

# **A COLLABORATIVE, INTERSECTIONAL APPROACH GENDER-BASED VIOLENCE**

LEVERAGING PARTNERSHIPS  
TO INCREASE SURVIVOR SAFETY



# LEARNING OBJECTIVES

1. INCREASED AWARENESS OF LOCAL FAMILY JUSTICE CENTERS
2. INCREASED UNDERSTANDING OF FJC INDIVIDUAL AND COLLECTIVE PARTNER ROLES
3. INCREASED UNDERSTANDING OF INTERSECTIONAL, COLLABORATIVE APPROACH MODEL



# REMEMBER NOHEMI?

- SURVIVOR OF IPA, SA, AND HT
- SOUGHT SERVICES AT THE SOUTH COUNTY FAMILY JUSTICE CENTER
- WORKED WITH COMMUNITY SOLUTIONS
- WAS CONNECTED TO
  - STEP FORWARD FOUNDATION
  - MORGAN HILL POLICE DEPARTMENT



# SOUTH COUNTY FAMILY JUSTICE CENTER



SANTA CLARA COUNTY FAMILY JUSTICE CENTER  
SOUTH COUNTY BRANCH  
16264 CHURCH ST SUITE #103  
MORGAN HILL CA 95037

## Collaboration at Work



# VISION, MISSION, AND PURPOSE

## VISION

TO TRANSFORM THE COMMUNITY BY BREAKING THE CYCLE OF FAMILY VIOLENCE IN THIS GENERATION; RESTORING HOPE TO INDIVIDUALS, THEIR FAMILIES AND THE COMMUNITY.

## MISSION

TO ENSURE THE SAFETY, HEALING, AND SELF-EMPOWERMENT OF VICTIMS OF DOMESTIC VIOLENCE AND THEIR CHILDREN. WE ADVOCATE FOR AND CONSTRUCT A FUTURE WHERE THERE IS ZERO TOLERANCE FOR ALL FORMS OF FAMILY VIOLENCE IN SOUTH SANTA CLARA COUNTY.



# STEP FORWARD FOUNDATION



**STEP  
FORWARD  
FOUNDATION**



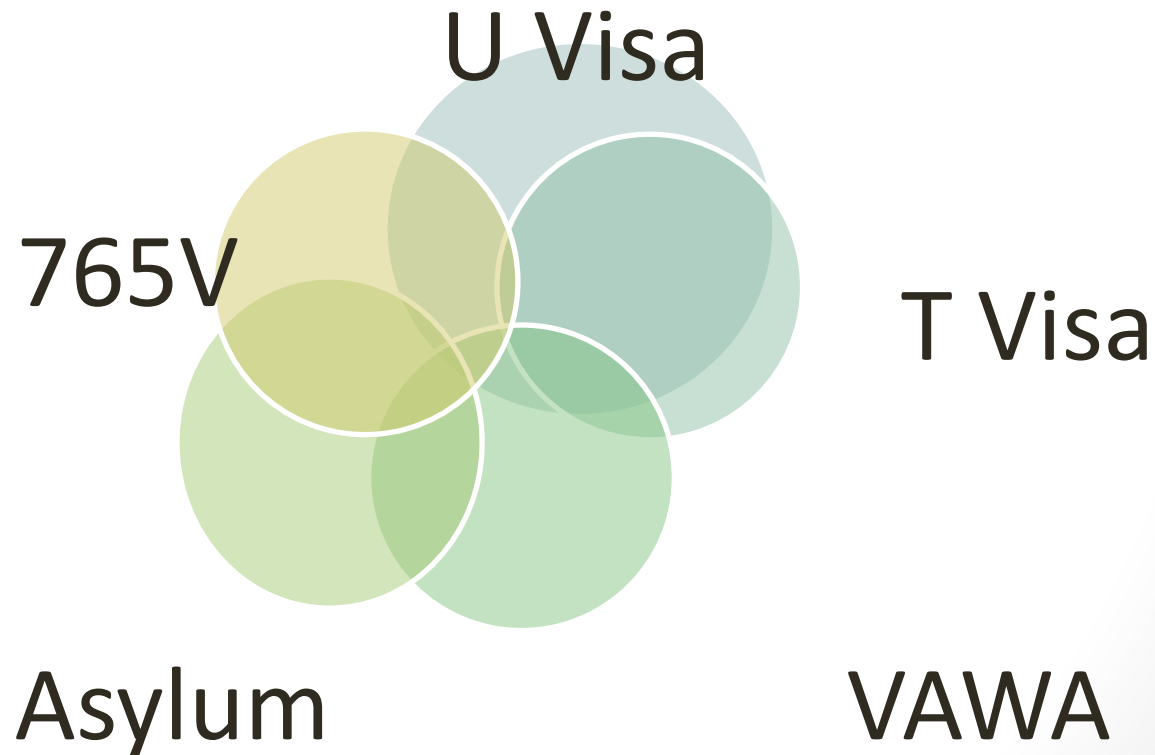
# LEGAL REMEDIES FOR SURVIVORS

- IMMIGRATION
- FAMILY LAW



# IMMIGRATION REMEDIES

- IMMIGRATION SYSTEMS
- U NONIMMIGRANT STATUS
- T NONIMMIGRANT STATUS
- VAWA
- 765V
- ASYLUM





# Immigration Process



## Dept. of Homeland Security

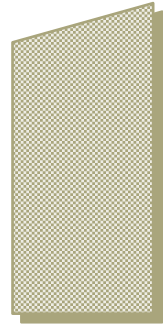
- Citizenship and Immigration Services (requesting legal status) - CIS
- Immigration and Customs Enforcement (like the police and prosecutors) - ICE
- Customs and Border Patrol (border patrol) – CBP



## Dept. of Justice

- Immigration Court (San Francisco)
- Board of Immigration Appeals

# Immigration Eligibility



You qualify for a category



You qualify for legal status (called “admissibility”)



# U NONIMMIGRANT STATUS

## REQUIREMENTS

- VICTIM OF QUALIFYING CRIMINAL ACTIVITY
- IN THE UNITED STATES (OR VIOLATED US LAW)
- HE/SHE/THEY HAS BEEN OR IS LIKELY TO BE HELPFUL IN THE INVESTIGATION OR PROSECUTION OF THE CRIME
- HE/SHE/THEY SUFFERED “SUBSTANTIAL PHYSICAL OR MENTAL ABUSE” AS THE RESULT OF THIS CRIMINAL ACTIVITY



# Qualifying crimes

- RAPE
- TORTURE
- TRAFFICKING
- INCEST
- DOMESTIC VIOLENCE
- SEXUAL ASSAULT
- ABUSIVE SEXUAL CONTACT
- PROSTITUTION
- SEXUAL EXPLOITATION
- STALKING
- FEMALE GENITAL MUTILATION
- BEING HELD HOSTAGE
- PEONAGE
- INVOLUNTARY SERVITUDE
- SLAVE TRADE
- KIDNAPPING
- ABDUCTION
- UNLAWFUL CRIMINAL RESTRAINT
- FALSE IMPRISONMENT
- BLACKMAIL
- EXTORTION
- MANSLAUGHTER
- MURDER
- FELONIOUS ASSAULT
- WITNESS TAMPERING
- OBSTRUCTION OF JUSTICE
- PERJURY
- FRAUD IN FOREIGN LABOR CONTRACTING
- ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT ANY OF THE ABOVE MENTIONED CRIMES



# Process



Derivatives  
Waiver of  
Inadmissibility  
Public Benefits

Annual Cap

4 year validity  
Travel

Eligible after 3  
years continuous  
presence



# T NONIMMIGRANT STATUS

## Requirements

- Victim of severe form of trafficking
- Physically present in the United States on account of trafficking
- Has complied with any reasonable request for assistance with law enforcement
- Would suffer extreme hardship involving unusual and severe harm upon removal



# Process



Public Benefits

Derivatives  
Waiver of  
Inadmissibility

4 year validity  
Travel

Eligible after 3  
years continuous  
presence or end  
of law  
enforcement  
actions



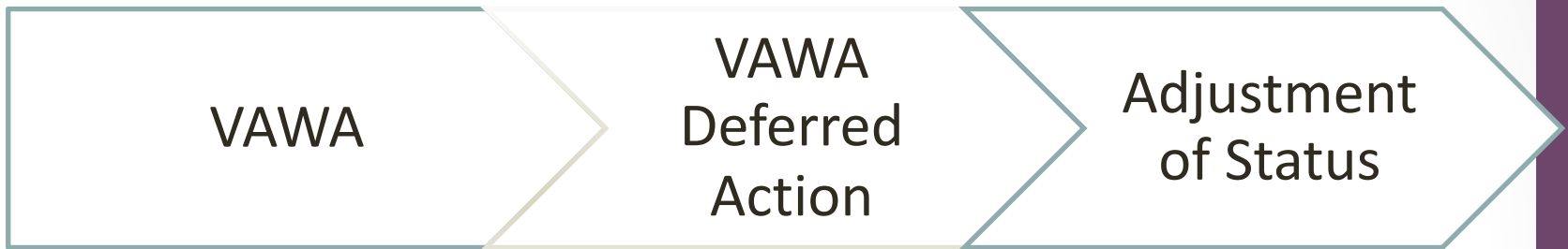


# VIOLENCE AGAINST WOMEN ACT (VAWA)

## Requirements

- Victim of battery or extreme cruelty
- In the United States
- By a USC/LPR spouse, USC/LPR parent, or USC child

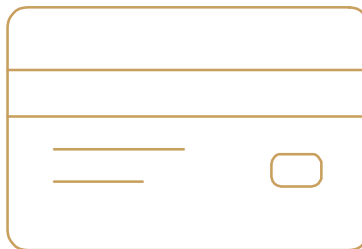




Public Benefits



Employment Authorization



Derivatives  
Waiver of  
Inadmissibility  
Travel

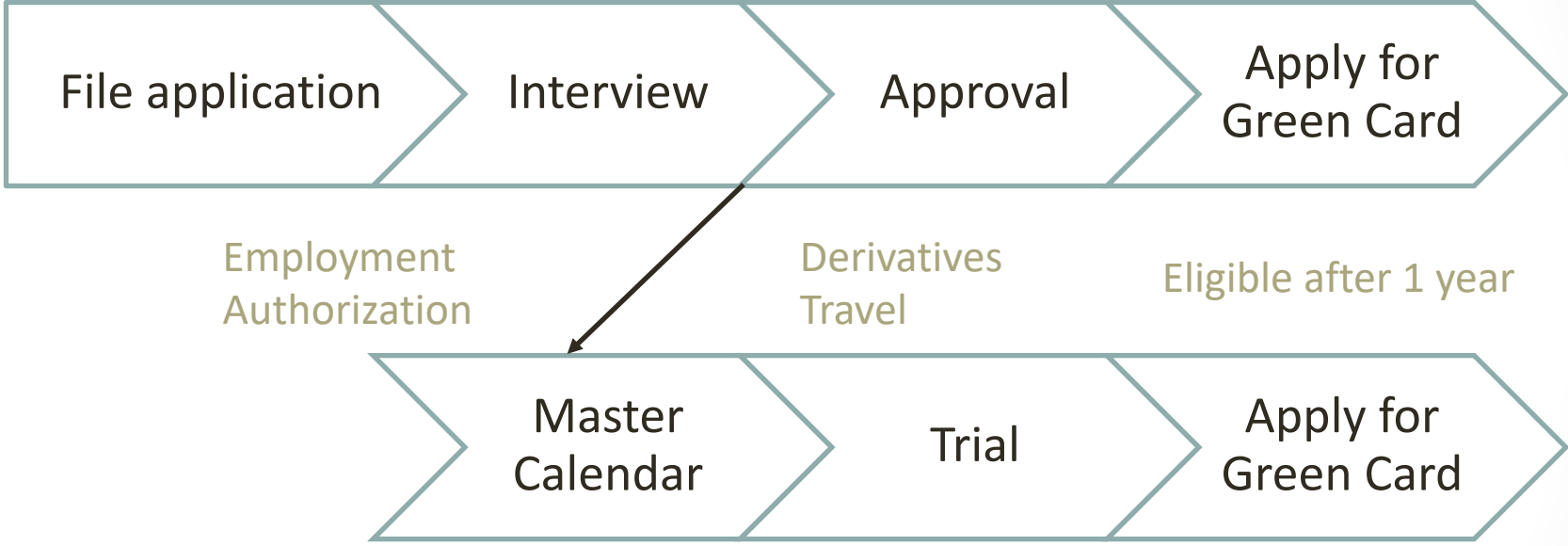


# ASYLUM

## Requirements

- Well-founded fear of future persecution
- Based on race, religion, nationality, political opinion, or particular social group
- File within one year of entry
- No aggravated felony conviction





# FAMILY LAW

- DIVORCE
- CUSTODY
- DV RESTRAINING ORDER
- CHILD CUSTODY
- SPOUSAL/CHILD SUPPORT



# MORGAN HILL POLICE DEPARTMENT



# FAMILY JUSTICE CENTER

- DOMESTIC VIOLENCE DETECTIVE CO-LOCATED AT FJC
- LIAISON BETWEEN THE MORGAN HILL POLICE DEPARTMENT AND PARTICIPATING PARTNERS
- ASSIGNED TO THE FJC ONE DAY A WEEK TO MEET WITH DV SURVIVORS
- INVESTIGATE AND PROVIDE FOLLOW UP ON MISDEMEANOR AND FELONY DV CASES IN MORGAN HILL
- DOCUMENT INCIDENTS OF DV FOR OUTSIDE AGENCIES



# SAFETY PLANNING

- JOINT SAFETY PLANNING
  - DOMESTIC VIOLENCE
  - STALKING
- LETHALITY ASSESSMENT FOR FIRST RESPONDERS
- EMERGENCY PROTECTIVE ORDERS





# DETECTIVE DUTIES

- FOLLOW UP WITH SURVIVORS: STATUS OF THE INVESTIGATION, REASSESS SAFETY, MEDICAL CARE
- WORK CLOSELY WITH ADVOCATE TO ENSURE SURVIVOR SUPPORT
- PRESENT DV CASES TO THE DISTRICT ATTORNEY'S OFFICE
- PROVIDE RELEVANT PROJECT TRAINING TO LAW ENFORCEMENT, HUMAN SERVICE PROVIDERS AND OTHER COMMUNITY GROUPS IN PARTNERSHIP WITH COMMUNITY SOLUTIONS



# TRAINING

- DOMESTIC VIOLENCE ISSUES
- FIRST RESPONDER LEGAL MANDATES
- PROSECUTION
- RESTRAINING ORDER VIOLATIONS
- VICTIM SUPPORT & REFERRAL'S
- LETHALITY ASSESSMENT FOR FIRST RESPONDERS\
- STALKING
- STRANGULATION





**BRINGING IT ALL TOGETHER**



# COMPREHENSIVE APPROACH TO GENDER-BASED VIOLENCE

## Service Values:

- Trauma Informed
- Survivor Centered
- Empowerment Based
- Culturally Responsive

## Comprehensive Services:

- IPV/SA/HT Crisis Response
- Confidential Advocacy
- Victim Witness Support
- Immigration and Family Law
- Law Enforcement
- Joint Safety Planning
- Case Management, Housing, etc.



## Training and TA Efforts:

- Training to FJs
- Protocol Development
- Collaborative Community Outreach

## Collaborative Partnerships:

- Community based organizations
- Law Enforcement Agencies
- DFCS
- Medical Providers

# INTENDED COLLECTIVE IMPACT



# CONTACT INFORMATION

## **COMMUNITY SOLUTIONS - HEADQUARTERS**

9015 MURRAY AVENUE, #100  
GILROY, CA 95020  
1-877-END-SADV (1.877.363.7238)

## **STEP FORWARD FOUNDATION**

16264 CHURCH STREET, SUITE 103  
MORGAN HILL, CA 95035  
408-915-8698

## **MORGAN HILL POLICE DEPARTMENT**

CORPORAL DETECTIVE MINDY ZEN  
16200 VINEYARD BOULEVARD MORGAN  
HILL, CA 95037  
669-253-4965

## **SANTA CLARA COUNTY DISTRICT ATTORNEY'S OFFICE**

VISHAL BATHIJA  
SUPERVISING DEPUTY DISTRICT ATTORNEY  
17275 BUTTERFIELD BLVD., SUITE A  
MORGAN HILL, CA 95037  
(408) 201-0538

