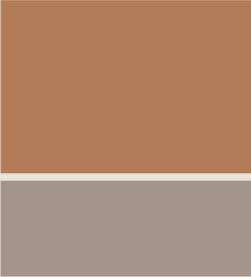




A Resource Guide

for Immigrant Victim
Survivors of Dating Violence,
Domestic Violence, Sexual
Misconduct and Stalking



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The University of Iowa is committed to providing a safe environment for students, faculty, staff and visitors that fosters academic achievement, professional development and personal growth. As part of this commitment, the University provides education, resources and reporting options to individuals who have or may have experienced dating violence, domestic violence, sexual misconduct or stalking.

Dating violence, domestic violence, sexual misconduct and stalking can occur in any type of relationship, including between strangers, acquaintances, family members, intimate partners, co-workers, UI faculty, staff, and students. This guide has three purposes:

- 1 Articulate what is meant by the terms dating violence, domestic violence, sexual misconduct and stalking
- 2 Clearly communicate that the described behaviors are not permitted by UI policy or state/federal law
- 3 Encourage victim survivors to seek help by providing options for information and support

This guide is divided into four sections, as follows:

- Section One: Identifying the behaviors* defines terminology and provides examples, with the goal of helping individuals identify themselves, family members or loved ones as victim survivors.
- Section Two: Advocacy, information and confidential support* is concerned with helping victim survivors, family members and loved ones get the support and information they need to move forward.
- Section Three: Reporting options* provides an overview and contact information for making a complaint with law enforcement and/or University administration for remedy and/or resolution.
- Section Four: Common questions* responds to a few frequently asked questions that are particularly relevant to immigrant victim survivors.

Sexual Misconduct

University of Iowa Sexual Misconduct Policy Involving Students describes sexual misconduct as “any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. The term includes sexual assault, sexual harassment, sexual exploitation, and sexual intimidation... Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex.”

It is *not* important to understand the type of sexual misconduct that’s occurred, only to recognize *that* it occurred. Below are examples of behaviors that might be considered sexual misconduct under University policy.

- Persistent unwelcomed efforts to develop a romantic or sexual relationship
- Unwelcome commentary about an individual’s body or sexual activities
- Unwanted sexual attention
- Repeated and unwelcome sexually-oriented teasing, joking, or flirting
- Direct or implied threats that submission to sexual advances is required to avoid consequences
- Rape or attempted rape
- Unwanted penetration of an orifice (anal, vaginal, oral) with the penis, finger, or other object.
- Unwanted touching of a sexual nature
- Use of coercion, manipulation, or force to make someone else engage in sexual touching, including breast, chest, and buttocks
- Engaging in sexual activity with a person who is unable to provide consent (including alcohol or drug-induced impairment)

Stalking

Stalking involves intentional and repeated behaviors that would cause a reasonable person to feel fear. Stalking is used to maintain contact with, or exercise power and control over, another individual. Stalking is serious, can be violent or non-violent, and can escalate over time. Both strangers and acquaintances commit stalking. Anyone can be a target and often stalkers are former spouses or partners.

Stalking involves a variety of behaviors, including the offender:¹

- Following you and showing up wherever you are
- Repeatedly calling you, including hanging up
- Damaging your home, car or other property
- Sending unwanted gifts, letters, cards, text messages or email
- Monitoring your phone or computer use
- Direct or implied threats directed at you or someone close to you.
- Driving by or spending time at your home, school or work
- Gathering information about you using public records, online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors or co-workers.
- Repeatedly showing up with no legitimate purpose at places where you are
- Taking other actions that control, intimidate or frighten you
- Accusing you of having affairs

Dating Violence and Domestic Violence

Domestic/Dating violence and abuse can happen to anyone, yet the problem is often overlooked, excused or denied. This is especially true when the abuse is psychological, rather than physical, and further complicated in situations involving immigrant women and/or men. Victims may feel trapped because of immigration laws, language barriers, social isolation, and lack of financial resources. These barriers also emerge in situations involving sexual misconduct and stalking.

Barriers to getting help ¹	Overcoming the barriers
Language Barriers	Advocacy and reporting resources have access to interpreter services.
Fears about the police and U.S. legal system	An advocate may be able to address your fears by helping work through what information you might want to share, with whom, and discuss potential outcomes.
Fear of deportation	The Violence Against Women Act provides options to address safety and residency concerns for victims – you may be eligible for a U-visa. ²
Cultural issues (pressure to keep family matters private and concerns about being different from others in a shelter or support group setting)	All interactions with an advocate are confidential. There are multiple support options; you may find an agency with expertise or staff who understand and even share your cultural perspective. All try to be culturally sensitive. You always have the option to do nothing and/or choose not to participate.
Economic barriers	An advocate can work with you to explore free and/or inexpensive services, based on your needs.

¹Orloff, Leslye and Rachael Little. 1999. "Somewhere to Turn: Making Domestic Violence Services Accessible to Battered Immigrant Women." A 'How To' Manual for Battered Women's Advocates and Service Providers. Ayuda Inc.

²A victim advocate will be able to provide information related to your eligibility for a U-visa and can help link you with an immigration attorney or you may call the Iowa Coalition Against Domestic Violence directly at (515) 244-8028.

¹National Stalking Resource Center, <http://www.ncvc.org/src/main.aspx>

Immigrant Power and Control Wheel

This graphic illustrates the complexity and common dynamics of dating and domestic violence, including the unique circumstances often experienced by immigrant victim survivors.



Produced and distributed by:
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512.407.9020 (phone and fax) • www.ncdsv.org

Advocacy

Certified victim advocates are available to help with decision-making by providing support, information and knowledge of the reporting system.

Advocate-victim confidentiality is protected by law. Services include:

- *Providing information* about dealing with feelings or reactions
- *Explaining options* for reporting or addressing safety concerns
- *Accompanying and supporting during*
 - A medical examination
 - Reporting to the police
 - Interviews by an investigator
 - Court proceedings (preparing for a trial, serving as a witness)
 - University of Iowa institutional proceedings
 - Scheduling follow-up appointments
 - Obtaining a restraining or no contact order
 - Obtaining academic accommodations and other considerations

An advocate will believe you and will not judge you or your decisions.

Some people are not comfortable with the idea of working with an advocate. Someone might be more likely to ask for help if they realize:

- Sexual misconduct, dating violence, domestic violence and stalking are NEVER the victim's fault
- Asking for help takes strength and courage
- The legal, medical and University systems and response protocols are complicated; an advocate can explain and ease decision-making
- Advocates are confidential; no one else needs to know

Advocacy Service Providers

Domestic Violence Intervention Program (DVIP)

(Free, confidential advocacy, serving Johnson, Cedar, Iowa and Washington counties)
www.dvipiowa.org
(319) 351-1043

RVAP

(Free, confidential advocacy, serving Johnson, Cedar, Iowa and Washington counties)
www.rvap.org
(319) 335-6000

Monsoon United Asian Women of Iowa

(Free, confidential advocacy, serving victims and families of Asian descent)
www.muawi.org
(866) 881-4641 (toll free)

Counseling and Education Providers

University Counseling Service

(Free, confidential counseling for students)
www.uiowa.edu/ucs
(319) 335-7294

Faculty and Staff Services Employee Assistance Program

(Free, confidential counseling for faculty and staff)

<http://www.uiowa.edu/hr/fsseap/>
(319) 335-2085

RVAP

(Free, confidential counseling, serving Johnson, Cedar, Iowa and Washington counties)
www.rvap.org
(319) 335-6000

Women's Resource and Action Center

(Free, confidential counseling and education for students, faculty, staff and community members)
<http://www.uiowa.edu/~wrac/>
(319) 335-1486

Other Resources

Threat Assessment Team

(Multi-disciplinary group working to promote safety on campus by identifying and responding to individuals who may be at risk of harming themselves or others)
<http://www.uiowa.edu/hr/tat/>
(319) 384-2787

Office of the Ombudsperson

(Free, confidential conflict resolution and mediation services for students, faculty and staff)
<http://www.uiowa.edu/~ombud/>
(319) 335-3608

Criminal Reporting Process

You may be thinking of reporting to law enforcement. In Johnson County you can tell a police officer that you are a victim of sexual assault or stalking without making a decision about whether or not you want criminal charges filed. Law enforcement response to dating and domestic violence is a little more complicated. In a dating violence situation in which the couple is not living together and don't have a child in common, this same choice will likely be provided. However, in cases of domestic violence or child abuse, by law, you may not have a choice about whether charges are filed.

Where to report:

If you are in immediate danger, call 911.

There are several law enforcement agencies in our community. If you are unsure which agency to call, you may give an initial report to any police department and they will determine who has jurisdiction in the case.

<i>UI Campus Police</i>	319-335-5022
<i>Iowa City Police Department</i>	319-356-5275
<i>Coralville Police Department</i>	319-248-1800
<i>North Liberty Police Department</i>	319-626-5724
<i>Johnson County Sheriff's Department</i>	319-356-6020

University of Iowa Reporting Process

In addition to, or instead of, filing a complaint with law enforcement, you may wish to make a complaint with the University in cases where the offender is a student, faculty, staff member or guest of the University. While law enforcement investigates complaints to determine whether a crime has occurred, the University's process is concerned with violations of policy. Below are the policies that commonly apply in these types of situations.

- UI Violence Policy
- UI Anti-Retaliation Policy
- UI Sexual Harassment Policy
- UI Sexual Misconduct Policy Involving Students
- UI Code of Student Life

Links to these policies are available at:

www.sexualharassment.uiowa.edu/policy.php

Where to make a complaint:

Office of the Sexual Misconduct Response Coordinator

(In situations in which the accused is affiliated with the University)

- Phone: (319) 335-6200
- Email: osmrc@uiowa.edu

Office of Equal Opportunity and Diversity

(In situations in which the accused is affiliated with the University, but not a student)

- Phone: (319) 335-0705
- Email: diversity@uiowa.edu

I'm afraid someone might be following me; the person shows up in the most unexpected places. How could they know so much about where I'm going and what I'm doing?

Many stalkers take advantage of technology to improve their ability to monitor, bully and intimidate their victim(s). You might be easier to keep track of than you realize when you consider all the devices, software and social media that is readily available to any moderately savvy user of technology. The University has developed a web resource, <http://its.uiowa.edu/safety/takeaction.shtml>, to help people reduce their vulnerability to technology-facilitated stalking and harassment. You can get additional information and assistance by contacting the Women's Resource and Action Center (319-335-1486) or RVAP (319-335-6000).

I am a first year student at the University of Iowa. I live on campus, but was assaulted off campus by someone not affiliated with the University. I don't want the police involved, but I don't feel safe. The assailant knows where I live. What can I do?

Some of your safety concerns may be addressed without reporting to law enforcement. A victim advocate can help you identify where/how you feel vulnerable and assist in the development of a safety plan. Additionally, the University's Office of the Sexual Misconduct Response Coordinator can work with you, without necessarily knowing the identity of the assailant, to facilitate accommodations, such as changing your residence hall or rearranging your class schedule. While there are things you might be able to do to minimize the risk of an encounter with your assailant, you are strongly encouraged to consult with law enforcement if you have concerns about safety.

I'm married to an abusive person whose visa status covers me, allowing me to be in the country legally. If I leave the relationship, do I have to leave the country?

Not necessarily. Immigrant victims of rape, sexual assault, domestic violence, and stalking may be eligible for a U-visa or other legal remedies to address safety and/or residency concerns. A U-visa provides several benefits including employment authorization, eligibility for public benefits, termination of removal proceedings, and the ability to apply for permanent status after three years. For more information, consult with a victim advocate or contact the Iowa Coalition Against Domestic Violence (515) 244-8028.

What does victim-advocate confidentiality really mean?

Certified victim advocates cannot release information about you without your permission. Any information you share with an advocate cannot be told to anyone else except in the following instances:

1. You sign a document giving them permission
2. There's a threat to physically harm oneself or someone else
3. They witness child abuse

You will be told if a victim advocate is compelled by law to share information about you.

My partner hits me. What should I expect if the police are notified?

An immediate arrest may or may not be made. If the situation involves you and your spouse, a partner you live with, or a child in common and if the police believe an assault has occurred, they must make an arrest. If an arrest is made a judge may issue an order saying that person cannot be in contact with you. The police use the following to determine if an assault occurred:

- Marks, bruises or a complaint of pain
- Evidence of a disturbance (furniture turned over, property destroyed etc.)
- Eye witness statements

Nondiscrimination Statement

The University of Iowa prohibits discrimination in employment, educational programs, and activities on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference. The University also affirms its commitment to providing equal opportunities and equal access to University facilities. For additional information on nondiscrimination policies, contact the Office of Equal Opportunity and Diversity, (319) 335-0705 (voice) and (319) 335-0697 (text), 202 Jessup Hall, The University of Iowa, Iowa City, Iowa 52242-1316.

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