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Statement for the Record from the Tahirih Justice Center to the
United States Senate Committee on the Judiciary:

“How Mass Deportations Will Separate American Families, Harm Our Armed Forces, and Devastate Our Economy”

December 19, 2024

Dear Chairman Durbin, Ranking Member Graham, and Members of the Committee:

As a national organization serving survivors of gender-based violence (GBV), we appreciate this opportunity to further educate the Committee as to how mass deportations will harm survivors and the communities to which they belong. We respectfully request that this statement be incorporated into the record for the December 10, 2024 U.S. Senate Committee on the Judiciary hearing, *“How Mass Deportations Will Separate American Families, Harm Our Armed Forces, and Devastate Our Economy.”*

GBV is a public health crisis that transcends race, religion, culture, and class and includes human trafficking, sexual slavery, domestic violence, forced marriage, female genital mutilation/cutting (FGM/C) and other abuses. The World Health Organization reports that one third of all women will become the victim of GBV over the course of their lives. According to the Centers for Disease Control and Prevention, over 50% of women in the U.S. have suffered sexual violence that involves physical contact and 25% have endured attempted or completed rape. And, it is estimated that 50% never seek help due to fear of retaliation, stigmatization, re-traumatization and other serious concerns.

The acute and long-term health and economic consequences of GBV are well-documented, with intimate partner violence costing the U.S. roughly \$8.3 billion per year. While laws such as the Violence Against Women Act are targeted toward survivors, broader areas of public policy including education, public safety, health care, child welfare, the economy and immigration directly impact survivors as well. With survivors comprising such a large and diverse segment of the general population, we are grateful that you chose to elevate a survivor's voice through her testimony during the hearing.

At Tahirih, we assist non-citizen survivors of GBV who are fleeing horrific abuses such as gang rape, torture, forced marriage, sexual slavery, FGM/C and femicide. The focus of our expertise is on how our immigration system can either enhance or obstruct a survivor's path to a safe and prosperous life. While our immigration system may seem of no concern to survivors born or naturalized in the U.S., in fact their safety is intertwined, and they often have many needs in common with survivors born abroad due to their shared experience of victimization. And, as noted during Ms. Morin's testimony, a survivor in the U.S. may have even been targeted by the very same perpetrator as a survivor abroad. Regardless of their background, survivors' needs are the same and these include access to emergency shelter and long-term safe, affordable housing, trauma focused counseling, specialized medical care – for example, for traumatic brain injury, strangulation, facial reconstruction, and pelvic floor dysfunction among many other conditions, flexible employment leave and school attendance policies, safety planning, and community support groups. U.S. laws therefore recognize that all survivors, including those fleeing abuse in their home country, need safety and stability to thrive and contribute to our communities for the benefit of us all. Affording all survivors access to justice whether it be in family, criminal, civil, or immigration court brings us closer to a world that rejects GBV as inevitable and instead focuses resources on stamping it out.

In the immigration context, policymaking that impacts mixed status families must be undertaken with great care to avoid unintended consequences for survivors and their children. For example, indiscriminate mass deportation would force many to make the heart rending 'choice' to either abruptly uproot their U.S. citizen child to a country they have never known or leave them here without their mother. People targeted for deportation may have U.S. citizen children whom they alone protect from an abusive parent or family member here in the U.S.

Survivors of GBV and other abuses abroad whose lives and safety are at grave risk may feel that their only path to safety is to flee to the U.S. to seek asylum given their own country's inability or unwillingness to protect women from violence. Consequently, the deportation of asylum seekers can be a death sentence if they are re-victimized by those who targeted them in the past. Deportation itself can make survivors even more vulnerable to re-victimization. Deportees often become specific targets of criminal gangs; without stable employment, housing, or support structures upon their return, they are easily exploited. Finally, it is well-documented that the most dangerous time for a victim of domestic violence is after she tries to escape. The increased danger a survivor faces after deportation is twofold - not only can an abuser more easily find his victim, but he will be much more likely to retaliate against her for attempting to defy him.

Justice and safety for survivors includes giving them their day in court under our laws. By contrast, indiscriminate deportation will result in punishing survivors whose abusers have stolen their identity documents or proof of lawful status. Some abusers even go so far as to hide a survivor's legal status from them, ~~leveraging their lack of knowledge and proof of status to maintain power and control.~~ Some

survivors caught up in mass deportation efforts are likely to be eligible to apply for immigration status but are unaware of their rights or still saving up for a lawyer and developing an escape plan.

Deporting survivors of GBV and other crimes also compromises public safety. By reporting and testifying against violent offenders, survivors play a critical role in helping law enforcement hold perpetrators such as human traffickers accountable and take them off the streets. By contrast, prioritizing survivors for deportation because they have a criminal history can perpetuate the punishment they are trying to escape and penalize the very behaviors that were necessary to prevent escalating harm to themselves or their children. A common tactic of abusers is to falsely accuse their victims of being the primary perpetrator of domestic violence or frame them for crimes they did not commit. Immigrant survivors are particularly vulnerable to this tactic because of language barriers. For example, police responding to a domestic violence call may use an English-speaking abuser as their translator. Survivors are also unjustly criminalized when traffickers or abusers force them to commit or abet crimes under duress such as theft or drug trafficking. Some face criminalization for defending themselves against violence, or if they recant allegations of abuse for fear of retaliation. Finally, survivors of domestic violence may face unwarranted, blanket charges of child abuse for “failure to protect” their children, despite their best efforts to do so under highly volatile and unpredictable circumstances. The criminalization of the act of *surviving* domestic violence is so pervasive that some states have even passed legislation to address it.

Ultimately, deporting people *en masse* will imperil immigrant survivors' lives and unwittingly embolden the perpetrators of horrific crimes against them in the process. Instead, we must give immigrant survivors a meaningful opportunity to present their cases under our bipartisan laws such as the Violence Against Women Act, passed specifically for the purpose of protecting them.

For these reasons, **we urge Congress to reject mass deportations and empower, rather than endanger, survivors of GBV among us.** In doing so, Congress will make all of us and our communities safer. Thank you for your consideration.

Sincerely,

Tahirih Justice Center