

## Addressing Culture: Systematic Responses to Underserved Immigrant Populations<sup>1</sup>

New Orleans, Louisiana

December 12-13, 2016 and December 15-16, 2016

### Day One

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|-------------------|--|
| 7:30am - 8:45am   | Registration   |
| 9:00am – 9:10am   | Welcome from OVW and NIWAP   |
| 9:10am - 10:15am  | <p><b>Opening Plenary- How to Use Culture, Religion and the Law for Survivor Safety and Justice - Aisha Rahman, Aparna Bhattacharyya, and Commissioner Loretta Young</b></p> <p><u>Description:</u> During this opening plenary session, the panelists will address the critical intersectionality of culture, religion and the law and how they each uniquely contribute to survivors’ safety. The speakers will also discuss ways to increase survivor safety while providing culturally and religiously sensitive services.</p> |
| 10:15am -10:30am  | Break  |
| 10:30am - 12:15pm | <p><u>Workshop Sessions I</u></p> <p>A. Culture in the Courtroom: A Judicial Perspective on Immigrant’s Rights in Civil and Criminal Cases - Aisha Rahman, Cannon Han and Judge Lora Livingston/Judge Ramona Gonzalez/Mary Weir</p> <p><u>Description:</u> Courts are seeing more cases involving cultural traditions and customs. What role, if any should, culture have in the courtroom. This workshop will discuss the issues and challenges when</p>  |

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considering “cultural evidence” and the role of culture in the equitable administration of justice.

**B. Protecting Your Client’s Privacy Rights While Building Their Immigration Case- *Jessica Mindlin, API Rep.***

Description: A trafficking survivor disappears after an interpreter shares a description of the pending criminal case. A judge is asked to approve an undocumented victim’s relocation to a confidential address. A foreign-born student seeks advice whether to report an assault to her school. In these and many other contexts, privacy is a primary consideration for immigrant survivors. In this interactive workshop, a full arsenal of experts (including a judge and a Cannon) will help you navigate this critical yet complex arena of protecting survivors’ privacy rights. The presenters bring their combined 6 plus decades of experience working with survivors to help you identify best and promising practices, how to anticipate and avoid privacy risks, and creative approaches to advancing survivors’ privacy interests.

**C. Identifying the Best Immigration Options for Your Client: Safety, Benefits, and Economic Security - *Rocio Molina and Edna Yang***

Description: This interactive workshop will use case studies and allow participants to work through scenarios to identify the best possible immigration relief for survivors while also taking into account grounds of inadmissibility, access to other benefits for long term safety and security. Participants will discuss options for public benefits, timeframes for decision on applications, inadmissibilities, access to work permits, and how to best assess a survivor’s options when more than one immigration remedy is available.

12:15 pm -1:45pm

Lunch

1:45pm – 3:00pm

**Plenary II – Sexual Assault, Dating Violence, and Stalking on Campus: When Foreign-born Students are Victims- *Leslye Orloff, Jessica Mindlin, Jim Ferg-Cadima***

Description: According to the Department of Homeland Security, in 2015 there are more than 1.13

million international students attend nearly 9,000 different schools across the U.S. through the student visa programs. This represents a nearly 15% increase from the previous year. These international students join Deferred Action for Childhood Arrivals (DACA) and other undocumented students in attending universities, community colleges, vocational schools, and K-12 schools across the U.S. When foreign born students become victims of sexual assault, dating violence, domestic violence and/or stalking the help they need from school and university administrators, campus and local police, and victim advocates and attorneys is affected by the ways in which immigration laws and immigrant crime victim options intersect with Title IX and the Cleary Act requirements. This plenary will discuss the special needs of foreign born student crime victims. Topics that will be covered include: How certain interim measures universities and schools offer victims may interfere with an international student’s ability to maintain their F. M or J visa; the importance of informing foreign-born victims about and helping them access U visa protections; protections provided by the U.S. Department of Education under federal laws; and privacy, safety, housing and civil legal relief available to help foreign-born student victims.

3:00pm – 3:15pm      Break

3:15pm - 5:00 pm      Workshop Session II

A. Exploring Social, Cultural and Faith Communities as Allies and Barriers for Sexual Assault Survivors - *Jessica Mindlin and Aparna Bhattacharyya*

Description: Workshop participants will explore cultural, religious, and community responses when sexual assault survivors disclose. Survivors’ social, cultural and faith communities can provide critical support to immigrant survivors. But when these same communities turn against the victims they once embraced, survivors may, overnight, find themselves alienated, abandoned and all too often endangered. In this interactive workshop, the presenters will facilitate discussion on how advocates, organizations, victims’

lawyers, and the bench can help survivors and those who serve them promote positive community responses to immigrant survivors. We will discuss how to respond to community members who support the offender, are worried about the negative impact on their families or communities, or provide well-intentioned but uninformed advice.

**B. Language Access and Law Enforcement: The Why and How in Improving and Increasing Language Accessible Resources for Law Enforcement – *Wendy Lau, Officer Michael LaRiviere, and Officer Antonio Flores***

Description: This workshop will discuss the essential role that proper language access planning and implementation plays in both community and officer safety and provide participants an overview of promising practices, challenges, and strategies for engaging leadership on creating and improving language accessible resources for the community and police officers.

**C. Advanced Immigration: Emerging Trends - *Edna Yang and Veronica Thronson***

Description: This interactive workshop will use case studies and allow participants to work through scenarios to discuss emerging trends in immigration relief for survivors of sexual assault and family violence. Specifically, this advanced session will discuss the U visa waitlist, deferred action, humanitarian parole for derivatives waiting for U visa status, criminal inadmissibility and denial based on inadmissibility and discretion, as well as removal proceedings.

## Day Two

9:00am - 10:15am

**Plenary III- Language Access: Compliance Requirements and Complying with Title VI of the Civil Rights Act of 1964- *API Rep, Judge Ramona Gonzalez /Judge Lora Livingston, and Officer Michael LaRiviere***

Description: An overview of the language access compliance requirements of Title VI of the Civil Rights Act of 1964 and discussion of the central role

language access plays in the effective administration of justice, and how systems are addressing the need.

10:15am - 10:30am

Break

10:30am - 12:15pm

### Workshop Sessions III

**A. Immigrant Litigants in Family Court: Advanced Custody Issues - *Leslye Orloff, Veronica Thronson, and Commissioner Loretta Young***

Description: Participants will be provided with accurate immigration law information, policy, practice, and other resources applicable to immigrant survivors' custody cases. This workshop will also address inappropriate attempts by perpetrators to raise immigration status and deportation issues in custody cases and strategies to keep the focus of the custody case on best interests including offensive use of a perpetrator's immigration related abuse. Active-participant exercises are incorporated to assist participants in developing custody case strategies that benefit the survivor.

**B. Advocate's Role in VAWA and U Visa Cases - *Rocio Molina, Edna Yang, Aparna Bhattacharyya, and Eric Tijerina / Jessica Salsbury***

Description: Advocates play a crucial role in safety planning and assisting survivors by navigating through both the civil and criminal justice systems. Often an advocate is the first person a survivor trusts enough to disclose abuse. Through a working, participatory process we will develop holistic and creative approaches to support immigrant survivors of domestic violence, sexual assault, stalking, human trafficking and other crimes document strong VAWA self-petitions and U visa applications in collaboration with attorneys and victim service providers.

**C. Road Map to Safer Communities: The Importance of Law Enforcement and Victim Advocates Relationships- *Judge Mary Weir, Officer Michael LaRiviere, and Officer Antonio Flores***

Description: This workshop will deal with understanding the needs survivors, victim advocates and law enforcement. We will take a closer look at the challenges and issues between victim advocates and law enforcement. During interactive workshop we will discuss techniques for building a better relationship between victim advocates and law enforcement groups to better serve survivors and our community.

12:15pm – 1:45pm

Lunch

1:45pm – 3:30pm

### Workshop Session IV

**A. Creative Remedies: Obtaining Economic Support for Victims in Family Court -*Aisha Rahman, Veronica Thronson, and Officer Antonio Flores***

Description: This interactive workshop will address creative ways to help victims in obtaining economic support in family court proceedings. Particular emphasis will be given to addressing strategies for litigation such as ex-parte orders, orders of protection, allocation of property, spousal support and the use of federal affidavits of support, discovery tools and tort litigation.

**B. Demystifying the Supplement I-918B: Certifiers Guide to U Visa Certification Forms - *Rocio Molina, Judge Ramona Gonzalez/Judge Lora Livingston, Officer Michael LaRiviere, and Eric Tijerina / Jessica Salisbury***

Description: This workshop is designed for certifiers and others who are in a position to assist immigrant victims of crime with obtaining the required I-918b U visa certification. The intent and process of the U visa will be covered with each element of the U visa certification form being dissected and discussed by law enforcement and a USCIS policy analyst specialist. Additionally, we will discuss the role of the certifier and the importance of understanding the helpfulness requirement.

**C. Secure Housing for Immigrant Survivors: 2016 Policies Improve Housing Access and**



*Options - Leslye Orloff, and Aparna  
Bhattacharyya*

Description: On August 5, 2016, the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Health and Human Services (HHS), and the U.S. Department of Justice (DOJ) issued a joint letter reminding federal grantees that immigrant victims of domestic violence, sexual assault, human trafficking, and other U visa criminal activity and abused children are eligible for and must not be turned away from shelters and transitional housing programs. HUD also issued regulations implementing VAWA’s housing protections and other policies that improve housing access options for all victims including immigrant victims. Attendees will receive an overview of these important policies. This workshop will provide attendees an overview of these recent regulations, policies, the applicable laws, anti-discrimination protections, and how these affect the availability of housing programs for immigrant crime victims. The workshop will also provide tools, tips and advocacy strategies that attorneys and advocates can use to ensure that immigrant survivors and their children gain access to all housing programs for which they are legally eligible.

3:30pm -3:45 pm

Break

3: 45pm -5:00pm

**Plenary IV- Justice System Responses to Immigration Status, Gender, and Culture-***Veronica Thronson, Judge Mary Weir, and Officer Antonio Flores*

Description: From the perspective of law enforcement, the judiciary and practicing attorneys, this plenary will explore the many ways in which immigration status, gender and culture influence practice and outcomes throughout the justice system. Topics will include: ways in which abusers attempt to use immigration status in court proceedings, cultural defense, and relevance of immigration in custody. In addition, this plenary will also explore the intersection of immigration status and gender, in particular focusing on immigrant LGBT victims and their communities.

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