

The Intersections of Our Lives

POLICY BRIEFINGS BY NATIONAL WOMEN OF COLOR ORGANIZATIONS

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Women of Color and Immigration September 2017 | Factsheet

The United States has always been the land of the free and home of the brave for immigrant women. The hopes of immigrant women, are reproductive justice hopes. Whether to seek a better life for themselves and their families, or whether to escape violence and other crises, over 20 million immigrant women and girls live in the United States today, five million of whom are undocumented.ⁱ Cis immigrant women are more likely than cis immigrant men to enter the United States through the family-based immigration system, and nearly half are naturalized U.S. citizens.ⁱⁱ Immigrant women are mothers, workers, activists, members of the LGBTQ community, and survivors of gender-based violence. Immigrant women are employed in every sector of American economic society and are the drivers of our country's economic, cultural, and civic growth.ⁱⁱⁱ Despite these successes, immigrant women continue to face gender-based violence, discrimination and exploitation at work, barriers to health care and get caught in the immigration enforcement system. They also often struggle to gain access to various resources to ensure their safety and well-being.

Demographic Profile

- There are an estimated 3.7 – 5 million **Black immigrants** living in the United States.^{iv} Black immigrants are a fast-growing population, now accounting for nearly 10% of the nation's Black population, up from 3.1% in 1980.^v While half of Black immigrants are from the Caribbean region, African immigrants have driven much of the recent growth of the Black immigrant population. African immigrants made up 39% of the total foreign-born Black population in 2014.^{vi} Additionally, an estimated 4% of Black immigrants are from South America, 4% are from Central America, 2% are from Europe, and 1% from Asia.^{vii}
- **Black immigrants** are a small percentage of the undocumented population. Among Black Caribbean immigrants, 16% are undocumented immigrants.^{viii} 13% of Black immigrants from Africa are undocumented.^{ix}
- Nearly two-thirds of all **Asian American Pacific Islanders (AAPI)** are foreign-born, and AAPIs are expected to become the largest immigrant group in the country by 2055.^x Over 70 percent of all immigrant women obtain legal status through the family-based immigration system^{xi} and of the over 4.3 million individuals waiting in the family visa backlog, over 40 percent or 1.7 million, are from Asian countries.^{xii} Undocumented AAPIs make up about 13% of the 11.1 million unauthorized immigrants who live in the U.S. ^{xiii}
- The majority of **Latinos** in the U.S. are native born. Of the 56.6 million people in 2015 who self-identified as Hispanic or Latino, 35 percent (19.5 million) were immigrants.^{xiv}
- Approximately 11.6 million Mexican immigrants resided in the U.S. in 2015, accounting for 27% of the immigrant population and more than one-quarter (26%) of all foreign-born females here in 2012 are from Mexico.^{xv} Latino immigrants make up a majority of the

undocumented population with immigrants from Mexico making up over half of the undocumented population.^{xvi}

- While the number of undocumented immigrants from Asia, Central America and sub-Saharan Africa has risen between 2009 and 2014, the number from Mexico has steadily declined since 2007.^{xvii} The majority of individuals enrolled in the Deferred Action for Childhood Arrivals program (DACA) come from Mexico and Central America.^{xviii}

Immigrant Women in the Workforce

- Approximately 56.4 % of foreign-born women were in the labor force in 2012, making up 15% of employed women over the age of 16 in the United States.^{xix} As of 2015, over half of immigrant women workers were from Mexico/Latin America, while roughly one-third were from Asia, 10.4% from Europe, and 5.2% from Africa.^{xx}
- While immigrant women work in every occupation – one-third are in management and professional occupations, another third is working in service occupations, and under a quarter are in sales and office occupations – they still earn less in the labor force than any other demographic.^{xxi}
- Immigrant women workers are more likely to labor in the informal economy, and undocumented women workers face double the rates of wage and hour violations than experienced by documented and U.S. born workers.^{xxii} Immigrant women are also more likely to work in industries and occupations with significantly higher injury rates than U.S. born women.^{xxiii} Immigrant women workers are regularly subject to enforcement actions that inhibit their ability to report workplace violations and are often vulnerable to exploitation, wage theft, and dangerous working conditions. Additionally, undocumented women workers who are survivors of workplace crime such as sexual assault often face insurmountable barriers to accessing immigration relief created under the Violence Against Women Act.^{xxiv}

Violence Against Immigrant Women

Violence against women is a global pandemic that cuts across boundaries of race, socio-economic status, and culture. Immigrant women in the U.S. face particular vulnerabilities related to domestic violence and sexual assault especially if they lack immigration status or if their immigration status is dependent on a relationship with a partner.

- Approximately 40% women of non-Latinx Black race/ethnicity have experienced rape, physical violence, and/or stalking by an intimate partner.^{xxv} Black/African/African-American women are routinely arrested at higher rates of domestic violence.^{xxvi} When they make contact with the legal system, they often experience institutional violence perpetrated by police officers and the justice system.^{xxvii}
- 21–55% of Asian women report experiencing intimate physical and/or sexual violence during their lifetime.^{xxviii}
- About 1 in 3 Latinx women have experienced physical violence by an intimate partner in their lifetime, and 1 in 12 have experienced this violence in the previous 12 months.^{xxix}

Barriers to Accessing Resources and Services

While immigration remedies provided under the Violence Against Women Act, the Trafficking Victims Protection Act, and U.S. asylum laws may help, it is necessary to clarify and strengthen

these forms of protection because^{xxx} immigrant women of color still face numerous barriers to accessing safety services and resources including:^{xxxii}

- legal status in the U.S. of the survivor and/or the perpetrator
- lack of culturally and linguistically appropriate services
- cultural and/or religious beliefs that restrain the survivor from leaving the abusive relationship or involving outsiders
- mistrust of law enforcement and the criminal justice system
- lack of service providers that look like the survivor or share common experiences
- lack of trust based on the history of racism and classism in the United States
- fear experiences will reflect on or confirm the stereotypes placed on their ethnicity
- attitudes and stereotypes about the prevalence of domestic violence and sexual assault in communities of color

Immigrant Women and the Immigration Enforcement System

Immigration enforcement in the U.S. is a system entangled with state and local law enforcement, private prison corporations, and the criminal justice system. In fact, immigration prosecutions make up 52% of all federal prosecutions.^{xxxiii}

Increased cooperation between federal immigration authorities and state and local law enforcement has discouraged immigrant women from seeking help or contacting the police because they fear deportation. This entanglement has put Black women and Latinxs at an increased risk for deportation because Black and Latinx persons are stopped more frequently by the police.^{xxxiii}

The U.S. operates the largest immigration detention system in the world.^{xxxiv} The federal government detains women, men, children, and LGBTQI individuals in over 200 county jails and for-profit prisons.^{xxxv} Immigrant women in detention facilities are often placed in remote facilities that offer limited privacy and inadequate medical care.^{xxxvi}

Sexual assault in immigration detention is a pervasive problem. A recent study found that between May 2014 and July 2016 the DHS Office of the Inspector General received at least 1,016 reports of sexual abuse filed by people in detention.^{xxxvii} Plans to expand immigration detention will only increase the population of immigrant women who are trapped in these unsafe facilities and vulnerable populations including survivors of gender-based violence, youth, and transgender women will continue to face re-traumatization.^{xxxviii}

Reproductive Health for Immigrant Women

Despite the significant achievements enshrined in the Affordable Care Act, many immigrant women of color are locked out of vital public health benefits and services it provides. Many immigrant women remain unable to obtain affordable health care due to restrictions resulting from their immigration status, such as the current 5-year bar on Medicare and Medicaid for lawful permanent residents, the exclusion of undocumented immigrants from health insurance exchanges, and bars on access to ACA programs for those eligible for the Deferred Action for Childhood Arrivals (DACA) program. A haphazard maze of state and federal policies, often with

different eligibility criteria depending upon individuals' immigration status, creates confusion and limits access to health care.^{xxxix}

Immigrants in detention often face deplorable conditions including limited access to adequate health care. This has particular ramifications for women held in confinement given the unique health care needs of women, including cancer screenings, gynecological services, pregnancy care, family planning services, and mental health services for survivors of gender-based violence. Transgender women detainees face additional barriers to care, including denial of transition-related medication, face high rates of sexual assault and harassment in detention, and are often placed in solidarity confinement.^{xl} Yet, current detention policies only ensure access to emergency care and fail to guarantee women detainees' access to life-saving preventive care and treatment solutions. The reality is that Immigration and Customs Enforcement (ICE) agents are essentially gatekeepers who determine whether women detainees are able to obtain basic medical care, such as Pap smears, mammograms, or prenatal care, and often leave requests for medical assistance unheeded. In addition, frequent transfers of detainees to remote detention facilities and separation from family members can result in gaps in care that can have devastating consequences on women detainees' health.^{xli}

Organizations Supporting Immigrant Women

Black Alliance for Just Immigration (BAJI) educates and engages African American and black immigrant communities to organize and advocate for racial, social and economic justice. Local BAJI Organizing Committees in New York, Georgia, California and Arizona build coalitions and initiate campaigns among communities to push for racial justice. At the local and regional level, BAJI provides training and technical assistance to partner organizations to develop leadership skills, works with faith communities to harness their prophetic voice, and initiates vibrant dialogues with African Americans and black immigrants to discover more about race, our diverse identities, racism, migration and globalization. BAJI's flagship project is the Black Immigration Network (BIN), a national alliance that brings together black-led organizations and programs to advance just immigration policies and promote cultural shifts our communities need. The BIN kinship provides a safe, communal space for diverse black communities to connect, engage and advocate for equality and justice for all.

In Our Own Voice: National Black Women's Reproductive Agenda is a national-state partnership of 8 Black women's Reproductive Justice organizations in CA, GA, LA, OH, PA, TN and TX representing Black women and girls.

The ***National Asian Pacific American Women's Forum (NAPAWF)***, with operations in NYC, DC, Chicago, and Atlanta and chapters in 16 cities, is the organizing home for Asian American and Pacific Islander women activists in the United States. NAPAWF is the nation's only national, multi-issue organization for AAPI women and girls.

National Immigration Law Center (NILC) is one of the leading organizations in the U.S. exclusively dedicated to defending and advancing the rights of immigrants with low income. NILC believes that all people who live in the U.S. should have the opportunity to achieve their full

potential. NILC is a leader in the HEAL coalition working to bring health access to immigrant women.

The **National Latina Institute for Reproductive Health (NLIRH)** is the only national reproductive justice organization dedicated to building Latina power to advance health, dignity, and justice for Latinas, their families, and communities in the United States through leadership development, civic engagement, community mobilization, policy advocacy, and strategic communications. NLIRH has operations in Washington, DC, New York, Texas, Florida and Virginia. We serve as co-chair of All Above All, a campaign to restore public funding for abortion in the US, and as a leader in the HEAL for Immigrant Woman and Families coalition working to bring health access to immigrant women.

Southeast Asia Resource Action Center (SEARAC) is a national organization that advances the interests of Cambodian, Laotian, and Vietnamese Americans by empowering communities through advocacy, leadership development, and capacity building to create a socially just and equitable society. We envision a socially, politically and economically just society for all communities to enjoy for all generations.

We Belong Together is a campaign of the National Domestic Workers Alliance with the participation of women's organizations, immigrant rights groups, children, and families across the country. We Belong Together aims to mobilize women in support of common sense immigration policies that will keep families together and empower women.

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ⁱⁱⁱ American Immigration Council. *The Impact of Immigrant Women on America's Labor Force*, 8 Mar 2017, https://www.americanimmigrationcouncil.org/sites/default/files/research/the_impact_of_immigrant_women_on_americas_labor_force.pdf. Accessed 20 Sept 2017.

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^{vi} Ibid

^{vii} Ibid

^{viii} Ibid

^{ix} Ibid

^x López, G., Ruiz, N. G., & Patten, E. *Key facts about Asian Americans, a diverse and growing population*, 08 Sept 2017, <http://www.pewresearch.org/fact-tank/2017/09/08/key-facts-about-asian-americans/>. Accessed 20 Sept 2017

^{xi} Women's Refugee Commission. *Women and Immigration Reform: Key Facts and Figures*, <https://www.womensrefugeecommission.org/issues/55-detention/1766-women-and-immigration-reform-key-facts-and->; See also Kelly Jeffreys, *Characteristics of Family-Sponsored Legal Permanent Residents: 2004*, U.S. Department of Homeland Security, Office of Immigration Statistics, Management Directorate, Oct 2005.

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- ^{xx} *Ibid*
- ^{xxi} *Ibid*
- ^{xxii} National Employment Law Project. *Workplace Violence, Immigration Status, and Gender*, Aug 2011, http://www.nelp.org/content/uploads/2015/03/Fact_Sheet_Workplace_Violations_Immigration_Gender.pdf. Accessed 20 Sept 2017
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