



Women Immigrants Safe Harbor (WISH) Act

1522 K St., NW Suite 550 Washington, DC 20005 t: 202-326-0040 f: 202-589-0511 www.legalmomentum.org

Like many other immigrants who entered the country after August 22, 1996, immigrant victims of domestic violence, sexual assault, trafficking, and other crimes, face restrictions to essential safety net services, including Medicaid, the State Children's Health Insurance Program (SCHIP), food stamps, Temporary Assistance for Needy Families (TANF), and Supplemental Security Income (SSI). These services are critical in assisting victims escape from family violence. Although current laws make allowances for some of these women, gaping holes in eligibility remain.

What Is the Current Situation?

- The level of economic resources available to an abused woman is the best indicator of whether a victim permanently escapes domestic violence.
- Many immigrants who are victims of domestic violence, sexual assault, and trafficking are economically, culturally, and socially isolated. They are more likely to have limited English speaking skills, lack education or employment skills, and be totally dependent on their abuser for support.
- Without access to public benefits, too many victims of gender-based crime cannot adequately feed, clothe, or care for their children. These crime victims and their children often lack health care or live in substandard housing, and some even become homeless.
- Following the sweeping changes in welfare and immigration laws in 1996, benefits use among immigrants, including battered immigrants, dropped dramatically. Non-citizen use of benefits fell 41 percent, almost three times faster than citizen use of benefits, which declined only 15 percent. This fact indicates that many battered immigrant women and immigrant crime victims are unable to access vitally important resources in times of crisis.
- In a survey, more than two-thirds of battered immigrant women who stayed with their abusers (67 percent) reported a lack of money as the primary reason for not leaving a violent home. About a third cited lack of a place to go (35 percent) and lack of employment (32 percent) as reasons that they did not leave an abusive relationship.
- More than half (54 percent) of the abused immigrant women in the same survey were unemployed, and 61 percent earned less than \$9,000 per year. This data indicates that many battered immigrant women have no means to support themselves when they leave their abuser.

What Does the WISH Act Do?

- Ensures that no five-year bar to accessing services will apply to cases of immigrant victims of domestic violence, trafficking, and sexual assault.
- Provides direct access to Food Stamps and SSI for eligible battered immigrants and immigrant victims of crime, including trafficking victims.
- Provides access to public benefits for battered immigrant and immigrant victims of crime, including trafficking victims.
- Exempts battered immigrants and crime visa holders from public charge determinations that may affect their ability to legalize their immigration status.