once she got to Chicago, Luis said he would not let her leave and take the children. He threatened to have her deported.

Julia had been trying to separate from Luis since before they moved to Chicago. He ignored and mistreated his family and behaved irresponsibly. He was also violent toward Julia since the beginning of their relationship. Whenever Julia and Luis got into an argument, Luis would become enraged and hit Julia. She was afraid of Luis, but wanted to remain in the relationship because she believed it would benefit the children.

Julia ultimately separated from Luis in December 1997 when she could no longer stand his violent physical abuse. She rented an apartment in Chicago for herself and her daughters. However, Luis continued to threaten and harass Julia, constantly appearing at her apartment to say he would take the children and have her deported. In May of 1998, when Julia was dropping off the children at Luis's house, he came out to her car and started arguing with her. Grabbing Julia out of the car, he punched her in the chest and threw her down into the street, all in front of the children. After this incident, Julia received an order of protection against Luis. She is now pursuing a divorce.

There are several reasons why Julia now needs to remain in the United States, instead of returning to Mexico as she once planned. First of all, her order of protection against Luis would not be valid in Mexico, and once she left this country she would have no way to protect herself against him. Also, Luis is attempting to receive full custody of their daughters. Julia needs to stay here for lengthy court proceedings to ensure her children are not taken from her by an abusive man. Finally, Julia and her daughters are currently benefitting from therapy in Chicago, learning about domestic violence issues and how to break the cycle of abuse.

Julia wishes to become a lawful permanent resident, but cannot return to Mexico to receive this status. Luis could easily follow her to Mexico, where there would be no consequences for his abuses. She is afraid to leave the country and the security of the protective order which has kept Luis away from her. In addition, Julia cannot afford to take her children with her to Mexico, nor does she want to take them away from their schooling and therapy for an

indeterminate amount of time. However, leaving them in the country would jeopardize their safety. Luis has made it clear that he wants sole custody of the children, and has taken them from her before in violation of court orders. If Julia leaves, she will most likely be detained for a lengthy period for the processing of her paperwork. In this time, Luis could claim that Julia has abandoned the children and receive full custody. Julia needs to be able to receive her lawful permanent resident status without facing the dangers involved in returning to Mexico.

This case originated in California and is currently in Illinois.

CAROLINA

Carolina is 35 years old, and is originally from Mexico. She met her husband Rico in Mexico through friends in 1980, when she was 16. Soon after meeting, they ran off together to live together, and then got married. Carolina came from an unhappy home and wished to escape from her parents' fighting. The couple had two children in Mexico, in 1981 and 1985.

In 1986, Rico decided to go work in the United States until he had acquired enough money to buy a house in Mexico. Carolina was bored and lonely after Rico left, and her parents would not let her work, claiming it inappropriate for a married woman. She took the children and left for California to live with Rico in 1988. They lived in California for four years, both working as migrant farm workers. They had two more children during this time. In 1991, the family moved to Chicago so Rico and Carolina could find better jobs.

Rico had received status as a lawful permanent resident in 1990 through an amnesty program for agricultural workers. Although Carolina also qualified, Rico told her she did not need to file on her own because he would file a petition to get the same status for Carolina and their first two children. However, this never happened.

The couple found good work in Chicago; Carolina babysat and Rico worked in a factory. The couple bought a house and were able to live comfortably. However, the extra money led Rico to drink more frequently and excessively. When he came home drunk he would shout at and insult Carolina, and often he would hit her. When Carolina threatened to call the police, Rico said they could not do anything to him because she was not a legal resident and he was. He believed that because of this he could abuse Carolina without consequences.

Over time, Rico's drinking worsened, and the couple fought about it constantly. Rico always promised to quit drinking, and this made Carolina stay in the relationship. However, he never quit.

In March of 1998, Rico came home drunk in the middle of the night. He unplugged and hid the phones, and then entered the room where Carolina was sleeping with her daughters. He began shouting at Carolina, and then pushing her. He punched her in the arm and in the face. He refused to leave and continued arguing until he finally passed out. A few days later, when Carolina found the phones, she reported the incident to the police and received an order of protection. Carolina then separated from Rico.

Rico soon came back in violation of the protective order, furious with Carolina for having him arrested. He again said that nothing would happen to him because he was a legal resident and Carolina was not. Carolina called the police again, and Rico was arrested and convicted of domestic battery.

It would be dangerous for Carolina to have to return to Mexico to obtain status as a

lawful permanent resident of the United States. For now at least, Carolina's protection order and the criminal case of domestic battery seem to be offering her and the children some protection from ongoing abuse. Rico has demonstrated, however, his willingness to violate those court orders. Carolina fears that if she is forced to return to Mexico for any period of time to get her green card, she will be in grave danger. Rico can follow her there and Mexican law will offer her no protection. Further, much of the hardship revolves around the safety of the children. There is no indication of how long Carolina will be forced to remain in Mexico for consular processing. If she leaves the children behind when she travels to Mexico, Rico could claim she has abandoned them and obtain full custody of them. However, if she takes them, she will be violating Rico's court-ordered right to see the children every other weekend. Carolina's children are thriving in American schools and benefitting from domestic violence counseling which they would not be able to receive in Mexico. Carolina must be able to achieve lawful immigration status without leaving this country to ensure the safety of her children and her rights to protect them.

This case originated in Illinois.

MELANIE

Melanie was born in Jamaica, and moved to Chicago in 1980. Her mother had died at age 36 two years earlier, and Melanie had no other family left in Jamaica. Shortly after she moved to Chicago, she met Rodney, a lawful permanent resident also from Jamaica. Melanie was alone and grieving, and it was comforting for her to meet someone from her country. After a year of dating, the couple was married.

Melanie worked as a live-in employee, and could only stay with Rodney on the weekends. However, in 1985, Melanie became pregnant and had to stop working. In this extra time she had at home, she began to realize that Rodney was seeing other women. When she confronted him about this, he became violently angry.

As the baby's due date approached, Rodney spent less and less time at home. When Melanie went into labor, Rodney was nowhere to be found. He had not come home the night before and left no indication of where he was. Melanie had no one to help her, and was forced to deliver her baby herself at home in the early morning.

Rodney's anger and violence only increased during the years following the birth of their son Ezekiel, and he spent more and more time away from home with other women. Finally, Melanie decided that she and her son deserved better, and they went to stay in a shelter. However, Rodney fought to have Ezekiel live with him, and Melanie was forced to relent. She still has weekly contact with her son, and hopes have him live with her soon. She feels Rodney's affairs and violent temper make him a poor example for her son.

Melanie wishes to become a lawful permanent resident of this country where she has lived for 18 years. Rodney refused to petition Melanie during all that time, but now she plans to self-petition for residency under VAWA. However, returning to Jamaica for consular processing would present hardship for Melanie. Rodney could follow her there, where he could again violently abuse her without consequences from American law enforcement. Also, leaving the country for an indeterminate length of time could adversely affect her custodial rights to Ezekiel. Melanie therefore must be allowed to remain in the United States to receive her green card.

This case originated in Illinois.

CELESTE

Celeste was born in Mexico. She met her husband, Ronaldo, a lawful permanent resident of the United States at a party in 1991. They immediately began dating and fell in love. Four months later they decided to get married, and Celeste moved with her husband to Chicago.

For the first five months things went well. Celeste became pregnant and soon after things began to change. Ronaldo seemed to change for no apparent reason and without warning. He suddenly became unpredictable and controlling. A year later, Celeste discovered that at this time Ronaldo had begun having an affair with another woman. He began screaming at Celeste in front of other people, embarrassing her and making her feel ashamed. When she tried to discuss things with Ronaldo he would just tell her that if she wasn't happy she should leave.

During an argument, when she was eight months pregnant, he hit her for the first time. Celeste ran into another room crying. Ronaldo came in apologizing and promised to never hurt her again. Soon after the baby was born, Ronaldo came home drunk one night and became violent. Celeste was holding the baby and Ronaldo pushed them both into the wall causing her to fall with the baby. Ronaldo left them both on the floor crying. Celeste thought about leaving but was afraid to because she was not in the country legally and feared for her son's safety. Ronaldo had promised to file a visa petition for Celeste when she came to the U.S. but then refused to unless she paid him a lot of money.

After her son was born, Celeste began working in a factory to support her child. This made her husband angry and jealous. The insulting and verbal abusing continued, as did the physical violence. When their son was about a year old, they went to visit friends. Ronaldo became drunk and began screaming vulgarities and insults at Celeste in front of everyone. He then tried to hit her, but one of his friends grabbed him and stopped him. Another time on the way to her sister-in-law's house, Celeste asked Ronaldo to go to the doctor's office because the baby was sick.. He became angry and began hitting her in the car. She ran out of the car into her sister-in-law's house with Ronaldo chasing her. Her sister-in-law put her in a room so that Ronaldo could not get to her. After that Celeste decided to leave Ronaldo. With the help of her sister-in-law Ronaldo was persuaded to move out of the apartment and stay with his brother. While they were separated, Ronaldo would often call threatening both physical harm and telling Celeste he would turn her over to INS and she would lose her son. He would appear without warning and take their son at times other than what they had agreed upon.

About seven months after the incident at the sister-in-law's house, Ronaldo began to change. He began attending meetings at Alcoholics Anonymous regularly and his behavior toward Celeste improved. He wanted to move back with Celeste. After four months of improvement and sobriety, Celeste was convinced that Ronaldo wasn't drinking. She decided to try again and Ronaldo moved back in. Soon Celeste became pregnant. As before, once she became pregnant, Ronaldo began verbally abusing her again. Ronaldo decided to go to Mexico

for a couple of months. While he was gone, their son became very ill. Celeste called Ronaldo many times asking him to return to help care for their son. He responded by telling her to stop bothering him. He ended up staying in Mexico for five months. Later, Celeste discovered he had been vacationing with another woman.

When Ronaldo returned from Mexico, he was drinking again, and the abuse continued. When Celeste would try to call the police, Ronaldo would disconnect the phone. One night, Ronaldo returned home when Celeste was sleeping, and Ronaldo poured a can of soda on her to wake her up. Celeste wanted to leave, but didn't know how to with two small children and without immigration papers. Several months later, Celeste learned that the woman Ronaldo had gone to Mexico with was pregnant. Celeste confronted him with this information and asked him to leave. He lost control and began beating her. He punched her in the face and began beating her all over. Her body was covered with bruises. She left Ronaldo and moved into an apartment with her two small children.

Following this incident, Celeste obtained a protective order and learned that she can call the police if Ronaldo threatens her or the children. Celeste wants to get a divorce and demand the child support that she feels her children deserve. She is afraid she would lose custody of her American born children if she had to return to Mexico. She also fears for her safety and their welfare if she were to return to Mexico for any period of time. Her husband has threatened to follow her to Mexico and harass her and even take the children from her because he knows Mexican laws and authorities will not protect her. Her children were born in this country and she wants to be able to raise them here, and to be able to receive child support that they would not be able to receive in Mexico.

This case originated in Illinois.

TAMARA

Tamara was born in Mexico in 1951. She and her husband, David, grew up in neighboring towns. When she was sixteen they became engaged. The following year, they married and moved in with his parents. A year later, in 1969, David decided he wanted to go to the United States. David did not want Tamara to go with him because he wanted her to stay and care for his parents. Tamara was pregnant and David was not with her when their son was born. David became a lawful permanent resident and would live in the United States most of the year, returning to Mexico at Christmas for two or three months. During the first few years, David would send money to help support Tamara and the three children they now had. Then he began sending less. In order to support her family, Tamara sold things she had such as shoes and clothes. When David learned of this he became angry and stopped sending money altogether.

When Tamara became pregnant with their fourth child she did not want to have any more children, but her husband did. At the time in Mexico, Tamara could not get birth control pills without her husband's consent so they continued to have children.

Tamara first visited David in the United States in 1986. She was pregnant again and she came to the U.S. hoping to persuade David to support her and her son during her pregnancy. Tamara wanted to stay with her husband but he told her she had to return to Mexico to care for his parents. Tamara visited David in 1990, 1993, and 1994. Each time he insisted she return to Mexico to care for his parents. In 1995, when Tamara came again, David was even more abusive toward Tamara and the children. One evening one of the children did not want to take his medicine. David got angry and grabbed a large metal spoon intending to hit his son. Tamara intervened and David hit her in the face with the spoon knocking her into the wall. Their son was so scared that he hid under a chair in the kitchen. Tamara went to the phone to call the police but was afraid what would happen if she did. Tamara continued to stay in the house with David and the children because she had nowhere else to go, but would not sleep with him. Several weeks later David dragged Tamara into the bedroom and raped her. This is how Tamara became pregnant with their youngest child.

Tamara continued to live in the United States with her children. David stopped supporting Tamara or the children. He would leave for long periods. Several months ago he just left and has not returned nor contacted anyone. The oldest sons help support Tamara and the younger children. The youngest child, who is an American citizen, was born with Down's Syndrome. He requires physical therapy every week and is being treated for developmental problems and hearing concerns. Tamara and two of her daughters provide continual care for him at home.

All of Tamara's children are living in the United States except for the oldest daughter who moved back to Mexico to get away from her father after he physically abused her. Three of the eight children are United States citizens living in this country. The two oldest boys have approved visa petitions—the only family members David would petition for—and plan to

immigrate to the United States.

Tamara and her two daughters would suffer extreme hardship if they had to return to Mexico for consular processing. The family would be split apart. They have no place to live in Mexico nor any way to support themselves for the period of time they would be required to remain in Mexico to get their lawful permanent residency status under VAWA. There no family members who can help assist them. The only people who would help them are family members of David, on whom she cannot rely. Her youngest child, who has Downs Syndrome would also suffer. His mother and sisters are his primary care givers. If he returned with them, he would not be able to get the care and services he needs which are not available for him in Mexico. All the progress he has made through the efforts of his mother and sisters and the doctors and rehabilitation specialists would be lost. If he remained in the United States while his mother and sisters were forced to leave the country for visa processing, his only source of care would be from public agencies.

This case originated in Illinois.

NANCY

Nancy is the wife of Jesus, a lawful permanent resident of the United States. They have five children together. They met in Mexico in 1969 and were married two years later. Eight days after they were married Jesus began physically abusing Nancy. He would become angry and start punching her. When she told her family of the abuse, her father responded that it was the man who lays down the law and she had to stay in the marriage.

She continued to live with Jesus until he went to the United States to work. Nancy was three months pregnant at the time. Jesus returned when he learned that Nancy was having a difficult pregnancy and stayed with her until their daughter was born. He then returned to the U.S. to work. Jesus would stay in the United States most of the year returning to visit once a year for a month or so. For the first few days he would be happy, but then he would get angry and begin beating Nancy. Nancy had another child.

When their son was about one-and-a-half years old, Jesus beat Nancy so severely that she lost feeling in her face. She went to the Red Cross for x-rays and treatment. The Red Cross provided her with documentation to take to court, but the court in Mexico refused to provide any protection for Nancy or to impose any type of penalty on her husband. Nancy had tried to protect herself on this occasion. When Nancy's family heard of this incident, Nancy's father reacted with anger when he learned she had tried to protect herself.

They continued to live in this manner for years. Nancy cared for the children in Mexico while Jesus lived in the U.S. When Jesus was in the U.S., he rarely sent money to help support the children. In order to support her family, Nancy took a job as a house cleaner and her oldest daughter got a job at a taco stand.

Nancy asked Jesus to submit petitions for herself and the children so they could join him in the U.S. He responded that she should not tell him what to do. Finally in 1994, he submitted petitions for Nancy and their five children. In 1995, Nancy decided that either Jesus should live with the family or that they should separate. The family moved in with Jesus in Illinois. Jesus continued to beat Nancy, often punching her in the face. In September 1997, Nancy obtained an emergency protective order. The next month she had to call the police because Jesus was threatening her and the children. Three months later, Nancy again had to call the police because Jesus was again harassing and threatening herself and the children.

Nancy's oldest son is now in high school. He suffers from severe depression as a result of the constant violence that has taken place in his home. His father continues to abuse and harass him on the phone in violation of the court order. His father had always forbidden him from having any friends or even leaving the home. He also feels the pressure to assist his mother in paying the bills because his father refuses to support the children. He has been diagnosed as being in need of long term counseling for his depression. The other children have also been

severely effected by their father's long term abusive behavior. They exhibit behavioral problems and are also in need of long term counseling.

Nancy and her children would suffer extreme hardship if she had to return to Mexico. She currently lives near her sister, a lawful permanent resident and her brother-in-law. They have supported Nancy and her children both emotionally and financially throughout Nancy's ordeal with Jesus. Most of Nancy's relatives live in this country. Her father and seven brothers and sisters are all lawful permanent residents. Her mother is in the process of immigrating to this country. Nancy has no relatives in Mexico who can support her.

If they were forced to move to Mexico, Jesus could continue to harass and abuse Nancy and the children with impunity. Nancy has already tried to obtain protection from Jesus through the courts in Mexico, but to no avail. In this country, he consistently violates the protective order by making harassing phone calls, but at least the physical violence has abated. In Mexico, Nancy's children would not have access to the counseling services they desperately need as a result of their fathers abusive behavior. Additionally, Nancy would be unable to get the court-ordered child support that her children deserve from their father.

This case originated in California.

MARINA

Marina is a 33-year-old woman from Mexico. She became a single mother of two small children when she was widowed in 1986. In 1992 she came to the United States seeking a better life for herself and her children. She began dating Gerardo, a lawful permanent resident of the United States, and the two moved in together and eventually married in early 1997. Marina and Gerardo went on to have two children together.

When Gerardo first asked Marina and her children to live with him, she was surprised and told him she needed some time to think. Gerardo demanded an answer on the spot. Marina relented because he insisted that he would provide for her and her children so that she could stay home and take care of them. They moved into Gerardo's brother's house and lived under very poor conditions. Marina thought it would only be for a few days while they looked for a house of their own, but they stayed for three years. Marina and the children slept in the living room. There was no privacy, and Gerardo's five nephews did not treat Marina's children well.

About one week after they moved in together, Marina went to the store with her children to buy detergent. Gerardo found out and became enraged, saying Marina must never leave the house without him. He threatened to beat her and her children if they ever did it again. He also kept complete control of the finances, and never let Marina have any money. Gerardo purchased food, but refused to buy the children clothing or other items they needed. He prevented Marina from having friends and being a part of the community. She was forced to stay in the house all day, constantly facing criticism from Gerardo's nephews. They did not like Marina and told her they preferred another woman with whom Gerardo had previously lived. However, Marina did not leave because she had become more and more frightened of Gerardo.

Gerardo took Marina out to his car when he wanted to have sexual relations, because they did not have their own room. Marina hated this indignity. He also forced her to have oral sex with him, and to be intimate with him in ways she did not like. He told her it was her responsibility because she was his woman. Sometimes Gerardo would want to have sexual contact while in the same room with the children, which made Marina extremely uncomfortable.

They finally moved out of Gerardo's brother's house when his eighteen-year-old nephew beat up Marina's thirteen-year-old son. Marina's problems with Gerardo worsened when they moved into their own apartment. Marina was not permitted to leave the apartment, even to walk her daughter to school. The children had instructions to come directly home after school. Moreover, Gerardo began drinking heavily, and was abusive on a daily basis. He insulted Marina and the children using foul language, threatened to beat them, and ran them out of the house. He beat Marina and her children on several occasions. Gerardo first beat Marina when she intercepted a blow intended for her son. He hit her twice in the face with a closed fist. He frequently used his fists to beat Marina and the children, and he also kicked them.

Marina's children were miserable and pleaded with Marina to take them away from Gerardo. The children did not have legal immigration papers because Gerardo never filed for

them. In October of 1998, Marina's twelve-year-old daughter Consuela confessed to her mother that her stepfather Gerardo had been sexually molesting her. He began by spying on her in the bathroom through a hole in the wall. This escalated when he grabbed her from behind and pulled her shorts down. He did this many times, instructing her not to tell anyone and threatening to beat her if she did. Consuela said Gerardo attacked her every time Marina left to do laundry. On one occasion, Gerardo hit Consuela with a closed fist on the lip and shoulder. He then pulled her by her hair into the bedroom, threw her on the bed, and covered her mouth. Consuela tried to fight him off, but she was only eleven years old and her strength did not match Gerardo's.

After hearing this, Marina immediately reported her husband to the police and cooperated with the investigation and court process. In December, her husband was sentenced to sixteen years in prison for committing two counts of forcible lewd acts on a child. Marina and her children have taken important steps to regain control of their lives. Marina and Consuela are now in therapy, which is crucial to their emotional well-being and ability to regain self-esteem and healing following the physical and sexual abuse they suffered. Consuela in particular cannot be separated from her therapist for any period of time without suffering additional unnecessary harm.

Marina has self-petitioned for permanent residence pursuant to VAWA, and has included both of her children born in Mexico in her application. Marina and her children would suffer great hardship if forced to endure consular processing as the only means of obtaining lawful permanent residency under VAWA. Marina is the sole protector and provider for her four children. If she must return to Mexico to obtain lawful permanent resident status, her family will face hardship. If she takes the children with her, she must uproot them from their schools, activities, and therapy for an indeterminate amount of time. If the process is slow, Marina may lose her job while she is away. Yet leaving the children behind is not a viable option, as she is solely responsible for their care and well-being. The support and security that Marina and her family have established in the United States should not be jeopardized by requiring her return to Mexico.

This case originated in California.

FATMA

Fatma, a citizen of Bangladesh, met her husband Mohammed while visiting her sister in California in June of 1997. Mohammed is a lawful permanent resident of the United States, also originally from Bangladesh. Fatma grew to like Mohammed, and she found him polite, charming, and quiet. They were engaged by the end of the month, just before she had to return to Bangladesh. In September, Fatma resigned from her job as a flight attendant, and came to the United States to be married.

Soon after they were married, Mohammed's attitude toward Fatma changed completely. He became possessive, controlling, and abusive. He informed Fatma that she must do as he told her and never question him, or else she would not be allowed to leave the house, and he would make life very difficult for her. He frequently called her obscene names, referred to her as "crazy" or a "mental patient" and made degrading remarks about women.

Mohammed then stopped Fatma from visiting her ill sister unless he was present, and would not allow her to work or go anywhere on her own. She was forbidden from talking to the neighbors, using the phone, driving, and even knowing how to get to their apartment. Fatma only left the house when Mohammed took her to the grocery store. A college graduate, when Fatma indicated she wanted to work, Mohammed told her she could only work as a maid. He said that once he started a business, she could work for him for \$4 per hour.

The abuse escalated when Mohammed refused to allow Fatma to religiously observe the anniversary of her father's death. When she protested, he pushed her down in the bathroom, where she hurt her arm. On at least three other occasions, he grabbed her hair, lifted her up by her neck and choked her, and threw her against the wall or to the corners of the room. Often he would attack her sexually, forcing her to participate in acts with which she was uncomfortable. Once he squeezed her breast so hard that she could not lift her arm or sleep on her side for over a week.

One morning, Mohammed complained Fatma was disturbing his sleep, and he got up and threw her across the room. Fatma screamed for Mohammed's mother who was nearby, and when she arrived, she encouraged Mohammed to beat Fatma more. He grabbed Fatma by the neck and slammed her against the wall. Then he threw her across the room again and threw a chair on top of her. Fatma suffered injury and bruising to her shoulder and ankle and had trouble walking for several days. When Fatma threatened to call the police, Mohammed laughed and said if she even tried to touch the phone she would be dead, because he would "cut her into little pieces." He said if she called the police they would take her away because she was not a citizen, and he repeatedly threatened to kill her. Fatma was not aware that Mohammed's abuses against her were illegal. Fatma stayed with Mohammed both because she feared his violence and for the sake of the marriage. Furthermore, due to the strict socio-cultural and religious practices that Fatma was accustomed to, it was very hard for her to decide to leave him or report him to the police.

Fatma's family also expected her to stay with her husband and try to make the marriage work because it was expected of her as the wife.

Eventually, Fatma left the house and fled to her sister's house. Mohammed found her there and threatened to harm not only Fatma, but also her sister and her sister's husband. Fatma's sister helped her enter a battered women's shelter. Fatma obtained a protection order and Mohammed was arrested on three felony counts. Fatma filed for relief under VAWA, and the couple is now divorced. She obtained equal work authorization through VAWA, now has a full time job, and is continuing her education in the United States.

If Fatma is required to return to Bangladesh to obtain her lawful permanent residency under VAWA, the safety she has found will be jeopardized. In Bangladesh, the police are not called for domestic violence situations, and a man is never punished for beating up his wife, whereas a woman is severely ostracized by the society for leaving her husband or taking any actions against him. According to the Islamic law that co-exists with the government laws, a woman is nothing but a property of her husband. In a male-dominated, gender-biased, and religiously sensitive society, there is no place for a woman who dares to leave her husband's house. Even her own family members hesitate to give her shelter or help her in any way. Such a woman is seen as an embarrassment to her family and friends and is treated more poorly than a prostitute. Mohammed's family members continue to threaten Fatma's family members in Bangladesh, and they plan to seek revenge on Fatma for getting Mohammed arrested. Mohammed has applied for dual citizenship in Bangladesh to have greater accessibility there, so that he could follow Fatma to Bangladesh where she would not be protected by her restraining order or by the law. In addition, Mohammed's family is very powerful and influential in their country and can manipulate government officials to act against Fatma. His family members are in high ranking positions in the police department, they are rich, own industries, and use the laborers to do "anything and get away with it," according to Mohammed. Fatma's family in Bangladesh consists of her widowed mother, a very ill sister, and two younger brothers, so they could never afford a clash with Mohammed's powerful family. Finally, because of the country's male-dominated culture, the society of Bangladesh condemns Fatma for taking action against Mohammed, and not even her own family will protect her or provide her with shelter. For these reasons, it is extremely dangerous for Fatma to be required to return to Bangladesh as the only way to obtain lawful permanent resident status based on her approved VAWA self-petition.

This case originated in California.

MELISSA

Melissa and Javier met at a business school in Mexico. After dating for a time, they decided to marry in 1983. Even in the beginning of their relationship, Javier caused unhappiness for Melissa. Twice Melissa became pregnant. Despite her pleas to keep the child, each time Javier forced her to have an abortion. The second time almost cost Melissa her life.

Finally, Melissa gave birth to a son. Soon after, she became pregnant with a daughter. It was then that Javier migrated to America and became a lawful permanent resident. Two years later, he sent for Melissa. Almost immediately, she became pregnant with another daughter. Javier was angry. He tormented Melissa, blaming her and berating her bad judgment. Javier drank a lot. This was the source of most of the problems in their relationship. When he was drunk, Javier would hit Melissa, even in front of her cousins. He also had affairs with other women. One woman whom Javier impregnated suffered a miscarriage. Javier's philandering left Melissa feeling alone and humiliated.

Melissa's sense of entrapment and loneliness grew worse as Javier began to exercise more control over her. He isolated her from her family. He threatened to take the children because Melissa's brother is gay. He forbade Melissa and the children to leave the house unless it was with him. Since Javier worked two jobs, these times were rare.

The psychological abuse escalated and Javier began to hit Melissa more frequently. Then Javier threatened to divorce Melissa. He threw her out of the house and furiously vandalized the interior, breaking dishes and destroying the TV. It was then that Melissa left.

If she believed she would be free of Javier, her hopes were in vain. First he tried to coerce her into coming back by giving her money. When this failed, he came to see Melissa at her brother's house. Unaware that he was in a drunken rage, Melissa opened the door. Javier demanded that she come home with him. When she refused, he unleashed a furious barrage of blows upon her. While her terrified children called the police, Javier physically hoisted her and threw her from the porch.

Javier is now in jail for domestic violence. But Melissa knows that she and her children are not yet safe. If his past actions of anger and vindictiveness are any indication, he will certainly come after Melissa when he is released.

In America, Melissa has the advantage of shelters, police protection, and restraining orders. If she is forced to return to Mexico to get her green card, she will have no such reassurance. Then Javier will once again have the upper hand. Melissa knows there is no police protection in her hometown. Here she has relatives to help her. Only her elderly parents are in Mexico--she has nobody else to turn to there. If she goes back, it will be much easier for Javier to have his way with her. Worse yet, Melissa fears that he will try to take her children away.

Melissa and the children have been living in America for nine years. She has a restraining order and legal custody of the children. The family's life, school, and church will be disrupted and traumatized for an unknown period of time if Melissa must leave to get her green card without her children. Further, she fears that if she leaves without the children, their safety could be jeopardized by their abusive father if she is not here to protect them. If she is forced to take the children with her, two of them will have a very difficult time because they barely speak any Spanish. Javier is a Mexican citizen who is very familiar with Melissa's hometown and family in Mexico. Melissa is afraid he will follow her to Mexico where he can harm her and take the children without being subject to U.S. protection orders and custody orders. In short, if Melissa has to go back to Mexico, their safety in Mexico will be jeopardized, and they will likely have to face an alcoholic, violent father with no protection.

This case originated in California.

PHILIPPA

Philippa is ethnically Hungarian, but a citizen of Romania. She met her husband William in Los Angeles in April 1997. William is a lawful permanent resident of the United States, also originally from Romania.

Less than two weeks after they met, Philippa and William moved in together and planned to get married. William had almost \$15,000 in credit card debts, so they began work in their apartment complex, Philippa as the manager and William as the maintenance man.

A week later they were married, and soon the nature of their relationship began to change. William ignored Philippa's daughter, Martina, and acted cold and distant toward his new family. When Philippa considered leaving him and moving back to Romania, William apologized and asked her to stay and try to make the marriage work. Philippa agreed, and they soon moved to a different apartment complex where Philippa could have a larger apartment management position. The couple was still deep in debt.

In August, William began an affair with his friend's ex-girlfriend, who came to visit from Romania. He took his girlfriend to the beach, the opera, and restaurants, while he ignored Philippa and Martina. He became very secretive and never told Philippa when he was going out or coming home. He began to berate Philippa constantly, and forbade her to answer the phone.

In September, William came home with a prescription to treat crab lice, evidence that proved his affair to Philippa. Philippa moved out of their bedroom and began to sleep on the sofa. Soon William began to come to her in the night and force her to have sex with him. She told him "No, I don't want to do this!" but he forced himself on her every week. He told her "This is part of the marriage contract."

In November, the physical abuse began. When William was preparing dinner, Philippa attempted to discuss apartment complex repairs with him. He suddenly became angry and threatened her with a knife, pointing it at her head. Philippa did not call the police because she was ashamed of what those in her apartment complex would think.

In December, after William returned from a trip to Romania with his girlfriend, he informed Philippa he wanted a divorce, so he could marry his girlfriend. He became verbally abusive, and threatened to have Philippa deported.

During the preceding months, Philippa noticed that William had begun to drink excessively with friends, and drive drunk. In December, he began to drink alone, and during these times he would become violent. One night at the end of December, William came home drunk and was angry because the door was locked. Once Philippa opened the door, he grabbed her by the neck of her shirt and scratched her throat, leaving bruises on her hands and neck.

Martina rushed in and tried to protect her mother. When Philippa told Martina to call 911, William shoved Martina violently on the sofa, sending the phone flying. He yelled at Martina "I am going to kill you and your mother!" When William tried to attack Philippa again, Martina began to call the police, but he slapped her and threw the phone out of her hand.

William left the house, and later the police arrived. They asked Philippa if they wanted him arrested, but she said no for fear that he would lose his job. She said she felt sorry for him. Philippa and Martina hid in Martina's room that night, in fear of William and the rifle he kept behind his pillow.

William soon moved out, taking everything from the apartment, including all the furniture, amenities, and food. Philippa filed for a restraining order, but never followed through because of scheduling confusion, and for fear of a confrontation with William.

If Philippa is required to return to Romania to obtain her lawful permanent residency under VAWA, the law in Romania will not protect her. Romanian police rarely intervene in situations of domestic violence, and prosecution of spousal rape is practically impossible. William has recently traveled to Romania and has threatened to follow Philippa and Martina to Romania and kill them. He said, "With these two hands I will kill you; wherever in the world you go, I will find you!" In addition, as a member of the Hungarian minority in Romania, Philippa and Martina would be subject to ethnic discrimination and oppression and denied such things as rights to equal education and employment. Philippa wishes to remain in the United States with her daughter for the protection against ongoing abuse and opportunities she could not receive elsewhere. To assure her safety, she must be able to obtain her lawful permanent resident status in the United States and must not be required to return to Romania for any reason.

This case originated in the California.

ANITA

Anita is a citizen of the Philippines whose U.S. citizen parents brought her to the United States to escape her abusive first husband. She met her current husband Ricardo in February of 1994 while in California. Ricardo is a lawful permanent resident of the United States. The couple dated and finally married in April of 1995.

Throughout their courtship and their first month of marriage, Ricardo was good to Anita. Then he started abusing her physically. In May, he threw a glass at her, calling her obscene names. Anita's daughter called the police, but Anita refused to have Ricardo arrested for fear that he would become more angry. Ricardo began drinking excessively and smoking drugs.

In June, Ricardo hit Anita in the face, knocking her down. As she tried to escape, he attacked her car with a metal bar. Although Ricardo served seven days in jail for this incident, he pressured Anita into refusing to testify against him.

When Anita was 2 ½ months pregnant, Ricardo hit Anita in the face and she fell into the street. When she tried to leave and remove her things from the car, he started the car and dragged her down the street. Too scared to call the police, Anita ran away to San Francisco.

Each time he would hurt Anita, Ricardo would cry afterwards and beg her forgiveness. He promised to stop the violence, and to stop drinking and using drugs. Ricardo found Anita in San Francisco, and things were calm for a few months.

In May of 1996, when their son was 2 months old, Ricardo began pushing and shoving Anita again. He also forced her to take drugs, after which she usually passed out. She does not know what was done with her during these times, but once she woke up in different clothes.

In the next few months, when Ricardo would hit her, Anita would call the police. In April of 1997, he was arrested and served over a year for prior domestic violence and violation of his probation.

Anita began to believe the terrible things Ricardo would say about her and thought about suicide. She is now benefitting from therapy, where she is learning how to break the cycle of abuse. Anita fears having to return to the Philippines to obtain lawful permanent residency of the United States. All of her family members are in the United States. She has no support system in the Philippines. Further, Anita is afraid that if she is forced to return to the Philippines to get her green card, she will risk being harmed again by her first abusive husband who still lives there. She believes Ricardo will find her there and harm her and her son, and the laws there will not protect her. Anita must not be required to leave the protection of the United States in order to become a permanent resident.

This case originated in California.

PAOLA

Paola is a citizen of Peru, who came to the United States in 1995 as a church volunteer. A mutual friend introduced her to a lawful permanent resident named Esteban in October of 1995, and the two dated and fell in love. After two months, they agreed to marry and Paola decided not to return to Peru. Paola and Esteban were married in January of 1996, and Paola soon discovered she was pregnant.

Esteban's teenage daughter was unhappy about the marriage and jealous of Paola's pregnancy. She tried to cause problems between Esteban and Paola, and she assaulted Paola while she was pregnant. Esteban did nothing about the behavior of his daughter and considered leaving Paola because of his daughter's unhappiness. Their baby was born in April of 1997, and things were calm for a few months.

When Paola found out she was pregnant again, Esteban demanded she get an abortion. When she refused, Esteban became verbally abusive and threatened to leave her. Esteban's daughter also became physically and verbally abusive once again. Paola made several trips to the emergency room during her second pregnancy because Esteban and his daughter tried to hurt her so she would lose the baby. Paola called the police but did not press charges.

One day, Esteban and his daughter began to insult Paola and beat, pushed, and pulled her until she lost consciousness. Then they left the house, leaving her unconscious with her eleven month old daughter.

Paola entered a shelter for a time, and then returned home. In May of 1998, Esteban and his brother attacked her and tried to take away her immigration papers. Esteban then filed for divorce in hopes that Paola would be deported.

Paola now faces eviction because Esteban refuses to pay child support for their two young children. If Paola were forced to return to Peru to obtain lawful permanent resident status for the United States, there is no indication of how long the Peruvian government would detain her in Peru. This creates a difficult situation for Paola, because if she leaves her children in the United States, Esteban may be able to obtain sole custody of them while she is gone. However, taking them with her poses severe financial hardship, especially in light of the fact that Esteban is not paying child support. Paola should not be made to return to Peru for any reason, and should be allowed to become a permanent resident of this country without leaving it.

This case originated in California.

MARTA

Marta came to the United States ten years ago to support her starving parents and younger siblings who live in a rural village in Mexico. In February of 1993, after a long courtship, Marta married Carlos, a lawful permanent resident originally from Nicaragua.

Almost immediately after their marriage, Carlos began treating Marta abusively. He kept her isolated from her family and friends, took all her savings, ran up her phone bill, and treated her like a servant. He constantly yelled at her and threatened to turn her in to the INS if she complained about the abuse. Within weeks of their marriage, Carlos began living with another woman, but he continued to bring his dirty laundry home to Marta and required that she wash it for him. Finally, he ordered Marta to leave their apartment. He forced her into the car, drove her to her brother's house, and dumped her on the doorstep.

The abuse Marta suffered at the hands of Carlos so devastated and humiliated her that she attempted suicide. She has needed psychological counseling to help her recover from the trauma of the abuse ever since the suicide attempt. To make matters worse, for more than two years following Carlos and Marta's separation, Carlos continued to stalk Marta and harass her by phone. He also threatened to call the INS and turn her in if she refused to sign summary divorce papers.

Marta filed a VAWA self-petition in August of 1995, just before her divorce from Carlos became final. The INS approved the petition in July of 1996 and agreed to extend Marta's voluntary departure and employment authorization each year until her priority date became current, at which time Marta would be eligible to apply for adjustment of status. When the VAWA regulations were originally issued, INS offices could provide work authorization for VAWA self-petitioners with approved petitions by granting them either deferred action status or voluntary departure. However, the new Immigration Reform and Immigrant Responsibility Act (IRIRA), which passed on September 30, 1996, harmed battered immigrants like Marta who had received voluntary departure status. The new law reduced the amount of time this status could last and made it non-renewable. To address this issue, in cases like Marta's, the INS district office was supposed to grant Marta deferred action status before her voluntary departure expired. Instead, the INS district office incorrectly instructed Marta to overstay her voluntary departure. As a result, if Marta is forced to return to Mexico to obtain her green card under VAWA, the fact that she has overstayed her voluntary departure could bar Marta from reentering the United States for 10 years.

When the INS approved Marta's petition, it determined that Marta would suffer severe hardship if she were forced to return to Mexico. Marta would endure humiliation and ostracism by her family as a result of her failed marriage and suicide attempt. In addition, because of the lack of affordable mental health care in Mexico, Marta would not have access to the psychological counseling she has needed ever since her suicide attempt following her abusive

marriage. Marta would risk losing her home, her job, her access to mental health counseling, and the life she is building in the U.S. if she were forced to return to Mexico as her only way to obtain her green card under VAWA.

This case originated in California.

VAL

Val came wide-eyed and hopeful to America from Thailand on a tourist visa. Eager to learn about American culture, she took a job as a bartender at a local bar. There she met Ferdinand, a lawful permanent resident. He was funny and charming, and he was willing to answer Val's eager questions about American lifestyles.

One day Val got into an automobile accident. She was badly injured. Not knowing what to do, she called Ferdinand because he worked at a hospital. Ferdinand responded immediately. He took her to his hospital, where he saw to it that Val received a complete and proper examination. He also helped her deal with the problem of the damaged car. Ferdinand went on to care for Val, too, giving her door-to-door service to the grocery store and wherever she needed to go while she was recovering from her injuries. Val was so impressed with his kindness, she fell in love.

Ferdinand continued to be gentle and kind as their relationship grew. Val decided to move in with him and soon discovered that she was pregnant. Val was torn--her tourist visa was soon to expire, yet she didn't want to raise her daughter apart from her father. Ferdinand came to the rescue. He wanted Val and the baby to stay, and sincerely proposed marriage to Val.

After the marriage, Ferdinand began to change. Beforehand, he would take her out when he went out. Now that she was well into pregnancy, he would leave her home and not return until 4:00 or 5:00 in the morning. After she had the baby, this pattern continued. Usually, he would come home wanting sex. If she did not want to have intercourse with Ferdinand, he would push her, slap her in the face, pull her hair, and kick her in the chest.

As Ferdinand's lifestyle deteriorated, his attacks upon Val became more frequent and unpredictable. He would have friends over to their house, smoking, drinking, and using illegal drugs. When Val complained that the smoke might be dangerous to their baby, Ferdinand told her to leave the house. More and more often, he would push and strike her in front of his friends. Val wanted to call the police, but was scared to for fear of what Ferdinand might do.

When Val's mother came over, Ferdinand got violent with Val again. During the argument, he slapped her in the face. When the mother pleaded with him to stop, he forced her to leave, saying that it was none of her business and that she had no right to tell him what to do. In another incident, he came into the bar and struck Val in front of her customers. Ferdinand also began hitting Val in front of the baby. In addition to the pain and injury to Val, the baby would cry and shake whenever she saw her mother being abused.

One night when Ferdinand's friends were over, the party became so raucous that Val called the police. Ferdinand fled that night. He later returned, but his behavior became even more frightening. Not only did the beatings continue, but now he threatened to kill Val. Val knew he

owned a gun. She feared for her life every single time he came home drunk.

Over all of this time, Ferdinand never gave Val and the baby any financial support. He often left them alone for long periods of time. One night, Val thought she heard somebody trying to break in. Scared, she called Ferdinand. He did not return for several hours, but when he did, he was drunk. He beat her so violently that she called the police. He was arrested for battery.

Val moved out with her daughter, but Ferdinand continued to stalk her. She moved into an apartment building. One night, Ferdinand buzzed her room, but she refused to let him in. In fear, she took the baby to her neighbor's room. Ferdinand got past the building security and pounded on her door, screaming. Val had to call the police from her neighbor's apartment.

Val has since filed for divorce. Because of the domestic violence, Val was granted sole custody of the child, but Ferdinand was given visitation rights. He has already violated his court order once by drinking while visiting with his daughter. Then he refused to return her to Val.

If Val has to return to Thailand to get her green card, she will not have anybody with whom she can leave her two-year-old U.S. citizen daughter. Even if Val could find somebody with whom to leave her daughter, the separation could be devastating to such a young child. More importantly, Val is worried that Ferdinand will snatch her daughter again during visitation.

Worse yet, if Val has to travel back to Thailand, she (and her daughter if Val must take her) will be exposed and defenseless there, especially if Ferdinand follows her. The Thailand Report on Human Rights Practices states that legal and societal discrimination against women, violence against children, and illegal child labor persist in that country. It reports that domestic abuse is a serious problem and that police do not enforce laws seriously. Furthermore, court rules and procedures are severely slanted in favor of men in domestic law. Val fears that she will become yet another one of these reported statistics if she is forced to pursue her green card in Thailand.

This case originated in California.

ROSA

Rosa is a twenty-year-old woman from Mexico, who was brought to the U.S. by her mother. Prior to coming to the United States, Rosa lived with her father and her father's second family in Mexico, where her stepmother and her stepmother's brother subjected her to three years of both physical and sexual abuse. Her step uncle sexually assaulted and raped Rosa on a regular basis when she was between the ages of seven and nine, until her mother's sister found out about the conditions Rosa was subjected to in her father's house and rescued her from this situation so that Rosa's mother Carmen could bring her to California. Carmen had remarried John, who was a lawful permanent resident of the United States and John brought Carmen and Rosa to live with him. Since 1993, Rosa has lived with her mother, Carmen, her abusive stepfather, John, and her younger half-sister, Ana. During this time, she has suffered verbal abuse and has lived in continual fear of physical abuse.

John is an alcoholic, and when he comes home drunk and angry, he insults and demeans Rosa and her mother, calling them sluts and prostitutes, and telling them they are lazy because Carmen does not work. He is controlling in the home, does not allow Rosa or her mother to speak on the phone or to have people over to the house, and requires that they ask permission to leave the house.

John is a very violent man, and Rosa has witnessed his violent behavior on many occasions. Once he found Carmen talking on the phone and he proceeded to yell at her, grabbed the phone from her, and threw her violently against the door. Rosa's mother had a large bruise on her shoulder after this incident, but she did not call the police because she believed that John would have her deported.

Another time, he pulled a knife on one of Rosa's cousins, threatening to kill him. John followed the cousin out into the street, chasing him with a switch blade. When John returned to the house, he slept with the switch blade under his pillow. A month after this incident, Rosa was cleaning the house and discovered her step-father's knife under the mattress where John and Carmen sleep. Rosa fears that when John is drinking and becomes violent, he will use the knife on her mother or her.

John's threats are constant, causing Rosa to live in uncertainty and fear. John's abuse of Carmen makes Rosa feel angry, but also makes her feel hopeless, because she cannot do anything to help her mother. She can only watch the ongoing abuse.

John, a lawful permanent resident, refused to help legalize Rosa or Carmen's status in the U.S., so that they could work. Instead, he threatens that he can call immigration and have them deported. He says that he can get rid of them any time he wants, so they had better obey him. He also threatens that by having Rosa and Carmen deported, he will separate their family by keeping Rosa's half-sister, Ana, who is a U.S. citizen, with him.

Despite the abuse that Rosa has experienced, she believes that her life in the U.S. holds more for her than her native country. She has learned English, graduated from high school, and hopes to go to college. She has also begun therapy to overcome the years of severe physical and mental abuse by John and by her step family in Mexico. This type of counseling for victims of rape and domestic violence would not be available to Rosa if she were to return to Mexico, where there are also not the same protections of women's rights.

Rosa needs to obtain her lawful permanent resident status without being forced to return to Mexico, where she would be separated from her mother and her younger sister, her only close family who have been her support system. The family she does have in Mexico, her father's second family, physically and sexually abused Rosa during the years she lived with them as a child. Contact with these family members upon return to Mexico would present very real dangers to Rosa.

This case originated in California.

PAMINA

Pamina is a 40-year-old woman from Mexico who has been married to Jorge, a lawful permanent resident, since 1995. Pamina had one daughter by him, Jessica, who was born in 1992, and has two previous children, Evelyn and Manuel, who also live with them.

Jorge's abuse began in 1992, when Pamina became pregnant with their daughter, Jessica, a few months after they began living together. Jorge drank more and verbally abused Pamina when he came home intoxicated, calling her a slut and telling her she was trash and worthless. The almost daily abuse ate away at Pamina's self-confidence and caused her to become nervous around Jorge. He was also very controlling, forbidding her to go out, prohibiting her from seeing her family, interrogating her when she did leave, and asking the neighbors to inform him when she left the house. Fearing yelling and threats, Pamina never left the house except to buy food. Jorge did not allow Pamina to speak on the phone, and soon, she lost almost all contact with her family and old friends.

Pamina stayed with Jorge because she still loved him and hoped that their relationship would still work out. Jorge's abuse mainly occurred when he was drunk, and the next day he would apologize and promise to change. Pamina forgave him and stayed with him, as she did not want her daughter to grow up without a father. In 1995, Pamina and Jorge were married.

After their marriage, the abuse worsened as Jorge's drinking and drug use increased. Jorge brought two switchblades home, and put one into a drawer in the kitchen and the other under the mattress of the bed. He said that they were for protection, but since that day, Pamina did not feel safe in her own house. Once, he used a switchblade to threaten his brother's wife who was staying with them, shouting that she had to get out of the house or he would have her taken out in a box. Pamina had never expected that Jorge would use the knife to threaten one of his own family members. His loss of control terrified Pamina and she could not sleep that night. On another occasion, he pulled the knife on Pamina, ordering her to tell the guests at their daughter's birthday party to leave the house.

One time Jorge came home reeking of alcohol when Pamina was talking on the phone. He became angry and began shouting, and he took the phone and threw it at Pamina. Then he brutally pushed her into the door, causing bad bruising on her shoulder. Pamina was terrified that Jorge was going to beat her, or that he would go and get his knife. Another time, Jorge came home drunk while Pamina was listening to the radio. He ripped it out of the wall and threw it, shouting that he was going to destroy the radio and that he would destroy Pamina along with it. He began throwing her things around the room, calling her a slut and shouting at her to get out of his house.

For years now, Pamina has lived in constant fear of Jorge's violent temper, which is worsened by alcoholism and drug abuse. His controlling behavior has isolated Pamina from her

family and friends, and Jorge has used violence to control her. He has done things to her such as throwing a telephone at her, badly bruising her by slamming her into a doorway, and threatening her with the switchblade he keeps in the kitchen drawer. Since Pamina and Jorge got married, Jorge has steadily become more paranoid and violent. Pamina fears for her life and the lives of her daughters.

Pamina has been trapped in this relationship of verbal and physical abuse, knowing that, without legal papers, she can not work to support herself and her family alone. Jorge has continually used the threat of deportation and of taking their daughter, to frighten and control Pamina.

If she were to return to Mexico as the only avenue to obtain her green card based on her approved self-petition, Pamina cannot leave her U.S. citizen daughter Jessica with her abusive father. Pamina also does not want to subject Jessica to the traumas of uprooting her from her school and community for an unknown period of time. Jessica speaks Spanish but has never been to Mexico. Further, Pamina is in counseling for abused women. This program provides her tremendous psychological support which she will be severed from if forced to return to Mexico to obtain her green card. The family Pamina has in Mexico will not support her because they believe it is a married woman's duty to stay with her husband. Pamina cannot be assured of how long she will have to remain in Mexico to get her visa, and fears that her children will not be safe from Jorge if she leaves them in the United States alone for an indeterminate amount of time.

This story originated in California.

PATRICIA

Patricia is an 18-year-old woman from Mexico, who came to the U.S. in 1988 with her mother, Eugenia, and her younger brother, Marcos, to join their father. After their father's death, in 1992, Patricia's mother remarried Martino, a U.S. citizen, in 1993.

Martino's abuse toward the family began after Eugenia and Martino's baby, Carlos, was born in 1993. Often, Martino struck Carlos, sometimes with his open hand, other times with a belt, a sandal, or a shoe. Once, Martino flew into a fit of rage, and he hurled a shoe at the baby. On another occasion, Patricia tried to intervene to protect the baby, and Martino yelled at her and struck her on the hand.

Martino would also get irrationally angry at Patricia for minor things like making too much noise when she washed the dishes, or not keeping the baby quiet. Martino verbally abused Patricia, calling her a bitch, a slut, and a prostitute. He controlled Patricia's life, making her come home right after school to do housework and to sell tamales on the street that Martino had forced Eugenia to make. Patricia was not allowed time to do her homework or to see her friends. Patricia's brother, Marcos, suffered the same abuse.

Patricia watched her mother, Eugenia, suffering physical and emotional abuse continuously. In August of 1997, Martino used violence in an argument with Eugenia. He ordered Eugenia to take the children and leave the apartment. Eugenia refused to leave until she could talk with the landlord and get her name off the lease so that the landlord would not come after her if Martino did not pay the rent. Eugenia's refusal angered Martino, and he raised his fist as if to punch her in the face. Instead, he brutally kicked her in the stomach. The bruises were so severe that they lasted for two weeks. He then threatened to kill them all with his machete. Eugenia told Patricia to hide the machete and all the other big knives in the house. Patricia hid the knives that night, and when Martino found that the machete was missing, he went out of control and ransacked Patricia's bedroom, searching for the machete and destroying the room. At that point, Patricia began to realize that Martino might actually carry out his threat of killing them.

A week later, Eugenia and Martino got in another argument over the rent money, which she had hidden so that he would not spend it before the rent was due. Martino threatened to call the police, who he said would have Eugenia and her older children deported. He said he would take their American born baby away from them. Then he screamed that once he found his machete, he would chop Eugenia into little pieces and send her into the dirt to lie with her dead husband. Eugenia threatened to call the police, but Martino said that he would be released in three days and come back and kill them. Eugenia called nonetheless. Martino then began to panic, apologizing and begging Eugenia to tell the police it was a mistake. But the police did not come right away, and Martino began to think they would never come. He got angry again and taunted Eugenia. He grabbed her by the arm and was about to hit her when the police pulled up.

The police took photographs of the bruises still on her stomach from the previous beating and arrested Martino.

After Martino's arrest, Patricia moved with her mother and brother into hiding, fearing that he would find them and carry out his threats to kill them. They obtained a restraining order protecting them against Martino. Martino was criminally tried, convicted, and sentenced to jail for the abuse he inflicted on them.

Martino has since been released from prison. Patricia must return to Mexico to obtain her lawful permanent residency under VAWA, but her protection order will not protect her from him once she crosses the Mexican border. Patricia has grown up in Southern California since she was eight years old, and considers the U.S. her home. Her entire support system, her close family, including her grandparents, and friends, live in the U.S. as well. If she were forced to return to Mexico, she would leave this support network and have to leave her baby brother with her mother, who, alone, may not be able to protect him from Martino. Here, Patricia is in counseling for abuse, an opportunity she would not have in Mexico. She plans to continue her studies and hopes to be a photographer. After all that she has gone through, she should be able to obtain relief under VAWA without having to return to Mexico.

This story originated in California, moved to Utah, and is currently in California.

LINA

Lina, a 22-year-old native of El Salvador, came to the U.S. when she was 14 years old. In April of 1995, she met Juan, a U.S. citizen. In the beginning, they were happy together. One night, Juan proposed marriage to Lina. She was very happy and accepted. She looked forward to their coming marriage. Juan got a job, and Lina stayed home and took care of the house. Both Juan and Lina were very excited about getting married and having a baby. In 1996, they were married in a civil ceremony in Utah which was attended by some of their close friends. Juan's abuse began later that year, after the birth of their son, Enrique. He would act violently towards both Lina and Enrique, later promising to her that he would change his behavior.

In 1997, Lina and Juan returned to California seeking better job opportunities for Juan. There, the violence escalated. One particularly violent outburst occurred one night in September of 1997, when Juan became irrationally angry at the baby for crying. He tried to take Enrique from Lina's arms, but she didn't let him, fearing that he would hurt the baby. Juan tried to grab the baby again, hitting the baby very hard when he ripped him from Lina's arms. He threw the screaming baby into his crib and hit him several times in the face and head to make him stop crying.

Juan's anger then turned toward Lina. He grabbed her and pushed her down on the bed. Lina could not move because Juan had pinned her down underneath him. Juan started punching her with a closed fist, punching her in the left eye several times. Lina struggled to get Juan off of her, and he beat her even harder, hitting her on the back of her head, in her chest, and in her ribs. He gave her a black eye, and the beatings caused bumps on her head and several bruises.

On the following day, after seeing the black eye and hearing the story of the beating, Lina's mother called the police. Juan was arrested and served three months in prison for child abuse. Since Juan was released from jail, Lina has had very little contact with him. She is still afraid of Juan, and she does not want Juan to hurt her or their baby. Juan comes to visit a few times a month, but Lina does not let him being alone with the baby because she is afraid that he might hurt him or take him away from her.

Lina has lived in the U.S. for nine years and has the support of family and friends living in this country who provide the support she now needs to keep herself and Enrique safe from Juan's ongoing abuse. Lina is afraid to return to El Salvador to obtain her green card under VAWA because she fears that if Juan finds out she has left the U.S. he will follow her there, where she would have no protection against his violence.

This case originated in Maryland.

ELISE

Elise is a 29-year-old woman from Nigeria. In 1995, while working in Lagos, Nigeria, a friend of Elise mentioned he knew an American man named Raymond who was hoping to settle down and wanted to meet her. The friend gave Raymond Elise's address, and he began writing to her. He requested her phone number, and soon began calling her every day at work. He then traveled to Nigeria for a three week visit, and the two enjoyed meeting and spending time together. Three months later, Raymond visited again.

He continued to call Elise at work almost every day, telling her to go straight home after work and not to talk to anyone. Elise believed Raymond's interest in everything she was doing was a sign of love. In the summer of 1996, Elise and Raymond were married in Nigeria, and shortly thereafter Elise realized she was pregnant.

Later that year, Elise moved to America to live with Raymond. Elise worked with Raymond at his business, and things went well for the first few weeks. Elise then began to experience hostility from an office manager at the business, and at first thought little of it. Then one morning this woman called their home and hung up upon hearing Elise's voice. When Elise mentioned to Raymond she thought this was odd, he flew into a rage, screaming that anyone could call him any time about anything. Elise tried to clarify what she said, but Raymond would hear nothing of it, and continued to curse, slam doors, and accuse Elise of trying to ruin his business. Elise was saddened and depressed when Raymond became angry, but this only made him angrier. He said she had no right to be depressed and that he did not care about her feelings. He would not permit Elise to look sad or to frown. After this incident, Raymond forbade Elise to pick up the phone.

Raymond frequently forced sex upon Elise, and consistently wanted to have sex in positions with which Elise was uncomfortable. When she mentioned that he was hurting her, he would get angry and curse at her. He would also yank her head down and force her to give him oral sex. She was never allowed to say no.

Elise learned that Raymond was in relationships with several other women. Often these women would call during the day and she would speak with them. When Raymond came home and found out that Elise had answered the phone and had learned of his affairs, he hit her hard on her face with the back of his hand. He said one of the women would kill Elise, and he would get in trouble for it. Elise began to cry, but this only made Raymond more angry.

Throughout her pregnancy and afterwards, Raymond discouraged Elise from making friends and talking to anyone, even his family. He accused her of trying to get people to like her more than they liked him. Raymond also stopped bringing Elise to work; because her pregnancy often made her tired and sick, he claimed she was no good and useless. She was not allowed to go anywhere without Raymond, and was forbidden to find a job of her own. Elise was a lawyer in Nigeria, but

Raymond would not let her take the bar exam in America. He also disparaged her pregnancy by saying he could not sleep at night because it was disgusting to sleep with a pregnant woman. He had demanded Elise have an abortion, but she refused. When she suffered from morning sickness, he would yell at her, saying she made him sick.

During a routine prenatal exam, Elise received a precautionary HIV test and was horrified to discover it was positive. When Raymond arrived, he refused to be tested. When he took Elise home, he acted sweet and tender to her, explaining that a former girlfriend claimed she was HIV positive, but he had not believed her. He told Elise not to worry, and that he would take care of her.

Their daughter was born in 1997, in a C-section procedure. When Elise's stitches became infected, Raymond would not take her to the hospital, claiming he had better things to do. Often, Raymond would not pick up Elise's HIV medication in order to punish her for not obeying him.

In July of 1997 they moved to Maryland, where Raymond started a new branch of his business. When Elise began to become concerned about her immigration status, Raymond lashed out at her. He hit her repeatedly with a closed fist, and then began kicking her, knocking her onto the bed on top of the baby. Elise picked up the baby to protect her, hoping Raymond would not attack her while she was holding the baby. He tried to grab the baby back, and Elise gave her to him because she did not want him to pull on the baby's body. Raymond accused Elise of marrying him for her green card. He then put the baby on the bed and yanked Elise by the hair into the bathroom. When Elise accidentally scratched his face in self defense, he made her kneel on the floor. After this incident, Elise was in so much pain that she could not get out of bed for two days.

By January of 1998, Elise began to become desperate for the HIV medication Raymond was withholding. She was also concerned about her immigration status, and mentioned to Raymond that she heard an immigration law was changing that month. Raymond became angry and violent, hitting Elise with the back of his hand and pushing at her face. He said he would have her deported and maybe kill her. He said one night that he was going to shoot Elise in her sleep. She was afraid to mention immigration papers again. She considered calling the police, because Raymond's family had warned her that he had been jailed for beating a girlfriend before. However, Raymond told Elise she was stupid, and that his family was just manipulating her to get his money.

Raymond began traveling for extended periods, meeting with other women around the world. When Elise dared to confront him about this, he became enraged. He left, and soon after Elise began to receive threatening phone calls from his family. Later he and a few family members showed up to force Elise to apologize for her indignation. Intimidated, depressed, and trying to placate Raymond for the sake of the baby, Elise apologized. Later that night, Raymond came upstairs and began yelling for Elise to take her clothes off. He yelled that she was an idiot, and grabbed her mouth and twisted it. When he started pulling and punching Elise, the baby started to cry. Elise tried to lay down with the baby to comfort her, but Raymond continued to

pull off her clothes. Elise got up and ran to the door, but Raymond grabbed her and pulled her panties down, trying to assault her from behind. He then yanked her into the bedroom and started to hit her. Neighbors heard the commotion and called the police, but Raymond assured the police it was only a small domestic matter. The police informed Elise that she could take Raymond to court, and the next day she went to court and obtained a protective order.

Elise wishes to remain in the United States to raise her daughter, who is an American Citizen. If she were forced to return to Nigeria to become a lawful permanent resident, she would face extreme hardship. Raymond, who has significant contacts in Nigeria, could easily follow her to there, where her U.S. protective order would not protect her. Under Nigerian law, since Elise is Raymond's wife, he would be able to control her in any way he saw fit including perpetration and abuse, and there would be no one she could turn to for protection. Raymond is also bound by court order to stay away from Elise, to obey the order granting her custody of the child, and to financially support Elise and their daughter. During the time Elise and their daughter are detained in Nigeria, her protection order is not enforceable.

Further, Elise is now receiving ongoing treatment for her HIV infection here in the United States. Raymond transmitted this HIV infection to her. While her daughter shows no signs of being infected yet, she must continue to be monitored medically. Neither Elise nor her daughter would be able to receive the medical care they require while in Nigeria. It is necessary for Elise to obtain her green card without leaving this country, as this is the only way to ensure her the rights and safety.

This case originated in Arizona.

PALOMA

Paloma is originally from Mexico. She has a thirteen-year-old son from a prior marriage named Tomás and a seven-year-old daughter from her current marriage named Margarita. Paloma's current husband is named Pedro. Paloma and Pedro met and fell in love eight years ago. Pedro is originally from Mexico, but he is now a lawful permanent resident of the United States.

Paloma, Pedro, and little Tomás settled in Arizona several years ago. A little while after Paloma and Pedro married, Pedro started abusing Paloma. He would hit Paloma repeatedly. He would insult and demean her often. On one occasion, Pedro struck her with such force on the side of the head that she lost her hearing for an entire day. The beatings were regular and severe. Pedro also physically abused Paloma's son Tomás from the time the boy was five years old. Pedro would beat Tomás with a belt as punishment whether or not Tomás had done anything wrong. He imposed arbitrary rules on the child and would punish him severely if the rules were ever broken. He would also impose grueling physical torture on the boy for the smallest acts of misbehavior. For example, if Tomás ever displeased Pedro by talking too loudly or leaving a toy on the floor, Pedro would punish the child by making him kneel against the wall holding heavy books in each of his hands. Tomás would have to raise the books over his own head and hold them there for long periods of time. If the kindergartner ever let his arms droop down from the weight of the books, Pedro would increase the length of the punishment.

Paloma soon became pregnant with Margarita. While she was pregnant, Pedro continued to physically and emotionally torment her. Once, he placed a sharp kitchen knife against Paloma's pregnant stomach and threatened to kill her. He whispered in her ear that if he killed her, no one would ever find out. Paloma believed his threat: she had no friends or family to whom she could turn for help in the U.S. She was completely dependent on Pedro for food and money for her son and new baby. She felt helpless and trapped in the abusive relationship.

After Margarita was born, Paloma decided to save herself and her two children from Pedro's violence. Since she had no support or family in the U.S., she and her children fled to Mexico to seek solace with her parents. She believed she was finally safe from Pedro. Unfortunately, though, Pedro followed her across the border. When Paloma was hospitalized briefly with an illness, Pedro seized the opportunity to kidnap Margarita from Paloma's parents' home. Pedro crossed back into U.S. territory and then filed for divorce and sole custody of Margarita.

Paloma was frantic at the thought of losing her daughter to her abuser. It took Paloma six months to apply for and receive a visitor's visa to reenter the U.S. and begin defending against Pedro's motion for custody. She had to leave Tomás in Mexico with her parents when she returned to the U.S., and she has been separated from her son ever since. Meanwhile, the custody battle between Paloma and Pedro has dragged on, and the court has ordered Paloma to keep to a

particular schedule for visiting Margarita. Pending final resolution of the case, she has shared custody with Pablo. However, if she misses even a day of visitation, Paloma believes that Pedro will report this to the court and move for termination of her custody and visitation with Margarita.

Paloma has received approval of her VAWA petition for residency. If she is forced to return to Mexico as the only way to get her green card under VAWA, Pedro has already demonstrated his willingness and ability to follow her there. If she is forced to go to Mexico, she may never see her daughter Margarita again. One of two things will probably happen. Either Pedro will petition the court for termination of Paloma's custody and visitation rights on the grounds that she abandoned Margarita and returned to Mexico, or he will simply kidnap Margarita again and disappear with her somewhere in the U.S. Paloma wants nothing more than to be reunited with her two children and build a safe, happy life for them away from Pedro's abuse. She risks all of this by returning to Mexico to get her green card.

This case originated in Arizona.

SUSANA

Susana is originally from Mexico. She met her husband, Manuel, in Mexico six or seven years ago. Manuel is a lawful permanent resident of the United States originally from Mexico. The two married after four years of dating and courtship. They later came to live in the United States and eventually had a child, who is a U.S. citizen. Susana also has two children living with her from a prior relationship.

Throughout their marriage, Manuel subjected Susana to severe physical and emotional abuse. Susana did not report many of the beatings to the police because she was afraid that Manuel would treat her more cruelly in retaliation. Susana's fear of Manuel continued to grow throughout the two years of their marriage. Eventually, her fear of Manuel overcame her fear of calling the police.

As soon as Susana began calling the police to help her, Manuel found himself facing charge after charge of domestic assault and battery. Susana called the police and had Manuel arrested after he held her at gunpoint in their home for an entire day. On another occasion, Manuel set fire to the bed while Susana and her sister were sleeping in it. He was charged with arson soon afterwards. The violence and fear in Susana's household reached breaking point when Manuel subjected Susana to an intense, bloody, and horrible beating for which he was later convicted of domestic assault and battery and placed in jail. Following this beating, Susana attempted suicide. She was so depressed and fearful of Manuel that she saw suicide as the only way out of the constant beatings, threats, and violence.

Susana finally decided to flee the U.S. and Manuel and return to her family in Mexico. She escaped with her children to her sister's home in a small Mexican town and attempted to rebuild her life there. Manuel followed her. He had been in jail in the U.S., serving out his sentence for domestic violence against Susana. The moment Manuel received a temporary work release from jail, he seized his opportunity to immediately cross the border to Mexico find Susana. He knew exactly where she lived. Once he located Susana in her sister's home, he attacked and injured both Susana and her sister and trashed Susana's sister's house. Susana called the Mexican police, but they did nothing to protect her. The police did not even take Manuel into custody. Realizing that the only country with laws to protect her from domestic violence was the United States, Susana and her children fled back to Arizona. There, Susana obtained an enforceable restraining order against Manuel.

Susana consulted a lawyer when she returned to the U.S. and filed a VAWA self-petition for residency. Though her visa petition has been approved, Susana remains fearful about the next step in getting her green card. Under the current law, Susana will be forced to return to Mexico as the only way of getting her green card. Once she returns to Mexico, Susana has no doubt that Manuel will follow her and hurt or kill her. Susana knows from experience that the Mexican police will not protect her from Manuel's violence and abuse. Therefore, the only place where

Susana can be protected from injury, torture, and death at the hands of Manuel in the United States. Outside U.S. borders, Susana's restraining order is unenforceable, and Susana faces grave danger, and possibly death if she is forced to leave.

This case originated in Arizona.

ELENA

Elena is originally from Mexico. At a young age, she met and married Pablo, also a Mexican citizen. Pablo subjected Elena to years of physical and emotional abuse and terror. She tried to get police and family members to help her, but no one could keep her safe from Pablo in Mexico. Police never arrested Pablo for constantly beating her, and the laws of Mexico did not hold Pablo accountable for spouse abuse. Eventually, Elena divorced Pablo. This did not end the violence, though. Pablo continued to stalk Elena even after the divorce, and he attempted to kill her on one occasion. Fearing that Pablo would kill her in Mexico and knowing that she could not be safe in that country, Elena fled to Arizona.

In Arizona, she met a man named Kevin, who was a United States citizen. After two years of dating, she and Kevin married. To Elena's shock and dismay, Kevin soon began to mistreat her. He had a drinking problem that continued to worsen. He would lose control and go into rages of destruction and violence. Along with damaging household property and shouting threats and obscenities at Elena, Kevin also attacked her. He would pull her hair, grab her wrists, and chase her out of the house. Once Kevin violently attacked Elena when Elena was in her seventh month of a delicate pregnancy for which she had spent the previous month hospitalized and bedridden. Luckily, the baby was not hurt following Kevin's violent assault on Elena.

Elena called the police more than once during her marriage to Kevin. She ultimately succeeded in obtaining a restraining order against him, granting her legal custody of the child and allowing her to separate from Kevin. Now that she has completed her VAWA petition for residency, she faces the horror of returning to Mexico as the only way of obtaining her green card under VAWA.

Elena originally entered the U.S. because she was fleeing her violent, abusive ex-husband, Pablo. This man stalked her for years, and he attempted to kill her. He is still waiting in Mexico for her to return, and he knows exactly where she would stay if she returned to get her green card. Elena knows that the Mexican police are ineffective at protecting battered women from their violent husbands--their ineffectiveness forced Elena to leave Mexico in the first place, since she was not being protected there by the Mexican government. Elena left Mexico alone, without friends, family, or money, out of sheer terror. She fled in order to save her own life. She has made friends in Arizona and has a support system of friends and service providers helping her and her young child. Now, if she must return to Mexico, the laws of the United States will not protect her, and her life will be in peril once more.

This case originated in Arizona.

MERCEDES

Mercedes is originally from Mexico. She married Scott, a United States citizen whom she met in Mexico. Scott brought Mercedes to live with him in the United States. Scott seemed like a charming, loving person when Mercedes dated and fell in love with him. After they got married though, Mercedes discovered that Scott had a serious substance abuse problem and an inability to control his temper. He began physically and emotionally abusing Mercedes.

Scott kept Mercedes isolated in their home. He monitored her movements very closely, refusing to let her leave the house without him. She was not allowed to talk with others on the telephone or make friends of her own. She wanted to work to help support the family, but Scott refused to file a petition to obtain Mercedes's legal immigration status and work authorization. Consequently, Mercedes was left alone in the house, completely dependent on Scott for all her necessities. Because of Scott's drug and alcohol addictions, he was often fired from jobs. During the three years of their marriage, Scott and Mercedes were frequently homeless, with Scott unemployed and hooked on drugs, and Mercedes unable to work because Scott would not file for her immigration status.

Scott and Mercedes had a child, Alison, who brought much joy to Mercedes's life. Otherwise, Mercedes was absolutely miserable in her marriage. Scott had begun punching, slapping, and kicking Mercedes on a regular basis, and she was very afraid of him. He would go into rages, beating her severely and destroying furniture within their home. Whenever Mercedes would try to call the police, Scott would threaten to have her deported and to take Alison away from her. Nevertheless, Mercedes reported Scott's abuse to the police three times. Each time, the police intervened, and Scott was jailed and prosecuted for domestic violence.

Mercedes fled her home and entered a battered women's shelter after Scott brutally raped and beat her one evening. She consulted with attorneys about initiating a VAWA self-petition. Once her petition is approved, she will have to return to Mexico as the only way of getting her green card under VAWA. This would pose a very grave danger and hardship to Mercedes and her daughter.

If Mercedes is forced to return to Mexico, she will have no one with whom to leave her daughter. She is very afraid that Scott will try to take Alison away from her, either by filing with the court for custody or by kidnapping the little girl. Mercedes cannot afford to make the trip to Mexico, but if she had to return, she would have to take Alison with her.

Scott knows where Mercedes would be staying in Mexico, and she is afraid that he would follow her and take their child away from her. He is a U.S. citizen, so he can enter and leave Mexico easily. He has done so in the past. Mercedes feels that if he found her in Mexico, he could have the opportunity to physically assault her and then take their child. Mercedes would not be safe from Scott's abuse if she were forced to return to Mexico to get her green card.

This case originated in Arizona.

MARIA

Maria is 41 years old, originally from a small village in Mexico. In Mexico, Maria was a single parent. Her daughter's biological father never took interest in providing emotional or financial support for them. Maria, who has a degree in veterinary medicine, worked for a cooperative farm. She went to Arizona eight years ago, when her daughter was eleven months old, to visit a brother who lived in Nogales, Arizona, and her sister and father, who owned property and lived in Tucson. At a gathering at her sister's house, she met Jim, an American citizen. Maria said Jim "seemed real nice," and when they started dating, he "treated me and my daughter so nice." She said, "I felt so special. I never thought things would change."

Two months after their wedding, the abuse began. The couple lived with Jim's parents for the first four months of their marriage. Jim and his family drink excessively. When Jim was not drinking, Maria found him to be in a bad mood.

During their first argument, Jim grabbed Maria by the neck. His parents pulled him away, but his aggression toward Maria only intensified after this incident. While Jim assured Maria when they married that he would help her file for immigration status, he soon changed his attitude. Jim did the initial filing, but was too drunk to attend the interview meeting. He also began to accuse Maria of marrying him for her papers. Whenever Maria has attempted to call the police or involve his family in their private affairs, Jim has threatened to report her and have her deported.

Maria is a veterinarian, but Jim has forbidden her from working in her field. She now cleans hotel rooms to make ends meet. Maria's young daughter Rosa stays with Jim during the night while Maria is at work. Often Jim wakes Rosa up in the middle of the night to go out and buy alcohol for him, or to make him something to eat.

Maria is subject to many types of abuse from Jim. A large and powerful man, he abuses her physically and has flung her across a room into a wall. He insults and threatens her, refuses to support the family financially, and forces her to perform sexual acts against her will. Rosa, now eight years old, has been witness to it all.

Maria often takes refuge at her sister's house, but Jim always finds her. He has threatened to kill her if she attempts to leave again. She is afraid to enter a shelter, because she would have to change jobs in order for Jim not to find her. This is impossible due to her current immigration status.

Now, four years into the marriage, Maria has been diagnosed with depression and anxiety and is under medical treatment. When she speaks of her experience, she cries and her body shivers as in a trance. This handsome, charismatic man double her size is so different from the man she originally met. Rosa's behavior has also been affected due to her witnessing the abuse of

her stepfather. Recently, the situation has begun to worsen for Maria and Rosa. Jim has begun to experience blackouts and Maria has had to drag him into the apartment on several occasions. Because of his large size and her fear of being seriously injured from an attack, Maria has made arrangements with a neighbor who will call the police when she hears fighting.

Although Maria has filed a self petition without Jim's knowledge, she is unable to return to Mexico to obtain her green card. Jim monitors her whereabouts and will not let her leave; he has threatened to find her anywhere and kill her if she leaves again. In addition, Rosa came to this country as an infant, and it is the only home she knows. Maria cannot uproot Rosa from school and activities for an unknown amount of time to return to Mexico. However, she is, of course, afraid to leave Rosa with Jim. Finally, because she only works as a maid and is the sole supporter of the family, she cannot afford a trip to Mexico. She may have to be there for several months, and has no family, friends, or support system there. For these reasons, Maria should be allowed to obtain her green card here in the United States. Once she has obtained it she will possess the power necessary to leave Jim and end his abuses.

This case originated in Iowa.

AYESHA

Ayesha is originally from Lesotho, a kingdom surrounded by South Africa. She fled to the United States along with her three children after her husband, Omari, was murdered by the head of a counterfeiting gang. The gang had been harassing Omari, who was the paymaster of a mine, for over a year. They had wanted him to switch the real currency of the mine with counterfeit currency. After a year of threats and intimidation, Omari still refused to switch the currency, and the gang shot and killed him in the street. After his murder, police asked Ayesha to assist them in catching those responsible for the crime. As a result, the gang leader and his supporters discovered that Ayesha knew about their schemes. They threatened her life and her children's lives and forced them to seek refuge in the U.S.

While living in the U.S. and taking classes at a state university, Ayesha met Todd, a lawful permanent resident of the United States. Todd helped Ayesha deal with the pain of losing her husband and leaving her country. Soon, Todd and Ayesha became friends and started dating. They later married and settled in Iowa.

Just after they were married, Todd started treating Ayesha and her children cruelly. He would insult the children and scream at them, and most often he would simply neglect them. He would also push and slap Ayesha whenever he would get angry at her. This violence only escalated throughout their marriage.

Todd's alcoholism soon affected his ability to work. He quit working full-time, and Ayesha was forced to assume all his work responsibilities and entirely support the family. She and her children were treated as slaves by Todd, always doing the cooking and cleaning for him. As time passed Todd's behavior only grew more violent and erratic. On one occasion, he punched Ayesha in the face as she was driving the car, causing her to lose control of the car and veer off the road. On other occasions, Todd would wake the entire family up in the middle of the night, ordering all the children to gather around him and listen as he insulted their mother and called her "an awful whore."

In May of 1998, Todd unleashed his rage on Ayesha for the last time. He kicked her leg repeatedly, causing a deep wound and an infection called "cellulitis." Ayesha still limps to this day and suffers leg pain as a result of Todd's abuse. Following this incident, Ayesha called the police and received a no contact order from the court, requiring that Todd stay away from Ayesha and the children. Todd eventually plead guilty to the charge of domestic violence for attacking Ayesha. A month later, he was arrested again for violating the no contact order by calling Ayesha's daughter and threatening Ayesha and her family with physical violence. He has threatened to kill Ayesha for having him arrested.

After separating from Todd, Ayesha consulted an attorney and filed her VAWA self-petition for residency. Now she must return to South Africa as the only way of getting her green

card. Such a return to South Africa will put Ayesha and her children at serious risk of injury or death for several reasons. First, the counterfeiting gang that murdered Ayesha's first husband is eager to retaliate against Ayesha for assisting the South African police in the investigation. They have threatened to kill Ayesha and her family. Second, there is a current political crisis in Lesotho, accompanied by a military invasion from South Africa, which has contributed to instability in the region. Because of the instability, Ayesha and her family are even more vulnerable to terrorist attacks by the counterfeiting gang. Third, Ayesha fears that Todd will travel to South Africa and try to hurt her or kill her. Law enforcement in South Africa does not believe it is their job to intervene to protect victims of domestic violence, and will do nothing to enforce Ayesha's no contact order. Further, there is a general lack of resources available for battered women in Lesotho. Because of all these reasons, forcing Ayesha and her three children to return to Lesotho as the only avenue to obtain her green card under VAWA puts her at risk of torture and death.

This case originated in Iowa.

ALLEGRA

Allegra is originally from Mexico. She came to the United States with her family when she was in high school. Just after graduating from high school, she met Diego, a lawful permanent resident of the United States. The two courted and dated for a year-and-a-half, and then they married in a church before family and friends.

It was only a week after the wedding that Diego began to change. He became very possessive and would not allow Allegra to see her family. Allegra found herself completely isolated from the outside world. She was not allowed to have visitors come to visit or speak to people she knew at church. Eventually Diego forced her to move with him to another state where she knew no one. They stayed at his sister's house where she was often denied food. In time, Diego began sexually abusing her, making her have sex with him against her will. He would rape her so brutally that she suffered bleeding and internal injury. After one of these incidents, Allegra fled to her brother's house, and Diego followed her. He threatened her brother's life, and he told Allegra that unless she came back to him, she would never see her brother again. Someone in Allegra's family called the police to the scene. When they arrived, the police only spoke with Diego, since he was the only English speaker in the group. To Allegra's amazement and horror, the police left without arresting Diego.

A few months later, when Allegra was pregnant with their first child, Diego almost killed her. Allegra was sick with a high fever and the flu. Diego had refused to take her to a doctor, telling her that since she did not have a social security number, she would be deported if she sought medical treatment. As the night wore on, Allegra became cold and asked Diego to turn up the thermostat in the house. When Diego refused to do this, Allegra got up and tried to do it herself. That was when Diego pushed her back to the bed and began to suffocate her. He picked her up by her neck and punched her repeatedly. Then he slammed her head against the door. There was no phone in the house, so she could not call for help. Allegra screamed loudly, and Diego threw her back on the bed and covered her mouth forcefully with his hand, until he drew blood from her mouth. Finally, he raped her and left her there on the bed.

The next day, Allegra miscarried their child. All that day, she begged Diego to take her to the hospital, as she was bleeding profusely and was sick with fever. He told her to stay in bed and responded, "our problems are private ones." Towards the evening, though, Diego finally called Allegra's parents, who came to pick her up and take her to a doctor. Allegra has not had contact with Diego since that day.

Allegra filed a VAWA self-petition for residency on the basis of her abusive relationship with Diego. She has been receiving mental health counseling since her separation from Diego, and she is trying to rebuild her life and make plans for attending college. She wishes to become a teacher.

If Allegra is forced to return to Mexico to get her green card under VAWA, she will face

serious danger. Diego knows her address in Mexico and has already called her family members in Mexico, threatening to hurt Allegra if she returns. Allegra knows that Diego has a gun and would not be afraid to use it to kill her. She is certain that Mexico lacks the laws and services to protect her from Diego's abuse. She is also terrified that if she returns to Mexico, Diego will follow her there and finally kill her for leaving him.

This case originated in Iowa.

MARISIA

Marisia is a citizen of Mexico. She met her husband, Nicolo, in Mexico when he was visiting his family there. Nicolo was living in California at the time and was a lawful permanent resident of the United States. Nicolo and Marisia began a long-distance relationship which lasted for the next six years. At the end of that period, Nicolo proposed to Marisia, and the two married in Las Vegas the next year.

After the wedding, Marisia noticed Nicolo's behavior changing. He was almost never home, and he forbade her from leaving the house or making friends. Marisia was required to stay in the house at all times, so if there were no food in the house, Marisia would not eat. In fact, she lost 20 pounds in the first month of their marriage. She was incredibly depressed and lonely, and she was also entirely dependent on Nicolo for all her necessities.

When Nicolo did come home, he was usually drunk or high on marijuana or cocaine. He would yell insults at Marisia and demean her in front of others. When she was pregnant, he would not allow her to see a doctor for check-ups. He also became physically abusive when angry, often pushing her or grabbing her roughly by the arms and leaving welts and bruises on her skin.

Marisia finally decided to leave Nicolo after the birth of their second child. She had grown increasingly fearful of Nicolo and depressed at his mistreatment of her. She received a restraining order against him, but he violated it often. He would come by the house to talk to Marisia and try to convince her to come back to him. He has continued to call her repeatedly to harass and threaten her, even after she received a permanent restraining order. Although he continues to harass and threaten her, the restraining order has made him reduce his physical violence. Marisia is certain that the restraining order is the only thing keeping her safe from Nicolo.

Marisia believes that if she must return to Mexico to get her green card, Nicolo will follow her there. He remains in contact with his family in Mexico. Marisia is afraid that he will try to hurt or kill her there, since her restraining order will not be enforceable outside the jurisdiction of the United States. In addition, Marisia is fearful that Nicolo will try to kidnap the children while she is in Mexico. He has already threatened to do so.

Marisia is trying desperately to rebuild her life after her marriage. She and her children are receiving counseling at a shelter in Iowa. In addition, Marisia's restraining order grants her temporary custody of the children and requires Nicolo to pay child support. Marisia intends to file for divorce, and she knows that Nicolo will "fight her forever" for custody of the children. Once a custody battle ensues, Marisia will not be able to leave the United States to get her green card in Mexico. If she does leave, she will risk losing custody of her children because she will not be able to comply with any visitation orders while she is out of the country. For these

reasons, to be safe, Marisia needs to obtain her green card in the U.S.

This case originated California, moved to New Mexico, and is currently in Iowa.

CONCHITA

Conchita is a 30-year-old woman from Mexico. She entered the United States with her parents at age 4. She attended school in California, and in high school she began dating Simon, an American citizen. When she was 18, Conchita became pregnant, and she and Simon got married and dropped out of high school.

Six months after their marriage Simon became physically abusive. He frequently punched, kicked, hit, and choked Conchita. He was extremely controlling, and verbally and emotionally abusive as well. If Conchita did not abide by Simon's "rules," she was beaten. She was not allowed to leave the house or yard alone; if Simon could not accompany her, he would send one of his siblings. She could not even walk to the corner to buy milk for her child. Simon isolated Conchita from her family, and she was not allowed to visit or call them. Her family did not try to make contact for fear that Simon would attack them or beat Conchita.

Conchita and her family were unaware of her rights and options. She did not want to have any more children, because she feared bringing anyone else into this abusive situation. However, Simon forbade her to take any contraceptive measures, threatening to take their child away from her because she was not a citizen. When Conchita became pregnant with her second child, Simon began to get involved in drugs. This made his violence worse, and she never knew what to expect from him. Conchita was in despair, and her children were the only reason for her to continue living. When she was seven months pregnant with her third child, Simon found out that Conchita's mother was secretly meeting with Conchita and giving her money to buy food for the children. He became enraged at Conchita, and pushed her onto the couch and sat on her stomach, strangling her until she could not breathe.

By 1994, Conchita could not take any more abuse. One day while Simon was out buying drugs, Conchita called her parents to come get her and the children. She was able to hide from him even though he harassed her friends and family. Conchita hid in California and then took the children to New Mexico. However, Simon tracked her down and found her in New Mexico, where he continued to abuse and harass her. She obtained a protective order and often had it enforced. Then Simon began to stalk her, and he would break into the house while she was gone to hide and attack her unexpectedly. He also began abusing the children. Conchita and the children entered a shelter in New Mexico, and then moved to Iowa to be with her sister where her protection order continues to be enforceable.

Conchita wants to become a lawful permanent resident of the United States so that she can provide for her three children. However, returning to Mexico for consular processing could be extremely dangerous. Simon could track her down again, this time in a place where her protective order could not be enforced. Additionally, Conchita cannot afford a trip to Mexico, especially with her three children. Yet if she leaves the children behind, Simon could take them away or abuse them further. Conchita came to the United States as a young child, and her

children are American citizens and half Caucasian. There is no one in Mexico to provide them with shelter or support, and they are unfamiliar with the language and culture. Conchita must be able to receive her green card within the United States in order to ensure the safety and welfare of herself and her three children.

This case originated in Iowa, moved to Kansas, and is currently in Iowa.

TATIANA

Tatiana came to the United States from Mexico to visit her sister and parents in Iowa. While there she met Antonio, a lawful permanent resident. He was very respectful to her family's traditions and asked her parents for permission to date her. Tatiana had her visitor's visa extended, and she and Antonio dated and eventually married.

Immediately after their marriage, Antonio became extremely abusive. When Tatiana expressed her unhappiness, Antonio promised to change and said he would kill himself if she left him. One day she went to talk to her family at the restaurant they owned, because she was considering leaving Antonio. While she was there, Antonio came into the restaurant waving a gun. He threatened to kill her family if she did not leave that moment and go to live with him in Kansas. Naturally she left with him. The police were unable to locate him.

Antonio's behavior only worsened once they were in Kansas, especially since he succeeded in isolating Tatiana from the world. He would not allow her to call her family or talk to the neighbors. She obeyed him out of fear for what he might do to her. Tatiana became pregnant, but lost the baby when Antonio threw her up against the wall during an argument. After this incident, she escaped the apartment and called her sister in Iowa. She returned to Iowa with her sister and obtained a protective order against Antonio.

Tatiana is now receiving counseling in Iowa, and looks forward to living independently and supporting herself. However, returning to Mexico to receive her green card would be dangerous. Her protective order would not be valid there, and Antonio could find her in Mexico and abuse her without fear of legal repercussions. For her own safety, it is necessary that Tatiana be permitted to remain in the United States to become a lawful permanent resident.

This case originated in Michigan.

YAA

Yaa is a 36-year-old mother of two. She is originally from Nigeria. She met her first love, Martin, while he was visiting family in Nigeria. Martin is a lawful permanent resident of the United States. Martin and Yaa courted for a long period of time, after which Martin persuaded Yaa to marry him and join him in the United States. They married according to the customary traditions in Nigeria. Following their marriage, Martin assisted Yaa in obtaining a visitor visa to come to the U.S. He promised to support Yaa in her desire to further her education in the U.S. and to petition for her residency. Yaa trusted her husband completely.

When Yaa arrived in the United States, Martin took her passport and assured her that everything would be fine. They celebrated both court and church weddings in the U.S. Immediately after the wedding, Yaa discovered that she was pregnant. She wanted to go to school, but Martin refused to let her go. Martin's behavior towards her seemed to be changing before her eyes. He would not let her leave the house alone for fear that other men might find her attractive and "steal her away." In fact, he refused to file immigration papers for Yaa and threatened her with deportation if she ever dared disobey his orders.

Martin began physically abusing Yaa after the birth of their first child. He would slap her when she would question his authority or inquire about her immigration status. He would frequently spit on her if she refused to have sex with him. He also used a hidden recording device to tape record all of her telephone conversations. As a result, Yaa felt more and more like a prisoner in her own home.

A very severe incident of abuse occurred when Martin beat Yaa with his fists and a bottle of alcohol. Yaa suffered such severe facial injuries that she was rushed in an ambulance to a local hospital for treatment. The police arrested Martin and charged him with domestic violence. He was prosecuted and convicted of this crime. Following this conviction, Martin decided to punish Yaa by refusing to pay the house mortgage or buy food and other necessities. He also shut off the telephone and the gas. Yaa became desperate and sought assistance from her best friend. She moved out of her and Martin's home and found a job.

Martin's family in Nigeria dislikes Yaa and blames her for Martin's arrest and conviction. They called Yaa from Nigeria and threatened to have her deported because she "brought shame" to the family. They also threatened to take her children away from her. Despite all these threats, Yaa has remained strong and sought legal counsel to help her file a VAWA self-petition for residency. The petition has been approved, and Yaa has received a permanent restraining order against Martin.

It is clear that if Yaa is forced to return to Nigeria in order to obtain lawful permanent residency under VAWA with her two U.S. citizen children, she will face retribution from Martin's family. They know where she lives in Nigeria, and they have threatened to hurt her and

kidnap the children. Yaa would have to bring the children with her to Nigeria because she has no family she can leave them with in the U.S. She is very afraid that if she sets foot in Nigeria, Martin's family will cause her great bodily harm and may even kill her.

This case originated in Illinois and is currently in Michigan.

BEATRIZ

Beatriz is originally from Mexico. She met Rafael, a lawful permanent resident of the United States, who was originally from Mexico. They began to live together in Illinois, then Rafael was transferred to Michigan by his employer. Beatriz discovered she was pregnant and Rafael invited her to join him in Michigan, where they were married.

Their relationship was not always a physically violent one, although Rafael would often insult or yell at Beatriz in front of other people. Only two days after they married, though, he told her he would not help her with her immigration papers. He said he preferred to use her unlawful immigration status as an insurance measure, so that Beatriz would not be tempted to leave him. He often threatened to call the INS and have her deported if she ever left him.

In the early months of their marriage, Rafael would slap Beatriz when he became angry with her. On one occasion, when Beatriz confronted Rafael about an affair she suspected he was having, he shoved her so hard, she fell out of bed. She was six months pregnant at the time. Other times, Rafael would get drunk and pull Beatriz's hair and punch her in the face.

About three weeks after their son was born, Rafael came home very late and began hitting and shouting at Beatriz. She ran out of the apartment building, and Rafael followed her, trying to force her back inside the building. Rafael pushed her down, and she fell, scraping her knees and elbows. Finally, a neighbor called the police, and Rafael was jailed for the night. Beatriz was taken to the hospital for treatment of her injuries. The next morning, when Rafael was released from jail, he violated the court's stay away order and returned home to Beatriz. Although she did not want him at home, she was so frightened of what he might do to her that she could not ask him to leave. Later, when Rafael had to appear in court to answer charges of domestic violence, he threatened to kill Beatriz and take their son away from her unless she told the judge that she wanted Rafael to return home. The judge did not speak Spanish and Beatriz did not speak English, and there was no translator, so the judge allowed Rafael to translate. Beatriz had no independent way to communicate with the judge and was terrified to do anything but agree that she wanted him back. Beatriz told the judge exactly that, and Rafael returned home to continue his abuse of Beatriz.

Soon after this incident, Beatriz made a trip to Mexico with their son to have him baptized. Rafael came with them. When Rafael had to return to his job in the U.S., he promised to send Beatriz money and come back for her and the baby in a month or two. After a while, he stopped sending money, and when Beatriz called him, he said that he did not want her to return to the U.S. Beatriz and the baby were left stranded, without money or food, in Mexico. A cousin in Illinois offered to take Beatriz and the baby in, and thus they re-entered the U.S.

If Beatriz is forced to return to Mexico to get her green card under VAWA, she will lose access to the mental health counseling she is currently receiving. Beatriz desperately needs

regular sessions of counseling in order to help her understand and cope with the severe physical and emotional abuse she endured in her marriage to Rafael. Mexico has no such mental health services for battered women. In addition, Beatriz is the sole caretaker of her U.S. citizen son. If she leaves for Mexico, she will lose her job, and she will not be able to support her child or make enough money for the trip back to the United States. Further, Beatriz fears that traveling again to Mexico for even a short time to get her green card will be harmful to her son. When they were in Mexico, her son had severe gastrointestinal problems due to the food and water that the doctors could never fully treat. Beatriz should be allowed to stay in the United States to adjust her residency status, so that she may continue to strengthen her mental health, protect her son's health, and build a new life of her own, free from Rafael's control and abuse.

This case originated California and is currently in Utah.

MILAGROS

Milagros, originally from Mexico, met Milton in California. Milton is an American citizen from Utah who was working at a religious mission in California when he met Milagros. The two became friends, began dating, and eventually became engaged. They were married in Utah in April of 1998.

On the way home from their honeymoon, the couple was in a terrible car accident. Milton was not seriously injured, but Milagros suffered severe injuries to her spine, knee, ankle, and face. She underwent an operation and was incapacitated for a time. She had a difficult time taking care of herself while Milton was at work all day, unable to perform such tasks as bathing and preparing food. When Milton arrived home at night, he ignored Milagros and would not even talk to her. He often came home drunk. Milagros soon discovered that Milton had a drug and alcohol problem.

Milton began to resent Milagros for her injuries, complaining that she used up too much electricity, water, food, and gas without making a financial contribution to the household. Milagros was physically unable to work, but Milton showed no signs of sympathy for her condition. One night, Milton came home drunk and began to argue with Milagros about finances. He became furious with Milagros and hit her. After this incident, Milagros informed Milton's parents that he was abusing drugs and alcohol and that he had hit her. His parents talked with him about his problems, but he became only more enraged at Milagros for telling them.

Milton began to hit Milagros more frequently. In July of 1998, Milagros's physical therapist noticed extensive bruising on Milagros's arm. The therapist urged her to call the police, but she was too afraid that Milton would have her deported. Milagros knew that if she were deported, she could not get the medical attention she needed.

One night in August, Milton began verbally abusing Milagros. Milagros left the apartment to give Milton the opportunity to calm down, but his temper was no better when she returned. She tried to use the phone, but Milton promptly disconnected the line. When she tried to leave again, Milton took her shoes from her and threw them away. Milagros began to cry, but this only further angered Milton. He threw her down on the bed and slapped her face repeatedly, and then threw water on her. Milagros again tried to leave, determined to get help. Milton then grabbed her by the hair and pulled her back, and grabbed her backpack and threw it to the floor. Eventually, she was able to call a friend for help, and she reported Milton's behavior to the police.

Milagros has since separated from Milton, and has filed a VAWA self-petition for residency. However, returning to Mexico for consular processing would be detrimental to her health and safety. Milton could follow Milagros to Mexico, where he could abuse her without legal consequences. Also, in Mexico, Milagros would not have access to the advanced medical

care she needs to recover from her severe injuries. Her family in Mexico is not able to support her, and she would not be able to get a job there because of her disabilities. For these reasons, Milagros must be permitted to remain in the United States to receive her green card.

This case originated in Florida.

FELICIA

Felicia, originally from Honduras, traveled to Florida six years ago to visit her aunt. Peter, an American citizen, was newly divorced and renting a room in her aunt's house. The two began spending time together and soon moved in together. They were married four years later.

The couple's problems began when Felicia first discovered she was pregnant. Peter did not want her to have the child, and ordered her to have an abortion. Felicia refused, and Peter hit her and then forced her to have sex with him. Felicia was three months pregnant at the time. The next month, Peter took her to an abortion clinic, but she protested. She said she wanted to have the child, and if Peter did not, he could leave.

Peter accepted this, but he did not leave. Instead, he began to resent Felicia, and frequently hit and insulted her for no reason, often in front of other people. He found fault in everything Felicia did, especially in her cooking. Peter also refused to let her leave the house, even though he routinely stayed out until 5:00 or 6:00 a.m. Even after the baby was born, Peter ignored his family and continued to go out every night.

Although Peter physically abused Felicia from the beginning of the relationship, she was afraid to say or do anything about it at first. However, she realized she could not continue to tolerate the abuse when she observed its effects on her son Justin. He cried a lot, often retreating to hide in the corner, trembling and sobbing. Felicia began to call the police when Peter abused her, and the neighbors also called the police when they heard fighting.

The police were called during one incident in December of 1993, when Peter became jealous of a male neighbor he thought was interested in Felicia. He punched Felicia in the chest and arms with his fists, and bit her right arm. A neighbor overheard the noise and called the police, but Felicia asked them not to arrest Peter. During another incident in 1995, Peter became enraged and pushed Felicia against a wall, breaking her nose in two places. Felicia ran out into the street covered in blood, and someone outside called for an ambulance. The next month Peter beat Felicia again, first grabbing her hair and banging her head against the wall. Then he hit her, kicked her, and punched her in the face, causing her nose to bleed. Incidents such as these were frequent throughout Peter and Felicia's relationship.

On one evening in September of 1997, Peter was drunk when Felicia got home from work. He insulted her and screamed at her, and told her to hand over the car keys because the car was in his name. While Felicia had paid for part of the car, Peter would not let her use it, even if she had to go to work or to Justin's school. Felicia slept in Justin's room that night and locked the door. Peter tried to force the door open with a knife but did not succeed. The next morning, Justin awoke before Felicia and opened the door to his room. At that moment, Peter ran and kicked the door open completely, and then began to struggle with Felicia. He grabbed her wallet and removed the money from it, and then grabbed her hand and bent her long nails all the way

back. Felicia's nails all broke and were bleeding profusely. Peter then grabbed her by the neck and said he was going to kill her. Felicia got loose and went into the other room to call the police, but Peter came after her and grabbed the telephone out of her hands, throwing it to the floor. He then took her beeper and threw it to the floor as well, where it broke into many pieces. Felicia quickly picked up Justin, who was yelling and crying, and called out to people on the street to call the police. She then got dressed and left, taking Justin, and went to stay at a friend's house.

Felicia decided she could not tolerate any more abuse and refused to move back to the house. When she returned briefly to retrieve her belongings, Peter insulted her and tried to hit her. He began to call her at her friend's house, insulting and threatening her over the phone. In October, he showed up at Justin's babysitter's house and cursed and threatened Felicia there. He said he was going to crash his car into Felicia's. A few weeks later he showed up there again and began to argue with Felicia. He again pulled her nails back, making them break and bleed. He also threatened to shoot Felicia. When she called the police, he fled. Felicia was frightened by his threats and obtained a restraining order against him. The restraining order made Peter even more livid. Shortly after it was filed, Felicia found that the passenger window of her car had been smashed while she was at work. Two days later, the rear window had been broken.

The next month, Felicia noticed that Peter was following her while she was shopping. She told him to leave her alone, but he kept following her. Finally, she left the store to get away from him. While she was opening the car door, Peter grabbed her hair and pulled on it. He began to punch her on the face and body, and he bit her on the left arm. A bystander called the police, and they arrived and arrested Peter. Felicia was taken to the hospital and treated for head trauma and face contusions.

Felicia has filed a self-petition but is afraid because returning to Honduras for consular processing would be extremely dangerous. Peter is enraged over her restraining order. Despite the order, Peter has kept stalking her. Only Peter's arrest has offered any relief. Felicia fears that Peter will continue stalking her and follow her to Honduras where the order would not be valid. The law in Honduras would not protect her from Peter's abuses. Felicia also faces the hardship of the trip's expense, especially if she took Justin along. However, if she left him behind, Peter could obtain full custody of him in her absence. Felicia must be permitted to remain in this country to obtain her green card, and must not be forced to return to Honduras for any reason.

This case originated in Florida.

EMILIA

Emilia is a 41-year-old Costa Rican national. She arrived with a visitor's visa to the United States in 1983. In 1984, she met Denis, a lawful permanent resident of the United States from Costa Rica, and later moved in with him. Emilia had two children from previous relationships, one of which was a United States citizen. She had two more children in America with Denis. After nine years of living with Denis, Emilia married him in 1993.

Eventually they separated, but in 1996 they decided to move in together again and give the relationship another try. Denis insisted that Emilia and the children move into his neighborhood, away from their schools and friends. He was very jealous, and wanted to isolate Emilia from her social circle. Denis did not permit Emilia to have any male friends or to smile at or greet any man, including the neighbors.

Denis was especially jealous of the boyfriend of Emilia's oldest daughter Janet. He frequently visited their home to see Janet, and Emilia would often entertain him if Janet had not arrived yet. One day, after he had called looking for Janet and had spoken with Emilia, Denis became furious with Emilia and accused her of having an affair with this young man. He called the young man and told him never to return to their house or call again. He told him he did not want his wife talking to other men. Then he came into the bedroom to find Emilia and began yelling at her. He grabbed her by the throat and poked her hard in the eye. Emilia called the police, and Denis waited for them because he didn't think he did anything warranting an arrest. However, the police saw evidence of Emilia's injuries and arrested him.

Another incident occurred on Halloween in 1997. Denis had lost his job, and Emilia did not have money to buy her son a Halloween costume. She was able to borrow some money from a neighbor, however. That morning at 7:00 a.m. Emilia's pager sounded, and Denis demanded to know who was calling her. Emilia did not recognize the number, and when she called it she discovered it was the neighbor from whom she borrowed the money. Denis was enraged, and grabbed the phone from Emilia, shouting at the neighbor that he better come and pick up Emilia because she would no longer have a place to stay. He then slammed the phone down and accused Emilia of having an affair with the neighbor. When she denied it, he became livid and grabbed her. Denis slapped Emilia and banged her head against the wall. Their three-year-old son Alex watched everything in terror. Emilia went to call the police, but Denis blocked her access to the phone. Determined, Emilia took Alex and walked to the police station. Denis was fearful of being arrested and followed her. He told the police he did not hit Emilia and there were no marks to prove it. An officer then asked Alex if he saw his dad hit his mom. Alex said yes, and Denis was arrested.

Emilia eventually obtained a protective order against her husband, and has separated from him. However, if Emilia is required to return to Costa Rica to legalize her status, she will again face danger. The protective order she has against her husband will not be valid in Costa Rica, and

Denis, who is also from Costa Rica, can easily travel there. If Denis follows Emilia there, she will not be protected by the law. Denis could try to harm her again, and this time perhaps kill her. She has no support system in Costa Rica to aid her financially, and could not afford the journey or the stay, especially with her children. Yet, it is not an option for Emilia to leave them behind, as Denis could kidnap them or try to obtain custody of them in her absence. Emilia must not be required to return to Costa Rica for any reason, and must be allowed to remain in this country under the protection of American law.

This case originated in Texas and is currently in Florida.

VERONICA

Veronica is a 23-year-old woman from Mexico. She entered the United States in December of 1992, and met Timothy, an American citizen, in 1994. The two were introduced by Veronica's employer in Texas, and began dating. Although they were busy working, Veronica and Timothy spent most of their free time together enjoying various activities. Veronica got to know Timothy's family well, and was quite comfortable around them. Timothy never showed signs of anger or violence at this stage, but he was always jealous and did not trust Veronica at all.

The couple moved in together in July of 1995, and Veronica soon realized she was pregnant. When she was seven months pregnant, Timothy began to argue with her. He became furious and kicked Veronica out of the house, literally throwing her out on the street. She had nowhere to go, and turned to her employer, who gave her a place to stay. Three days later, Timothy tracked Veronica down and asked her for \$100 to buy a refrigerator. After that, he apologized for kicking her out of the house. Veronica was pregnant and alone, and returned to Timothy out of desperation.

Timothy soon began threatening to report Veronica to immigration. His family joined in as well, constantly insulting and humiliating Veronica about her immigration status. They told her to get out of the country, and became especially hostile whenever they saw Veronica with something she bought. Timothy's father was adamant in his threats against Veronica, always shouting at her that she had better not hurt his son.

This behavior continued for the next two months, until Veronica gave birth to twins. She had medical complications in childbirth, and as a result will be unable to bear more children. No one accompanied her to the hospital to give birth, or came to visit her during her stay. Once she was discharged, she went to stay with a friend. A week later, Timothy learned she had given birth and came looking for her, demanding to see the children. When Veronica expressed outrage at his behavior, he promised to change and insisted they get back together. Again, Veronica felt she had no other options and returned to live with Timothy. Timothy began taking his little girl out frequently, showing her to all his family and friends. However, he ignored the male twin. He insisted the boy was not his, and would not believe Veronica when she explained the children were twins.

Timothy would not allow Veronica to work, nor would he give her any money. Veronica was forced to sell many of her belongings to have money for necessities. He began to prevent her from socializing and making friends, and she was quite lonely. She was only allowed to see Timothy and his family, all of whom were cold and rude to her.

In February of 1997, Timothy awoke in the morning enraged at Veronica. He had been using drugs the night before and was still under their influence. Veronica was making breakfast

when their little girl began to cry. Timothy shouted for Veronica to quiet the baby. Then out of nowhere, he grabbed Veronica and started hitting her in the head. He always hit her on the head because he said that if she tried to go to the police, her hair would cover the bruises. He said he would then tell the police she was a crazy illegal and try to get her deported.

Later that day, Timothy began to hit Veronica again, all over her body. He also bit her neck, which caused severe bruising, looking as if she had been hung with a rope. He then grabbed her by the hair. Veronica insisted that he let go of her, and he did. But he threatened to kill her and take away the children, and never allow her to see them again. He grabbed the children and took them to his mother's house, warning Veronica that if she called the police they would arrest her and deport her, and she would never see the children again. That evening, Timothy returned but left the children with his family. Veronica was in excruciating pain from the earlier beatings, and could barely talk or move. However, Timothy made a sexual advance on her, and then pried her legs apart and forced her to have sex with him. Veronica did not protest because she was terrified that he would start hitting her again.

In May of 1997, Timothy took Veronica to a movie, but got angry with her while they were there. He left her outside the theater, and although she was very far away, she had no choice but to walk home. When she finally got back to the apartment, Timothy refused to let her in. He gave her their son, saying he was only interested in keeping their daughter. Tired and defeated, Veronica sat on the doorstep and cried. Timothy yelled for her to take the boy and go away, but she had nowhere to go. Her son was crying and asking her for food, but she had nothing. Having been prevented from making any friends, Veronica had no one to turn to, and she and her son spent the night in a park. The next day Veronica went to Timothy's aunt for help, but she turned Veronica away.

Veronica went to live in a shelter, eventually with both of her children. However, in December Timothy took the children. Veronica was desperate, but could not find them. In January, Timothy contacted Veronica and told her that if she wanted to see the children, she had to get back together with him. Veronica pleaded with Timothy to bring the children back to her, and threatened to involve the police. Timothy said the police could do nothing, because he had taken the children out of the country. He made Veronica agree not to tell anyone he had brought the children to Mexico, and in exchange, he would allow her to see them again on condition that she got back together with him. Veronica had no choice but to agree.

Shortly after the family was reunited, they moved to Florida and stayed in a homeless shelter. Timothy worked at night, and began to arrive home drunk and under the influence of drugs. He always woke Veronica up when he got home, and one night he began to yell at her. He told her she was crazy, and grabbed her, pulling her over to the door. Veronica was holding one of the children, and so Timothy could not hurt her and left. Later he apologized and promised to change, and said he wanted to marry Veronica to formalize their commitment.

After they were married, the shelter enrolled Veronica in an English class, but Timothy said it was a crazy and unnecessary idea. He told her that if she wanted to continue being his

wife, she should simply ask him everything because he had all the answers. One morning, Veronica told Timothy she planned to start English classes that day. He immediately went after her and grabbed her by the hair. He hit her on the top of the head, screaming at Veronica that she should not even think about taking the classes. The social workers at the shelter overheard the abuse and helped Veronica enter a battered women's shelter.

Veronica is now learning to survive on her own, she has filed a self-petition and wishes to create a safe and secure life for herself and the children in the United States. In order for her to become a lawful permanent resident, Veronica would have to face the danger of returning to Mexico for consular processing. Her primary fear is that Timothy would find her there. He had taken the children to Mexico to force her to return to him in the past and he has hunted her down and found her so many times before. He could physically abuse her there without legal consequences, and Veronica believes he may even try to kill her. Furthermore, he could easily take the children from her while they were in Mexico. He has taken them before, and is determined to do it again. If Veronica were able to remain in the United States to obtain her green card, she would have the consistent protection of American law enforcement against Timothy's violence and threats. For this reason, Veronica must not be required to return to Mexico for any reason.

This case originated in Massachusetts.

MONA

Mona is a native of Poland who entered the United States in 1993 on a visitor's visa with her first husband Darius, also a native of Poland. After visiting family members in Massachusetts, Darius and Mona decided to stay in the U.S. In late 1993, Mona had her first child, Nora, who is a U.S. citizen and now five years old.

Although Darius had exhibited an explosive temper prior to their marriage, it was nothing compared to the violence he unleashed upon Mona after they came to the U.S. During her pregnancy with Nora, Mona endured much abuse at the hands of Darius. He would push her out of bed and shove her to the floor. He also began slapping her when he would get angry, often pushing her to the floor and sitting on her chest or strangling her. His abuse ended with an incident in early 1995, when he fractured several of her fingers, leading her to get a restraining order and divorce him later that year.

After her divorce, Mona stayed with her family members in the U.S. Her family and friends provided her with strong emotional and financial support during this difficult time. Sometime in 1996, with her family's encouragement, Mona began to date Ronald. Ronald was a lawful permanent resident of the United States and also a native of Poland. Mona and Ronald fell and love and were married in 1997. In early 1998, they moved in together after Ronald found a job in the community where Mona was living.

Almost immediately after they moved in together, Mona's new husband began to insult, swear, and yell at Mona's daughter, Nora. He began to drink heavily, and when he did, he would behave extremely inappropriately in front of little Nora. He would watch pornographic videos and look at pornographic photographs from the Internet in the child's presence. Mona was very upset about Ronald's behavior, and when she confronted him about it, he would respond by screaming at Mona and frightening her with his verbal abuse.

Some months later, Mona became pregnant with Ronald's child. Ronald tried to force her to have an abortion, but Mona refused. This only made Ronald more uncontrollable and angry. Only a couple of months later, Ronald became violent during an argument and grabbed Mona by the throat. He tried to strangle her to death, and Mona struggled against his hands as they crushed her windpipe. She fought for her and her unborn baby's lives and finally managed to free herself from Ronald's grasp and call the police. Her husband was later arrested and convicted of assault and battery, and Mona obtained a restraining order against him.

Since then, Mona and her daughter have moved out of the house and are staying with close family and friends. Mona has been receiving counseling for the past seven months to help her recover from the horror of being abused by her husband. She has also filed a VAWA self-petition for permanent residence and has obtained a referral to a family law attorney who is assisting her in obtaining custody of her two U.S. citizen children and a divorce from her abusive

husband.

When Mona's priority date becomes current, she will be required to return to Poland as the only way of getting her green card under VAWA. If Mona is forced to return to Poland, she will face great danger and also the possibility of losing custody of her children. Mona is very afraid that her ex-husband Darius or her husband Ronald will follow her to Poland and abuse her there. She has restraining orders protecting her against both Darius and Ronald, but these restraining orders would not be valid outside the United States. Darius has already threatened to follow Mona to Poland and hurt or kill her when she arrives. Mona believes his threats and knows that he will have an easy time harming her in Poland because she has no family, friends, or restraining order to protect her from his violence in that country. Furthermore, Mona's current husband, Ronald is facing a domestic violence conviction which is a deportable offense. It is therefore highly likely that he will be deported to Poland in the near future. If this happens when Mona is in Poland getting her green card, she will face the threat of Ronald stalking her and taking his revenge on her for reporting the assault that led to his deportation. Mona knows that he is very angry at her and fears that he will kill her if she returns to Poland.

The other reason why Mona must not return to Poland to get her green card is because her children's custody is still at issue. Mona simply cannot leave the country while the matter of the children's custody is in dispute; otherwise, she will face losing custody of her two children. Considering all the emotional trauma Mona has suffered at the hands of her ex-husband and current husband, it is also clear that being separated from her young children for the time it takes to get her green card will cause Mona great emotional distress. She could be separated from them for a potentially long period of time while she is getting her green card. This will be detrimental to both Mona and the children, since the children rely upon Mona as their sole caretaker. Coupling this fact with the added threat of physical violence Mona faces at the hands of Darius and Ronald in Poland, Mona must be allowed to adjust her residency status in the United States.

This case originated in Massachusetts.

SONYA

Sonya is a 20-year-old native of Guyana. She entered the United States for the first time when she was thirteen years old to visit her aunt. She later began attending school in the U.S., where at the age of sixteen she met Felix. Felix was a native of Guatemala and lawful permanent resident of the United States. The two began dating and became girlfriend and boyfriend. Felix proposed to Sonya the following year, and they were married the next month.

Following their wedding, Sonya began to realize that there were many things she did not know about Felix. First of all, he began to bring his friends over to the house to drink and use drugs until the early morning hours. Seeing Felix and his friends drunk and high on drugs made Sonya upset and frightened, especially since Felix would become aggressive and verbally abusive toward her at these times. When Sonya became pregnant a few months later, Felix became irrationally jealous and began accusing her of having relationships with other men. He would become angry with her and push her across the room with great force. On one occasion, he pushed her backward when she was several months pregnant, and her pregnant belly crashed into the side of the bed frame. Although the baby was not hurt after that incident, Sonya became afraid of Felix and considered leaving him.

After the birth of their daughter, Katrina, Felix continued his abuse of Sonya, screaming and yelling at her whenever he would get drunk or angry. He began having an affair with another woman, whom he brought into the family home. It was not until May of 1997 that Sonya contacted a school teacher of hers for help. Felix had threatened her life during an argument, and Sonya feared that he would kill her. She called the police and received a restraining order against Felix. She then left him and went to live with her family.

Three months later, Felix begged her to take him back and give him another chance. She hoped that he had learned his lesson and had changed his behavior, so she moved in with him again. Unfortunately, he had not changed at all. He punched Sonya in the chest when he became angry and jealous one evening. Sonya moved out immediately and consulted an attorney who helped her file a VAWA self-petition for residency.

Despite her decision to separate from her husband, Sonya also felt it was important for her daughter to maintain a relationship with him. Sonya arranged for Felix and Katrina to have weekend visits. Sonya reconsidered this visitation in July 1998 after Felix pushed Sonya to the ground and threatened to kill her after dropping their daughter off at Sonya's house. In the fall of 1998, Sonya was forced to cut off these visits entirely after Felix attacked her when he came to pick up Katrina. Sonya had asked a male friend to escort her and protect her when she went to pick up her daughter after Felix's visitation session. When Sonya and her friend approached Felix, he lunged at both of them with a knife, slicing Sonya's neck and slashing her friend's face. Both Sonya and her friend had to be rushed to the hospital, and Sonya nearly died from the severe wound and bleeding from her neck. Sonya is now cooperating with state prosecutors to

convict Felix of attempted murder for that attack. He will be deported following this conviction.

As a result of her traumatic experiences during her marriage to Felix, Sonya has been receiving counseling services from a domestic violence service agency. She is trying her best to raise her daughter on her own and complete her own schooling. She has been receiving financial and emotional help from her family, all of whom live in the U.S. If she were forced to return to Guyana to get her green card pursuant to VAWA, she would have no one there to help and support her. She is very young and has not visited Guyana since she was a little girl. She is unfamiliar with the country, the language, and the laws of Guyana. After all the emotional turmoil she has experienced in her life, she cannot imagine how she would survive in Guyana without support from her family. Furthermore, she is extremely afraid that Felix will travel to Guyana and attempt to kill her once he is deported. He has sworn revenge on Sonya, and indeed he almost succeeded in killing her once before. In Guyana, Sonya would be alone and unprotected, out of the jurisdiction of her U.S. restraining order. She would be vulnerable to Felix's attacks there, and her life would constantly be in danger if she were forced to leave the U.S. to get her green card.

This case originated in Massachusetts.

CELIA

Celia is a 26-year-old citizen of Trinidad and Tobago. She entered the United States in 1989 on a visitor's visa. After her arrival, she met her husband, Ali, who was a friend of her cousin. Ali is a lawful permanent resident of the U.S. originally from Trinidad. Over the next year, Ali and Celia became romantically involved. Ali proposed to Celia in late 1990, and in the spring of 1991, they moved in together.

After they began living together, Ali began to manipulate and control Celia's movements. He had not acted this way before, and Celia was surprised at the change in him. He began to stay out until the early morning hours and would yell at her and insult her when she would inquire where he had been. He would also become angry whenever Celia would want to spend time with her family or friends. He preferred her to stay in the house and visit no one. Whenever she would disobey his orders or question his decisions, he would corner in a room and scream at her, insulting her and calling her a slut. He would also threaten to turn her in to the INS for her disobedience.

One evening, Celia confessed to Ali that she was so afraid of him that she considered calling the police to arrest him for abusing her. This made Ali so angry that he held a gun to Celia's head and threatened to shoot her. On another occasion, after a family party during which Celia refused to speak to Ali, he drove her home and began yelling at her and hitting her all over her body with his fists.

The following year, Celia became pregnant with their son, Caleb. She gave birth to Caleb in early 1993, hoping that the birth of their child would make Ali change his ways and stop abusing her. Unfortunately, Ali only became more violent. He continued in his physical and emotional abuse of Celia, yelling at her daily and calling her a whore. He also hit her in the face once with the telephone receiver. Celia would always forgive him when he would apologize after each incident of abuse. She married him the following year mainly because she wanted her son to have a father and a chance at having a family.

After the marriage, Ali began staying out all night. Celia thought she smelled marijuana on his clothes when he would come home, and she also suspected that he was having an affair. When she confronted him about this, he punched her in the eye in front of their son. After this incident, Celia left Ali and she and her son moved in with a family friend.

Since her separation from Ali, Celia has received support from her friends, family, and a domestic violence counselor, all of whom have helped her face and begin to recover from her abusive experiences. Her son is now attending kindergarten in the public school system. Celia has worked hard to build a life for herself apart from Ali. Her VAWA self-petition for residency was recently approved, and now she awaits her priority date.

Under the current laws, Celia will be forced to return to Trinidad as the only way of

getting her green card. Leaving the U.S. will put Celia in great danger, since Ali has the ability to travel to Trinidad and abuse her there, away from the sanctions of U.S. laws and law enforcement. Ali has family in Trinidad and is familiar with the country. By contrast, Celia has no family or friends in Trinidad who can support her or protect her from Ali's violence. She has not been back to Trinidad since she was fifteen years old, and she is very afraid of returning to a country that is completely foreign to her. She would be physically and emotionally unable to make the trip without help and resources in Trinidad, none of which are available. Considering the fact that Ali has threatened to kill Celia on several occasions, Celia's return to Trinidad would put her at grave risk of injury or death at the hands of her abuser.

This case originated in Massachusetts.

DONNA

Donna is a nineteen-year-old citizen of Ethiopia who fled to the United States in 1992 after her father was murdered in her country. Donna's father was murdered because of his association with a prominent political party in Ethiopia. In 1994, while staying with her family in New York, Donna met Saul, who was a lawful permanent resident of the United States and also a native of Ethiopia. Donna and Saul began dating and seeing one another on weekends during the summer months of 1994. At the end of the summer, Saul proposed to Donna, and the two were married in December when Donna was sixteen years old.

After the wedding ceremony, Donna moved to Saul's home in Massachusetts and began attending high school. During the first year of their marriage, things were good between them. However, during the second year of their marriage, Saul began drinking and gradually began verbally abusing Donna. He would yell at her and insult her when he would get drunk and angry. He also began coming home later and later each night, often forcing Donna to have sexual relations with him against her will.

He began controlling Donna, making her completely dependent on him for money and telling her how to dress. He would also accuse her of being involved with other men, and he would push her against the wall and tell her to "shut up," if she tried to defend herself. The abuse escalated over time. Saul began pushing and shoving Donna whenever he would get angry. One evening in 1996, he struck her with the telephone, causing her severe injuries. She left him after that incident.

Since leaving her husband, Donna has been living with a close family member and has been receiving counseling as a victim of domestic abuse. She is still very young, a recent graduate of high school, and already she has suffered a great deal in her life at the hands of her abusive husband. She has filed a VAWA self-petition for residency, which was approved in December of 1998.

Unfortunately, Donna will be forced to return to Ethiopia to get her green card under VAWA. She will face severe emotional trauma and perhaps persecution and death if she returns. Because her whole family fled Ethiopia after Donna's father was murdered, Donna no longer has relatives or friends to rely on in Ethiopia for help or support. She left when she was only thirteen years old, and the painful memories of her father's murder would resurface in her mind if she were forced to return to Ethiopia. In addition, she is young and unable to find her way around Ethiopia on her own. She is unfamiliar with the language and customs of Ethiopia, since she has spent so many years growing up in America.

The assassins who killed Donna's father may still be looking for Donna and members of her family. Because of this, Donna is very frightened of returning to the place where she and her family fled political persecution only a few years before. She firmly believes that her father's

political enemies would relish the opportunity to harm or kill her if she returned unprotected to Ethiopia. Donna is physically and emotionally unable to endure the pain and fear of returning to a country that is foreign to her, especially after the abuse she has endured for the past three years at her husband's hands. She needs the support and protection of her family in the U.S., and she needs to continue the domestic violence counseling she is currently receiving in Massachusetts. For all of these reasons, Donna must be granted the opportunity to obtain her green card within the United States.

This case originated in Delaware, moved to Pennsylvania, and is currently in Delaware.

TERESA

Teresa is a 22-year-old citizen of Mexico. She was married to Leo, a lawful permanent resident of the United States, for seven years. Leo is also originally from Mexico. Teresa and Leo met and fell in love in the United States when they were both very young. Teresa was 15 years old at the time she gave birth to their first child, a little girl named Beth.

Leo held all the power in the relationship. He isolated Teresa from her own family by refusing to let her contact them. He did not allow her to leave the house on her own or make friends. He refused to install a telephone in their home. The situation gradually worsened as Leo stayed away from home for long periods of time, only coming to the house with food or money every once in a while.

Along with this emotional abuse, Leo also subjected Teresa to brutal physical abuse throughout their marriage. Leo was an alcoholic who would go into unpredictable rages. He would kick, punch, slap, and pummel Teresa without cause. Leo continued to beat Teresa severely, even when she was pregnant with their second child, Ana. Leo blamed Teresa when Ana was born with a cleft palate, and he subjected Teresa to abuse and humiliation as punishment for Ana's disability. To make matters worse, Leo refused to take Teresa and Ana to doctor's appointments to treat Ana's cleft palate. He also began physically abusing both Ana and her sister Beth, much to Teresa's horror.

Teresa attempted to leave Leo twice. Both times she fled with her girls to battered women's shelters. Both times Leo followed Teresa, found her, and forced her to return home with him. Leo even crossed state lines to follow Teresa to a shelter in Pennsylvania the second time she tried to escape his abuse. Teresa left Leo for the final time after she sought help and advice from a shelter and from legal counsel. She submitted her application for residency under VAWA and filed for divorce from Leo. Soon after he was served with divorce papers, Leo disappeared from Delaware and has not attempted to contact Teresa since that time.

Teresa is the sole custodian and caretaker of both of her U.S. citizen daughters. Both children are little girls under the age of seven. Teresa has no one else to rely on in the U.S. to help her support and raise her daughters.

If Teresa is required to return to Mexico as the only way to get her green card under VAWA, her daughter Ana will suffer extreme medical hardship and trauma. Ana must undergo a series of complicated operations to her teeth, jawbones, and mouth in order to correct her cleft palate. She must also undergo several plastic surgeries following these procedures. Although Ana is a citizen, these surgeries are not entirely paid for by Medicaid. Luckily, Teresa has secured several donations from charitable organizations to help cover the cost of Ana's operations. Ana has already had one operation on her teeth and jaws, and she requires extensive follow-up examinations and care in between each subsequent operation.

If Teresa returns to Mexico to get her green card, she will be forced to interrupt Ana's medical treatment and take both of her daughters with her to Mexico. Interrupting Ana's medical treatment would be detrimental to Ana's health. The treatments are not available in Mexico. Also, if Ana abandons her current medical regime, even for a short time, she will probably lose the privately donated funds to cover the cost of her medical care. These funds were extremely difficult to obtain, and once lost, they will be irretrievable. Requiring Teresa to return to Mexico to get her green card is tantamount to discontinuing her daughter's medical treatment and subjecting the child to a life of pain and disfigurement.

This case originated in Indiana.

CONSUELO

Consuelo was born in Mexico. She has lived in the United States for the past eight years, and she has two children, both U.S. citizens. Three years ago, Consuelo met her U.S. citizen husband, Jake, and the two started dating and becoming friends. They soon fell in love and were married. Consuelo was excited about beginning her life with her new husband. She did not know that Jake had hidden from her the fact that he was addicted to marijuana and alcohol.

Jake's drug and alcohol addiction became evident after he and Consuelo were married. She witnessed him spending all of their money to buy drugs and alcohol, and he would not give Consuelo money to buy food and clothes. He kept her locked in the apartment all day and refused to apply for her immigration status so that she could get a job. Jake, on the other hand, was fired from job after job because of his drug addiction. After their first child, Nick, was born, there was never enough food in the house to feed the family. Jake completely ignored Consuelo and even refused to take her to the store to get food.

One day, when Nick was a year old and Consuelo was three months pregnant with their second child, Jake agreed to take Consuelo to the grocery store to buy food. He gave her \$40 and told her she was only allowed a few minutes to shop. Once they were in the car, Jake became angry because the baby was crying, and he told Consuelo that he would not take them to the store after all. Consuelo begged him to take her, since there was no food in the house. Jake refused and grabbed the \$40 back from Consuelo. He then began punching, kicking, and shoving her, trying to knock her out of the car through the open passenger-side door. Consuelo fell out of the car onto the sidewalk, bruised and fearing for the health of her unborn baby. Then Jake grabbed baby Nick from the back seat and sat him on the sidewalk a few feet away from Consuelo. Jake threw the baby's diaper bag out of the window, scattering baby clothes and diapers all over the street, and sped away in the car without looking back.

On another occasion, Jake kidnapped Nick to punish Consuelo for accepting money from her sister. He left with the child and did not bring him back for the entire day. Consuelo was frantic, wondering if she would ever see her baby again. Only a few months later, when Consuelo was eight months pregnant with her second child, Jake sold all the furniture and baby toys to buy drugs. The house was completely empty after Jake left with the last piece of furniture and the television set. There was also no food in the house. At that moment, Consuelo decided to leave Jake. She feared for her and her child's safety, since Jake was unpredictable and violent when on drugs and had been hitting and insulting her on a regular basis. She fled to her sister's house and found an attorney to help her file a VAWA self-petition for residency.

If Consuelo is forced to return to Mexico to get her green card under VAWA, she will risk losing her children. Jake has already filed for custody of the two little boys and has threatened to take them away from her permanently. There is a court date scheduled in the near future, and Consuelo cannot remove the children from the country while custody is in dispute.

Once custody has been decided, Consuelo can only take the children with her with the court's permission, and since there is no way to predict how long she will be required to remain in Mexico while her green card is processed, she cannot guarantee to the judge a date by which she will return. She refuses to leave the children behind, though, because she fears that Jake will kidnap them and mistreat them or tell the court that she has abandoned them to his care. He has already kidnapped Nick once before. He has never been responsible for caring for the children in the past, and his drug and alcohol use poses a grave danger to them. He has absolutely no patience with either of the children and frequently screams at them and punishes them for no reason. Even if Consuelo were able to afford the trip to Mexico, she could not risk leaving her children behind and losing them to her abuser forever.

This case originated in Pennsylvania.

UGNE

Ugne was born in Lithuania. Her husband Sam is a U.S. citizen. Sam and Ugne were “penpals”. They began writing each other in 1993. They seemed to have a lot of interests in common. Sam was in the Navy and lived in Nevada. Ugne had her own beauty salon. By 1994 Margie’s English had improved to the point where they could converse on the phone. They enjoyed their talks. Sam said he wanted to meet Ugne in person and visited Ugne in Lithuania in 1995. They had a wonderful time. Sam told Ugne he liked her independence and the fact she owned her own business. Sam asked Ugne to visit him in the United States for her birthday and she agreed to. In September, 1995 Ugne came to visit Sam. They had a good time and Sam asked Ugne to marry him. She wanted to wait to get to know him better and they agreed to wait. Six months later in May of 1996 they were married in Reno, Nevada.

The day after they were married, Sam lost his temper and began screaming at Ugne. Ugne went into the kitchen, and Sam followed her there. There he screamed at her and tore her pajamas. He then pushed her against the wall, crossed her wrists together, and held her so tightly she could not move. When she wouldn’t stop crying, he pressed his hand against her windpipe barely allowing her to breath. Ugne knew he had gone through Navy training and could kill her if he wanted to. Sam took his finger away after two full minutes, and Ugne cried for the rest of the night. The next day, Sam apologized and promised never to do it again.

Over time, Ugne and Sam began having more disagreements and arguments. Sam often ignored Ugne or was inconsiderate to her, and he allowed to his friends to disrespect her as well. He cared little for her needs, even refusing to take her to the doctor. Ugne sought to go to marriage counseling but Sam refused. Several times after an argument Sam would go into the living room and sit quietly holding a gun. At those times, Ugne was afraid to move or breathe because she feared that she would anger him further and her would feel justified in using the gun. Ugne felt isolated. Not knowing English well and not working, she was totally dependent on Sam. Once during an argument, while they were in the car traveling to Reno on the way home from a trip, Sam threatened to drive them both of them off a cliff. When they finally got to Reno, Ugne jumped out of the car and hid in the bathroom of a restaurant. She decided to look for the police to get help but ran into Sam as she came out of the restaurant. He was crying and apologized and once again Ugne forgave him. But the abuse continued.

During a later argument, Ugne tried to talk to Sam about the problems in their marriage. In response, Sam grew angry and accused Ugne of playing head games with him. Then he became violent again. Sam grabbed Ugne from the sofa and threw her through the door into the wall, and she landed on the ground. Ugne spent the night in a hotel. The next day Sam picked her up at work and apologized.

In 1997 Sam decided to leave the Navy, and they moved to Philadelphia so that Sam could take a job there. As they approached Philadelphia, they started to argue in the car. Ugne felt

trapped and vulnerable. She got out of the car, but Sam got out and followed her, screaming at her to get back in. Then Sam tried to physically force Ugne back into the car and she attempted to fight him off. He dragged her away from the car toward some trash cans behind a building. There was no one around, and Sam held her with enormous force, bruising her arms and wrists.

In March they had a fight in their new apartment. Sam decided to “punish” Ugne and would not let her sleep in the bed. Ugne then lay down on the floor, but he lifted her up and pushed her. He then grabbed her and threw her on the floor. Ugne pleaded for Sam not to touch her, but he shouted that she was his wife, that he could touch her, and that there was nobody around to hear her scream for help. Ugne was able to free herself, run into the bathroom, and lock the door. Afterward Ugne had bruises on her wrists and elbows because Sam had dragged her on the carpet.

Four months later, they had another argument in the car. Ugne started to cry, and Sam threatened to take Ugne home and blow her head off. He then grabbed her hair and smashed her head against the car door. Ugne tried to get out of the car, but Sam began to drive wildly. He sped through red lights and drove on the left side of road so that she Ugne could not get out.

Finally, in April 1998, during yet another incident, Ugne tried to call the police, but Sam took the phone from her and her call did not go through. Fortunately, however, a neighbor overheard Ugne’s screams and called the police. The officers noticed the bruises on Ugne’s body and referred her to a domestic violence shelter.

Ugne was able to stay at a battered women’s shelter for six weeks. She attended counseling sessions and learned that she did have to suffer at the hands of Sam. She was referred to an immigration attorney who helped her file a self-petition. The police intervention has helped her receive some protection from Sam’s ongoing abuse. But Sam is angry that he was turned into the police and threatens revenge. Ugne is afraid that Sam will follow her back to Lithuania if she is forced to return there for consular processing. Sam knows exactly how to find her there and knows that there she will be at his mercy.

This case originated in Pennsylvania.

MAGGIE

Maggie was born in Columbia. Her husband, Edmund, is a U.S. citizen from Puerto Rico. Maggie came to this country to live with Edmund. After moving here, Maggie gave birth to their daughter, Susan, who is now three. After they were married, Edmund began the process of applying for Maggie's U.S. residency.

Unfortunately, soon after they were married, Edmund developed a serious drinking problem. When he would come home from drinking he would become extremely violent and began beating Maggie. The more he would drink, the more frequent the beatings. This continued for two years. Finally, he beat Maggie so severely she was physically unable to leave the house. A friend called a domestic violence hotline and a counselor instructed her on safety planning and how to access further counseling services. The next day Maggie took their daughter and left. She petitioned for and was granted a temporary protective order. Later, she was granted a permanent protective order. She initiated custody proceedings for her daughter and she also cooperated with the police who filed criminal spousal abuse charges against Edmund.

In the course of several months Maggie has obtained a court order protecting herself and her daughter from their abuser, cooperated fully with the prosecution of Edmund, been granted full legal custody of her daughter, obtained an approved self-petition from INS, obtained a reliable job, and found a new apartment at a secret location for herself and her daughter. With the support of close friends, attorneys and counselors she has changed herself from a weakened victim of severe abuse to a self-reliant individual.

If Maggie were forced to return to Columbia to obtain her green card based on her VAWA self-petition, much of the transformation she has accomplished would be jeopardized. She has no other family in this country. She would risk forfeiting legal custody of her daughter to Edmund who still has criminal charges pending against him if she left Susan here. Maggie is understandably afraid to leave Susan in the care of her abusive father where she might be abused or neglected. Maggie's only alternative would be to take Susana with her to Columbia, a country facing growing political tensions and upheavals, where Maggie's relatives have discouraged her from returning. Maggie would lose her job, her apartment and the support of friends, counselors and attorneys that have enabled Maggie to create a safe home for her daughter and herself. None of the support services that Maggie has come to rely upon would be available to her in Columbia, where she would have to live without the protection from her protection order for as long as it took for her green card to be processed.

This case originated in Pennsylvania.

NAOMI

Naomi was born in Ghana, where she met Alan, an American citizen. Naomi and Alan were married and following their marriage, they lived together with Alan and Alan's mother in Philadelphia. Following their marriage things began to deteriorate. Alan tried to exercise complete control over Naomi.

Once they were married, Alan filed immigration papers that would have given Naomi lawful permanent residency. Alan, however, refused to tell her the date of the scheduled interview with INS. He would not even allow her to go to the supermarket with his mother with whom they lived. If she did have to go out, she had to beep him and wait for him to call her back at home for his approval and call him again when she returned home. He would not let her see or call any of her friends. Alan also maintained tight control over all economic resources. Alan, who was employed as a security guard and carried a gun, told her one day he would blow her brains out if she failed to do exactly what he said. Naomi lived in constant fear of him. Naomi was afraid to sleep for fear of what he might do to her. Alan also began to physically abuse her. Twice he battered her so severely that Naomi had to seek medical attention for the injuries he had inflicted on her.

Following the second attack, Naomi called the police for help and moved to a domestic violence shelter. With assistance from support groups Naomi obtained a protective order but Alan continues to violate the order by calling to harass her.

Naomi is afraid that she will be forced to return to Ghana to obtain her lawful permanent residency under VAWA. Alan has vowed to get her any way he can and has promised to travel to Ghana to harm her. Authorities in Ghana are not sympathetic to women in Linda's situation and would not provide any protection for her. Naomi cannot expect any assistance, protection, or support from her family in Ghana. Her mother is against Naomi leaving her husband. Because she disobeyed her husband and called the police she is labeled "trouble" and disgraced in the eyes of the community. She will be shunned under traditional custom. There are no support services for Naomi in Ghana where a women is supposed to stay with her husband no matter what.

Further, female genital mutilation is widely practiced in Ghana. Naomi was born in a home where according to custom she should be circumcised. Her father spared her when she was younger because she was a sick child. When she got older, she left and was able to avoid being circumcised. Because Naomi was not subject to female genital mutilation, she is considered "dirty." She is not allowed to have a job. Her sister, who has been circumcised, does not approve of the fact that Naomi has not and the fact that she turned in her husband because of the abuse.

Naomi needs to be able to obtain her lawful permanent residency while remaining in the United States where her protection order can protect her from Alan's ongoing violence and where

our laws can protect her from forced circumcision.

This case originated in Virginia.

MARIANGELA

Mariangela is a 44-year-old woman from Mauritania. She met her husband Bruce, an American citizen, in America through the husband of a friend. The two began dating and moved in together in July of 1985. Mariangela became pregnant soon after, and she and Bruce were married in early 1986.

The first time Bruce hit Mariangela was during this pregnancy. He had been drinking, and he began hitting and shoving her. It soon became clear that Bruce was an alcoholic, and he drank beer and hard liquor excessively. He would become most abusive while intoxicated.

Mariangela had their first child later in 1986, and a second in December of 1987. Over the course of her eleven years with Bruce, Mariangela and her children have been subject to physical and emotional abuse. Bruce keeps two or three guns in the house, and he has pointed them at the children and himself. Once he struck Mariangela hard in the nose, telling her to get out of the house and leaving her to bleed. In the most recent incident, Bruce brutally grabbed Mariangela's arm, squeezing it so hard that it left bruises. He then threw her on the floor. Mariangela feared for her life, because she had never seen him so furious. She and her daughter knelt down and begged him not to hurt them and to give them a week to leave.

After this incident, Mariangela and the two children moved out, first staying in a shelter and then with friends. However, Bruce's lawyer was able to wrest custody of the children away from Mariangela. She did not have a job and could not support the children because she did not have permission to work in the United States. Bruce had always refused to file for her legal permanent residency.

Mariangela has filed a self-petition for residency, but would face hardship in being forced to return to Mauritania to receive her green card. She now has a visitation order which enables her to see her children, but if she leaves the country for an indefinite period of time, she may lose that right. Furthermore, Bruce could follow her to Mauritania where he could abuse her without legal consequences. Mariangela wants to remain in this country and fight to get her children away from their abusive father. However, forcing her to leave, even briefly, presents her with undue hardship and danger and may permanently jeopardize her ability to obtain legal custody of her children and protect them from Bruce's violence.

This case originated in Nevada.

VILMA

Vilma is a 34-year-old citizen of Mexico. She met her husband, Enrique, at his sister's wedding in Mexico in 1978. Vilma and Enrique began dating shortly after that, and Enrique asked her to marry him in 1979. Vilma thought perhaps she was not ready for marriage at that time, and she was bothered by the fact that Enrique had been divorced once before. She rejected his proposal, and Enrique did not take the rejection well. Vilma and Enrique continued to date one another, and Vilma gave birth to their first child, a daughter. About a year later, Enrique arrived at Vilma's home waving a gun in his hand, telling her that they were going to get married right away, and that he would not take "no" for an answer. Vilma calmed him down and persuaded him to postpone the marriage. Enrique's irrational behavior shocked and frightened her, but she excused it. She thought it was just an isolated incident.

Their relationship continued through the next five years. In that time, Vilma gave birth to three more of Enrique's daughters. She married Enrique in 1988 in Mexico. That same year, Enrique came to the Nevada and became a lawful permanent resident of the U.S. He sent for Vilma and their four daughters, and they joined him in the U.S. at that time.

Shortly after Vilma arrived in the U.S., Vilma's ten-year-old niece, Carla, came to live with Vilma, Enrique, and their daughters. One evening, when Carla was twelve years old, while the family was trying to sleep, Enrique attempted to sexually assault Carla. Vilma was horrified that Enrique would do such a thing, and she feared that he might also try to sexually abuse his own daughters, as well. She wanted to leave Enrique, but at that point, she was pregnant with another child, and she was entirely dependent on Enrique for food, clothing and shelter for her and her four daughters. Enrique did not give her enough money to support the family, and she was forced to sell tamales, clothes, and cleaning supplies just to make enough money to keep her children housed, fed, and clothed.

In 1995, Enrique took a vacation to Mexico and returned with a sixteen-year-old girl named Selma, who he claimed was his daughter. Vilma attempted to accept Selma into her family and treat her like a daughter. However, shortly after Selma arrived, Vilma discovered that Enrique was having an incestuous relationship with his daughter Selma. They were behaving more like lovers than like father and daughter. Vilma's daughters noticed Selma and their father hugging and kissing like lovers and getting into bed together. When Vilma confronted Enrique about his behavior, he threatened to kill her and her whole family. He became very violent toward Vilma after that, beating her with his fists and slapping her across the face. He also began beating his daughters with belts or slapping them across their faces. He was angry at his daughters for telling Vilma about his sexual relations with Selma.

Vilma did not go to the police because she was afraid of her husband. She sought help from a priest who put her in touch with a social worker. It was at that time that Vilma found a receipt for a pregnancy test for Selma. After questioning Selma about the pregnancy test, Vilma

discovered that Enrique had forced Selma to have an abortion of the pregnancy that resulted from his incest with her, and that he was now having an affair with a young man. Vilma's older daughter also confessed to her mother that Enrique had been sexually molesting her for some time. Reeling with the shock of all of these discoveries about her husband, Vilma gathered her children and left him, fleeing to her sister's house.

In 1997, police officers came to Vilma's home and informed her that Enrique was arrested for the murder of the young man with whom he had been having the affair. If he is convicted of this crime, he will be deported to Mexico.

Recently, Vilma obtained approval of her VAWA self-petition for residency. If she is forced to return to Mexico to get her green card, she is afraid that Enrique will be waiting for her there to abuse or kill her. Her six children, two of whom are U.S. citizens, have all had a very difficult time recovering from the emotional trauma of the violence and sexual abuse Enrique inflicted upon them. The daughter who was sexually abused by Enrique suffers from depression and is undergoing counseling. Several of Vilma's other children have emotional problems and see counselors at their schools. Because of her children's delicate emotional state, Vilma cannot be separated from them for the time it will take to get her green card. In addition, Vilma fears that if she returns to Mexico, she will suffer shame and humiliation because of the physical and sexual abuse she endured with her husband. Vilma's family would not support her if she were to return to Mexico. Vilma would be left without emotional and financial resources in a country where her murderous, abusive husband could find her. In order to keep herself safe and preserve the emotional well-being of her children, Vilma must be allowed to remain in the U.S. to get her green card.

This case originated in Rhode Island.

ALEJANDRA

Alejandra was born in Guatemala, where she met her future husband Cristian. Her grandfather was in business with his grandfather, and the two were acquaintances from childhood. As a young adult, Alejandra traveled to the United States to escape the Guatemalan guerrilla forces persecuting her family. Cristian had also come to the United States by this time and had become a lawful permanent resident. The two met up again by chance, and started dating. Before long they were married.

Alejandra had a daughter from a previous relationship who moved in with Cristian and Alejandra. Alejandra soon became pregnant with another child, from her marriage to Cristian. Around this time, Cristian began to verbally abuse Alejandra, calling her names and accusing her of looking at other men. The abuse seemed to intensify daily. Four months into her pregnancy, Cristian physically abused Alejandra for the first time. They had an argument, and he beat her all over her body, leaving her thoroughly bruised. He said that if she told anyone what he did, he would kill her or have her deported and take her daughter away. The abuse began again in the eighth and ninth months of her pregnancy. He made her stay in the house for weeks so that no one would see her extensive bruising.

After the birth of their son, the situation worsened. Cristian was constantly jealous and always accused Alejandra of lying to him. She was not allowed to speak with anyone, even her brothers and sister. When Cristian went out, he would lock Alejandra and the children in the house so they would not go anywhere. Alejandra had to wash the family's clothes in the sink, because he would not allow her to go to the Laundromat. He did all the food shopping because he did not want her to leave the house. On one occasion, Cristian threatened Alejandra with a pistol, telling her she was a bad mother and he would have her children taken away from her. When Cristian's family visited, Alejandra tried to explain to his mother that he was abusing her. She did not believe Alejandra, and Alejandra felt completely trapped and isolated.

On her birthday, Alejandra's co-workers honored her with flowers. That night, when she brought the flowers home, Cristian accused her of receiving them from boyfriends. He beat her, and demanded she tell him who her lovers are. When Alejandra protested she had none, he yelled that he would kill her if she were not telling the truth. After this incident, he did not allow her to leave the house for the next three days, even to go to work. Whenever they went somewhere together and someone greeted Alejandra, he would hit her in the face when they got home. She was terrified of Cristian, but did not know how to get herself out of the abusive situation. She wanted to call the police after his beatings, but he would disconnect the phones. He also forbade her to leave the house for several days after beatings to prevent her from making a police report in person.

Cristian began to use drugs, and this made the abuse even worse. He beat her almost daily; Alejandra's body was continuously covered with bruises for three years. Cristian

intimidated her into lying when anyone inquired about her bruises. He also began verbally abusing and beating the children when they were three and four years old. The abuse affected them profoundly, and they became nervous and timid. Even the neighbors were afraid of Cristian, they never called the police when they overheard the violence for fear of what he would do to them.

After one particularly frightening incident, Alejandra took the children and entered a shelter. Cristian had shoved her into a wall and threatened to kill her, which terrified her. However, after five days in the shelter, Alejandra returned home. She did not know how to survive on her own, and was frightened that if she did not return Cristian would find her and kill her.

The abuse continued after Alejandra's return. On one occasion, Cristian took the children to pick her up at work, and the car broke down. Frustrated, he tried to fix the problem while Alejandra and the children stood on the sidewalk. He looked up from what he was doing and accused her of looking at another man in the street. Walking over to her, he slapped her hard several times in the face. When they finally returned home, his anger escalated. He punched her four times hard in the face, causing it to bleed. Cristian then said he was going to kill her, and dragged her to the second story window and threatened to throw her out. The children screamed, and he let her go and left the room. Alejandra took the children and entered a shelter. She returned to Cristian a week later, but after receiving another severe beating, she decided to leave him for good.

Alejandra is now thriving on her own and is a good provider for her American citizen children. She has a restraining order against Cristian, and she and the children are recovering from the psychological effects of his abuse. Although Cristian has communicated to Alejandra's relatives his intent to violate the order, stalk her, and shoot her, so far the protection order seems to be working. Alejandra has self-petitioned for residency, but it would be dangerous for her to return to Guatemala for consular processing. She has no family there because of guerrilla death threats and attacks, and she and her children would be in great danger if they returned. She would have to take the children if she returned, because she has no one else to care for them. Cristian would also again become a threat if they stayed in Guatemala, because her protective order against him would not be valid there. Alejandra is convinced he would try to kill her if given the opportunity. For these reasons, it is imperative that Alejandra be permitted to remain in the United States to receive her green card.

This case originated in Nebraska.

JOSEFINA

Josefina is a 37-year-old woman originally from Mexico. In 1983, she met her husband Geraldo, now a lawful permanent resident of the United States. They met in Mexico when she was 18 and he was 27. After one year of courtship, Geraldo convinced Josefina to live with him in America. Soon after they arrived, she discovered she was pregnant, and the couple returned to Mexico to get married. After the wedding, Geraldo returned to America alone, and Josefina had her baby in Mexico in January 1985.

Geraldo sent Josefina and their daughter money regularly, and finally came to see them in February of 1986. He stayed for one month before returning to the United States, and during his stay they conceived another child. This time he did not send money from the United States. He returned to Mexico just in time for the birth of his second child in October of 1996. However, soon after he returned to the United States and this time remained in the U.S. for four years. Geraldo did not send much money to his family during this time period, but Josefina and the children were able to survive by living with Geraldo's mother.

In November of 1990, Geraldo returned to Mexico and brought his family to Nebraska to live with him. He had a good job and was able to provide a home for his family in Nebraska in 1991. Josefina became pregnant with their third child. However, Geraldo started drinking heavily. His drinking problems escalated over time to the point where he was almost always drunk. He lost his long term job, and a series of other jobs after that. Nevertheless, Josefina had their third child in late 1991, and a fourth in early 1993.

Shortly after the birth of their fourth child, Geraldo began to use physical violence against Josefina. On one occasion he got angry with her and choked her. When she threatened to call the police, he intimidated her into believing that they would deport her and take away the children. From that time on, Geraldo often threatened to have Josefina deported. He told her she was not capable of taking care of herself and the children because she has never worked and is illegal. He claimed she could never survive without his help, unless she became a prostitute. Geraldo would also scare the children by threatening to hit them if they ever told anyone that their father got drunk. Josefina continued to live with Geraldo, perceiving that she had no other options, and the couple had a fifth child in 1995.

Geraldo's alcoholism continued to worsen, and the abuse escalated as a result. One evening in 1997, Geraldo came home drunk, screaming that he was leaving Josefina and the children. He started throwing things around the house, taunting and threatening Josefina. He then grabbed her by the hair and pulled her around, brandishing a heavy vase. Josefina screamed, and their oldest daughter called the police. Geraldo's fear of the police resulted in somewhat of a lessening of his violence against Josefina.

Geraldo constantly demeans Josefina with obscene and hateful language, and prevents her

from having a job or any independence. He is also extremely cruel to his two older children. He derides their status as Mexican citizens and tells them he does not consider them his children. He tells them he will have them deported because he only loves his younger children who were born in America. Geraldo also tells his oldest daughter he hates her for calling the police on him, and frequently calls her obscene names. He makes fun of his oldest son because he has to wear glasses, calling him a nerd and a stupid child. He also calls this son gay, saying his voice is like a woman's.

Josefina wants to free herself and her children from Geraldo's tyranny by becoming a lawful permanent resident and finding a job. She has filed a self-petition but is very afraid of having to return to Mexico for consular processing. She cannot afford passage to Mexico for herself and her five children, and is frightened to leave them with Geraldo. In addition, she does not want to remove them from school for an indeterminate amount of time and bring them to a foreign country where they are unfamiliar with the language and customs. Josefina also fears that Geraldo would follow her to Mexico and abuse or kill her there, where the law is less strict. It is therefore necessary that she remain in the United States to obtain her green card, enabling Josefina to give her children a fresh start.

This case originated in New Jersey.

RAMONA

Ramona is originally from Peru. In her hometown she met Manolo, a man who was related by marriage to Ramona's family. She and Manolo also had many friends in common, and Manolo would visit Ramona's house every time he came to Peru. Manolo was at that time a lawful permanent resident of the United States, but he still kept in close contact with his mother and friends in Peru. Over the next four years, Ramona and Manolo wrote letters to one another, and Manolo visited her in Peru whenever he had a vacation. After Manolo was seriously injured in an accident, he relied on Ramona's letters and phone calls to support and encourage him to recover. The two fell in love and were married in 1993 in Peru. Ramona was excited to move to the U.S. with Manolo and start a family here.

Manolo incorrectly informed Ramona that he could not immediately petition for her residency while he was disabled and unable to work full-time. Ramona believed him and resolved to learn English in preparation for the day when she could get work authorization. What she did not know was that her husband was insanely jealous and kept track of her movements from the very first day of their marriage. He started ordering her to dress a certain way and stop seeing her friends. He was paranoid that she was having affairs with other men, so he insisted on knowing where she was at all times. If she ever returned home a bit later than usual, he would yell at her and call her a prostitute.

Ramona soon discovered that Manolo's jealousy had become a sick obsession. He made friends with the security guards in their apartment building so that they would let him see the security camera videos of people entering and leaving the building. He would watch these videos every evening after work, noting the times that Ramona would enter and leave the building, what she was carrying, and who she was with. She began to feel like a prisoner in her own home.

Manolo began physically abusing Ramona in July of 1996. Ramona and Manolo made a trip to New York to buy her a dress. Once they returned home to New Jersey, Ramona realized that the dress did not fit, so she decided to sell it to a woman who took English classes with her. She left the house without telling her husband where she was going and when she would return. When she arrived home after selling the dress, Manolo was furious. He yelled insults at her and threw her onto the bed. She struggled to get away from him and ran through the apartment, trying to escape from him as he chased her. He finally caught her, ripped all her clothes off, and punched her in the face. Only two months later, a similar incident happened after Ramona came home a bit later than usual after attending her English teacher's birthday party. When she came home, Manolo jumped on her and threw her against a closet, shaking her body against the closet doors and beating her on the head with his fists. He kicked her out of the house into the pouring rain that night, warning her that "an illegal cannot file complaints with the police." Ramona called a friend to pick her up and take her to her friend's house where she would be safe.

A week later, Manolo asked her to come back to him. He told her that if she did not

return, he would withdraw the immigration work he had started for her. Ramona was afraid that he would have her deported, so she returned to him. Unfortunately, he began to abuse her as soon as she came home. One evening, Ramona came home and Manolo started accusing her of being with other men. He tangled his fingers in her hair and shoved her backward onto the floor. Still holding her down by her hair, he hit her face with his fist. His face and hands were shaking with rage, and Ramona thought that he would kill her. Finally, he stopped hitting her and left her lying on the floor. The next morning, Ramona combed her hair, and a handful of her hair fell out of her head from where Manolo had been pulling it. Ramona decided to find an attorney to help her leave her husband and go into hiding. She filed a VAWA self-petition for residency, as well.

If Ramona is forced to return to Peru as the only way of getting her green card under VAWA, she will be in great danger. She is currently hiding from Manolo in confidential housing, and he has no idea where she is living in the U.S. He is obsessed with her, and he is angry because she dared to leave him. Ramona's family in Peru has warned her that if she returns, Manolo will try to kill her. They know this because Manolo himself has traveled to Peru and spoken with Ramona's mother, niece, and friends, telling them that Ramona can hide from him in New Jersey, but she cannot hide from him in Peru. He has asked his family to "keep an eye out" for Ramona and let him know when she returns to Peru. Now that he is a U.S. citizen, he can travel easily and carry out his threat to kill her in Peru.

Ramona knows that once she comes out of hiding and travels to Peru, Manolo will find her and punish her for leaving him. He will try to force her to return to him, and when she refuses, he will beat her and possibly kill her. Since all of Ramona's family live in the same small town as Manolo's family, Ramona's presence in Peru will certainly be discovered by Manolo. The only way that Ramona can remain safe is by staying in the U.S. under the protection of her restraining order and her confidential housing. She knows that if she returns to Peru, Manolo will hunt her down and kill her.

This case originated in New Jersey.

KAMARA

Kamara and Damoni met in 1990 in their native country of Kenya. They became friends, and in 1992 they traveled to the United States together to visit Damoni's brother. Damoni's brother petitioned for Damoni to become a lawful permanent resident. Kamara and Damoni soon began dating, and had a daughter together in 1993. The couple had a happy and healthy relationship until 1994, when Kamara became pregnant again.

Damoni began to abuse Kamara shortly before she gave birth to their second child, a son. He would insult and demean her, tear her clothes, leave her without food, and smash dishes around her. Kamara had no idea what caused such a change in Damoni. Before long, he began beating Kamara, frequently punching her with his fist. On one occasion, he hit her in the head so hard that he ruptured her eardrum. She had to have an operation to restore her eardrum later that year. Damoni also began writing letters to Kamara's parents in Kenya, threatening the safety of Kamara and her parents. These incidents led Kamara to call the police and obtain a restraining order, which succeeded in reducing the violence for a while.

After Kamara gave birth to their son, Damoni was less abusive, and Kamara was compelled to stay with him to ensure the financial security of the family. Damoni proposed marriage in 1996, and Kamara accepted, hoping that the marriage would make things better. The couple was married in 1997, and Damoni filed a petition for Kamara's residency. However, after the marriage, the abuse resumed and escalated. Damoni revoked his petition for Kamara and threatened to have her deported. Kamara became clinically depressed over her situation, and was hospitalized for a few months.

Kamara has filed a self-petition for residency so that she will no longer be dependent on Damoni and can cooperate in his prosecution for the beatings she has suffered. However, returning to Kenya would be dangerous for Kamara. She cannot afford to take her American citizen children out of the country for an indeterminate period, nor can she leave them behind. If she separated from the children, Damoni could try to obtain custody of them. Additionally, Damoni, who has maintained ongoing contact with friends and family members in Kenya, could follow through on his threats to harm Kamara and her family in Kenya. It is vital to Kamara's and her loved ones' safety that she not be required to leave the safety of the United States and return to Kenya for consular processing.

This case originated in New Jersey.

ROSALINDA

Rosalinda, originally from Peru, moved to the United States about five years ago. While in the United States she met Franco, a naturalized United States citizen who was originally from Chile. The two dated and were married in 1996, when Rosalinda was 31 years old.

When the couple was married, Rosalinda had a job as a waitress, and worked from 8:00 p.m. until 3:00 a.m. daily. Franco grew possessive and jealous after their marriage, and went to work with Rosalinda every evening. He would watch her closely and bother her when she was serving customers. The owner felt this was bad for business and fired Rosalinda.

Problems soon began at home, and Franco started verbally abusing Rosalinda. He frequently called her a whore and accused her of sleeping with other men. He did not permit Rosalinda to socialize, and if she greeted anyone, he screamed at her. He often berated her loudly in public, and many times he abandoned her in stores or on the street after yelling at her. On one occasion, he threw her, her shopping bags, and her clean laundry into the street and drove home. Rosalinda had to gather her belongings and take a taxi home, where she found Franco relaxing on the sofa.

Franco began using drugs, and would frequently come home at night under the influence of cocaine. He would invent reasons to argue, and would violently beat Rosalinda. One evening he arrived home in a crazed state and began hitting Rosalinda and calling her a whore. Rosalinda fell onto the floor, crying and begging Franco to stop hurting her. Franco continued hitting her and proceeded to break her nose and injure her mouth, causing her to bleed profusely. She ran to her room in the basement and locked the door, but Franco followed her and kicked down her door and part of the wall. Rosalinda tried to cover her face so he would stop hitting her, but he proceeded to pull her hair, spit on her, and kick her repeatedly. Then he threw her down on the bed, tore her clothes off, and raped her. Afterwards, Franco got up and left. Rosalinda could not get up for two days. She was covered with bruises and her sheets were covered with blood. When she was finally able to get up, she walked with a limp for several days.

Franco continued to fight with Rosalinda, especially over money. Rosalinda supported Franco and paid all the bills, but Franco would always pester her for more money, presumably so that he could buy drugs. She did not know what she could do about her situation, and did not think she had any rights because she was an immigrant and he was a citizen. He used his power to petition for her residency as a way to maintain control over her.

After a while, Rosalinda learned that she could call 911 for emergencies. She called on three separate occasions when Franco beat her, but when the police arrived he begged her to recant. He told her he would change, and manipulated her into telling the police that nothing happened. On one occasion when Rosalinda called the police, Franco saw them first and told them to arrest Rosalinda for stealing his papers. When Rosalinda explained that she was the one

who called 911, the police told her to press charges. However, she was afraid Franco would kill her if she had him put in jail.

One evening, Rosalinda arrived home late from work, and Franco was furious with her. He demanded to know where she had been, but refused to believe her when she said she was with a friend. He began to hit her, and when she fell to the floor, he got on top of her and punched her in the face repeatedly. He punched her until she lost consciousness, and she has no memory of what happened next. She could not get up, remaining on the kitchen floor until late the next day in agony and unable to move. She did not have any family or friends to help her, and thought she had been left to die. When Franco got home, he saw that she was gravely injured and took her to the hospital on the condition that she not tell anyone he was the one who beat her. Rosalinda's doctors found several broken veins in her ears and severe contusions all over her body. When they asked who had beaten her, she said it was her boyfriend. They encouraged her to press charges, but she could not say anything because Franco was there with her the whole time. She knew that if she turned him in, he would beat her again and possibly kill her.

Rosalinda wishes to file a self-petition for residency so that she can leave Franco and live independently. Yet if she returns to Peru for consular processing, her life could be in danger again. Franco could follow her there, where he would not be inhibited by American law. He could beat or kill her in Peru, where laws to protect women against domestic violence do not exist. She has no friends or family left in Peru who could support and protect her during her stay, and is without resources to exist there on her own for an indeterminate period. For these reasons, Rosalinda must be able to receive her green card without leaving the United States.

This case originated in Idaho.

LOURDES

Lourdes was born in Mexico. She came to the United States on a visitor's visa. Here, she met Steven, a United States citizen. Lourdes and Steven courted and fell in love. They later married. Steven promised to petition for Lourdes's legal immigration status before her visitor's visa expired. Unfortunately, Steven not only neglected to petition for Lourdes, he also used her illegal immigration status as a means of controlling her and making her dependent upon him throughout their marriage.

Steven began sexually abusing Lourdes soon after their marriage. He would force her to have anal sex with him against her will. He would "discipline" Lourdes by grabbing her roughly, slapping her, pulling her hair, or slamming her into walls. He would abuse her physically in this way whenever he perceived that Lourdes was not behaving like a good wife or not following his "orders." He would become irrationally angry for no reason at all and indulge his anger by abusing Lourdes. Whenever she would ask him not to hit her anymore, Steven would threaten to have her deported. He also told her that if she called the police, not only would he not petition for her green card, but he would report her to the INS himself.

Lourdes and Steven have four children. The oldest one, a daughter, was born severely mentally retarded. Her condition is a degenerative one that requires constant medical care and monitoring. Lourdes was especially reluctant to leave Steven because she feared that if she were deported, her daughter would not receive the care she needed in Mexico. So Lourdes mainly kept quiet about Steven's abuse.

One evening, the police were called to the family home because Steven had kicked Lourdes and the children out of the house in one of his fits of rage. Steven was arrested and jailed for some time, and Lourdes spoke to an attorney and filed for a restraining order against Steven. She also moved out of the house and went with her children to a shelter.

Lourdes has applied for her residency through VAWA. She is very concerned about the prospect of returning to Mexico to get her green card pursuant to VAWA. Her children are U.S. citizens, and they have no one but their mother to look after them in the United States. Lourdes' protection order grants her legal custody of the children. Lourdes's older daughter also needs constant medical care. Her mother administers her care daily along with trained specialists and doctors. Lourdes could not possibly leave this daughter or any of her other children behind in the United States while she was getting her green card. Leaving them with Steven is not an option: Lourdes fears Steven and does not trust him to care for the children. It is highly unlikely that even for a short period of time Lourdes would be able to get adequate medical care for her daughter in Mexico. The standard of care in treating her daughter's complicated condition would be low in Mexico. For her children's sakes, and for the safety her protection order is providing her, Lourdes must be able to remain in the United States to get her green card.

This story originated in Idaho.

MARIA LUISA

Maria Luisa, a Mexican native, who married Victor, a Mexican-American U.S. citizen, in Mexico. Victor brought Maria Luisa and her three Mexican born children to the U.S. illegally, but later never wanted to get legal papers for them.

For years Victor submitted Maria Luisa to emotional and physical abuse. He would shove and beat her, and threaten to kill her. After he threatened her with a shotgun in October of 1997, Maria Luisa fled to a shelter in a nearby state. Because there was not enough room for her and her children in the shelter, they stayed in a motel for several months before being moved to another shelter. After the stress of being moved around, Maria Luisa eventually contacted Victor through a friend, despite the restraining order she had received to keep him away from her. Because of the difficulties of living in the shelter with her three children, and her hopes that her marriage can be saved, Maria Luisa has moved back home with Victor. Her protection order remains in effect ordering Victor not to molest, assault, threaten, or abuse her or her children.

Maria Luisa is afraid that after her self-petition is approved, she will have to return to Mexico to go through consular processing. If this happens, she will be faced the difficult question of whether to leave her children with a violent step father, or to take them with her to Mexico for an unknown period of time. Victor, who is also from Mexico, is likely to follow her there, where her protection order will not offer protection for her and her children from Victor's continuing violence.

This case originated in California, moved to Utah, and is currently in Idaho.

LAURA

Laura, originally from Mexico, traveled to Los Angeles in 1990. There she met Lucian, a United States citizen. The two dated, and had a daughter together in July of 1991. Then they both moved into Lucian's parents home in June of 1992.

The relationship was troubled, and Lucian frequently fought with Laura. In August, during an argument, Lucian struck Laura. Shocked and frightened, she went to live with a friend. Yet, due to Lucian's profuse apologies, Laura moved back in with him in December.

Although Lucian professed he would change, he soon fell back into his old habits of degrading and verbally abusing Laura. He also began hitting her regularly. He resented the fact that their daughter took Laura's attention, and he was jealous of the time and care she gave the little girl. Lucian easily became angry and frustrated, and made a habit of taking these feelings out on Laura. He would punch her face and body with his fists and kick her. His family never did anything to stop the abuse.

In March of 1994, Lucian moved to Utah, while Laura remained with his family in California. Lucian persistently pleaded with Laura to join him in Utah, and in May she finally did. Lucian insisted that their past problems were caused by the stress of living with his family, and that in Utah things would be more peaceful.

In Utah, however, the abuse continued. Lucian was as verbally and physically violent as ever. When Laura was pregnant with her second child, she discovered that Lucian was using marijuana and cocaine. She found his drugs and threw them away, fearful of their consequences. When Lucian discovered his drugs missing, he became livid and grabbed Laura by the hair. He then proceeded to punch her in the face again and again. Laura was too afraid to call the police.

During Laura's pregnancy, Lucian would invite friends over, and the men would leave the apartment in a constant state of disarray. Lucian always ordered Laura to clean up after them. Laura did not have enough energy to continually clean the apartment, and asked Lucian to be more considerate. Lucian became enraged, and threatened her with a knife, telling her he was going to kill her. This time Laura did call the police. However, by the time they arrived, Lucian had run away. Later he returned home and begged for forgiveness. Laura was pregnant and alone, and felt she had no choice but to return to him.

In January of 1995, after giving birth to her second child, Laura left Lucian after a frightening incident. It was her job to wake Lucian in the middle of the night, when he had to leave for work. He would not share his bed with her, and she slept on the floor next to her children's beds. When the alarm went off one morning, Laura went to wake Lucian, but he would not stir. She prodded and shook him, but he refused to wake up. Exhausted, Laura fell back asleep on the floor. When Lucian awoke naturally several hours later, he was furious to realize

that he was late for work. He went to where Laura was sleeping and repeatedly kicked her on the back.

Injured, bruised, and terrified of Lucian, Laura went to Idaho to live with her mother. Things were calm for a few months, but in June, Lucian found Laura and begged for another chance. However, Lucian had not changed, and the verbal and physical abuse continued at Laura's mother's house. Realizing he would not win her over, Lucian decided to persuade Laura with threats. He said he would take the children away and have her deported if she did not return to him. He called her every afternoon with these threats until she relented in February of 1996. They moved into their own apartment, but nothing had changed, and Lucian continued the abuse. Finally, in March of 1997, Laura separated from Lucian for the last time.

Laura wishes to remain in the United States with her children. She filed a self-petition for residency since Lucian never followed through on the family-based I-130 petition he filed for her. She has also filed for divorce and legal custody of the children, and the state of Idaho is helping her secure a child support award from Lucian. Through her VAWA self-petition, Laura has legal authorization to work to support herself and her two daughters. Lucian has not paid child support since the separation, forcing Laura to be the sole provider for her children.

If Laura is forced to return to Mexico to obtain lawful permanent resident status, she will have to leave her job, thereby giving up her sole means of providing for her children. There is no indication of how long she would be detained in Mexico for consular processing, and it would be as impractical for her to take her children as it would to leave them behind. If she leaves them behind, they cannot be protected from Lucian's abuse. Traveling to Mexico may also interfere with court orders entered in the divorce and custody case currently pending. Further, she fears that Lucian will search for her and find her in Mexico just as he did in Idaho, even if she only leaves the United States for a short time. It must be possible for Laura to obtain her residency status here in the United States, so as not to disrupt her family's care and well-being.

This case originated in Kansas.

STELLA

Stella is a 33-year-old woman born in Mexico. She met her lawful permanent resident husband Vincento in Kansas soon after coming to the United States. She agreed to marry Vincento after a brief courtship, as she found herself lonely and isolated in the community due to lack of English proficiency and family support.

Upon moving in with her husband Stella realized that she was to share their home not only with him but also with four other men who lived there. Her husband refused to abide by his promise to ask them to move out when his new bride came to live with him. Vincento told Stella that it was her duty not only to serve him but also the boarders. She was treated as a servant and subject to constant mockery and humiliation by her husband and the other men in the house.

Vincenzo used emotional abuse, intimidation, and power and control strategies to isolate Stella further from family, church, and the few acquaintances she had in the United States. Vincenzo blamed Stella for his angry outbursts and insults. He forbade her use of the phone, made constant false accusations of infidelity, and made threats to report her to immigration to have her deported if she did not do what he said.

Stella soon lost control of her life. She never knew what day of the month it was, as she was restricted from contact with the outside world. Vincenzo said Stella was “crazy,” and so he controlled every aspect of her life. She was not allowed to have any money and had to rely on Vincenzo for even her most basic necessities. Stella endured sexual abuse by Vincenzo, who would degrade her by mocking her body and calling her a whore as he forced her to have sex with him.

The physical abuse started soon after she became pregnant. Stella endured many beatings which left her bruised and in constant fear for her safety and for the well-being of their unborn child she was carrying. Vincenzo would not allow her to see a doctor until very late in her pregnancy, and during those visits he controlled every interaction with the doctors and staff. Once, Stella passed a note in secret to a nurse stating in that she was being abused by her husband. This led to the referral of the couple to marital counseling by a nun, which failed.

The cycle of abuse continued, and Stella lived in a constant state of fear. Vincenzo threatened to take the baby, have Stella deported, or kill her if she left him. He kept a shotgun in their bedroom closet, and he would take it out and stroke it, saying, “once the dog is dead, the rabies is gone.” He would also tell her gory stories of women that were buried alive by their partners in their basements.

Eventually, Stella was able to break free from Vincenzo’s abuses after joining a support group for victims of domestic violence. With the help of this program she was able to file for immigration benefits under VAWA and obtain a divorce from Vincenzo. Despite this fact, she

will face extreme hardship if forced to return to Mexico to obtain lawful permanent resident status under VAWA. Her divorce decree forbids her or her husband from taking their child out of the state of Kansas, so Stella would have to leave her child behind when she returned to Mexico for an indeterminate amount of time. While she is gone, Vincento could claim that she has abandoned her child and receive full custody despite the fact that because of the domestic violence Stella was awarded legal custody of the children. Furthermore, Stella fears being tracked down in Mexico by her vindictive husband, where she would not be protected by the law. Finally, Stella is apprehensive about the reality of financial hardship posed by a trip to Mexico and the meager resources available to her once she arrived to her country of origin. For these reasons, Stella should not be forced to return to Mexico, which she severed contact with many years ago, and must be allowed to obtain legal residency status while remaining in this country.

This case originated in Minnesota.

MAGDALENA

Magdalena was born in Mexico. She met her husband, Tomas, when she was 15. Shortly afterward, he left to come to the U.S. to work in order to help support his family. Magdalena stayed in Mexico to continue her schooling. Several years later, in 1998, when Magdalena was one year away from completing her post high school studies, they began communicating again. Tomas returned to Mexico for several months, and they decided Magdalena would return with him to the U.S. In May of 1989, they both came to California. Their first child, Susana, was born in 1990, and their son Antonio was born in 1991.

They were married in a civil ceremony in California in 1992. When they were married, Tomas, who was a permanent resident, filed papers for Magdalena to obtain lawful immigration status in this country. After mailing the petition, they were notified that they needed proper copies of Magdalena's birth certificate and the marriage certificate. Tomas refused to complete the process, which meant that Magdalena could not work and was afraid to leave the house for fear of being deported. For the next three years, Tomas refused to file the immigration papers. When Magdalena sought to take English classes, he prevented her from doing so. Tomas also used money to control Magdalena. He kept all the money and never allowed her to spend any of it. Feeling depressed about her life in the U.S., Magdalena returned to Mexico to stay with her in-laws in 1995.

Tomas followed her to Mexico. They reunited, and Magdalena became pregnant again. Tomas believed that the child was not his, and after several months he returned to the U.S. Magdalena had the baby in Mexico in July 1996. The next month, Tomas again sought out and joined Magdalena in Mexico. Tomas was angry and distant. He returned to the U.S. to work, saying he would return in January of 1997. When he did not return, Magdalena took her three small children and went to Los Angeles to look for him. When she arrived in Los Angeles, California, she discovered that Tomas had been living with another woman and had recently gone to Mexico. Magdalena returned to Mexico, and again in May of 1997, Tomas sought her out and convinced her to rejoin him in L.A. Soon Tomas decided to move to Minnesota to find work. Magdalena and the three children joined him there ten months later.

One month after Magdalena joined Tomas in Minnesota, in June of 1998, Tomas struck Magdalena in the face so hard that her eye began to swell immediately. Later, seeing the black eye, Tomas apologized and swore it would not happen again. A few weeks later, three of Tomas's friends arrived unexpectedly. They stayed up late drinking. Magdalena went to sleep. She was awakened by her eight-year-old son who was upset and worried because he had heard his father tell the other men he was going to put Magdalena on a bus and "lose her," keeping the children with him in the U.S. Later, Tomas told her he wanted to talk to her. He then slapped her, grabbed her by her hair, and slammed her head against into the wall several times with such force that a window fell out of the wall. He used a hanger to bind her wrists. She thought he was going to kill her. Her son came in and she told him to call 911. When her son went to the phone, Tomas

told him not to call or he would hurt Magdalena even more. They were not sure if the call went through to the police. Tomas grabbed Magdalena by the hair again and told her she would have to tell the police to go away if they did arrive. Magdalena then put her son in bed, telling him that if Tomas beat her again, he should call 911. When she returned, Tomas forced her to have sex with him. She did not resist for fear of angering him further.

Again Tomas apologized afterward and promised it would never happen again. The next month, Tomas got upset with Magdalena because he felt she had taken too long running an errand. He yelled that she should not play when he gave her tasks to do. He took off his belt. Magdalena ran to another room and asked a woman who was staying with them to call the police. The woman refused, saying she was afraid of Tomas. Magdalena started back into the bedroom where Tomas was beating one of the children. Magdalena instructed her seven-year-old daughter to call the police and tell them that Tomas was beating her brother and mother. Magdalena went into the bedroom and Tomas began beating her with the buckle end of the belt. When she tried to leave, he dragged her back into the room by her hair. He continued to beat her in front of all three children. Finally, the police arrived and arrested Tomas. They referred Magdalena to a battered women's shelter and advocacy program. The program helped her find housing and assisted her in getting a protective order.

It would be extremely difficult for Magdalena and her children to return to Mexico. The only family she has in Mexico is a mother who is very poor and quite ill with five children ages eleven to twenty living in her house. She has no room or way to support Magdalena and her three children for the unknown period of time it might take to process Magdalena's green card which she qualifies for because of VAWA. Magdalena could expect no assistance from Tomas's family, who also lives in Mexico. They blame Magdalena for the problems with the court system that Tomas has experienced as a result of his violence toward Magdalena.

If Magdalena and the children return to Mexico, Tomas will be able to come after them with impunity. She would have neither the protection of her protection order nor the police. She would have no one to call for help. In the U.S., the protection order not only protects Magdalena from physical harm but also protects the children through orders for supervised visitation and child support. These are extra protections that Magdalena and the children simply would not have in Mexico.

Forcing Magdalena to return to Mexico with her children so that Magdalena and her Mexico-born children can obtain green cards would wrest the two older children, both U.S. citizens in second and third grade, from their school. Their English is good, and they have made new friends in Minnesota. Magdalena and the children are benefitting from the counseling and support services offered at the shelter. These types of resources do not exist for them in Mexico, and severing them from long term services that help them survive abuse will cause them severe harm.

This case originated in Minnesota.

BRIGITTA

Brigitta was born in Mexico. She met her lawful permanent resident husband, Herman, in 1993 when he was visiting from Los Angeles. After spending several months together, they moved to the United States to live with his parents in Santa Ana, California. Soon problems began. Brigitta became pregnant. Herman began using drugs. He also began to beat her. When he was under the influence of drugs, he would beat her, and when he couldn't get drugs, he would also beat her. He would slap her on the face, punch her, and kick her. His parents would tell him not to beat her, but they would never try to stop him. When his parents would try to get him to stop using drugs, he would get upset and beat Brigitta. She did not call the police out of fear that he would beat her even harder or kill her.

Their daughter was born in May 1994. They immediately decided to move to Mexico so that Herman could recuperate from drugs. For the first two months, things were better. But then, even though Herman stopped using drugs, he began to go out drinking with new friends and would return home and beat Brigitta. When Brigitta became pregnant again, Herman told her he would change, and they decided to get married. Soon they returned to live with Herman's parents in California. Herman began working and did not use drugs. He did drink, however, and continued to hit Brigitta even though he did not beat her like before.

Herman was very jealous. He would not file the immigration papers for Brigitta, telling her that he thought she might leave him if he completed the papers. Because she was undocumented, Brigitta was fearful of calling the police, not knowing what would happen to her and her child if she did.

When their second daughter was born, the situation got worse. Herman had wanted a boy. When the nurse had mistakenly told him that the baby was a boy, he was ecstatic. Upon learning that the baby was a girl, Herman told Brigitta that he did not love the baby and that they should give her away. He began to bother the baby constantly.

Herman began using drugs again and was arrested for buying drugs. Two weeks later, he got out of jail. Four months later, he began using drugs again and sold all their belongings to buy drugs. He began beating Brigitta again. He also began hitting the baby, throwing her and pulling her hair. Brigitta finally called the police because he was doing drugs in front of the children. His probation officer put Herman in jail for a month and then he was placed in a residential drug treatment program for five months. Brigitta was pregnant with their third child. A few weeks after their son was born, Herman was released from the treatment program. While in the program, Brigitta had visited Herman regularly and he had promised her a new life when he completed the program.

Soon after he returned, Herman began drinking every day and began beating Brigitta and the children every day. Many times Herman beat Brigitta because she was trying to feed and take

care of their second daughter. Herman's parents didn't try to stop the beatings, even though they lived in the same house. Finally, with the assistance of her brother-in law, Brigitta contacted the police. Brigitta had two black eyes, and her daughter had bruises on her cheeks and her bottom. When the police arrived, they took a report and transported them to a shelter. When Herman arrived, he was arrested. When Brigitta returned several days later to get her things, her father-in-law would not let her in the house. Her mother-in-law was angry that Brigitta was leaving even though she had witnessed the repeated beatings, because she wanted Brigitta to clean and work for her.

Herman spent six months in jail. Brigitta moved to Minnesota where her two sisters lived. With the assistance of a domestic violence program, Brigitta was able to get a protective order. She decided to divorce Herman. When Herman was released from jail, he tracked Brigitta down in Minnesota through her aunt, who is a good friend of Herman's mother. He came to her house at four in the morning, saying he wanted to get back together. Brigitta told him that was not going to happen, that she had a protective order against him, and that he would have to leave. When he refused to leave, she called the police. When they arrived, they told him to leave. Herman returned to California. He called her from California, telling her that she was going to regret what she had done. She told him that because of the protective order, he could not bother her anymore.

Brigitta is beginning a new life. She now lives without the fear of being beaten or having her children beaten. She needs the continued assistance of her brothers, sisters, cousins, and other family in Minnesota who have helped her. The only family she has left in Mexico is her father who drinks and beat Brigitta when she was a child. She does not want her children to suffer as she did. In Mexico she would not be able to protect herself from Herman and fears for the safety of herself and her three American born children. Herman has many friends and family in the same town that she would return to if she were forced to return to Mexico to obtain her green card. If he began harassing Brigitta or her children in Mexico, there would be no place for her to go for help. She would not have the protection of the court, the police, or the victims advocate groups that she has relied on in the U.S.

This case originated in New Mexico.

BLANCA

Blanca is originally from Mexico. She met her husband, Jaime, a naturalized United States citizen, while he was visiting his relatives in Mexico. Blanca and Jaime fell in love and were married. They moved to New Mexico to begin their lives as husband and wife.

Within a few weeks of their marriage, Jaime began to insult Blanca, telling her she was stupid and worthless. He called her names and would yell at her when he would get angry. Soon the abuse became physical. Jaime would push and slap Blanca whenever he would get frustrated or angry, and these attacks would leave bruises and welts on Blanca's face and body. He would also throw household objects at her, such as vases and furniture, and he would pull her hair and throw her across the room when he was in a rage. The abuse escalated to the point where Jaime was beating Blanca every week and screaming insults at her every day. Blanca began to fear that Jaime would kill her.

During Blanca's marriage to Jaime, they had two children. Jaime would often abandon Blanca and the children for weeks at a time, leaving them with no food or money to pay rent. Blanca begged Jaime to file for her legal immigration status so that she could get work authorization, but Jaime refused to let her work. As a result, Blanca felt helpless and dependent on Jaime for her and her babies' food, clothing, and shelter.

Jaime's pattern of abandoning her and the children continued throughout the marriage. At one point, Jaime insisted that Blanca and the children move with him to Mexico. Jaime had found work in Mexico, and he wanted the family to accompany him there. When Blanca protested that she did not want to return to Mexico because of the inadequate medical resources and schooling opportunities for the children, Jaime threatened that if she did not come with him to Mexico, he would kill her. For the next few days, Jaime beat Blanca and repeated his threat to kill her until Blanca became so frightened that she agreed to move with him to Mexico.

While in Mexico, Jaime's physical abuse of Blanca only increased. Blanca attempted to call the Mexican police on one occasion after Jaime pummeled her body with his fists and left her bruised and bleeding from the mouth, but the police never responded to her calls. Blanca felt very isolated while she was living in Mexico, since almost all of her family had long since moved to California. There were no shelters for battered women and no way to be protected from Jaime's violence. Unfortunately, she had no one but Jaime to rely on for support in Mexico, and Jaime would often leave Blanca and the children for weeks at a time without money and food.

Eventually, Blanca and the children moved back to the U.S. Jaime continued to live mainly in Mexico, although he would travel to the U.S. from time to time to visit Blanca unexpectedly. During these visits, he would beat her. It was also at this time that Blanca discovered the devastating fact that Jaime had sexually abused their two children. Blanca did not know how long the sexual abuse had been going on, but her children and her children's school

teachers had informed her of the abuse, and her children had been placed in psychological counseling. Charges were immediately filed against Jaime, and he was placed under police investigation for child sexual abuse committed against his own children.

Blanca has moved several times in an effort to hide herself and her children from Jaime. Despite this, Jaime has managed to track them down and harass and threaten them. Blanca was so afraid that Jaime would carry out his threat to kill her that she obtained a restraining order against him. She also consulted an attorney and filed a VAWA self-petition for residency.

If Blanca is forced to return to Mexico as the only way of getting her green card, she and her children will be in great danger. Blanca knows that Jaime currently lives in Mexico, just on the U.S./Mexican border. He knows exactly where Blanca's few relatives live in Mexico, and he would know exactly where to look for her if she returned to Mexico. Because he frequently crosses the border to the U.S. and stalks her and the children here, Blanca knows that he is somehow keeping track of her movements. This stalking behavior by Jaime has forced Blanca to move from place to place out of fear of him.

If Blanca were to return to Mexico with her children, her restraining order would not protect her in Mexico from Jaime's abuse. The protection that her restraining order provides is essential to keeping Blanca safe in the U.S. In fact, she has relied on her restraining order several times in the past when Jaime has stalked and threatened her in the U.S. As a result, Blanca believes that without the protection of the restraining order in Mexico, Jaime would not hesitate to abuse or kill her and possibly kidnap the children. She knows from experience that the Mexican police would offer her no assistance as a battered woman, and that her children would not be able to continue their psychological counseling in Mexico. Therefore, in order for Blanca and her children to remain safe from their abuser, Blanca must be allowed to obtain her green card in the U.S.

This case originated in New Mexico.

EVANGELINA

Evangelina is a 29-year-old native of Mexico. She met her husband, Bernardo, in Mexico at a town holiday celebration. Bernardo was visiting his family members in Evangelina's Mexican hometown. Evangelina was just 21 years old at the time. She fell in love with Bernardo, who was a lawful permanent resident of the United States living in New Mexico. When he asked her to move to New Mexico and become his wife, she happily accepted his proposal.

The couple lived together in the U.S. for almost five years before they were married. During that time, Evangelina became pregnant with their daughter, Matilda. Evangelina's life in New Mexico was a lonely one. She did not leave the house or make friends in her community because Bernardo isolated her and refused to let her leave the house alone or socialize with others. Bernardo was very secretive about his work and his life outside the home. Evangelina knew he was a construction worker, but she had no idea where he worked or how much income he made. She and baby Matilda were completely dependent upon him for food, clothing, and baby-care items. Bernardo often denied Evangelina money for her and the baby's needs, which made Evangelina extremely anxious and depressed.

Evangelina soon discovered that Bernardo was drinking large amounts of alcohol every night. He also began injecting himself with heroin. His drug and alcohol addiction made him abusive and violent toward Evangelina, both physically and emotionally. He began hitting her, slapping her, and shoving her when he would get drunk and lose his temper. He would also raise his voice and yell insults at her. Eventually, the abuse escalated to the point where Evangelina became afraid of her husband and insisted on leaving him. She asked him to drive her to her family's home in Mexico, and he agreed to do this on the condition that he would eventually come back for her.

While Evangelina was living with her family in Mexico from January to March of 1995, she did not tell her family about Bernardo's abuse of her. She knew that the fact that she was being abused would humiliate her family, and she feared that if she left Bernardo and became a single, divorced mother, she would bring her family both shame and dishonor. In part because of this concern for her family and her belief that her daughter should grow up with a father, Evangelina decided to return to Bernardo. When Bernardo journeyed to Mexico in April of 1995, he promised Evangelina he would not beat her or do drugs again, and he begged her to come back to him. Evangelina sincerely believed that he would change, so she agreed to marry him and return with him to the U.S.

Unfortunately, shortly after returning to the U.S., Bernardo broke his promise to Evangelina and started using heroin again. His addiction seemed to be even more severe than it was before. He stopped bringing home money for the family, and he stayed away from home for two or three nights at a time. Evangelina was frantic at the thought of being evicted from their apartment for not paying rent, and she did not have enough money to buy food and supplies for

her baby daughter. She asked Bernardo to file for her legal immigration status so that she could get a job and contribute to the family income, but Bernardo refused. He began beating her several times per week, leaving her bloodied and covered with bruises. He abused her sexually and raped her, as well. One of these rapes resulted in a second unplanned pregnancy for Evangelina. Sadly, Evangelina suffered a miscarriage after Bernardo subjected her to a fierce and merciless beating.

Evangelina was so frightened after the beating that caused her miscarriage that she began visiting a neighborhood church in secret, hoping to find help in escaping Bernardo's abuse. The church started assisting her in finding battered women's services, but then Bernardo found out about her visits to the church, and he threatened to kill her if she left him. He told her he would hunt her down and kill her wherever she was, whether in the U.S. or in Mexico. Then he began beating her on her face and body with his fists. Evangelina called the police, and Bernardo was arrested and charged with domestic violence. Evangelina fled to the church with her daughter and was assisted in obtaining housing, counseling services, and a restraining order against Bernardo.

Now, Evangelina has received approval of her VAWA self-petition for residency. If she is forced to return to Mexico to receive her green card under VAWA, she fears that Bernardo will carry out his threat to kill her wherever she is, whether in the U.S. or in Mexico. He is angry at Evangelina for having him arrested, and he wants Evangelina to return to him. It will be easy for Bernardo to find her in Mexico, since he knows where she would stay, and he has his own family nearby to help and support him. By contrast, both of Evangelina's parents are deceased, and she has very minimal resources and support in Mexico. She is very afraid that Bernardo will hurt or kill her in Mexico, since the police there will not enforce her U.S. restraining order and protect her from Bernardo's abuse. For these reasons, she must be allowed to get her green card in the United States.

This case originated in Texas and is currently in New Mexico.

BERTA

Berta was born in Mexico. She has been living in the United States with her entire family since she was five years old. When she was in high school in Texas, she met Tony, a United States citizen. The two dated and fell in love. Eventually, they got married.

Tony was physically and emotionally abusive to Berta from the beginning of their marriage. He would fly into angry, irrational rages, and he would hit Berta in the face with his fists, leaving her with black eyes and large bruises on her face. He would slap and kick her without warning so she had no opportunity to flee or protect herself. He would force her to have sex with him against her will. His sexual abuse of Berta was the most brutal part of their marriage. He raped her several times and would routinely force her to perform sexual acts against her will.

Berta and Tony had two children in their marriage. Tony would often hit Berta and threaten to kill her in front of their children. In time, Berta became so frightened of Tony's abuse of her that she fled with her children to a battered women's shelter. Soon after she fled, Tony sought her out and made her return home to him. Berta tried leaving Tony on several other occasions, but each time, he tracked her down in the shelter where she was hiding and coerced her into returning home. After all these incidents had taken place, Berta believed that she would never be able to escape Tony's abuse. She thought that she would never be safe because he would always find her and make her return to him.

Tony almost killed Berta during a severe beating that took place in their home. Berta managed to free herself from him and run from the house. Her life was in such danger that she had no time to take her children with her before she fled to a shelter. She eventually found refuge in New Mexico. When she tried to return home to get the children, Tony refused to let her see them. Berta petitioned the court for visitation, but she was unsuccessful because she was living in a different state than the children. For the following eight months, Berta waited for the court to decide whether she should have physical custody of the children. During that time, Tony only allowed her to see the children on very limited terms, and he would tell the children that their mother had left them and did not want them. Once when Berta came to visit the children, Tony grew angry at her and hit her across the face. Shortly afterward, Tony left notice at their older daughter's school that Berta was not allowed near her daughter, and that he was to be notified if Berta ever tried to visit the children at school.

Eventually, Berta won physical custody of her children, and they moved to New Mexico with her. Berta got a restraining order against Tony to protect her from his abuse, but she continued to fear that he would carry out his threat to kill her and take their children away from her. Since separating from Tony, Berta has consulted an attorney and filed a VAWA petition for residency, which has been approved.

Despite the approval of her VAWA self-petition, Berta will be forced to return to Mexico to obtain her green card under the law of VAWA. Returning to Mexico will be extremely difficult and dangerous for Berta for a variety of reasons. First of all, Berta has no relatives in Mexico, and she does not speak fluent Spanish. She has no familiarity with Mexico, since she has lived in the U.S. almost all her life. Consequently, if she were forced to return to Mexico, she would be alone without any financial or emotional support and will have no ability to communicate effectively in Spanish.

Secondly, Berta fears that Tony would cross the border to Mexico to abuse her, as he has promised to do in the past. Tony lives on the border between Texas and Mexico, and since he is a U.S. citizen, he would have no trouble crossing the border and finding Berta in Mexico. He is far more familiar with the Mexican legal system and geography than Berta, and he knows where Berta would stay in Mexico if she were to return to get her green card. In addition, Tony knows that Berta's restraining order would not protect her in Mexico and that he could freely abuse her or kill her there. Berta is also concerned that Tony may try to kidnap her two children while she is in Mexico. She can leave her children with her family in Texas while she gets her green card in Mexico. While Berta's protection order also protects her children from Tony, her family will have difficulty enforcing it against Tony once Berta leaves the country. Berta does not want to be separated from her children, and she believes that Tony may try to kidnap them while she is not there to protect them. Tony has demonstrated in the past that he will go to great lengths to find Berta and cause her pain and terror. Therefore, Berta should be allowed to stay in the U.S. so that she may keep herself and her children safe from Tony's abuse.

This case originated in North Carolina.

MIRANDA

Miranda is a citizen of Mexico. She met and married her husband, Federico, in Mexico, and had five children with him there. The 13-year relationship was an extremely abusive one for Miranda. In fact, the only reason why she moved to the United States in the first place was to protect her children from Federico, who threatened to take them with him to the U.S. and leave Miranda behind in Mexico. Federico had gotten a job as an agricultural worker in the United States and had later secured his status as a lawful permanent resident of the United States. Miranda thought if she came to the U.S., she would be able to protect her children from Federico.

Unfortunately, Miranda was unable to protect her children, especially her 13- and 15-year-old daughters, from Federico's sexual abuse and extreme cruelty. On an almost daily basis, Federico would bite the girls' breasts, kick them in the head, hit them with shoes, and throw household objects at them. He would also beat the other children and Miranda, as well. Miranda endured a severe beating by Federico that resulted in a miscarriage. She also suffered each day with pain, as Federico kicked her in the stomach and head and pushed her to the floor and into walls. He called Miranda and her daughters "whores" and "prostitutes," and one evening went so far as to hold the entire family at gunpoint so that no one would leave the house.

Miranda attempted to escape from Federico on more than one occasion. The first time, after he threatened to kill her children and hide their bodies where "no one would find them," Miranda hid with her children in a shelter for almost a week. She went back to Federico after he found her and the children and told her that because she was undocumented, the police would take the children away from her if she did not return to Federico.

She finally left Federico for good after an incident in which he publicly accused his older daughters of prostituting themselves and then beat Miranda and her eight-month-old baby with a large metal chain. Following this incident, the police arrested Federico, charging him with felony child abuse, assault, and domestic violence. While Federico was in jail, Miranda and her children fled the home. They have been in hiding ever since this event.

Miranda is in contact with friends who tell her that Federico, who has since been released, is looking for her and wants to kill her and her older daughters. Miranda has contacted an attorney and filed a VAWA self-petition for residency, which has been approved. If Miranda were to return to Mexico to get her green card under VAWA, her husband would certainly find her there. She knows that there would be no help for her in Mexico. When she was living in Mexico during the early years of her marriage, she tried to use the church and law enforcement in Mexico to help her escape Federico's abuse, but she was told that admitting that there was a problem would only "cheapen" her marriage. She knows she would be condemned by her family for "failing" in her marriage. Furthermore, she is aware from past experience that the police in Mexico only offer protection to those who can afford to buy it.

Miranda is also fearful of returning to Mexico to get her green card because the children's

custody is in dispute. Federico has made it very clear that he wants custody of the children. If Miranda were to return to Mexico, she would have to bring her children with her in order to support them and watch over them. Miranda and the children are terrified that Federico will kidnap the children in Mexico and try to gain custody of them.

This case originated in North Carolina.

KIM

Kim is a citizen of Thailand. Kim and her daughter Li first came to the United States to visit Kim's sister, nieces, and nephews in North Carolina. During the visit, Kim met a United States citizen named Luke. Kim and Luke began dating, going to dinner and chatting. Luke took Kim to meet his boss, his mother, and his step-father, which made Kim very happy. After about nine months, Luke proposed, and he and Kim were married. Kim was excited about her new life with Luke.

Only three weeks after the marriage, Luke flew into an angry rage for no particular reason. He started screaming at Kim and took her clothes out of her dresser and threw them all over the house. Then he shoved her into his car and drove her to her friend's house, telling her he was "kicking her out." The very next day, he called her and apologized. Because Kim wanted to try to make the new marriage work, she decided to give him another chance.

About two months later, Kim had to call the police to stop Luke from punching, slapping, and pushing her. Kim was very frightened of the physical abuse Luke had unleashed on her, and she feared he might hurt or kill her. When the police arrived, she told them what Luke had done, but she did not have Luke arrested. She did this because Luke had threatened to call INS and have her deported if she called the police. She was afraid of what he would do to her if she had him arrested, so she allowed him to stay in the house.

Luke would abuse Kim's daughter, Li, as well. He would hide food from Li and get angry with her when she would eat, saying what food they had was for him. He also killed the dog that he had given Li for her birthday, simply to be cruel.

The conditions in the house were so bad that Kim and her daughter often went hungry, since Luke had been fired from several jobs and had large debts. When Luke had a job, Kim would try to talk to him about work responsibilities to help him keep the job, but Luke would get upset, punch her, and push her out of bed. He took all Kim's money from her account and kept asking her to give him more money. Kim had to borrow money to pay rent and was left with little money from her earnings to buy food. Luke refused to let Kim leave the house to go shopping for food. When Luke would get angry at Kim, he would often turn off the oven and tell her she could not cook because she was using his electricity. In the winter, he would turn off the heat and make Kim and Li sleep in the cold bedroom while he slept on the couch, warmed by a kerosene heater.

Several incidents occurred that gave Kim and Li the courage finally to obtain a restraining order against Luke. Luke flew out of control on multiple occasions. Sometimes he would get angry and throw dishes, which would hit the walls. Once he broke the front door. On another occasion, when Kim and Luke needed to file their taxes, Luke grew enraged and threw all of Kim's papers all over the room. Later, Kim went to the post office to get their tax refund. Kim told Luke that she would give him the check if he would give her a little money to buy food.

Luke pushed her and said that if she did not give him the check, he would kill her. He got very angry again and kicked things around the apartment. This terrified Kim. She desperately tried to call 911, but he took the phone from her hand and hid the telephone from her. She went upstairs and used another phone to call her friend. She reached her friend's husband, and told him to call the police. The police came, and told Luke that he could not kick Kim out.

Then one Sunday, Kim and Li returned home after a weekend spent cleaning houses to support the family. They found that Luke had turned off the heat and electricity, taken the pots and the microwave, and removed the bed and all of his clothes from the house. Kim called the police, and when they arrived, they showed her that the electric panel door to the meter box had been locked by Luke with a padlock. After this incident, Kim finally obtained a protection order and left Luke.

Since separating from Luke, Kim has received assistance in filing her VAWA self-petition for residency. Luke violated Kim's protection order and Luke appeared before a judge several times before he finally complied. If she is forced to return to Thailand as the only way of getting her green card under VAWA, she will suffer severe emotional trauma. She needs the protection of U.S. laws to make sure that Luke causes no further harm to her or her daughter. Further, ever since her separation from Luke, Kim has suffered from clinical depression. She is currently being treated for this disease by a psychiatrist and cannot discontinue the therapy to journey to Thailand. In addition, she would not be able to get this necessary treatment in Thailand, nor could she access support from family or friends in Thailand, since all her loved ones live in the U.S. Kim is trying to support herself and her child and rebuild her life after the difficult period of abuse she suffered living with Luke. For her mental health and security, she must be allowed to stay in the U.S. to get her green card.

This case originated in North Carolina.

MARGARITA

Margarita is originally from Mexico. She entered the United States with her daughter and son six years ago, and they settled in North Carolina with Margarita's parents, brothers, and sisters. She later met Nolan, a lawful permanent resident of the United States originally from Trinidad. Margarita and Nolan started dating over the next year-and-a-half. They married after Margarita gave birth to their first child, a son.

After Margarita and Nolan were married, Nolan told Margarita that he would help her get her immigration papers, but then he said the only way he could keep Margarita in the house was if she was illegal. Soon Nolan began to assert power over Margarita by abusing her constantly. He would strike her on her face and body with his fists. He would also beat Margarita and her seven-year-old son with belts. Each time Margarita would attempt to call the police after one of these beatings, Nolan would threaten to have her deported and take her children away from her. Margarita believed Nolan when he told her that the police themselves would alert the INS immigration officials and send them to the house to deport her and separate her from her children.

On several occasions, Nolan beat Margarita so brutally that she feared for her life and had to flee the house, taking only her children and the clothes on her back. Each time she did this, Nolan would seek her out and force her to return to him, again threatening to take her children away from her. The beatings became more severe and more violent each time Margarita returned home to Nolan. He told her one of these days he would kill her.

When Margarita and Nolan had a second daughter in 1997, the violence escalated. Nolan would beat her and kick her and the children out of the house, leaving them with no home and no place to go. In November of 1997, Margarita fled the house for the final time following a bloody beating by Nolan. She tried to stay at a shelter, but she could not be admitted because her daughter was sick with the chicken pox. She then went to her mother-in-law's house to seek refuge. Nolan followed her there and beat her face with his fists in front of his mother and aunt. Then he tried to choke her to death. Margarita barely managed to escape with her life and flee to a battered women's shelter that would accept her and her children. She started going to counseling at the shelter and filed a VAWA self-petition for residency, which was recently approved.

In order to obtain her lawful permanent residency, Margarita will be forced to return to Mexico to obtain her green card. Taking this trip will pose a severe hardship to Margarita, since she has no family in Mexico to support her and her four children while she gets her green card. Further, since the two children she had with Nolan are of mixed race, they will suffer discrimination and be taunted by the other children in Margarita's village in Mexico. She is still living in the shelter with her four children, and she is unable to discontinue the mental health counseling she is receiving to help her cope with the abuse she suffered with Nolan. Without

sufficient finances, family support in Mexico, or regular mental health counseling available, Margarita will be too emotionally debilitated to travel to Mexico to get her green card.

This case originated in the Virgin Islands.

URSULA

Úrsula is a citizen of Trinidad. Her life has been filled with betrayal, pain, and physical and mental abuse at the hands of both her first and second husbands. Her first husband was a citizen of Trinidad named Mario. He intimidated her and beat her throughout their marriage and threatened to kill her on several occasions. Even though Úrsula got a restraining order against him in Trinidad, this did not keep her safe from his abuse. Police never came to the house to investigate or arrest Mario when Úrsula reported Mario's violation of the restraining order. When Úrsula finally filed for divorce from Mario, the court awarded the family home to her; but Mario continued to live there and refused to leave. Despite her appeals to the police, no one helped Úrsula remove Mario from the home. She was helpless to change her situation. Mario later told her that if she came back to the house again, he would burn it down with her in it.

Just as Úrsula was trying to put her life back together after her marriage to Mario, she met Daniel, a native of Trinidad and lawful permanent resident of the United States. Daniel came to see Úrsula when she was hospitalized with the severe injuries that Mario inflicted upon her. He was Úrsula's knight in shining armor. He helped her and became her friend when she most needed support after her divorce from Mario. Soon, Úrsula and Daniel fell in love and got married. Úrsula never suspected that the kind man she had married would be just as abusive as her first husband.

Daniel brought Úrsula to the U.S. Virgin Islands shortly after they were married. He had told her that they were simply going on vacation, but in reality, he had planned for them to settle in the islands permanently. Not long after the move to the islands, Daniel started treating Úrsula abusively. He abused her sexually, making her perform sexual acts against her will and raping her when she refused. He would make her sleep on the cold, hard floor when she did not follow orders or complained about the abuse. He would also make her perform humiliating and painful tasks in order to assert his dominance over her. For example, he made her put tabasco sauce on her panties and wear them all day. Another time, he locked her out of their house and threw her belongings out in the yard just before a hurricane hit the island. He frequently beat Úrsula, leaving her with bruises and black eyes.

Úrsula and Daniel had been married for one year when Úrsula obtained a restraining order against him. The very day Úrsula received the restraining order, Daniel followed her from the courthouse to her attorney's office. Later that evening, he followed Úrsula's attorney home and continued to harass and stalk her during the next few months. He would also call Úrsula and threaten to hurt or kill her.

Úrsula knows that Daniel travels to Trinidad frequently. In fact, he called her once from Trinidad to harass and threaten her. Úrsula also knows from her past experience with her ex-husband Mario that the police and laws of Trinidad will not protect her from domestic violence. She is extremely fearful of having to return to Trinidad to get her green card because her ex-

husband Mario has threatened to kill her if she returns, and her current husband Daniel knows where she would stay in Trinidad and would take the opportunity to hurt or kill her there. Úrsula's restraining order against Daniel is only enforceable within the territories of the United States; it would not protect her against Daniel's violence against her in Trinidad.

This case originated in California and is currently in Washington, D.C.

CRISTINA

Cristina is a 49-year-old woman from a small town in Mexico. There she met her husband Hector, who is now a lawful permanent resident of the United States. She met Hector when she was 14, through his cousin, who was a friend of her's. The two began dating, and Hector treated Cristina well throughout their courtship. Later that year, he invited her to live with him and his mother. Cristina agreed, but once she moved in, her problems with Hector began.

During the first week of living together, Hector grew extremely jealous and demanded to know the names of all Cristina's previous sexual partners. Cristina truthfully insisted that she had never been with any other man, but Hector refused to believe her. A few days later, he brought her to an isolated spot by a river and again demanded that she reveal who else she had been with. Then Hector took a tree branch and beat Cristina repeatedly on the torso.

A few months later, Cristina discovered she was pregnant. Hector's violence and jealousy was worsening, and in the fifth month of her pregnancy, Cristina decided to leave him. Hector was seeing another woman at the time, and constantly telling Cristina that this other woman was better than her. On one such occasion, he proceeded to punch Cristina in the face and beat her with his belt.

Cristina traveled to stay with her mother and lived peacefully until six months after the baby was born. Then, in the spring of 1968, Hector came looking for Cristina. He told her he did not want her to marry anyone else, and he did not want anyone else to be the father of his child. He was very persuasive, and convinced Cristina that if they got married, everything would be different.

The couple was married that summer and then returned to Hector's home to live with his family. Despite his promises, the situation did not improve. Hector began to drink more and more often, and would beat Cristina approximately once a week. He mostly used his fists and feet to batter Cristina, often striking her in the face and leaving her with a bleeding nose. On one occasion, he left her entire hip bruised after kicking her while she was trapped sitting in a chair.

Over the years, Cristina gave birth to six more children, but the abuse did not end. Once in 1975, Hector came home in the middle of the night drunk. He knocked on the door, but Cristina did not answer because she was afraid of him and what he might do while intoxicated. She stayed in bed and hoped he would stay outside until he grew sober. Later, after the pounding on the door subsided, Cristina went to the door and found Hector enraged. He was livid that she had not opened the door and accused her of being with another man that night. He started tearing the room apart, looking for the man he imagined to be hiding there. He overturned everything in the bed, including four of the children. He then grabbed Cristina by the hair and started hitting her in the face, back and forth, from side to side. Hector's mother came into the room to see what was happening, and while she distracted Hector, Cristina climbed up on the roof of the nearby

house of Hector's brother. Hector went out of the house with a machete and started attacking the grasses and weeds around the house looking for Cristina. She hid on the roof for two hours, only coming down after Hector left.

The children were extremely affected by this incident, especially their eldest daughter, who still remembers it clearly. Cristina wanted desperately to leave Hector after this, but she felt she had no choice but to stay. She had many young children and no job or skills to support them. There was no one in her family who was able to give shelter or financial support to her and her young children.

Hector had been traveling to the United States to work since 1970, and had received permanent resident status. He brought the older children to live with him there, and then Cristina and the younger children. However, the abuse continued. Once in 1990, Hector became angry and began insulting and verbally abusing Cristina. Their oldest son, Mateo, asked Hector to stop and to calm down, but this only made Hector angrier. He began throwing things at Mateo, which terrified Cristina and the children. They all fled the house and spent the night in a public park, only returning after they were sure he was sober the next day.

Several more episodes of domestic violence occurred through the years. During one incident in 1992, Hector repeatedly hit Cristina in the face, and one of the children called the police. Cristina was afraid to press charges, but Hector was prosecuted and jailed anyway. When he got out of jail, he threatened to deport Cristina and the children. In 1993, while Hector was drinking, he thrust a knife toward her as if to cut her. Cristina ran out and stayed away until she was sure he was asleep. In 1994, Hector became enraged because Cristina had come home late from work. He started to hit her and she called the police. When the police came and detained him, he again threatened to have Cristina and the children deported.

In 1995, their son Miguel moved to Washington, D.C. and invited Hector to join him, to get him away from Cristina. However, once Hector was in Washington, he complained about his situation, saying that Miguel could not cook for him or socialize with him. He convinced Cristina to join him, and told her it would be a new beginning for them. For the first few months, everything was peaceful, but Hector soon began drinking excessively again. He would stay up all night, drinking and blasting music, keeping the household awake. Any complaints about this behavior were met with verbal abuse. By summer of 1998, Hector was in the routine of getting drunk every Friday night and drinking continuously all through the weekend, day and night.

One Saturday at 2:00 a.m., he ran out of alcohol and awoke Cristina, believing she had stolen it. Cristina, who had to work at 5:00 that morning, asked Hector to leave her alone, but he was obsessed. He demanded that she give him back his alcohol or give him money to buy more. When Cristina told him the stores were closed, he began to throw things and tear the apartment apart looking for alcohol. Their daughter Marcia woke up and begged Hector to stop, telling him no one had taken his alcohol. Hector became enraged, and started punching Cristina in the face, head, and neck. When Marcia tried to stop him, he grabbed her hair and started to attack her as well. Marcia got away and called the police, and this time Cristina pressed charges. She finally

realized Hector would never change.

Cristina filed a self-petition for residency under VAWA, but is terrified to return to Mexico for consular processing. She now has a protective order against Hector, but in Mexico her protective order is not valid. Hector is currently living in Mexico where he fled after criminal charges were brought against him and after Cristina obtained her civil protection order. He would surely be able to find her there. In Mexico, he would not be prosecuted there for his violence. Cristina's children and American citizen grandchildren live, work, and go to school in this country, and she has a job and support system here. There is nothing left for her in Mexico, and having to return, even for a few weeks, would pose a severe financial hardship. Cristina must be permitted to obtain her green card within the United States, where her rights and safety will continue to be protected.

This case originated in Washington, D.C.

LITA

Lita, originally from El Salvador, came to the United States with her daughter in 1984. While visiting her family in Washington, D.C., Lita's brother introduced her to his friend Alfonso, a lawful permanent resident. She thought Alfonso seemed like a good person, and they began dating.

Before long, Lita realized she was pregnant, and she and her daughter moved in with Alfonso. Their son was born later that year. Lita and Alfonso were content for the first two years of their relationship, but problems began in 1989, when Lita was expecting another child.

When Lita was three months pregnant, Alfonso came home drunk one night at about 11:00 p.m. At 1:00 a.m., he wanted to go out again, but Lita asked him not to. Alfonso got angry and attacked her, pushing her hard on the shoulders, throwing her against the wall. After this incident, Lita started having stomach pains, and ultimately suffered a miscarriage.

Later that year, Lita went to visit Alfonso at the garage where he worked. She saw him with another woman, and asked him what was going on. Alfonso hit her multiple times in the face with his fist. Lita had bruises all over her face as a result of this incident. The physical abuse became more and more commonplace, and it resulted in Lita suffering another miscarriage in 1991.

After her second miscarriage, Alfonso backed down, and things were peaceful for a few years. Lita had twin girls in 1992, and another son in 1994. However, when the family moved into a new apartment, the abuse started again. A neighbor often complained to Alfonso about the noise the children made, and these complaints agitated Alfonso. He would take out his anger on Lita, and began hitting her again. Lita wanted to move, but Alfonso refused and became abusive whenever she brought up the subject.

Alfonso also began to abuse the children. One night when the neighbor complained about the children's noise, Alfonso hit his small daughter, who was playing in the apartment. The hard blow to her face with his open hand resulted a great deal of swelling. On another night, Alfonso was drinking and began to beat Lita in front of the children. He hit her and kicked her three times, and the children all began to cry. Lita was upset that her children were witness to this violence and worried about them because they were so afraid.

The abuse continues into the present. One morning last month, when Lita was getting the children ready for school, Alfonso hit her and shoved her in the back of the head, throwing her against the wall. A few weeks ago, Alfonso began insulting and verbally abusing Lita because the children were not getting ready for school fast enough. He called her obscene names and then threatened to kill her.

Lita is now self-petitioning for residency under VAWA so that she will be able to leave Alfonso and exist in this country independently. It is important that she become a lawful permanent resident so that she can work to support her children, who are American citizens, and raise them in the country of their birth. However, if she is forced to return to El Salvador to receive her green card, she and her family face danger. Lita does not have the financial means to take all the children on such a trip for an indeterminate period of time, nor does she wish to leave them with Alfonso. He is abusive toward them, and could also try to achieve sole custody of them while Lita is out of the country. Furthermore, Alfonso could follow Lita to El Salvador and abuse her there, where the law would not protect her. It is necessary for the safety of Lita and her children that she be permitted to remain in this country to obtain legal immigration status.

This case originated in Alaska.

MIGUEL

Miguel is originally from El Salvador. He entered the United States seven years ago, fleeing intense persecution by the military group then in power in El Salvador, the FMLN “Guerría.” In El Salvador, Miguel and his family were pursued by the FMLN when the group rose to power. Miguel witnessed his father murdered execution-style in front of the family home. Members of the military beat up his mother before Miguel’s eyes. Then the soldiers raped his sisters. Miguel was so fearful that the FMLN would continue to punish him by torturing his family that he went into hiding. He stopped visiting his family and eventually cut off all contact with them. In fact, he has not been in contact with his family for nearly a decade. He continues to fear for their safety in El Salvador.

After Miguel arrived in the U.S., he immediately filed an asylum petition. He also entered a program of psychotherapy to help him cope with the horror of what he had witnessed in El Salvador. Miguel was diagnosed with post-traumatic stress disorder as a result of the political persecution he had experienced. Miguel was nervous, unable to sleep, prone to having frightening nightmares and feelings of fear and stress.

While Miguel was undergoing therapy for post-traumatic stress disorder, he met a supportive friend named Sandra. Sandra was a U.S. citizen with two children of her own. Sandra and Miguel fell in love and soon married. It was just after the marriage that Miguel began to realize that Sandra had psychological problems of her own. Sandra was demanding, possessive, and controlling. She was also an alcoholic who drank heavily. Miguel soon found himself taking care of Sandra’s two children without any help from Sandra. The situation only grew worse.

One morning, as Miguel was getting ready to go to work, Sandra became angry and belligerent for no reason at all and refused to give Miguel the car keys. Miguel knew that Sandra had been drinking heavily all morning. He asked her patiently for the keys, but she refused to hand them to him. After much coaxing, Sandra finally gave Miguel the keys, and Miguel started the car and began to back slowly out of the driveway. Just then, Sandra opened the passenger side door, got in, and lunged toward Miguel’s chest with a kitchen knife. Miguel instinctively put his hand up to protect himself, and the knife sank into the flesh of his hand. He wrested the knife away from Sandra after a struggle, and he then rushed to the hospital.

After the stabbing, Miguel became nonfunctional. The violence that Sandra had inflicted upon him aggravated his post-traumatic stress disorder and caused him to experience flashbacks of his persecution in El Salvador. Miguel entered a program of counseling, sought a Restraining Order against Sandra, and separated from her. Sandra continued to harass Miguel and threaten him throughout this time. She would also call Miguel’s attorney’s office and threaten his attorney and another staff member. The threats and harassment grew so intense and frightening that the staff member resigned.

Miguel's attorney helped him file a VAWA self-petition for residency on the basis of his status as an abused spouse. His petition was approved almost immediately. Now Miguel is awaiting his turn to get his green card. If he is forced to return to El Salvador as the only way of getting his green card under VAWA, he and his family may face torture and persecution by those who forced Miguel's exile from the country. Miguel has not contacted his family for almost ten years because he fears that such contact would put the family in grave danger. Miguel knows that going back to El Salvador would result in his own death and the possible torture or murder of his family members. In addition, Miguel's therapist has stated that Miguel would likely become nonfunctional with terror were he forced to return to El Salvador. The post-traumatic stress disorder he now experiences has increased in severity ever since Sandra stabbed him. His therapist does not believe that Miguel would be able to cope with a return to his native country.

This case originated in Colorado.

LUCINDA

Lucinda was born in Argentina. She came to the United States to make a better life for herself. In Colorado, she met and married a lawful permanent resident of the United States named Ubaldo. Lucinda and Ubaldo were very much in love when they married, and the future seemed bright. Ten months after their wedding, Lucinda gave birth to their daughter, Jane.

It was soon after Jane's birth that Ubaldo began to behave irrationally and violently. He hit Lucinda for the first time after they had an argument in March of 1996. Ubaldo became consumed with rage, shouting obscenities at Lucinda and faking punches at her. He grabbed her around the neck and shook her so violently that her neck and arms became mottled with bruises. Then he threw her against the wall with such force that Lucinda's body smashed a hole in the wall. Ubaldo then called a cousin to take Lucinda away before he killed her.

After this incident, Lucinda wanted to call the police, but she was afraid. Ubaldo had told her many times that she was an "illegal" and had no rights. He said that if she reported anything to the police, she would be deported and he would get custody of their daughter. Since Lucinda did not have legal status, and she was very afraid of losing her daughter, she kept quiet about the abuse and did not call the police.

The abuse continued through the next year of their marriage. One day, while Ubaldo was driving Lucinda to her job as a Spanish interpreter, he lashed out at her with violence. He was angry because a check he had written for car insurance had bounced. He stopped the car and reached across the passenger seat to grab Lucinda and shake her with great force. He slammed her head repeatedly into the passenger's side window, and ripped her sweatshirt sleeves at the seams with the shaking. Ubaldo eventually got out of the car and began kicking the tires and opening and shutting the driver's side door. Lucinda seized the opportunity to slide into the driver's seat and flee, leaving Ubaldo by the side of the road.

Lucinda left Ubaldo soon after this incident. She consulted an attorney who helped her file her VAWA self-petition for residency. Now, she is facing the prospect of returning to Argentina as the only way of getting her green card under VAWA. Such a return to Argentina would create a serious hardship for Lucinda and her daughter.

First, she may be unable to take her daughter with her if Ubaldo has joint custody. Lucinda has been and remains Jane's primary care giver, so a long-term separation between mother and daughter for an undetermined period of weeks or months could result in permanent psychological damage to their daughter. Even if she could take her daughter with her, she would be forced to separate the girl from her father in violation of court orders leading to her potentially being charged with parental kidnapping. Such a separation would also emotionally devastate Lucinda, who has been trying to regain stability and peace in her life after the physical and emotional ordeal of her married life.

This case originated in Colorado.

LUISA

Luisa is originally from Mexico. She entered the United States 14 years ago with her family. While living in Colorado, she met a man named Guillermo. Guillermo is a lawful permanent resident of the United States originally from Mexico. Luisa and Guillermo dated for a year before they married in a church in Colorado. Luisa was very much in love with Guillermo, and she hoped that their lives together would be filled with joy.

It was not long after the birth of their first child that Guillermo started abusing Luisa. He would come home drunk almost every night. Luisa came to fear the sound of his footsteps coming through the doorway, since he was often in a terrible mood, filled with anger and completely out of control. He would destroy furniture, yell and insult Luisa, and tell her that she was worthless and a bad wife. Luisa would try to calm him down so his screaming would not wake the baby, but this only made Guillermo angrier. He would usually slap Luisa across the face, but other times he would kick her or punch her with his fists all over her face and body. The severity of the beatings depended on Guillermo's mood, but the unpredictability of his violence always terrified Luisa. She began to fear that he would kill her or hurt their child in one of his rages.

Over the next few years of their marriage, Guillermo and Luisa had three more children. The abuse only escalated over time. Luisa tolerated Guillermo's abuse because she feared that Guillermo would have her deported and take her children away from her. He would often threaten to call the INS when he was angry, telling her "you'll never see the children again."

Luisa endured one final beating from Guillermo in April of 1998. Guillermo began shouting at Luisa for spending money on food and clothing for herself and the children. He screamed insults at Luisa, and then he began shouting insults at the children, who were cowering in the back of the room. Luisa quietly told the children to go into the bedroom as she feared that Guillermo would harm them. As soon as the children left the room, Guillermo grabbed Luisa and dragged her across the room. He hurled her across the room and watched as her body crashed against the wall and sank to the floor. Guillermo then picked her up and shook her violently, slapping her repeatedly across the face. The children in the other room were so afraid that they called the police. Guillermo fled before the police arrived, and a warrant was issued for his arrest.

After this incident, Luisa received a permanent restraining order against Guillermo. She continues to live in fear that Guillermo will come back to the house and kill her. She knows that the restraining order is the only thing keeping her and her children safe from his violence.

Luisa has also applied for legal immigration status under VAWA. When it comes time for her to get her green card, she will be required to return to Mexico to obtain her green card. This will pose a very serious hardship to Luisa and her children, since Luisa is the sole supporter of her four children and has no one to leave them with in the United States while she returns to

Mexico. She cannot finance a trip to Mexico for herself and her four U.S. citizen children, and she is unwilling to remove the children from school for the period of weeks or months that it will take to get her green card. In addition, Luisa is afraid to leave the United States, since it is the only place where her restraining order against Guillermo is valid. She faces the possibility of Guillermo following her to Mexico, the country of his birth, and hurting her and kidnapping the children.

This case originated in Colorado.

DALIA

Dalia was born in El Salvador. She was only 16 years old when she gave birth to her daughter, Iliana. Dalia watched her mother die in El Salvador from lack of medicine and feared that baby Iliana might become ill from poor nutrition. Since the rest of her family had already fled to the United States during the war, Dalia decided to come to the U.S., as well. She wanted to make a better life for herself and her child. At the age of 18, she crossed the border and settled in Colorado.

Four years later, Dalia started dating a man named Alejandro. He was a Lawful Permanent Resident of the United States originally from El Salvador. Dalia and Alejandro soon fell in love and got married. Dalia was happy and excited to begin a new life with the man she loved, and she thought her daughter would be better off having a strong father figure in the house.

Just three years after Dalia and Alejandro's marriage, Dalia discovered a secret that would shatter her family's life. Iliana, now ten years old, revealed to her mother that Alejandro had been sexually molesting her. Dalia was horrified to hear this, and she began closely observing Alejandro's attentions towards her daughter. What she saw made her even more suspicious of him. When she confronted Alejandro, he denied molesting Iliana and became very angry at Dalia. He told her that she had better not make any accusations or he would have her sent back to El Salvador.

Fearing more for her daughter than herself, Dalia went to the police. The police conducted a thorough investigation and determined that, based on the testimony of Iliana and the confession of Alejandro, Alejandro was guilty of child sexual abuse. Alejandro fled back to El Salvador before the trial took place..

Since then, Dalia has petitioned for and obtained her visa approval under VAWA. However, she will be forced to return to El Salvador in order to get her green card, under current law. Making Dalia return to El Salvador for this purpose is a terrible hardship because she has no family left in El Salvador and no viable means of supporting herself and Iliana there. In addition, she is afraid that Alejandro, who lost his possibility of living in the U.S. because she pressed charges against him, is in El Salvador and plotting revenge on Dalia for having him arrested. Since the authorities in El Salvador cannot protect her from Alejandro, Dalia fears returning to her home country, no matter the length of the visit.

Dalia has started taking English lessons and has secured a job. She and Iliana are attending counseling sessions which are necessary to help them recover from the horrors that Alejandro committed against them. They do not have the emotional strength to endure a long journey to El Salvador, especially without friends or relatives in El Salvador to help, support, and protect them from Alejandro.

This case originated in Colorado.

ALICIA

Alicia is a 25-year old citizen of Mexico. She entered the United States without inspection at age 14. She met her husband, Moisés, the same year she entered the United States. A year later, when Alicia was 15, she moved in with Moisés and married him in January, 1986. Moisés is a lawful permanent resident of the United States.

Moisés began abusing Alicia when their first child, Donald, was four months old. Alicia asked Moisés for money to pay for Donald's vaccinations, since Moisés controlled all the money in the household. Moisés refused to give her any money, and he grew angry and shouted obscenities at her. Not knowing what else to do, Alicia took the money from his jacket. Moisés responded by repeatedly slapping Alicia across the face.

As time passed and Alicia began to talk of leaving Moisés, he intensified his control over her and his violent attacks. He left Alicia alone in the house for long periods of time without money or food. When she made plans to move in with her brother, Moisés found out and severely beat her. He held a pistol to her head and told her that she would never leave him and that she would always belong to him.

Alicia grew tired of being unable to pay for her two-year-old son's needs, so she returned to work. At that point, Moisés stopped contributing to the household expenses and demanded that Alicia fulfill both the financial and domestic needs of the house. Alicia worked for two years until the birth of her twin girls, Kelly and Lesley. Moisés refused to return to his regular work hours, despite Alicia's pleas. As a result, Alicia returned to work full-time only six months after the birth of the twins.

One evening, Alicia was forced to work late cleaning offices. When she returned home a half-hour later than usual, Moisés began throwing objects at her face and body. He then lunged at her and knocked her into the television. Alicia fell onto the floor, and Moisés began kicking and hitting her. Alicia's niece grabbed the children and rushed them into another room so that they would not see their father beating their mother so horribly.

Moisés beat Alicia for the final time in early February of 1998. He began smacking her across the face and pummeling her body with his fists. Fearing for her life and the children's, Alicia attempted to call the police, but Moisés had disconnected and hidden the phone. The following morning, she fled to a domestic violence shelter and obtained a restraining order against Moisés. Later, she consulted an attorney and filed her VAWA self-petition.

Under VAWA, Alicia must return to Mexico in order to obtain her green card. If she does this, she will be in great danger. Alicia's husband has threatened to kill her, and in Mexico he would have an opportunity to do so. Moisés is from the same town as Alicia in Mexico, and he travels there frequently to visit his family. He would have no trouble finding her when she

returns with the children to get her green card. Because of this, Alicia is unable to return to Mexico. She knows that law enforcement officials in Mexico will not protect her from Moisés and that her U.S. restraining order will be useless in Mexico.

This case originated in Kentucky.

EVA

Eva is a 20-year-old woman originally from El Salvador. She arrived in Kentucky in January of 1993 to visit her sister because things were difficult at home. Her family was very poor and lived crowded in a small house with many extended family members. Eva decided to stay in Kentucky and soon met Alberto, a lawful permanent resident also from El Salvador. After living with her sister for six months, Eva moved in with Alberto in September of 1993, when she was 15 and he was 36.

From the beginning, the relationship was very troubled. Alberto regularly used alcohol and marijuana, and a pattern of degradation and overt abuse quickly emerged. He repeatedly beat Eva with his fists, called her obscene names, and threatened deportation. Once he threw a plate of food not cooked to his satisfaction into her face. He always threatened Eva into keeping quiet about the violence. She was not even allowed to have contact with her sister, who lived a short distance away.

On one occasion the abuse was so severe that Eva called the police, and Alberto was jailed for one night. When he got out, he forced Eva to recant her story, and in court she testified she had lied about the abuse. Alberto had told her he would have her deported or kill her if she told the truth on the stand, or if she ever called the police again.

In 1995, Eva had her first child, and in 1997 another was born. Eva and Alberto got married a few months before the second child was born. Alberto often used the children to threaten Eva, saying that if she did not obey him, he would keep the children and have her deported. The beatings eventually became more severe, and he began to force Eva to have sex with him immediately after he beat her. She would run away from him until he caught her and raped her, claiming that sex was her duty because she was his wife. He would accuse her of infidelity if she was reluctant and non-compliant.

When Alberto was at work, Eva stayed in the house, frightened of doing something to displease him. When he got home from work, Eva had to have dinner ready and keep the children quiet. If the babies made any noise, he would hit them and Eva. Eva wanted to call the police, but if she did Alberto would beat her and threatened to kill her or have her deported. He frequently beats the children with belts, leaving marks. He said that if Eva took the children to the pediatrician, he would explain away the evidence of their abuse by saying that Eva was the abuser, and this would get her deported.

For the past few months, Alberto has been trying to force Eva to sign divorce papers. He told her he would not allow her to leave the relationship after they were divorced, and would not explain to her the purpose of the divorce. Eva believes Alberto wants a divorce to void the I-130 petition he filed for her earlier. He knows that once she receives her green card, she will ask the police for protection, no longer fearing deportation. Alberto wants to keep Eva illegal so he can

continue to abuse her, knowing she will not call the police. Once divorced, Eva would be a captive in their house at Alberto's mercy, with no way to legalize her status.

In June of 1998, Alberto came home after drinking and again tried to force Eva to sign the divorce papers. When she refused, Alberto became extremely violent in front of their two sons. He grabbed Eva's hair and forced her to a table to sign the paper. When Eva again refused, he forced her to the floor. Eva got up and ran to the bathroom, but Alberto followed her. He grabbed her neck and said, "if you do not sign the divorce papers right now, I will kill you now." He then forced her head into the toilet, sinking her face under water five times, and closed the lid on her head. Alberto then ran to the phone and disconnected it from the wall. Eva ran to her room, and Alberto followed and tried to choke her. He then said to her, "I will not kill you today, because I need you to sign the divorce papers first. The second time you try to call the police they will come to get your dead body."

The next day, Eva called her sister and had her come get her and the children. They went directly to the police to report the abuse, and Eva received an order of protection. Eva fears for her life after having been subject to years of violence and death threats.

Alberto was involved in a guerilla group in El Salvador that has done a lot of killing. He visits the country in disguise, as he is wanted by the police. He has an American woman friend who makes frequent trips to El Salvador for him, and who once held Eva hostage to hide evidence of a severe beating. She then offered Eva money to return to El Salvador in exchange for not alerting the police to her beatings. He has threatened to have her and her family killed in El Salvador upon deportation. He claims, "I can have anyone killed for fifty cents with one phone call," and Eva has no doubt this is true. In addition, Eva has found evidence of Alberto's involvement in Satanic practices, and was brutally beaten upon the discovery.

Eva needs the protection of the United States Courts to enforce her protective order and she needs the continued support of mental health counselors and battered women's advocates who have been assisting her and her sons in overcoming the devastating effects of the abuse. If she returns to El Salvador, even briefly, she has no doubt Alberto will follow her and kill her, or remain in America and arrange to have her and her family killed. She cannot take her children with her to El Salvador into such danger, nor can she leave them behind alone with their abuser. Eva must be permitted to remain in the United States to become a lawful permanent resident; this is the only way to ensure the safety and protect the lives of Eva and her children.

This case originated in California and is currently in Oregon.

NURIA

Nuria was born in Guatemala. She fled her war-torn country in 1987 with her infant son in her arms. The guerrillas had surrounded her rancho in Guatemala, and she and her family ran from the hills in a desperate attempt to survive. Nuria entered the United States and applied for political asylum and eventually found a waitressing job in California. A few years later, she met Walter, a United States citizen, and in 1991 they moved in together.

From the beginning of their relationship, Walter insulted Nuria and swore at her when she did something to displease him. He began drinking alcohol on a regular basis, and when he would get drunk, he would destroy household furniture and frighten Nuria with his screaming and yelling. Nuria considered leaving Walter, but she loved him and hoped that he would change his ways. When they had their first child in 1993, Nuria felt that she should stay with Walter because the baby needed to grow up with both a father and a mother. Although Walter continued drinking and verbally abusing Nuria, she married him in 1995, just after the birth of their second child.

On Christmas Eve of that year, Walter came home drunk, angry, and out of control. He destroyed the Christmas tree and crushed all the Christmas presents, then he knocked the television set to the floor. Nuria was pregnant at the time, but he still grabbed her by the shoulders and began shaking her violently. Then he punched her in the face with his fists so many times that her mouth and nose were bloody. Nuria crawled to the kitchen and called the police, who arrived immediately and took Walter to jail.

Nuria decided after the Christmas Eve attack that she could no longer risk her and her children's lives by living with her husband. She received a restraining order against her husband and began filing her VAWA self-petition for residency. Because she felt that it was important for her children to be in contact with their father, she arranged for them to have supervised visitation with Walter at her sister's home. Although Walter wanted to get back together with Nuria, she refused to put herself in danger again.

Nuria gave birth to their third child several months later. She was separated from Walter at that time, and he refused to pay child support for his three children. Consequently, Nuria was forced to return to work full-time only six weeks after the baby's birth. She spent the next year working and supporting herself and her children. In April of 1998, Walter came by her house unannounced and began pushing Nuria across the room, threatening to give her a "good beating." He told her that he had asked some of his male friends to come over so that they could have sex with her. Nuria ran outside and got in the car. Walter followed her and smashed the windshield of the car and punctured all four tires. A neighbor called the police, and Walter was arrested.

After that incident, Nuria realized that she would have to move far away from Walter if she hoped to escape his abuse. She took her children to a battered women's shelter 700 miles

away in California, located near another sister's house. Nuria is now enrolled in a nurse's aid training course, and her children are enrolled in school. She still fears that Walter will find her and abuse her again.

If Nuria is forced to return to Guatemala to get her green card, she will risk losing custody of her children to Walter. She will have to leave her children behind in the U.S. while she gets her green card, since she cannot afford a trip to Guatemala for herself, let alone for her four children. She is concerned that Walter will petition for custody of the children while she is out of the country, or that he might try to kidnap the children while she is not there to protect them. Nuria cannot be certain that her family members will be able to protect themselves and her four children from Walter's violence should he come for them while she is in Guatemala. She is also very afraid to leave the U.S. to get her green card because she has no family in Guatemala to support her, and she would suffer emotional trauma if she returned to the place where she last endured war and political persecution.

This case originated in Washington.

SARA

Sara was born in El Salvador. She fled the war there in early 1990 and entered the United States. Shortly after her arrival, she met Armando, a lawful permanent resident of the United States who was from Sara's hometown in El Salvador. Coincidentally, both Sara and Armando's families knew one another in El Salvador. Armando had originally come to the United States in the early 1980s, obtaining his residency status through the Salvadoran Legalization Program.

After several months of dating, Sara and Armando were married. Almost immediately after the wedding, Sara began to realize that Armando had a terrible temper and was prone to violent outbursts. Whenever he would become angry, he would hit Sara or throw things at her. He would often punch or slap her in the face. When Sara would attempt to leave him, he would threaten to have her deported. Armando also used Sara's undocumented status as a weapon against her. After assaulting her, he would try to get her to stay with him by offering to fill in her paperwork for her green card. Despite his promises, he never made any attempt to petition for Sara's legal immigration status.

After Armando subjected Sara to a particularly severe beating in 1995, Sara's screams were so loud that neighbors called the police. Armando was arrested and sent to jail for a couple of weeks. Once he was released, he violated the no contact order issued by the court and moved back into the house with Sara. Sara did not want him back in the house, but she was afraid of being deported and knew that she could not support their three young children without his income. She had no idea that services might be available to help her out of her abusive marriage.

Sara found out about shelters for battered women through a friend at church. Sara had been wanting to leave Armando for quite a while. She had been growing increasingly more fearful of him, and his violent attacks had not subsided over time. Despite her many fears, Sara fled the family home one day with her three children and went to a shelter. She has been living in confidential housing since that time.

With the support of the shelter, Sara and her children have gotten counseling to help them cope with Armando's violence and abuse. Sara has received a restraining order against Armando, and her visa petition under VAWA has been approved. Now Sara is trying to build a new life for herself as a single mother, supporting her children entirely on her own. She is attending English classes and has also found a part-time job.

Sara has had no contact with Armando since she fled their home and obtained a restraining order against him. She fears that if he finds her, he will try to make her come back to him. She knows that going back to Armando would mean suffering more physical and emotional abuse at his hands.

If Sara is forced to return to El Salvador to get her green card under VAWA, Armando

will quickly learn that she has returned and will likely follow her there. Her return to El Salvador will surely be discovered by Armando's family, since Sara and Armando are from the same town. Once the word spreads to Armando, Sara and the children will not be safe from him. He will likely hurt Sara or try to take the children away from her. Her protection order will be useless to protect her in El Salvador. For these reasons, Sara cannot go back to El Salvador to get her green card.

This case originated in Washington.

JUANA

Juana was born in Mexico. In 1993, when she was thirteen, she came to the United States along with her mother, sister, and two brothers. Juana's step-father, Mateo, was already living in the United States when Juana and the rest of the family came to live with him. Mateo is a lawful permanent resident of the United States. Juana's two brothers are Mateo's natural children, and Juana and her sister are Mateo's step-children.

When the family arrived in the U.S., Mateo did not petition for their residency status. In fact, he repeatedly threatened to have Juana, her mother, and her sister deported whenever he would become angry at them. Mateo's violent, abusive nature began to rear its ugly head. He would beat Juana's mother severely in front of all of the children. Juana, being the oldest child, took the brunt of the beatings for the children. Mateo beat Juana with belts whenever he displeased her. Once, he beat her after church for getting her clothes dirty.

Mateo would also monitor Juana's movements very closely. One evening, when Juana came home 20 minutes late, Mateo dragged her to the car by her hair, forced her into the back seat, and drove her to a remote place near the woods. There, he pulled her from the car and attempted to strangle and kill her. After a long struggle, Juana miraculously managed to free herself and escape into the woods. When police arrived on the scene, Juana was immediately placed in Child Protective Services, along with her younger sister.

Juana is now 20 years old. She has not had contact with her step-father or with her mother since Juana and her sister were removed from the home for their own protection. The state went forward with the prosecution of Mateo on charges of child abuse. Quite obviously, Juana is extremely afraid of Mateo ever finding her or her sister and seeking revenge on them with acts of violence. If Juana had to return to Mexico to get her green card under VAWA, she is afraid that Mateo would follow them and abuse them.

Juana is also afraid of going to Mexico because she knows no one there, and she has not been back since she was a child. All her family now live in the U.S. Juana is not familiar with Mexico, and she does not know how she would make the trip without contacts in Mexico or experience with the Mexican legal system. Furthermore, Juana is afraid of being separated from her younger sister, with whom she now lives. Juana's sister is developmentally delayed and only marginally functional. She requires Juana's constant help and care, and the girls have lived with and relied on one another ever since they came to America. They have endured the horrifying ordeal of abuse and violence at the hands of their step-father, and now they cannot face the prospect of separating. Both girls have approved VAWA self-petitions, and both will have to return to Mexico under the law of VAWA to get their green cards. Even if the girls could make the trip together, they would be vulnerable to attacks by their step-father, and they would not have legal advocates to help them at the consulate. They would be helpless and alone in a country completely foreign to them. Juana cannot risk her and her sister's safety and emotional well-

being by returning to Mexico for any period of time.

This case originated in Washington.

FELIPE

Felipe is a 26-year-old Mexican man with cerebral palsy. After his mother died, he came to the United States to be cared for by his cousins. A couple of years later, he met Caroline, a U.S. citizen. Felipe and Caroline quickly became friends and started dating. After about six months of dating, Caroline suggested that Felipe move in with her. Felipe was concerned that he would be a drain on her resources, since he was undocumented and also had a disability. Caroline spent the next few months reassuring Felipe that their lives together would be wonderful. Finally, after much convincing, Felipe finally moved in with her.

They were married a year later. Felipe was very happy and thought that Caroline loved him as he loved her. Unfortunately, shortly after their marriage, Felipe's happiness faded away. Caroline began subjecting him to on-going insults and emotional abuse. She would order him around and threaten to call the INS to have him deported if he did not do what she wanted. She would say such things as: "I only married you because I felt sorry for you. I deserve better than you. If you don't do as I say, I won't fix your papers."

Caroline's two teenage sons also lived with them. The teenagers would repeatedly assault Felipe, hitting him with their fists, kicking him, and taunting him with insults and threats. They would do this in Caroline's presence, and she would do nothing to help Felipe. Caroline would also routinely withhold Felipe's medication from him and refuse to assist him with the money to buy medication.

After a particularly brutal beating by Caroline's sons, Felipe was rushed to the emergency room by his cousin. Following that incident, Felipe was too afraid to return to Caroline's home. He moved back in with his cousins and contacted an attorney. Since that day, he has petitioned for his residency under VAWA, and his petition has been approved.

Felipe has a significant, degenerative disability which renders him only marginally functional. He requires constant care and supervision, as well as an ongoing medical regime of treatment. Because of his disability and his need for care in the U.S., Felipe would face severe hardship if he were forced to return to Mexico to get his green card under VAWA. Felipe has no family in Mexico to care for him if he returns. His only family is here in the United States. In addition, his ability to make the trip to Mexico and successfully find his way to the consular offices to get his green card is extremely limited. He would need help and support to make the journey, and he cannot get that support in Mexico.

This case originated in Oklahoma.

CLARA

Clara is originally from Mexico. Ten years ago, she met and fell in love with her husband Joe, a United States citizen, and married him in Mexico. Throughout the following years of their marriage, Clara was forced to move back and forth across the U.S./Mexican border with Joe, depending on whether Joe was working in the U.S. or in Mexico at the time. As a result of the constant moving, some of Clara and Joe's five children were born in the U.S., and some were born in Mexico.

Clara and Joe's marriage was marked by violence and abuse from the very beginning. Joe would grow angry and beat Clara on a regular basis. He also abandoned his family on more than one occasion. For example, when Joe was working in Mexico and Clara and the children were living in Texas, he was imprisoned for running guns across the border. While Joe was in prison, Clara and the children had no means of support. Clara was also pregnant at the time. When she gave birth to their fifth child, she had no money to pay rent and no food to feed the children. Joe had controlled her movements so completely that she was completely dependent on him and had no idea how to seek help for herself and her children. Finally, Clara's family came from Mexico to bring Clara and the children back to Clara's hometown.

Once Joe was released from prison, he found out where Clara was living in Mexico. Then he came to her house armed with an ice pick. He lunged at her stomach with the ice pick, and Clara jumped out of the way and wrested the pick away from him. Joe began beating Clara's face with his fists. He grabbed her by the neck and strangled her until she lost consciousness. Clara came to in the passenger seat of his car. Joe was brandishing a gun. He told her that they were driving to her parents' house to get the children, and then they were leaving for the United States. He threatened to kill their four-year-old son Billy with the gun if Clara did not reassure her parents that she was all right and wished to go with Joe.

Clara was nearly paralyzed with fear, but she did what Joe asked. She walked into her parents' house and told them that she and Joe were taking the children to America. When they asked about the cuts and bruises on her face and neck, Clara lied and said she had been in a car accident earlier that day. Clara was thinking the whole time about how Joe was sitting in the car with his loaded gun. She knew that if she did not come out to the car with the children, he would carry out his threat and start shooting. Eventually, Clara managed to get all the children into the car, and she and Joe drove across the border into the United States. The family settled in Oklahoma, where Joe's mother lived.

Only about a month after moving to Oklahoma, Joe attacked Clara again. He beat her face and body with his fists until she was covered with blood. Clara grabbed her two youngest children and rushed out of the house, screaming for help as she ran down the street. A neighbor called the police, and Clara and the children were brought to a battered women's shelter. Clara received a restraining order against Joe and began filing her VAWA self-petition for residency.

There are several reasons why Clara cannot go back to Mexico to get her green card based on VAWA. First, her youngest child recently suffered a stroke that left him partially paralyzed on one side of his body. He requires ongoing rehabilitative care which cannot be interrupted in order to go to Mexico with his mother. In addition, Clara knows no one in America that she trusts to care for her children who can keep them safe from Joe if she must return to Mexico for an unknown period of time to get her green card. Second, Clara is also very afraid that Joe will follow her again to Mexico and hurt or kill her there. He knows where her family lives, and he knows that her restraining order will not protect her in Mexico. He has vowed to kill Clara, and she believes that since he is a U.S. citizen and can cross the border easily, he will carry out his threat if she returns to Mexico. For this reason, Clara must be able to get her green card while she remains in the safety and protection of the United States.

This case originated in Arkansas.

SOLEDAD

Soledad was born in Mexico. In her small town, she met a man named Eugenio, who was a lawful permanent resident of the United States and also a native of Mexico. The couple fell in love and got married. Eugenio brought Soledad to the U.S., and together they settled in Arkansas.

Soledad soon learned that the man she married was violent and abusive. He beat her severely every week, giving her cuts, bruises, and black eyes. The beatings were both frequent and unpredictable. Soledad never knew what would provoke Eugenio into his rages. She grew to fear him. She believed he might kill her someday.

Eugenio wanted Soledad to be completely dependent upon him. He isolated her in the family home and did not permit her to leave or try to make friends. Consequently, Soledad never learned English, and she made no contacts with other Americans. She was very fearful of reporting Eugenio's abuse to the police, since she believed that this would result in her immediate deportation. Eugenio constantly used Soledad's undocumented status to control her, and he threatened to report her to INS if she ever tried to leave him or seek help.

Soledad and Eugenio had three children. All three are now under the age of nine. Soledad grew very concerned that Eugenio would begin abusing the children just as he was abusing Soledad. She feared for her children's safety and wanted to leave Eugenio. Unfortunately, the circumstances under which she finally left Eugenio are grim. The last beating she ever endured from Eugenio left her hospitalized. Eugenio had punched and kicked her all over her body, then he had taken a knife and slit open both of her arms from her wrists to her armpits. Soledad might have died of the wounds and severe bleeding if she had not sought help in time.

After Soledad was released from the hospital, she and her children were taken by the police to a battered women's shelter. Before living at the shelter, Soledad had no idea that such resources were available to her. Soledad only knew that in Mexico, neither law enforcement nor free shelter services were available to assist battered women in escaping from the abuse of their batterers. Soledad was thankful to have found help for herself and her children in the United States.

Soledad is now in the process of applying for her green card under VAWA. However, current law will force her to return to Mexico to get her green card. If she returns to Mexico, she could be exposed to more abuse and danger. Eugenio makes frequent trips to Soledad's hometown in Mexico, and he has even threatened to hurt her and the children in Mexico if she ever returns. Soledad fears that he will find her and the children easily if she returns to Mexico to get her green card. She needs the protection of U.S. laws and law enforcement to keep her safe from Eugenio's attacks.

This case originated in Louisiana.

JUANITA

Juanita met her husband Alvaro in Mexico in 1994. They dated and had a son in early 1995. They both worked, and Alvaro's mother provided child care for the baby. Alvaro then went to Mississippi to work for six months, and became a lawful permanent resident. During that time, he never called or sent money for Juanita and the baby. However, by March of 1998 he returned to Juanita and pledged his love for her. They were married the next month and moved to Louisiana in June, to live with Alvaro's aunt and uncle.

The abuse began as soon as they arrived in the United States. Alvaro began isolating Juanita from her family and friends, and he forbade her from learning English in order to keep her dependent on him. Alvaro also began beating Juanita and he frequently hit her in the face and head. Alvaro's aunt and uncle did nothing to stop the abuse.

In November of 1998, Juanita told Alvaro that she was suffering from severe headaches for the past few months and asked to be taken to the hospital. Her head had been hurting so badly that she had lost feeling in her face for one month. Her face and jaw were swollen on the right side, and she had lost her voice for a couple of days. Even when she got her voice back, the numbness continued. However, Alvaro refused to acknowledge her pain or take her to the hospital. He grew angry and beat her, and she ran to the neighbors for help, asking them to call the police. Alvaro drove his car over to the neighbors and tried to force Juanita into the car. He threw her to the ground, hit her in the face and pulled her hair. Then the police arrived, and Alvaro was arrested and taken to jail.

Juanita was finally taken to the hospital, where doctors determined that her ailments were caused by the severe trauma to the head she sustained over months of beatings. She then entered a shelter for safety. Juanita soon began to receive threats from Alvaro's family in Mexico, stating that if she did not drop the charges against him, they would see to it that she was deported and that her child was permanently taken away from her. This made Juanita afraid to file a protective order against Alvaro. Eventually, however, she was granted sole custody of her child, child support, and alimony. Alvaro was granted visitation of the child on every other Saturday.

If Juanita is forced to return to Mexico to receive status as a lawful permanent resident, she knows that Alvaro can follow her there. Further, she will have to take her child with her. She fears that Alvaro's family will harm her there and try to take the child from her if she brings him with her. She also has no one with whom she can leave him behind, and if she did, she believes that Alvaro would try to claim custody while she was away. Yet if she does bring the child with her to Mexico, she will violate the terms of the court order allowing Alvaro to see the child every other Saturday, giving Alvaro cause to bring legal action against her. Juanita must be able to receive her green card without leaving the country in order to protect her rights and the safety of her child.

This case originated in Louisiana.

SHARIFA

Sharifa was born in Israel, and she lived with her parents in Jerusalem until she was 22. One day while she was working in the family garden, a man named Abdul noticed her from the street. He immediately decided he wanted her for his wife, and went to her mother to request permission to marry her. Sharifa met Abdul, and she and her mother agreed to the marriage. The couple was engaged for one year, during which Sharifa remained in Jerusalem and Abdul returned to America where he was a lawful permanent resident and owned a business. Abdul often wrote letters to Sharifa, declaring his love for her and describing all he wanted to do for her. When the marriage became final, Sharifa came to America with her husband. For a short time, things were as he had promised they would be.

Abdul began coming home very late at night, each night later and later. Sharifa would always wait for him, because he was all she had in America. She spent hours in solitude; Abdul forbade her to befriend American women because they were too "loose" and Arabic women because they were too "gossipy." When Abdul would finally arrive home at night and Sharifa would ask him where he had been, he would remind her of her subordinate position and tell her she had no right to ask questions of him. Sharifa believed she had a right to know, and when she would insist, Abdul would beat her. The beatings soon became so commonplace that Abdul no longer awaited provocation, he simply beat her whenever he pleased. Frightened and isolated, Sharifa waited for her husband to change and to give her the life he promised. He never did.

In June of 1997, Abdul shot Sharifa with his gun, causing a serious wound to her arm. She begged him to bring her to the hospital, but he refused until she promised to tell the doctor that she had shot herself. After this incident, Abdul tried to force Sharifa back to Jerusalem, but she did not want to go. She would be ostracized there for causing her marriage to fail, because her culture would never place the responsibility for a failed marriage on the husband, however abusive. In hopes of avoiding this shame, she remained in America with Abdul and waited for him to change.

Abdul eventually stopped providing Sharifa with food, electricity, and money for rent. Out of desperation, she reached out to the Arabic women in her town, and found several good friends who helped her find legal assistance and a battered women's shelter. Her primary concern was the status of her residence in America, because she refused to allow Abdul to force her back to Jerusalem. Sharifa was able to file a self-petition for legal residence, and is now anticipating receiving her green card and obtaining a divorce. However, it is necessary that Sharifa is able to receive her green card in the United States. If she is forced to return to Jerusalem, she fears Abdul will follow. There, his abuses will be culturally accepted and legally difficult to obtain protection against without suffering more harm from her community. In Jerusalem, Sharifa's community will regard her as the one who acted shamefully, and it is doubtful that even her family will shelter her. Therefore, Sharifa must not be forced to return to Israel, where she will be subject to undue hardship and danger.

This case originated in Louisiana.

WABEI

Wabei is an East African woman who came to the United States in 1996 with her husband Raul. Raul is a lawful permanent resident of the United States who is originally from the same country as Wabei. The marriage was arranged by the couple's parents, and Wabei and Raul barely knew each other when they married. While in this country, Wabei endured extreme ongoing emotional and physical abuse from Raul for one year.

Raul kept Wabei hostage in their home, refusing to let her work or lead a normal life. He severely battered and tortured her, beating her frequently. Raul even restricted her from eating, allocating for her only one small meal per day.

Finally, Wabei sought refuge at a hospital, where she met another person from her home country. With the confidence she gained by having this new friend, Wabei left her husband for good. She filed for and received a restraining order against Raul based on the history of the domestic violence she has experienced, and recently filed for a divorce.

Wabei has submitted a self-petition under VAWA and hopes to move past the trauma of her abuse. However, she fears the possibility of having to return to her home country in East Africa for an indefinite period of time to obtain her green card. In her home country, she would be branded as a social outcast for having left her husband. Raul, who has maintained contact with Wabei's family and friends in their home country, has told them lies about Wabei and his relationship with her. Her family and friends side with Raul and feel Wabei has disgraced them; they want nothing more to do with her.

Wabei fears that if she were to return home, Raul would follow her there. She would have no protection against him, because the laws of her country do not protect women against domestic violence. Since she would be a social outcast, she would have no one to aid or protect her during her stay. Wabei should not have to face the danger of returning to a country in which her husband can reassert absolute legal control over her life and cause her further harm, unfettered by legal restraints. Thus it is necessary that Wabei be permitted to remain in safety in the United States, and not be required to return to her home country for any reason.

This case originated in Tennessee.

CATALINA

Catalina is originally from Mexico. In Mexico, she met and married Ramón, a lawful permanent resident of the United States who was also originally from Mexico. The couple settled in Mexico and had a son, Paco. They were married and living in Mexico for close to eight years before Ramón decided to move Catalina and Paco to Tennessee.

Ramón both physically and mentally abused Catalina throughout their marriage. He subjected her to regular beatings, during which he would slap and punch her with his fists, throw objects at her, and kick her. Ramón would fly into uncontrollable fits of rage without any understandable reason. Catalina feared him and obeyed his every instruction. She believed him when he said that she was “worthless” and that he really wanted to “get rid of her.” He was obsessive and jealous of her, and he vowed to follow her if she ever decided to leave him.

While living in the United States, Catalina and Ramón had four more children, all U.S. citizens. Catalina constantly feared for her and her children’s safety around Ramón. His acts of violence were never predictable, and Catalina often feared that Ramón might kill her. One day, Ramón beat Catalina severely about her face and body, shoved her and the five children into the car, and drove to the next county. There, he left the children and their bleeding and bruised mother by the roadside. The police eventually found Catalina and the children wandering along the highway, and they picked them up and drove them to a shelter for battered women and children. Ramón had abandoned his family and left them for dead by the side of the road.

Catalina was so afraid that Ramón might find her and the children again that she refused to get a restraining order against him. She did not want him to have any idea of where she was, and she feared that serving him with a restraining order would fuel his anger and provoke him to look for her. She has no doubt that one day he will find her and renew his abuse of her.

With the help of an attorney, Catalina is now in the process of filing her VAWA self-petition. If she is made to return to Mexico as the only way of getting her green card, she and her children will face serious hardships. First, Catalina fears that Ramón will find her easily in Mexico. He has family in Mexico and travels there frequently. He would find out if she ever came back to Mexico, and he would seek her out at her parents’ home, a place he knows well. Second, Catalina lacks the resources to make the trip to Mexico with her five children. She has recently moved out of the shelter and is struggling to support the children entirely on her own. Third, Catalina’s five-year-old child, David, has a serious heart condition which requires constant monitoring here in the U.S. Since David is a U.S. citizen, he is eligible for Medicare. He has already had an angioplasty performed on his heart, and he will require valve surgery in a few months. David cannot interrupt his treatment to travel with his mother to Mexico to get her green card, and Catalina has no friends or family in the U.S. with whom she can leave David. Requiring Catalina to return to Mexico would effectively jeopardize her child’s health and put him at risk of death. Further, Catalina, Paco, and the other children cannot safely travel to

Mexico for any period of time as their safety from Ramon cannot be assured there.

This case originated in New Hampshire.

MARIE

Marie is originally from Haiti. In her hometown in Haiti, she met and fell in love with a U.S. citizen named Adam. Adam had a great deal of money and influence in Haiti, especially in Marie's town, and he had close ties to the police department, as well. Not long after Marie and Adam were married in Haiti, Adam started to treat Marie abusively.

He was physically abusive to Marie on several occasions. He would burn her with cigarettes, hit her, and throw objects at her. Adam also had girlfriends with whom he had open affairs. Once, when Adam discovered that Marie had been asking questions about his girlfriends, Adam bribed the Haitian police to arrest Marie in order to "teach her a lesson" so that she would not ask any more questions. Marie learned never to question Adam's authority.

Adam brought Marie to the United States a little while after they were married, promising that they would start over and build a new life in a new country. Instead, things only got worse for Marie. Adam isolated her completely, confining her to their remote trailer park home. Because their home was too far from the main town for Marie to access on foot, she became completely dependent on Adam for food and money.

When Marie tried to learn English by studying with a tutor, Adam forbade her from continuing the lessons. Adam told her that she should only speak Creole, and that she had no need for learning English. Marie wanted to leave Adam, but she felt trapped because of her lack of English skills. Also, she had no idea that services were available for battered women. Marie thought that she was destined to live confined in the home, without friends or family, and be a slave to her husband.

Marie and Adam had two children after moving to the United States. Both children are under the age of five and are U.S. citizens. Marie cared for the children on her own, but she was still dependent on Adam for food and clothing for the children. Often, Adam would not give Marie enough money to buy winter clothes for herself and the children, and Marie would be forced to steal money from Adam. He continued to physically abuse her in the United States, as well. He would kick and hit Marie if she displeased him, and he would also encourage the children to hit their mother and tell her to "go back to Haiti."

Marie eventually received help and information from a battered women's service provider. She left Adam and received legal assistance in obtaining a restraining order against Adam. This made Adam very angry. Marie attempted to pursue criminal charges against Adam for domestic assault and battery, but Adam fled the country before the hearing. Since then, Marie's family members in Haiti have informed her that Adam has resettled in Marie's hometown. He has spread lies to Marie's family, telling them that she is a terrible wife and mother and that she has committed crimes in the U.S.

Adam is anxiously awaiting the day that Marie will come back to Haiti with the children. He may have his wish if Marie is forced to return to Haiti as the only avenue to obtain her green card under VAWA. If she does return to Haiti, Adam will probably kill her. He has said in the past that he “can’t wait” for Marie to be deported so that he can kill her for pressing criminal charges against him. Not only does he currently reside in her small hometown in Haiti, but also he is able to bribe and influence the police in town so that they will not interfere if he abuses Marie. Marie’s restraining order will not protect her in Haiti.

Marie is also afraid that returning to Haiti to get her green card could cause her to lose her two children. Adam has threatened to kidnap the children as soon as Marie brings them to Haiti. Since Adam and the children are U.S. citizens, Marie believes Adam will have no trouble reentering the United States after kidnapping both of the children. If this happens, Marie fears she will never see her children again. Her and her children’s lives will be in constant jeopardy if she is forced to return to Haiti for any period of time.

This case originated in Wyoming.

ESPERANZA

Esperanza is a citizen of Honduras. She came to the United States on a visitor's visa to stay with her friend Nancy. While living with Nancy, she met Nancy's brother, a United States citizen named Roger. Roger would drop by his sister's house from time to time, and during his visits, he and Esperanza would chat and get to know one another. Soon Roger and Esperanza began dating. They eventually fell in love and got married.

It was not until after they married that Esperanza discovered many disturbing things about Roger. She found out that he was unemployed and a habitual drug user. The drug use upset Esperanza and made her very fearful and uncomfortable. She had never been exposed to drug abuse before, and she was horrified to find drug paraphernalia all over the house.

Roger began hitting Esperanza every day. He always found some excuse or other to get angry at her and hit her or say insulting, demeaning things to her. He also threatened to have her deported if she ever sought help or tried to call the police. She became so afraid of him that she could not sleep at night. She would lie awake listening to him and his friends partying and doing drugs until the early morning hours.

He refused to let her learn English, and he did not permit her to make friends. He locked her inside the house all day long, and he would not provide her with a telephone inside the home. One evening, he arrived home drunk and began hitting her. He then threw out her birth control pills and raped her. Soon after that incident, Esperanza became pregnant with Roger's child.

Roger nearly killed Esperanza while she was pregnant. One day, he left the house early to go to his sister's home. When he returned, he was high on drugs and in a violent rage. He pulled Esperanza to the couch by her hair and began punching her in the face, bloodying her nose. Then he pushed her to the ground and began strangling her, saying he was going to kill her. Esperanza lost consciousness. When she woke up, she found Roger brandishing a knife, saying he was going to cut her "so no man would want her." He hit her repeatedly in the back, causing her severe pain and bruising. Then he passed out on the couch. Esperanza grabbed her jacket and fled to a neighbor's house. She did not call the police because she believed that Roger would find her and kill her for doing so. Eventually, she returned home to him.

A few days later, Esperanza became very ill. She was two months pregnant. She sensed that something was wrong with the baby, so she went to the hospital. There, the doctors questioned her about the bruises around her neck and all the cuts and scratches on her face and body. She did not tell the doctors she had been abused because she feared what Roger would do to her in retaliation. After a thorough examination, the doctors informed her that her baby was dead inside of her, and that they would have to induce labor to take the baby out. Esperanza was devastated. She knew that the beatings and near strangulation that Roger had inflicted upon her had caused the death of their baby.

The very day that doctors induced labor and removed Esperanza's dead fetus, Esperanza returned home to Roger. She told him that he would have to change his ways, or she would leave him. He told her "wherever you go, I will find you and kill you."

Esperanza finally found the opportunity to leave Roger when Roger was placed in jail for violating his probation. He had committed several drug offenses, and now he had been caught with drugs again. Esperanza went to a shelter and got a restraining order against Roger. She also found an attorney to help her petition for her green card through VAWA. Esperanza is trying to build a life of her own away from Roger's abuse. With the help of friends from her church, she has enrolled herself in English classes and is now taking classes to earn her GED

If Esperanza is forced to return to Honduras as the only way of getting her green card under VAWA, she will face several hardships. To begin with, the recent hurricane that devastated Honduras has left the entire country in disarray. Esperanza lacks the money to make the trip to Honduras, and she is afraid that she could be trapped there for a very long period of time, waiting to get her green card. Several services agencies, administrative and government offices, and the police force have all been crippled by the hurricane. Since Roger has vowed to hunt her down and kill her when he gets out of jail, she believes it is likely he will follow her to Honduras, where he knows she will be unprotected. Esperanza believes that the laws of Honduras will not protect her from Roger, and the police force will not enforce her U.S. restraining order against him. In addition, Esperanza cannot discontinue the psychological counseling she is receiving in the U.S. to help her cope with the abuse she endured. She needs ongoing treatment for depression and insomnia--treatment only available to her in the U.S.

This case originated in Illinois and is now in Connecticut.

ANGELA

Angela is 34 years old and is originally from Mexico. She met her husband Aldo, a lawful permanent resident of the U.S., in Mexico in February 1992. Aldo was living in Chicago and made several trips to Mexico to see Angela. In December 1994, Angela and Aldo were married in Mexico. After the wedding, Aldo asked Angela to move to Chicago, and she soon followed him there.

Their relationship progressed smoothly for about a year, but then Angela began to experience changes in Aldo's behavior. Aldo would not allow her to talk to anyone, including neighbors and his own sisters. He would not give Angela money for expenses, and over time, he began to ignore all other responsibilities. He even refused to continue providing food.

In January 1995, Angela found out that Aldo had a child by another relationship. Based on a court order, Aldo had to pay child support for this child. Angela was shocked at Aldo's secrecy, and the relationship suffered under financial strain. In September 1995, Angela and Aldo had a daughter of their own.

Aldo resented Angela because she was not able to work. They had bought a house and were deep in debt. Aldo would frequently become drunk and verbally abuse Angela, accusing her of being the reason for their debt. Following these episodes, Aldo would often leave home, not returning for days. Angela was left without money, food, or any means of support.

Angela's family in Mexico sent her a check for one hundred dollars. Angela had no means by which to cash the check, not having any identification papers. She gave the check to Aldo to cash, but Angela never saw any of the money; Aldo took everything.

Aldo began spending most of his days and evenings drinking with a friend and a neighbor in the neighbor's garage. Any questions by Angela were met with fury and verbal abuse. Aldo told her he would do absolutely nothing to support her and would not help her get a green card. Angela was frightened of Aldo and the power he had over her immigration status. Aldo soon disappeared again, leaving Angela to fend for herself and their little girl.

In August 1997, during another argument that took place in their home, Aldo grabbed Angela and began to squeeze her throat. He would have strangled her, had she not managed to somehow break away from him. She called the police, who came and arrested Aldo. The next day Angela was given a restraining order. In order to protect herself and her daughter, Angela decided to move to Connecticut, where her brother lives.

If Angela is forced to return to Mexico to obtain status as a lawful permanent resident, she faces a dangerous situation. Aldo is himself Mexican. He is very familiar with the community Angela would have to return to as he has traveled there many times in the past.

Angela fears that Aldo could follow her there and harm her, because her restraining order would not be valid there. Mexican law will not protect Angela against abuses by her husband. In order to protect her safety, Angela must be allowed to remain in the United States to achieve lawful permanent resident status.

This case originated in Wisconsin.

GENOVEVA

Genoveva is a 32-year-old woman from Mexico. In 1990, she came to the United States and married Maurice, a lawful permanent resident. The couple had two daughters, now seven years and seven months old. In the eight years of their marriage, Genoveva has been subject to physical abuse and violence from her alcoholic husband.

Although Maurice is employed, most of his money goes to drinking and gambling. There have been times when he has left on Thursday night and not come home until Sunday night, leaving Genoveva without money or food in the house for her and the children. When she was pregnant with her second child, Maurice disappeared, later calling her from Mexico saying he was visiting his family. While he was gone, Genoveva was hospitalized with a kidney infection, and had to leave her daughter with a neighbor. Maurice's family who lived nearby refused to take care of the child, for fear that Maurice would become angry with them for meddling in his affairs.

Maurice has filed papers asking that INS grant Genoveva lawful permanent residency. However, he threatens that he will withdraw the papers if she does not obey him. Genoveva is constantly subjected to Maurice's beatings and physically violent behavior. She has never called the police, for fear of retaliation by Maurice, for fear that he will withdraw her papers, and because she does not want her daughter to see her father being arrested. The beatings have been so severe throughout their marriage that she has gone to the hospital on several occasions with serious injuries. However, Maurice always forces her to state that she fell, and has avoided suspicion. Maurice also threatens Genoveva with deportation, and dehumanizes and demeans her. As a result of Maurice's abuses, Genoveva lives in a constant state of terror. She has tried to leave, but has no money to sustain herself since she cannot work. Lately, Genoveva has become severely depressed over her situation, and has lost all her hair as a result of her depression. She is now seeing a therapist, but Maurice refuses to seek any help; he claims Genoveva is the crazy one.

Lately, Maurice's drinking is worsening, and last year he was prosecuted for driving drunk. He is most violent when he drinks, and usually throws Genoveva and the children out of the house. Genoveva is now trying to save enough money to leave Maurice. She is self-petitioning for residency under VAWA. Genoveva's family members in Milwaukee are afraid to offer Genoveva their support because Maurice has threatened to harm them. Returning to Mexico to obtain her green card would be extremely dangerous for Genoveva. She could not stay with her family members in Mexico who would not have space or finances to support her and her children if she were to travel to Mexico. She would therefore have to stay at the house Maurice owns in Mexico. Maurice would surely find her there and abuse her further, since the law will not protect her in Mexico. Genoveva could not afford the expense or the risk of taking her children into Mexico where Maurice could kidnap them, nor is she able to leave them behind. There is no one who could care for them and protect them. It is therefore necessary that Genoveva is able to obtain lawful immigration status while remaining in this country.

This case originated in Texas and is currently in Wisconsin.

ROSITA

Rosita, originally from Mexico, moved to Texas as a young girl. Her mother died when she was four years old, leaving her and her two brothers with an aunt in Texas. They never knew their father. Rosita met and married Max, a lawful permanent resident, in Texas when she was fifteen years old. Shortly after Rosita and Max were married, they had a baby girl and moved to Wisconsin to be with Max's family.

The problems began as soon as the couple was married. Rosita learned that Max was using and dealing drugs, along with his brothers and uncles. He had many affairs during the marriage, from which he contracted sexually transmitted infections. He infected Rosita many times, and then blamed her for it. Realizing the relationship was troubled, Rosita did not want to have any more children after her first. However, Max would not use protection and insisted on having more children. He told her if she did not have them, he would have them with other women. The couple eventually had two more children.

Max continued to go out with other women, and these women would often call Rosita at home and harass her with stories of their love affairs with her husband. When Rosita would complain, Max would beat her. One day, a young girl called Rosita and told her to divorce Max, because she was having his baby. When Rosita questioned Max about this, he was drunk. He became very angry and threw bleach in Rosita's eyes. She had to go to the hospital, and the police were called there. However, Max told the police that Rosita was the one who threw the bleach, showing them his bleach-spattered shirt. Rosita did not say anything, and the police did not arrest Max.

Max bought a house and a bar, but put them in his sister's name so that Rosita would have no right to them if she ever dared to divorce him. Max also makes all the family purchases to prevent Rosita from having access any of the money. She is not permitted to go anywhere without his permission, and if she does, he beats her. On one occasion when he beat her, her face was so disfigured that she took the children and left in fear for their lives. However, she could not survive on her own for long, and returned a few days later.

Recently, Max was arrested for drunken driving and was jailed for three months. When he got out, he came home at 1:00 a.m., while Rosita was still at work. Because she did not know when he was supposed to come home, she went out to eat with a girlfriend from work and did not return home until 1:30 a.m. The young children were in the care of their uncle and their older sister Regina. Max was enraged that Rosita was not home for his return, and called the police, charging Rosita with child neglect. She was not arrested, which only further enraged Max.

Rosita lives in constant fear of Max's temper, and is very concerned for the impact his violence is having on their children. Rosita's oldest daughter Regina has suffered from the effects of the abuse. Regina is very angry at her father and has a lot of confused emotions about family.

She was just expelled from Catholic school for fighting, cursing, and lying. She does not want to go back to school, but wants to work instead so that she can afford to take her mother and siblings away from Max's abuse. Rosita is devastated that her children have been so adversely affected, and that they feel responsible for protecting the family against Max. She wants to change that, and is ready to leave Max and provide for her children on her own.

However, in order to become a lawful permanent resident, Rosita will be required to return to Mexico for consular processing. This would pose severe hardship for her and her children. Since Rosita first came to this country at the age of four, she has no family or friends in Mexico. She cannot afford the trip on her own and has no one to rely upon for assistance once she reaches Mexico. Having to take the children would be an additional expense, but she would not dream of leaving them behind. Max could claim that she has abandoned them and have her parental rights revoked. Furthermore, Max could follow Rosita to Mexico, where he could take his revenge upon her for leaving him without facing legal consequences. For these reasons, it is important that Rosita be permitted to remain in the United States to obtain her green card, and not be forced to risk her safety and rights by returning to Mexico.

This case originated in Wisconsin.

ATALANTA

Atalanta came to the United States from Venezuela to visit friends and family. While at a baseball game, she met James, an American citizen. Even though there was a language barrier, the two became friends and fell in love. Atalanta thought James was a very nice person, and the couple enjoyed going out with friends together. However, before long Atalanta's visa expired and she had to return to Venezuela to her 5-year-old son and her parents who were caring for him. James said he loved her and did not want her to leave, and said he would marry her so she would stay. Atalanta agreed, and sent for her son after the marriage. She was happy to get him out of Venezuela, where her son's father was using and dealing drugs.

James made Atalanta sign a prenuptial agreement so that she would not be entitled to any of his belongings or assets. A few months after the wedding, she noticed James began to become even more possessive. He would make Atalanta buy her own groceries for her and her son, not allowing her to touch any of the food he bought himself. James started to drink more and more, and soon became violent. He beat Atalanta on several different occasions. He also abused Atalanta sexually and routinely forced sex upon her. Atalanta did not call the police because she was afraid James would have her and her son deported back to Venezuela.

While all this abuse was going on, James's ex-wife decided to sign custody of their two daughters over to James. For a while, James was nicer to Atalanta so that she would care for his older daughters. By this time, Atalanta had become depressed and was seeking mental health therapy. She thought about divorcing James, but he convinced her not to, bullying her about her immigration status.

Recently, Atalanta found marijuana in James's dresser and questioned him about it. He had been drinking, and verbally attacked her for questioning him. His anger made Atalanta nervous, and she retreated to the basement to smoke a cigarette. James followed her, and accused her of trying to burn the house down. He then pulled her by the hair and threw her outside in the cold without shoes or a coat. As he was pushing her out, she hit him in self defense. James then called the police and claimed Atalanta abused him, but the police could see that James was drunk and did not arrest her.

After this incident, Atalanta filed for and received a protection order against James, feeling her life was in danger. Atalanta is self-petitioning for residency under VAWA and will be pursuing a divorce. However, if she is forced to return to Venezuela for consular processing, she could again be in danger. Her restraining order against James would not be valid in Venezuela. This would give him incentive to follow her and take his revenge upon her there, where he could escape legal consequences. Atalanta has no support system in Venezuela as her family sides with him. Further, her ex-husband, who has been involved in criminal activity and drug dealing in Venezuela is angry about her bringing their son to the United States. She fears that returning to Venezuela with her oldest son would be dangerous. However, he must be able to travel with her

to be able to obtain her green card based on Atalanta's VAWA petition. For these reasons, it is important that Atalanta and her son be allowed to remain within this country to obtain lawful immigration status.

This case originated in Wisconsin.

BONITA

Bonita is a 26-year-old woman from Mexico. She moved to Wisconsin with her family when she was seventeen and began attending college. At college, she dated Julio, a Nicaraguan student, and became pregnant at age 19. However, Julio broke up with her when he found out she was pregnant, and took no interest in seeing the baby.

Bonita later met another man at work, an American citizen named Matthew. Matthew seemed kind and treated Bonita nicely, and she married him when she was 23. When they were first married, they lived with Bonita's parents, but soon they moved to a dairy farm in Nebraska. There, Matthew became a different man. He often came home angry, hitting furniture and slamming doors, yelling at Bonita that it was her fault things were not working out for him. The physical abuse soon started, and Matthew would frequently pull Bonita's hair, hit her in the face with the palm of his hand, shake her, hit her arms with his fists, and push her into walls.

Matthew also abused Bonita in other ways. He kept her isolated from family, friends, and community, and refused to give her any money for expenses. He also forced her to have sex with him against her will. After about two months, Matthew went to Texas to live with his mother. There, he was arrested on an old warrant for abusing his first wife and was sent to jail for two weeks. During this time, Bonita was deported to Mexico. When Matthew got out of jail, he found Bonita in Mexico and convinced her to return to Texas with him.

When the couple moved into Matthew's mother's house, the abuse continued. Matthew was unemployed and sat around the house all day drinking alcohol and smoking marijuana. He was angry all the time, and took his anger out on Bonita. He used to wake her in the middle of the night just so he could beat her. He waited until no one was around to hear the abuse. Bonita became pregnant, but suffered a miscarriage because of the beatings. Eventually, her mother brought her back to Wisconsin, away from Matthew.

Bonita wishes to remain in the United States, where her family and friends live and are available as a support system. If she is forced to return to Mexico to obtain her green card, she will face danger and will not be protected by the law. Matthew could easily again follow her to Mexico, where he could abuse her without fear of being prosecuted. Bonita does not have any family or friends in Mexico, and will have no means of financial or emotional support while she is there waiting for her green card to be processed based on her VAWA self-petition. There is no indication of how long she would be forced to remain in Mexico for consular processing. For these reasons, Bonita must be allowed to adjust her immigration status in the United States, where she will be protected by the law and supported by her community.

This case originated in Ohio.

ELSA

Elsa is a 52-year-old woman from Hungary. Three years ago, she traveled to the United States to work as a nanny for an Hungarian family in Ohio. She taught the children Hungarian, and took them on outings to the park. One day in the park, Elsa met Patrick, an American citizen. The two began to see each other often, and before long they decided to marry and Elsa left her job.

After their marriage, Patrick's behavior completely changed, and he began to abuse Elsa emotionally, verbally, and physically. He frequently threatened to kill her and constantly called her obscene names. Knowing Elsa was especially fearful of fire, Patrick would threaten to set the apartment on fire after he left. He would often scream, "I'll spend the rest of my life in jail to see you dead."

Elsa was terrified of Patrick, but did not know how to seek help. She was not familiar with the English language or her surroundings and felt completely isolated. The only place Elsa was allowed to go was the grocery store, and even then she had to be accompanied by Patrick. On these occasions, he would accuse her of looking at other people and planning to leave him. He would then hit her in the car on the way home.

On several occasions, Patrick beat Elsa so severely that she called the police, but this only made Patrick more angry. Elsa knew if she stayed with Patrick any longer, he would eventually maim or kill her. She sought refuge in shelters, frequently changing her location so Patrick could not find her.

Elsa has now become an independent, self-sufficient member of the community, having learned English and found employment, housing, and a supportive network of friends. She is proud of her accomplishments here, and knows such success would not be possible for her in Hungary. Her VAWA self-petition was approved and she would like to file for her lawful permanent residency as soon as possible. But returning to Hungary to do so would present an extreme hardship. Elsa would lose her job, as she would have to be out of the country for an indeterminate period of time. She would not be able to afford the trip even with the salary she makes now; without it, she would lose everything. Elsa has two grown children in Hungary, but the economic conditions there are so unfavorable that they cannot find work or support themselves. They are not in a position to help Elsa if she were forced to return to Hungary, and Elsa has no other family there to provide lodging or financial support. Finally, Patrick would be free to follow Elsa to Hungary, where the law would not protect her against his abuses. Forcing Elsa to return to Hungary to obtain her green card poses an increased risk to her safety and robs her of our legal system's ability to protect her. For these reasons, it is necessary for Elsa to obtain her green card without being forced to leave the United States and face the hardship of returning to Hungary.

This case originated in Ohio.

LEE

Lee is originally from Thailand. She married Eddie, a United States citizen, after he dated and courted her. She believed Eddie loved her, and she placed a high value on having a family. She never imagined that Eddie would abuse her.

Shortly after their marriage, Eddie began controlling Lee's behavior. He refused to let her leave the house, and he would not cooperate in petitioning for her legal residency. He began to insult her and treat her like a servant, forcing her to follow his orders at all times. Eddie would get extremely angry and fly into destructive rages in which he would throw objects, break Lee's personal possessions, and ruin furniture. His violence escalated soon after their son, Brian, was born. He would slap Lee when he would get angry, and he would also slap little Brian, as well.

Lee's marriage to Eddie was marked with significant sexual abuse. Eddie forced sexual intercourse on Lee while she was asleep. He also raped her many times while he was in an angry rage. On one occasion, when Lee fled to her father-in-law's house after Eddie beat her in the face, Eddie's own father tried to force her to have sex with him. When she refused him, he ordered her and Brian to get in his car, and he drove them to Eddie's house and charged Lee \$40 for the ride. When Lee told Eddie that his father had tried to force himself on her, Eddie shrugged and told her that she must have done something to provoke his father.

Eddie began telling Lee that she was crazy and that she needed to go to a mental hospital because she was making him abuse her. Lee's self-esteem plummeted, and she began blaming herself for the abuse she was suffering. She was afraid to tell anyone about the abuse because whenever she called the police or tried to get help, Eddie would punish her by turning off the electricity in their home for days, cutting off Lee's ability to cook or obtain heat or air conditioning.

The most severe incident of abuse occurred just before Lee separated from Eddie. Eddie had just come home from work, and he appeared to be angry about something. When Lee asked what was the matter, Eddie grabbed her by the neck and choked her, telling her he wanted her to die. After she collapsed to the ground from lack of oxygen, he stomped on her stomach and watched her writhe in agony. When Eddie left the house later that night, Lee and her son fled to a battered women's shelter. Lee has since received psychological counseling services and has been assisted in applying for a visa through VAWA.

Forcing Lee to return to Thailand to obtain her green card would be emotionally and financially devastating to her. She lacks financial resources to make the trip to Thailand, since she is currently living in a shelter with her son and is looking for work. She has no family in the United States with whom to leave her U.S. citizen son, who is now two years old, so she would have to take him with her to Thailand. Doing this would be both financially impossible and emotionally painful for Lee. She has not kept her family in Thailand informed as to the abuse she

suffered with Eddie, and she knows that her family would view her separation from her husband as a humiliating disgrace and fears their treatment and rejection of her. Lee strongly believes that once her family finds out she has left her husband, they will refuse to shelter and support her and her son in Thailand.

A second factor preventing Lee's departure to Thailand is her need to continue psychotherapy in the U.S. Lee's therapist has informed her attorney that she is suffering from post-traumatic stress disorder. Lee has recurrent nightmares about the abuse she suffered at Eddie's hands. She also becomes paralyzed during the day with frightening "flashback" memories of her husband beating her. Lee requires psychotherapy to treat this disorder, as well as her feelings of worthlessness and lack of self-esteem. If she were to leave the country and discontinue her therapy, her condition would worsen, and all the progress she has made would be reversed. Lee needs to obtain her green card in the U.S. so that she may continue her therapy and seek permanent housing and employment to support her son.

This case originated in Alabama.

CARMEN

Carmen is a citizen of Panama. She met and married her United States citizen husband, Andrew, when he was stationed in Panama with the U.S. military. After the couple married, they moved to the United States. Andrew always promised Carmen that he would apply for her residency, but he never did.

Carmen and Andrew settled in Alabama. Andrew kept Carmen completely isolated from others. She was not allowed to socialize with anyone, make friends, speak to anyone on the telephone, or leave the house on her own. She was completely dependent upon Andrew for money, food, and clothes. She felt helpless, like a prisoner in her own home.

As time went on, Andrew's behavior grew more abusive and controlling. He would get very jealous and possessive of Carmen. He would even instruct her on how to do her makeup and would select her clothes in the morning so that her appearance would be to his liking. When Carmen gave birth to their child shortly after their marriage, Carmen became even more dependent on Andrew for support. She had absolutely no family or friends to rely on in the United States, but she attempted to leave Andrew more than once and seek refuge in a shelter.

Each time that Carmen would leave Andrew, he would threaten to report her to INS and have her deported. He also threatened that if she were deported, she would not be able to take their child back to Panama with her. He told her he would petition for custody of the child and have his family raise him here in the U.S. These threats frightened Carmen enough to return to Andrew and leave the shelter. Andrew refused to provide money or clothing for the baby unless Carmen returned to live with him as his wife. Carmen only recently separated from Andrew and sought the counsel of an attorney.

If Carmen is forced to return to Panama to get her green card under VAWA, she will face losing her only child in a custody battle. Andrew has petitioned for sole custody, and Carmen has temporary custody of the child until the matter is adjudicated. Andrew would like nothing more than to see Carmen deported. Failing that, he would certainly take advantage of her situation if she had to go to Panama for a potentially long period of time to get her green card. She cannot travel to Panama with her child while the child's custody is in dispute. She is afraid to leave the child with her abuser, Andrew, or with any of his family. Furthermore, she is convinced that if she leaves the U.S. for any period of time, no matter how brief, Andrew will petition the court for custody of their child on the grounds that Carmen abandoned the child. For these reasons, Carmen cannot go back to Panama for even the shortest amount of time to get her green card.

This story originated in Georgia.

ANOU

Anou and Omar met and married in Egypt, their native country. Their marriage was arranged by their parents. Omar is a lawful permanent resident of the United States, and returned to live there after the marriage. Anou followed him soon after, and Omar promised her parents he would apply for her legal residency.

Once they began living together, Omar treated Anou poorly. He started to delay the immigration paperwork process, and shouted at Anou if she brought it up. He ordered her around and demeaned and insulted her. Anou quietly obeyed Omar out of fear, but she was dissatisfied. She asked him why he treated her this way, and wondered what made him change. This only enraged Omar, and his verbal abuse escalated. He told Anou that he was sorry he had to marry her, because she was a bad wife. He then began going out more often, staying out late and locking Anou in the house, leaving her without any way to exit the house for full days at a time.

Anou was terrified to be alone in a strange country where she knew no one, and devastated that her new husband had rejected her. Omar's cruelty was unbearable for her, especially since she was not allowed to leave the house and had nothing else in her life. His treatment of Anou worsened, and before long he began to threaten her with the ultimate punishment. Omar knew that if he sent Anou back to Egypt, her uncle would kill her for dishonoring her family. Traditional Egyptian cultural practices dictate that when a husband is dissatisfied with his wife, she shames her family and has failed her purpose in life. Egyptian women are usually killed for this.

Anou begged Omar not to send her to her death, but he said he did not care about her or what happened to her. He told her she deserved to die, and arranged for her to travel to Egypt the following day. He then locked her in the house and left. Anou was so frightened that she fainted. When she regained consciousness, she realized she had to escape. The only open exit was the second floor balcony, and she decided to leave behind her belongings and climb down. Reaching the ground, she began to fear that Omar would come after her in his car, and she started to run. She ran for two hours, until she reached a police officer in the street. Although she did not speak English well, she communicated her danger, and he brought her to a shelter.

Anou then contacted her mother in Egypt, who warned her never to return to Egypt. Her mother told her that her uncle was sure to kill her and that she could not protect Anou if she returned. Anou resolved to remain in the United States and succeed on her own, away from Omar's abuse. She has self-petitioned for residency, but cannot return to Egypt to obtain her green card. Her uncle and father are still determined to end her life for the dishonor she has brought them, and would surely find her as soon as she entered the country. It is therefore imperative that Anou be allowed to obtain lawful immigration status within the United States, where she is independent and safe.

This case originated in Hawaii.

LEA

Lea came originally from Micronesia to Hawaii. There she met Mark, an American citizen, and the two began dating. Before long, Lea realized she was pregnant, and she and Mark got married.

The relationship was strong until their daughter Haley was born. Around this time, Mark began drinking excessively and frequently became angry when intoxicated. He took his anger out on Lea, first mentally abusing her with harsh language and frightening threats. He often told her he would have her deported if she did not obey him. This led to physical abuse, which took the form of severe beatings. After these beatings, Lea fled with Haley to friends' houses, but always returned to Mark out of fear and desperation.

After one particularly brutal beating, Lea began to fear for her life and for Haley's safety and well-being, and entered a shelter. She obtained a restraining order against Mark, and she and Haley hid from him in the shelter. After that she moved in with friends, but had neither money nor a valid work permit. Mark continued to threaten her, saying he would take Haley and never let Lea see her again.

Lea is working to become an independent provider for herself and her American citizen child here in the United States. She is filing a self-petition so that she can become a lawful permanent resident and can work to support herself and her child. But she fears having to return to Micronesia to obtain her green card. Currently, Lea has gone into hiding and Mark is being kept at bay by the restraining order filed against him. Friends, however, have informed her that Mark is trying to find her. If Lea leaves the country, he will be able to find out she has left and he will soon follow. Lea's protective order would not be valid in Micronesia, and Mark has told friends that if she went there he would find her. Additionally, because she is not working, Lea cannot afford a trip to Micronesia. Because of Mark's threats, it would not be safe to take Haley with her or to leave her behind. Therefore, it is necessary for Lea to obtain her green card in the United States where she can remain protected by the law.

This case originated in Hawaii.

VANESSA

Vanessa, a Mexican native, traveled to Hawaii where she met Frank, a United States citizen. They fell in love and got married, and were together for three years. During that time, Vanessa endured many forms of abuse from Frank, and lived in constant terror.

After they were married, Frank kept postponing filing an immigration petition for Vanessa. If she would mention it, he would become angry and hostile, threatening her with deportation. Vanessa worked part time for cash, but Frank took away all the money she earned. She had no money of her own, and relied on Frank to purchase everything they needed. He even picked out and purchased her clothes, although he only rarely bought anything for her. After a while, Frank's controlling behavior escalated into mental and physical abuse. He demeaned and threatened Vanessa, and frequently beat her.

Eventually, Vanessa reached a point where she could stand no more abuse, and sought refuge in a shelter. She obtained a protective order against Frank and was safe for a time. However, she felt helpless without Frank and returned to him on two occasions. Shortly after both reunions, she returned to the shelter because of Frank's continued severe beatings.

Vanessa has filed a self-petition and wishes to remain in the United States where she can be protected from Frank's continued abuse. However, she is terrified of being forced to return to Mexico to obtain lawful immigration status. Vanessa currently feels safe because her protective order is succeeding in keeping Frank away from her. Yet her protective order will not be enforced in Mexico, and Frank could follow her there where he can abuse her without legal consequences. It is therefore necessary for Vanessa to receive her green card while safely remaining within the boundaries of the United States.