

Working with API Immigrant Survivors: Current Challenges and Advocacy Strategies



Immigration Advocates
NETWORK



CENTER FOR SURVIVOR
AGENCY & JUSTICE

Panelists

- Shirley Luo (she/her), Resource Center Coordinator, Asian Pacific Institute on Gender-Based Violence
- Sara Wee (she/her), Director of Research & Programs, Center for Survivor Agency & Justice
- Guest Speaker; Laura Flores Bachman (she/her), Senior Legal Counsel, ASISTA
- Moderator: Jillian Jin, Pro Bono Remote Volunteer Project Coordinator, Pro Bono Net



Asian Pacific Institute on Gender-Based Violence

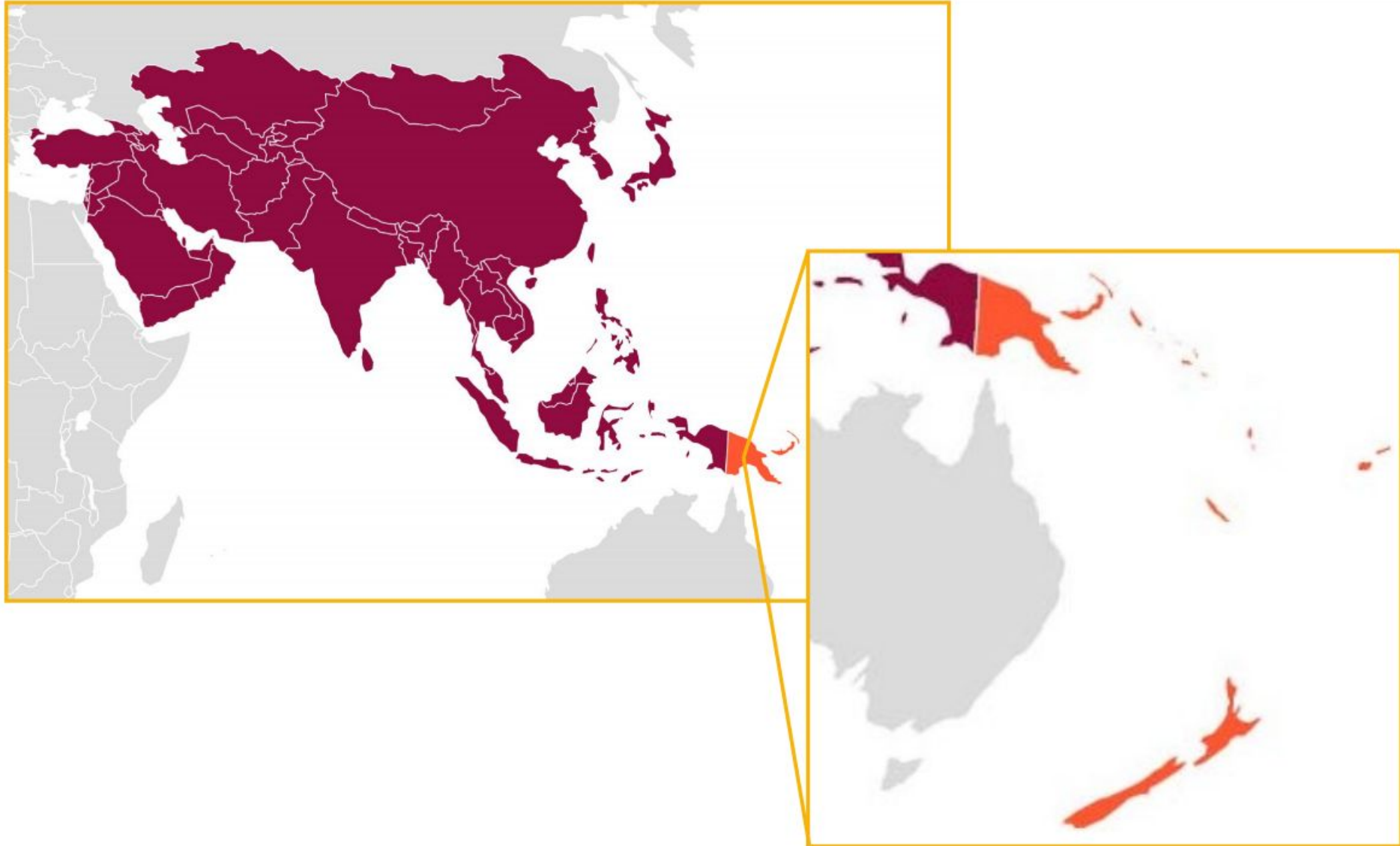
A national resource center on domestic violence, sexual violence, trafficking, and other forms of gender-based violence in Asian/Asian-American and Pacific Islander communities (AAPI)

Our mission is to disrupt gender-based violence, which causes physical, sexual, emotional, spiritual and economic harm within AAPI communities throughout the U.S. and its territories.

api-gbv.org



“Asians and Pacific Islanders”



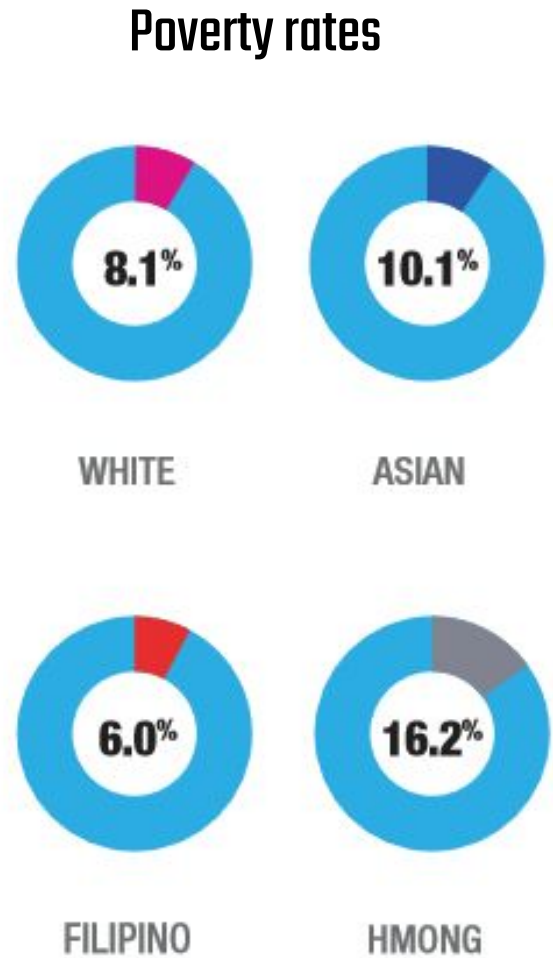
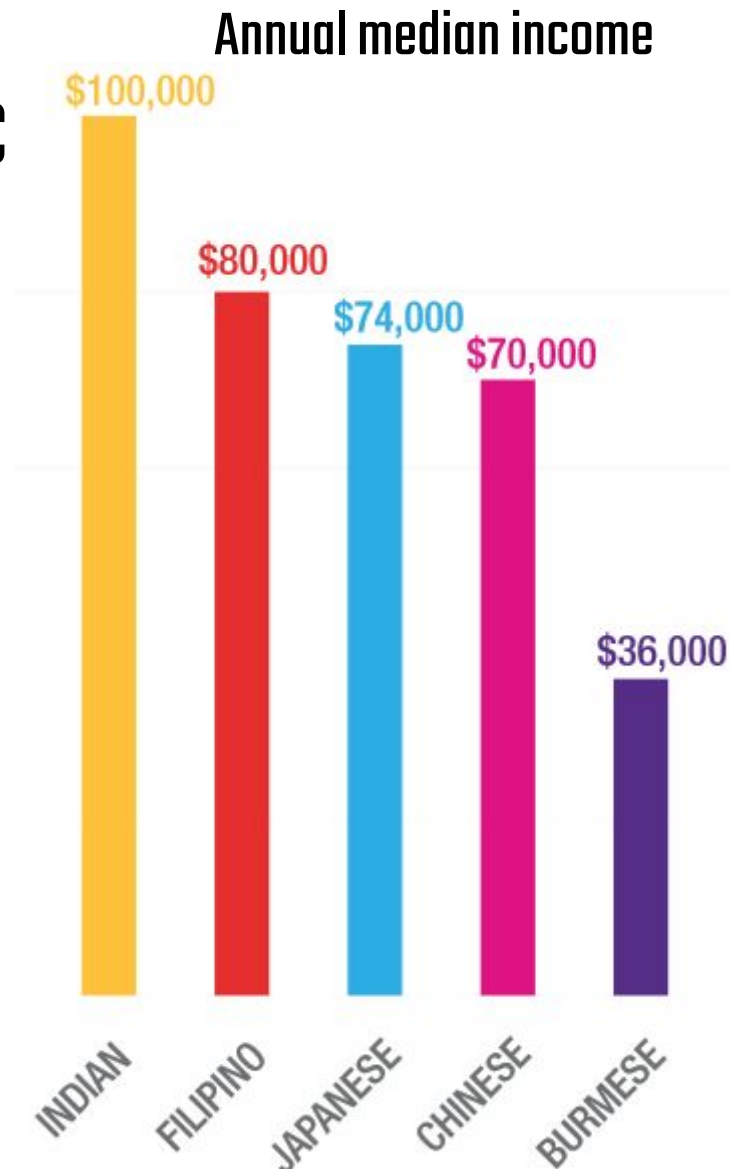
AAPL Ethnic Diversity

Central Asia • Afghani (Afghanistan) • Mongolian (Mongolia) • Turkmen (Turkmenistan) • **East Asia** • Chinese (China) • Japanese (Japan) • Korean (Korea) • Taiwanese (Taiwan) • Tibetan (Tibet) • **Pacific Islands** • Carolinian (Caroline Islands) • Chamorro (Mariana Islands, Guam) • Chuukese (Federated States of Micronesia) • Fijian (Fiji) • Kosraean (Kosrae, Caroline Islands, Nauru) • Marshallese (Marshall Islands) • Native Hawaiian (United States) • Palauan (Republic of Palau) • Pohnpeian (Pohnpei) • Refaluwasch (Caroline Islands) • Samoan (American Samoa/Samoan Islands) • Tahitians (Tahiti) • Tokelauan (Tokelau) • Tongan (Tonga) • Yapese (Federated States of Micronesia) • **South Asia** • Bhojpuri (Nepal) • Bangladeshi/Bengali (Bangladesh, India) • Bhutanese (Bhutan) • Indian (India) • Maldivians/Dhivehi (Maldives) • Nepali (Nepal) • Pakistani (Pakistan) • Punjabi (India, Pakistan) • Sinhala (Sri Lanka) • Tamil (Sri Lanka, India) • **Southeast Asia** • Burmese (Burma/Myanmar) • Cambodian/Khmer/Mon (Cambodia) • Chin (Burma/Myanmar) • Filipino (Philippines) • Hmong (China, Vietnam, Laos, Thailand) • Indonesian (Indonesia) • Karen (Burma/Myanmar) • Laotian (Laos) • Malaysian/Malay (Malaysia) • Mien (Laos, Thailand) • Thai (Thailand) • Vietnamese/Kinh (Vietnam) • **West Asia/Middle East** • Iranian/Persian (Iran) • Iraqi (Iraq) • Jordanian (Jordan) • Kuwaiti (Kuwait) • Lebanese (Lebanon) • Mandaean (Iran, Iraq, Syria) • Palestinian (Palestine) • Saudi Arabian (Saudi Arabia) • Syrian (Syria) • Turkish (Turkey) • Yemeni (Yemen)

AAPL Linguistic Diversity

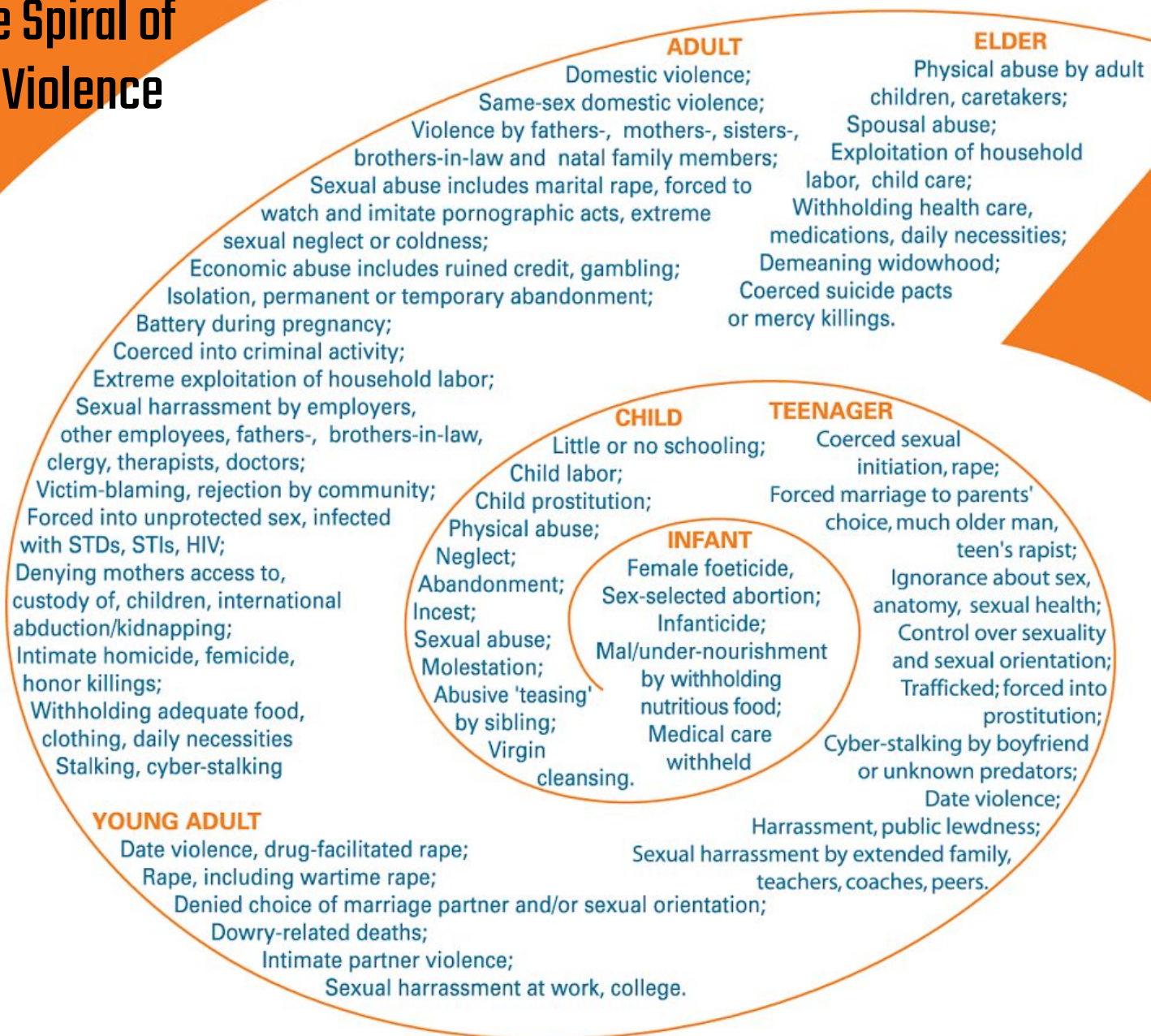
Arabic (Middle East, North Africa) • Assamese (India) • Bahasa Indonesia (Indonesia) • Bahasa • Malaysia/Malay (Indonesia, Malaysia, Brunei, Singapore) • Bangla/Bengali (Bangladesh, India) • Bhojpuri (Nepal, India) • Bhutanese (Bhutan) • Burmese (Burma/Myanmar) • Cantonese (China) • Carolinian (Pacific Islands) • Cebuano (Philippines) • Chamorro (Pacific Islands) • Chin (Burma/Myanmar) • Chuukese (Pacific Islands) • Dari (Afghanistan) • Farsi/Persian (Iran, Afghanistan, Tajikistan) • Fijian (Pacific Islands) • Filipino/Tagalog (Philippines) • Fujian (China) • Fuzhou (China) • Gujarati (India) • Hawaiian/ 'Ōlelo Hawai'i (Hawai'i, USA) • Hindi (India) • Hmong/Mong (Thailand, Laos, China) • Hokkien (China) • Ilocano (Philippines) • Japanese (Japan) • Javanese (Indonesia) • Kannada (India) • Kapampangan (Philippines) • Karen (Burma/Myanmar) • Karenni (Burma/Myanmar) • Kashmiri (India) • Kazakh (Kazakhstan) • Khmer (Cambodia) • Konkani (India) • Korean (Korean) • Kurdish (Iran, Turkey) • Kutchi (India, Pakistan) • Lao (Laos) • Malayalam (India) • Mandarin/Guoyu (China) • Marathi (India) • Marshallese/Ebon (Pacific Islands) • Marwari (India) • Mien (Laos, Thailand, Vietnam, China) • Mon (Burma/Myanmar, Thailand) • Mongolian/Khalkha Mongol (Mongolia) • Nepali (Nepal) • Odia (India) • Palauan (Pacific Islands) • Pashto (Afghanistan, Pakistan) • Pohnpeian (Pacific Islands) • Pothohari (Pakistan) • Punjabi (India, Pakistan) • Pwo Karen (Burma/Myanmar) • Rohingya (Burma/Myanmar) • Samoan (Pacific Islands) • Saraiki (Pakistan) • Shanghainese (China) • Sindhi (India) • Sinhala (Sri Lanka) • Tai Dam/Black Tai (Vietnam, Laos, Thailand, China) • Taishanese/Toisanese (China) • Taiwanese (China, Taiwan) • Tamil (India, Sri Lanka) • Telugu (India) • Teochew/Chiu Chow (China) • Thai (Thailand) • Tibetan (Tibet) • Tongan (Pacific Islands) • Urdu (India, Pakistan) • Uzbek (Uzbekistan) • Vietnamese (Vietnam) • Visayan (Philippines)

AAPI Economic Disparity



Racial Wealth Snapshot:
Asian Americans and the Racial Wealth Divide (NCRC)

Lifetime Spiral of Gender Violence



AAPI Barriers (communities)

- Historical trauma, past violence and negative experiences with help-seeking impact how survivors reach out for support
- Communities contribute to silencing, shaming, blaming, and rigid gender norms and expectations
- Many AAPI survivors live with in-laws or extended family who contribute to the abuse or condone it
- Lack of safe spaces for AAPI LGBTQ survivors

"Yes, men are like gold and women are like cottons and flowers."

— Cambodian parent

Relationship Violence in
Five Los Angeles Asian
American Communities
(AP3Con)

AAPI Barriers (systems)

- Lack of widespread training with systems like CJ, CPS, means lack of understanding of dynamics such as spiritual abuse
- Public benefits come with strings or requirements
- Complex systems and processes often involve contact with multiple entities, large amounts of paperwork, and are difficult to navigate
- Lack of trust of law enforcement and other systems dissuades survivors from reporting
- Programs are facing large turnover rates, with staff feeling burnt out, overworked, and isolated

Immigration status as a tool of abuse

- Abusers threaten to report survivor to immigration enforcement or to get them deported, often without their children
- Even if the survivor is not in violation, abusers can keep them in the dark in order to leverage the fear
- To maintain financial control, abusers prevent survivors from opening bank accounts, developing financial literacy, establishing credit, learning English and job skills, claim benefit in survivors' name, etc
- Abusers restrict access to passports and other documents, and prevent survivors from proceeding through the immigration system

Immigrant Survivors Fear Reporting Violence

76.25%

of advocates report
that immigrant survivors
have concerns about
contacting police

52%

of advocates worked with
immigrant survivors who
dropped civil or criminal cases
because they were fearful to
continue with their cases

**3 OUT OF 4
ADVOCATES**

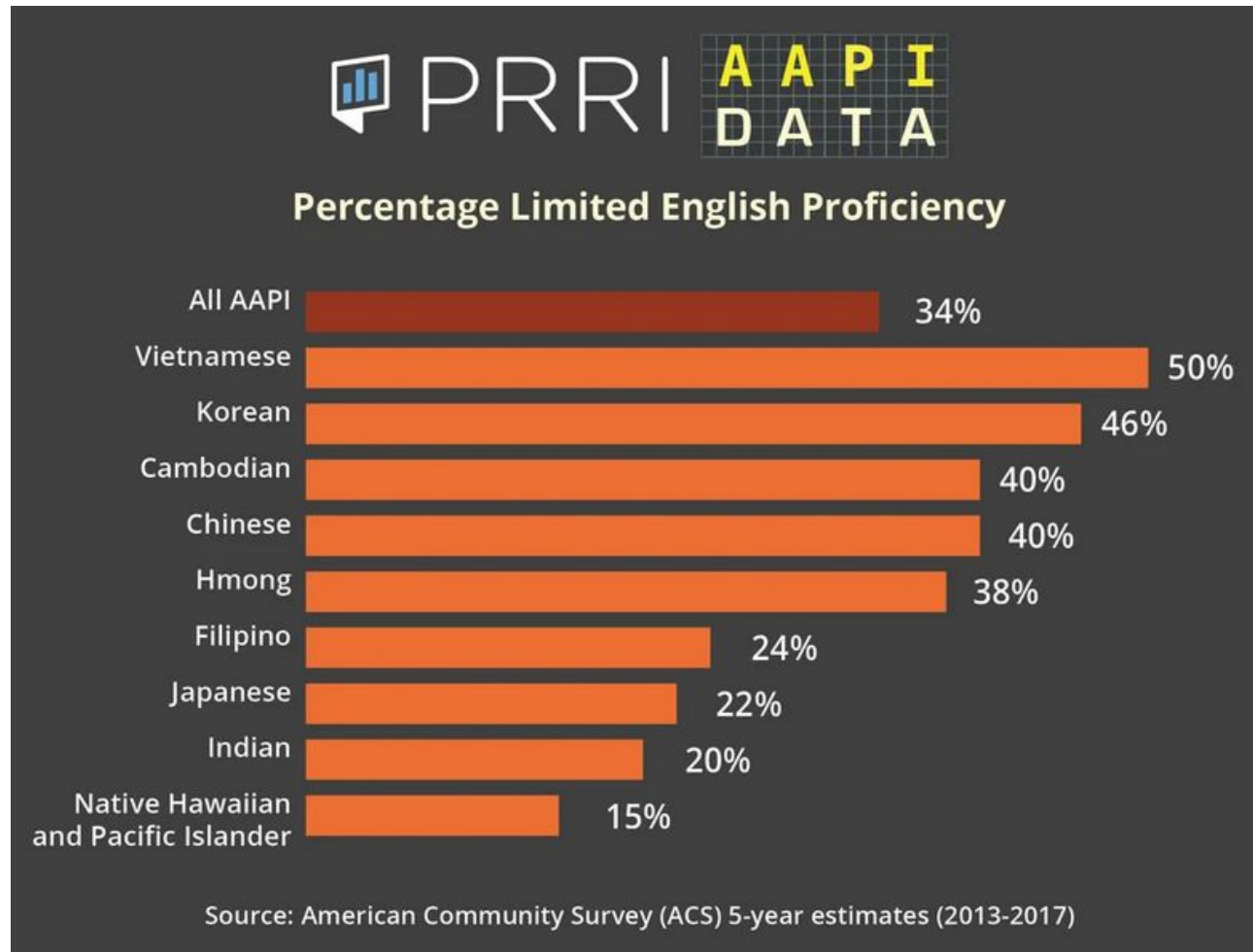


report that immigrant survivors
have concerns about going to
court for a matter related to
the abuser/offender

COVID-Related Challenges

- Applications stuck in limbo with long wait periods means individuals are out of work for longer
- Many survivors are single mothers whose immigration status is tied to employment have lost, or fear losing employment
- Survivors are increasingly isolated from family, religious community, and support systems
- Abusers exploit fear of COVID to prevent contact from social services, healthcare, etc
- Anti-Asian rhetoric and spike in violent incidents against Asian individuals adds to trauma and fear

Limited English Proficiency





Police Must Tackle Language Barrier in Domestic Abuse Cases

[nyti.ms/2r1P21Z](https://www.nytimes.com/2018/05/16/us/immigration-domestic-abuse.html)

Ms. Macareno, in an interview and a federal lawsuit, said she tried to tell the police that her husband had pushed her down, but instead of taking him to jail, the responding officers arrested her and carried her barefoot and badly bruised to the 120th Precinct station house.

She was charged with obstruction of governmental administration, according to the legal complaint, after pleading with the officers for an interpreter. The arresting officer said she had prevented him from writing his report, her lawyer said.

With little understanding of English or her rights, and in a hurry to return to her 7-year-old son, she pleaded guilty in criminal court to a lesser charge of disorderly conduct and was released.

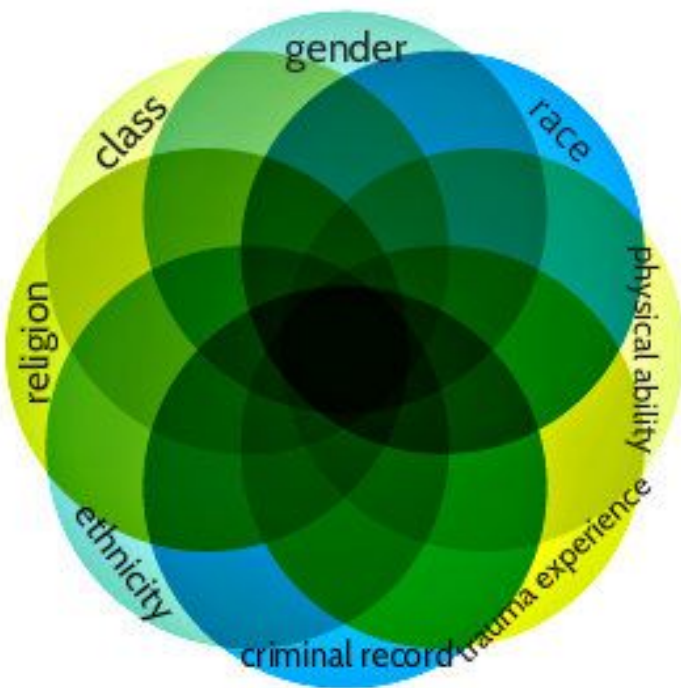
Center for Survivor Agency & Justice

Mission:

The Center for Survivor Agency and Justice promotes advocacy approaches that remove systemic barriers, enhance organizational responses, and improve professional practices to meet the self-defined needs of domestic and sexual violence survivors.

Vision:

The Center for Survivor Agency and Justice envisions a world where all people have equal access to physical safety, economic security, and human dignity.





Access to Justice for Survivors Project



Consumer Rights for Domestic & Sexual Violence Survivors Initiative



Racial and Economic Equity of Domestic & Sexual Violence Survivors Project



Accounting for Economic Security: An Atlas for Direct Service Providers

CSAJ Key Projects

The Economic Ripple Effect of Violence

During
relationship

- .job loss
- .credit damage
- .theft
- .debt
- .missed work days
- .forgone professional advancement

Leaving
relationship

- .relocation costs
- .incurred debt from marriage
- .legal fees

Short term

- .forgone wages
- .housing instability
- .cost of childcare
- .increased cost of independent living

Lifetime

- .mental health effects
- .obstructed/slowed professional development
- .increased vulnerability to future abuse



Same
storm,
but not
all in
the
same
boat

[Image:
Different sized
boats, from
canoes and
dinghies to
ocean liners on
large ocean
waves]

For survivors, it looks like...

Payday lenders are eight times as concentrated in communities of color

Immigrant communities are the targets of fraud and deceptive schemes

Rural areas may be unbanked or without credit

Older adults: scams, abusive caregivers, fixed income

Disabilities: underemployed, underpaid, undervalued

Trafficking: new forms of debt



MIKE DEWINE
OHIO ATTORNEY GENERAL

NOTARIO SCAMS

Spanish-speaking immigrants are being targeted by scam artists who claim to offer legal services. Notarios are not lawyers; they can't give you legal advice or talk to government agencies for you.

People who call themselves notarios — or sometimes immigration experts — will charge you money, but cannot help you with immigration issues.

How to Avoid Being Scammed:

- Don't go to a notario, notano publico, or notary public for legal advice.





Online survey of
direct service providers
working with domestic
violence and/or sexual
assault survivors in the U.S

[Image: Computer with boxes and
check-marks, representing an online survey]

Purpose of the Survey

To gauge the **economic challenges** survivors and service organizations face as a result of COVID-19

Provide data for programs to identify top individual and systems **advocacy needs**

Support future national **policy** efforts and programmatic **funding**

In partnership with...



Luz Marquez Benbow
Founder #IamNegrx



Lisalyn Jacobs, steering committee member of The
National Task Force to End Sexual & Domestic Violence



In partnership with...

ALSO (Allied Local Services
Organization)
NCLC (National Consumer Law
Center)
Anti-Violence Project
Casa de Esperanza
Women of Color Network, Inc.
Michigan State University
Luz Marquez Benbow
Prosperity Now

Indiana Legal Services, Inc.
National Resource Center on
Domestic Violence
Lisalyn Jacobs
Vera Institute of Justice
Asian Pacific Institute on
Gender-Based Violence
Center for Survivor Agency & Justice
The Legal Aid Society, and Caminar
Latino

Survey Topics

1. Survivors' economic challenges

- Money/Resources
- Health
- Child
- Legal & Systems
- Differential effects

2. Organizational challenges

3. Recommendations for change

Time 1 (T1):
March to May

Time 2 (T2):
June - September

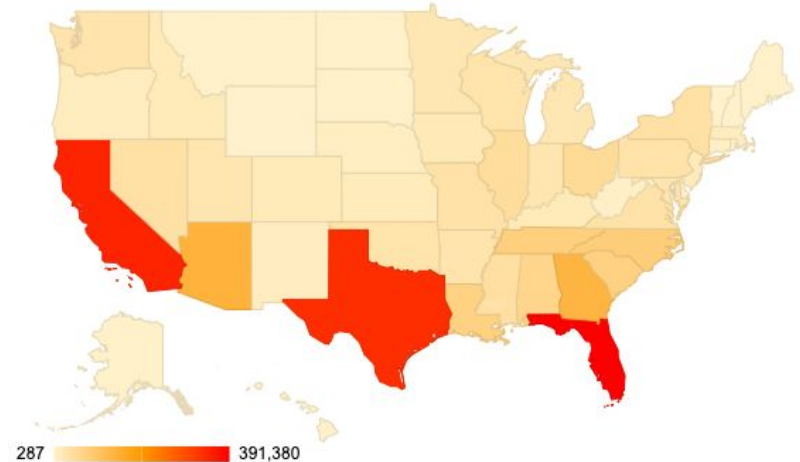
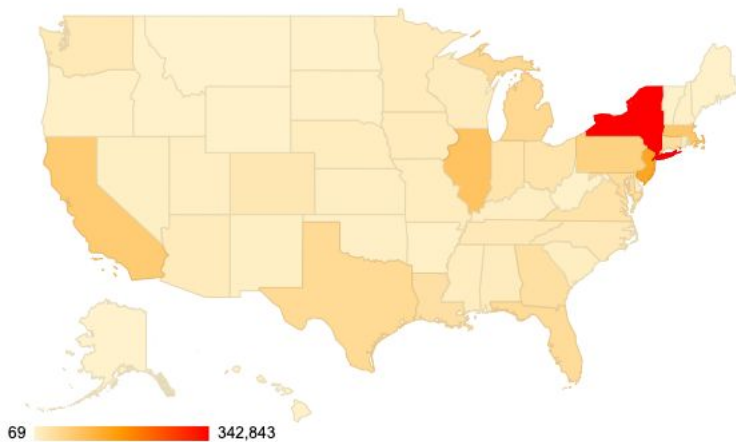


[Image: Bar chart illustrating COVID-19 cases overtime, between March 2020 and Feb 2021. March-May and June-Sept are highlighted to correspond with the two surveys time period.] Source: [New York Times](#)

Time 1 (T1): March to May

Time 2 (T2): June - September

NEW CASES



[Images: Two U.S. maps with states filled from yellow to red based on NEW cases in Time 1 and Time 2 (red meaning higher case rate).] Source data: [CDC, United States COVID-19 Cases and Deaths by State over Time](https://www.cdc.gov/covid19/cases-deaths-by-state-over-time)

Time 1:
March to May

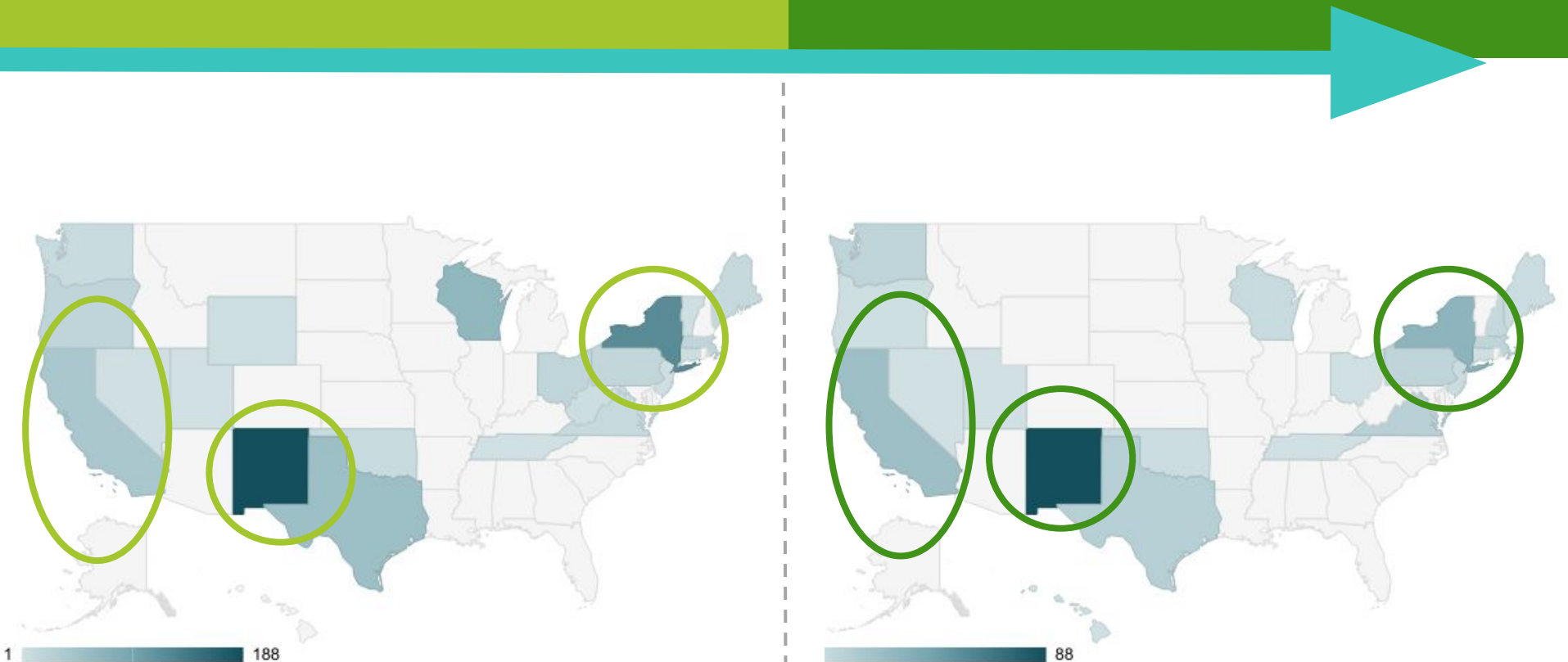
Time 2:
June - September

**608 service
providers**
serving a total of
34,664 survivors

**227 service
providers**
serving a total of
32,272 survivors

Time 1: March to May

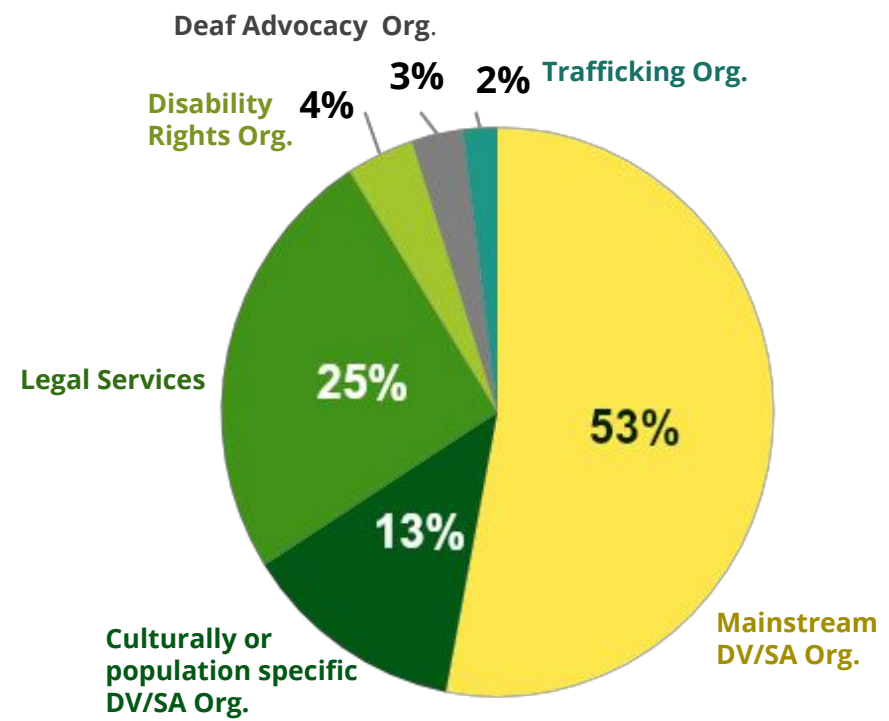
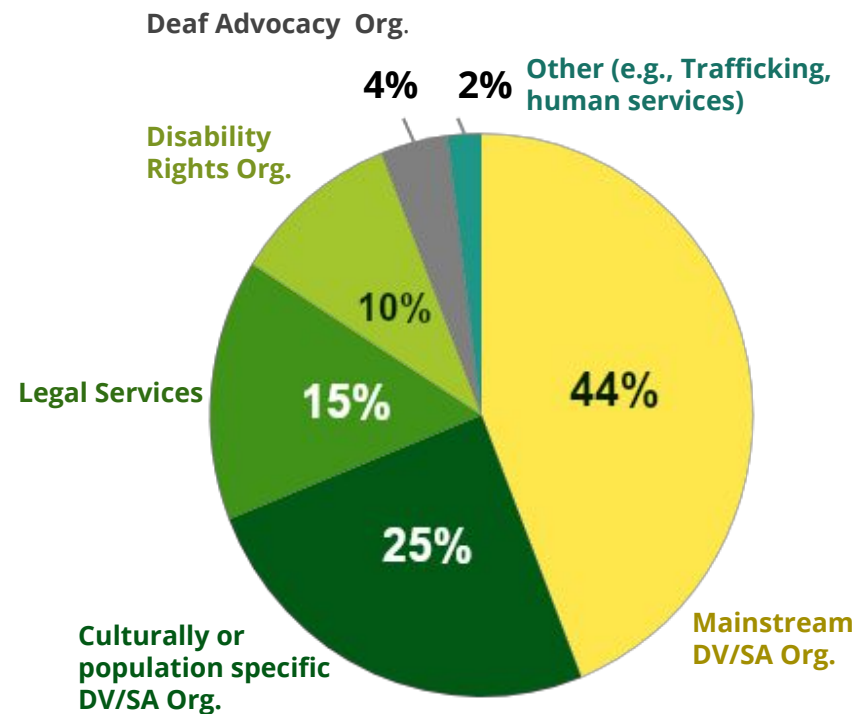
Time 2: June - September



[Images: Two U.S. maps with states filled from white to blue based on the total number of survey respondents in that state at Time 1 and Time 2 (blue meaning more responses).]

Time 1: March to May

Time 2: June - September



[Image: Two pie charts of type of organizations respondents work at - data table on next slide]

Time 1:
March to May

Time 2:
June - September



Type of Organization	Percent of Respondents (%)	
	Time 1	Time 2
Mainstream DV/SA Organization	44%	53%
Culturally of population-specific DV/SA organization	25%	13%
Legal Service	15%	25%
Disability rights organization	10%	4%
Deaf advocacy organization	4%	3%
Other (e.g. trafficking, human services)	2%	2%

Survivors' Economic Challenges: Key Findings



[Image: Clipart of an increasing bar chart]

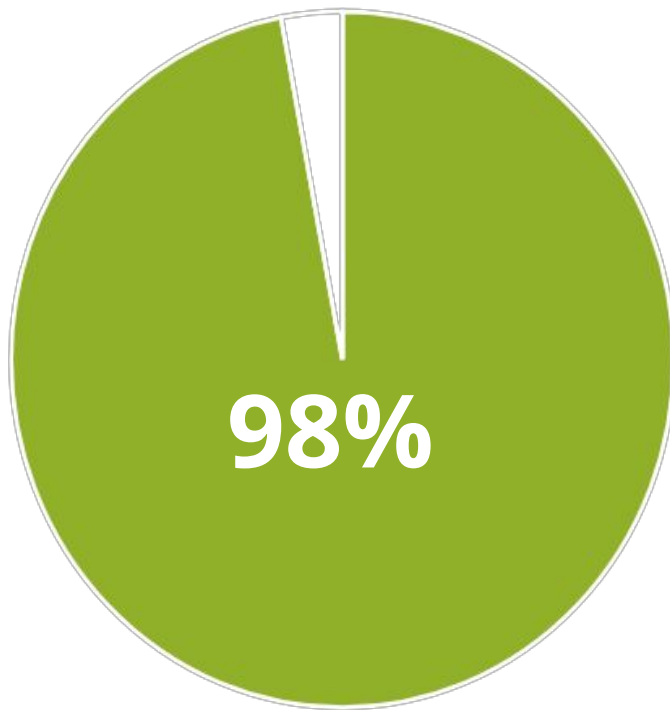
No energy or time for systems barriers

*“People with informal employment, no immigration status...or dismissed because of their race/ethnicity have **far less opportunities to focus on health, prevention, pursuit of economic stability or even socializing because they are too busy putting out fires.** Bureaucracy and high barrier systems/services make it hard for them to access anything or attempt to gain power in their situation through court services and such.*

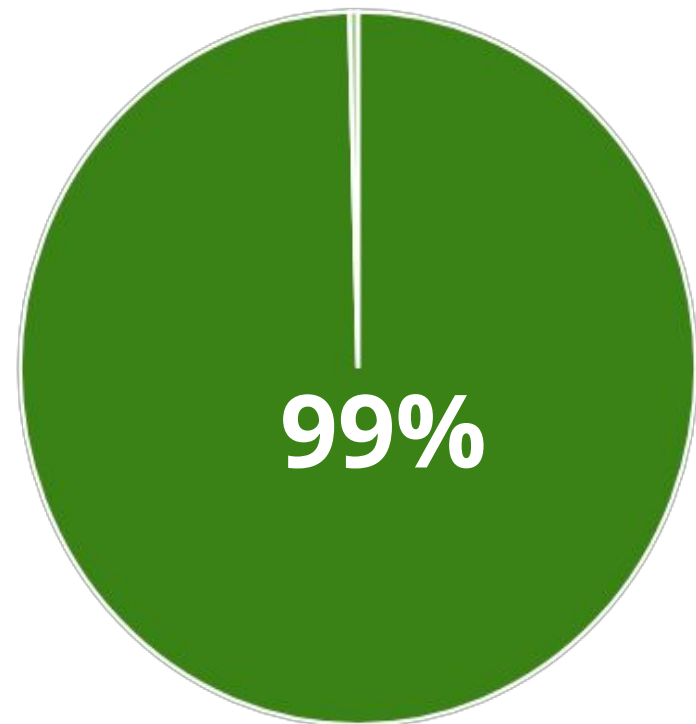
There is no energy or time for it.”

Almost all advocates surveyed said survivors were facing economic challenges due to COVID-19

T1: March - May

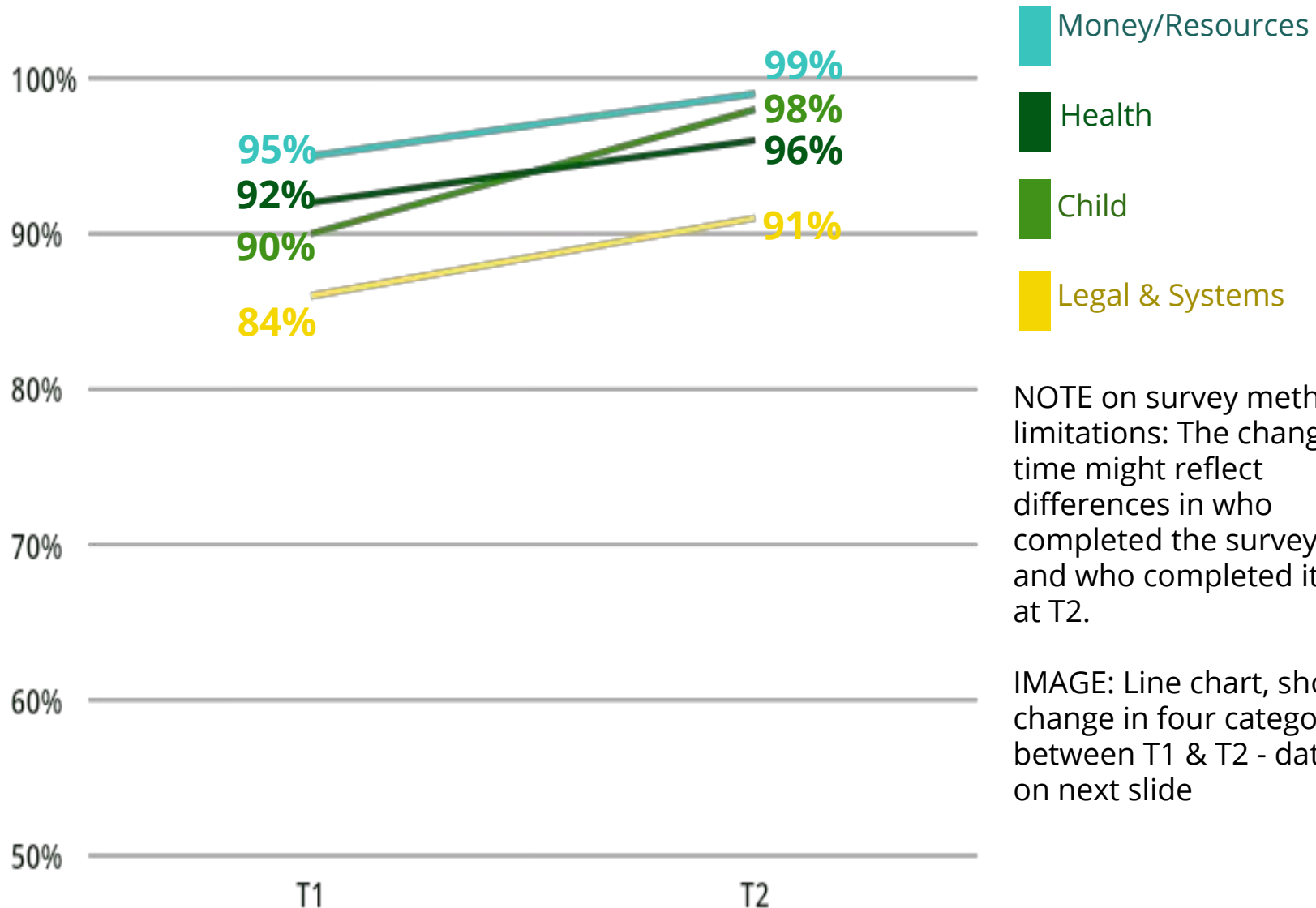


T2: June - September



[Image: Two pie charts illustrating survey respondents working with survivors facing economic challenges. 98% in Time 1, 99% in Time 2]

Most advocates were working with survivors facing money/resource, health, child, or legal/systems challenges (which increased over time)



NOTE on survey method limitations: The change over time might reflect differences in who completed the survey at T1 and who completed it at T2.

IMAGE: Line chart, showing change in four categories between T1 & T2 - data table on next slide

Most advocates were working with survivors facing money/resource, health, child, or legal/systems challenges

Type of Challenge	Percent of Respondents (%)	
	Time 1	Time 2
Money/Resources	95%	99%
Health	92%	96%
Child	90%	98%
Legal & Systems	84%	91%

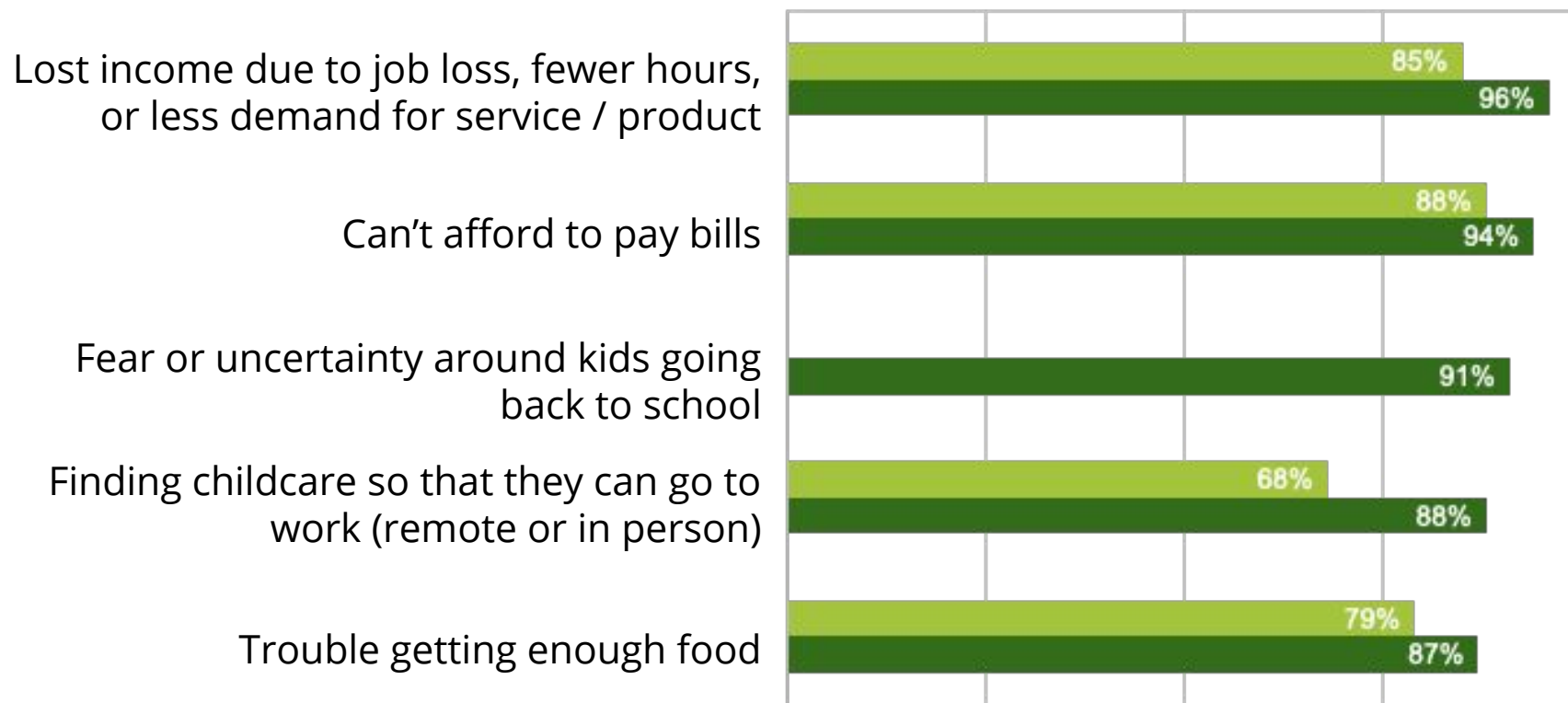
NOTE on survey method limitations:
The change over time might reflect differences in who completed the survey at T1 and who completed it at T2.

Top 5 Challenges, Overall

Survivors face a multitude of economic challenges

■ Time 1: March - May

■ Time 2: June - Sept

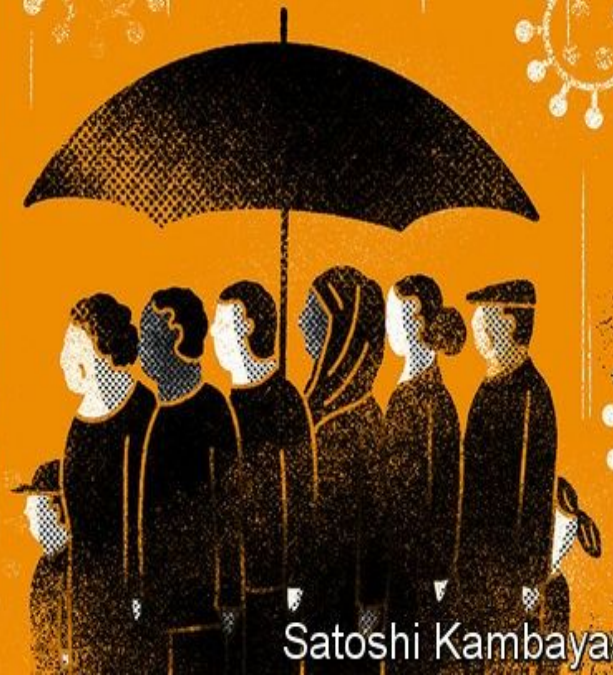


Top 5 Challenges at T2 *With comparisons at T1, as available*

Type of Challenge	Percent of Respondents (%)	
	Time 1	Time 2
Lost income due to job loss, fewer hours, or less demand for service / product	85%	96%
Can't afford to pay bills	88%	94%
Fear or uncertainty around kids going back to school	N/A	91%
Finding childcare so that they can go to work (remote or in person)	68%	88%
Trouble getting enough food	79%	87%

Differential Impact

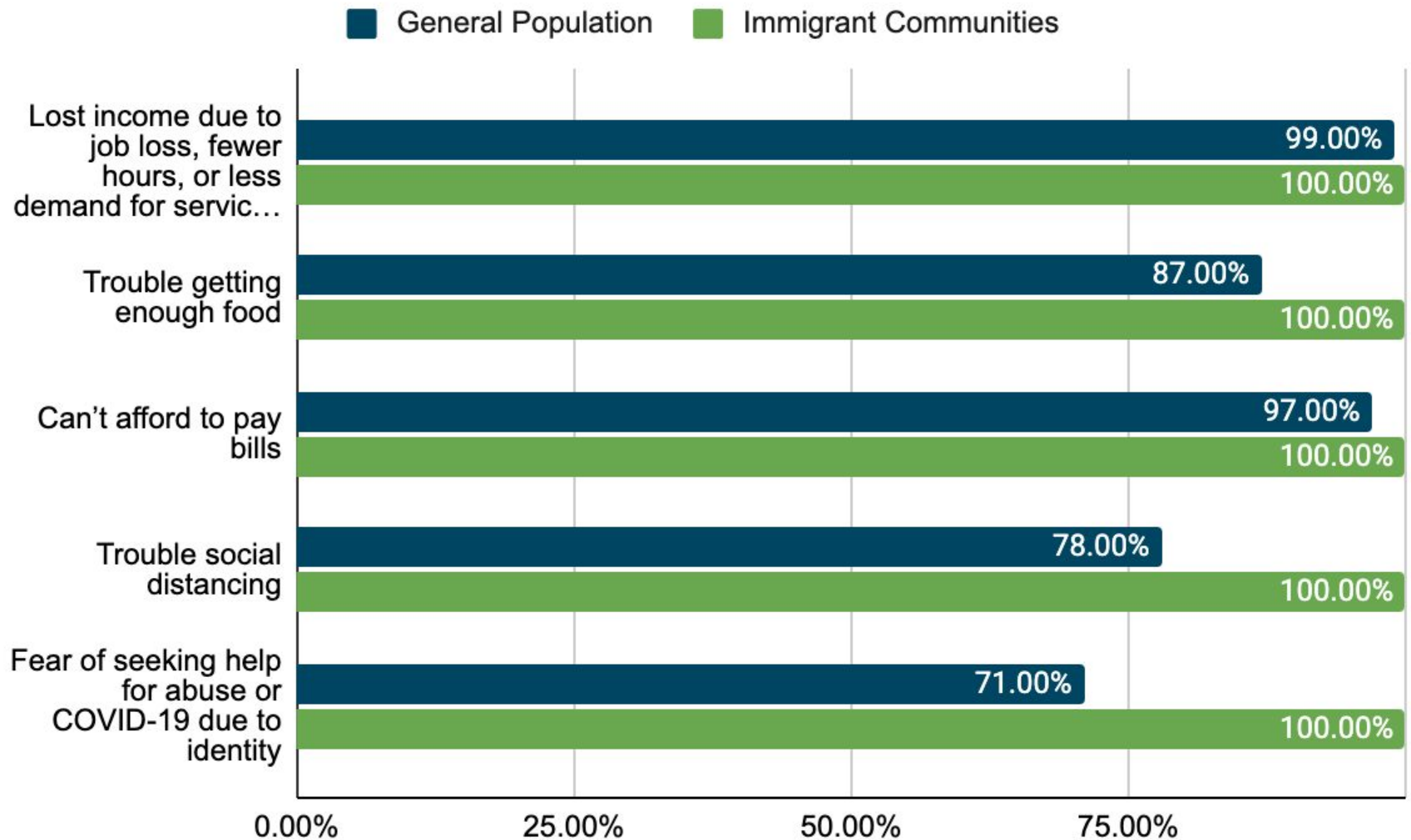
71% said survivors face different pandemic-related economic challenges based on their identity factors



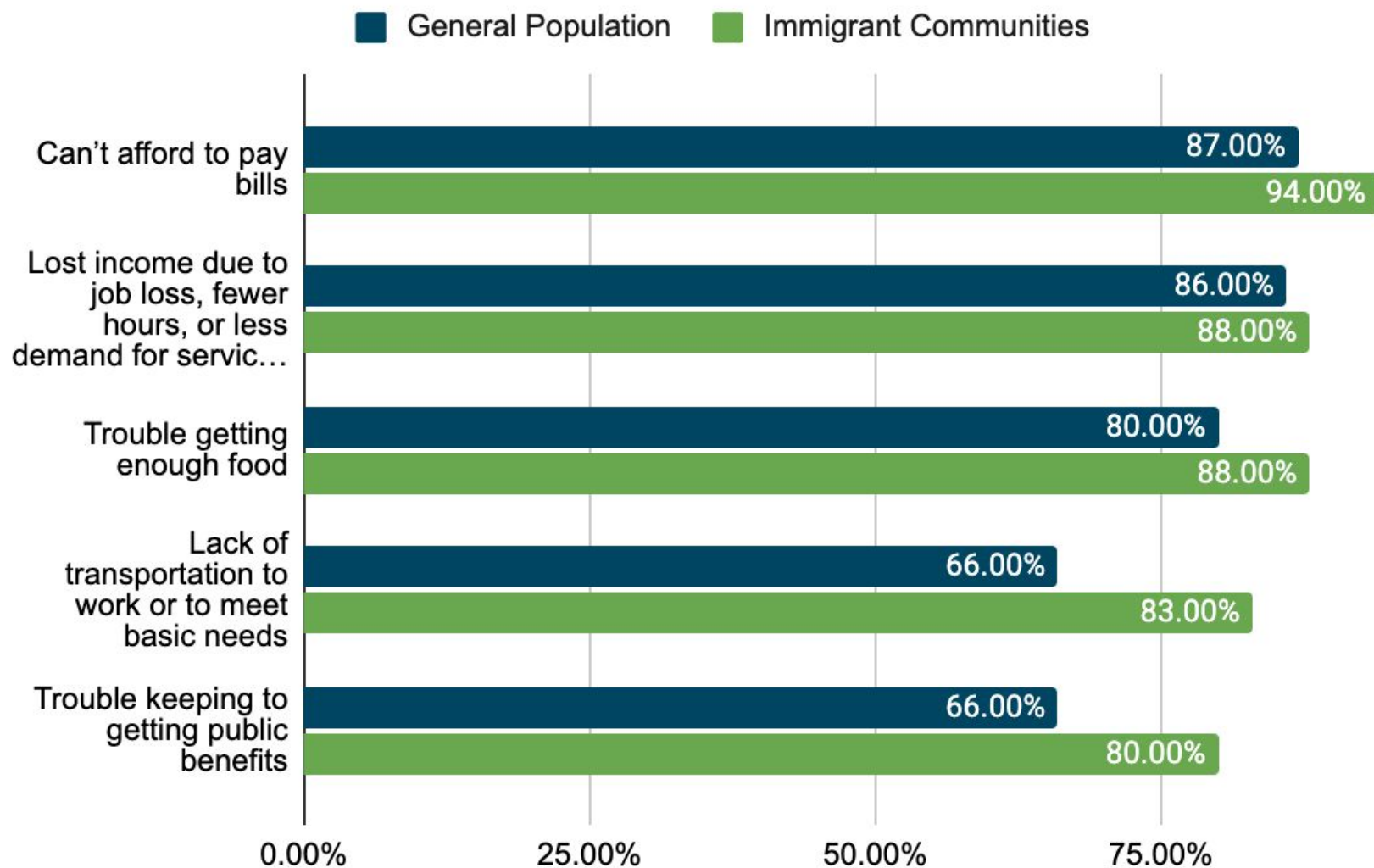
One white man under a big umbrella facing multiple people of
aces/ethnicities under one small umbrella, while an image of the
virus "rains" on them.

Satoshi Kambayashi

T2: Top Challenges based on community served



T1: Top money-related challenges based on community served

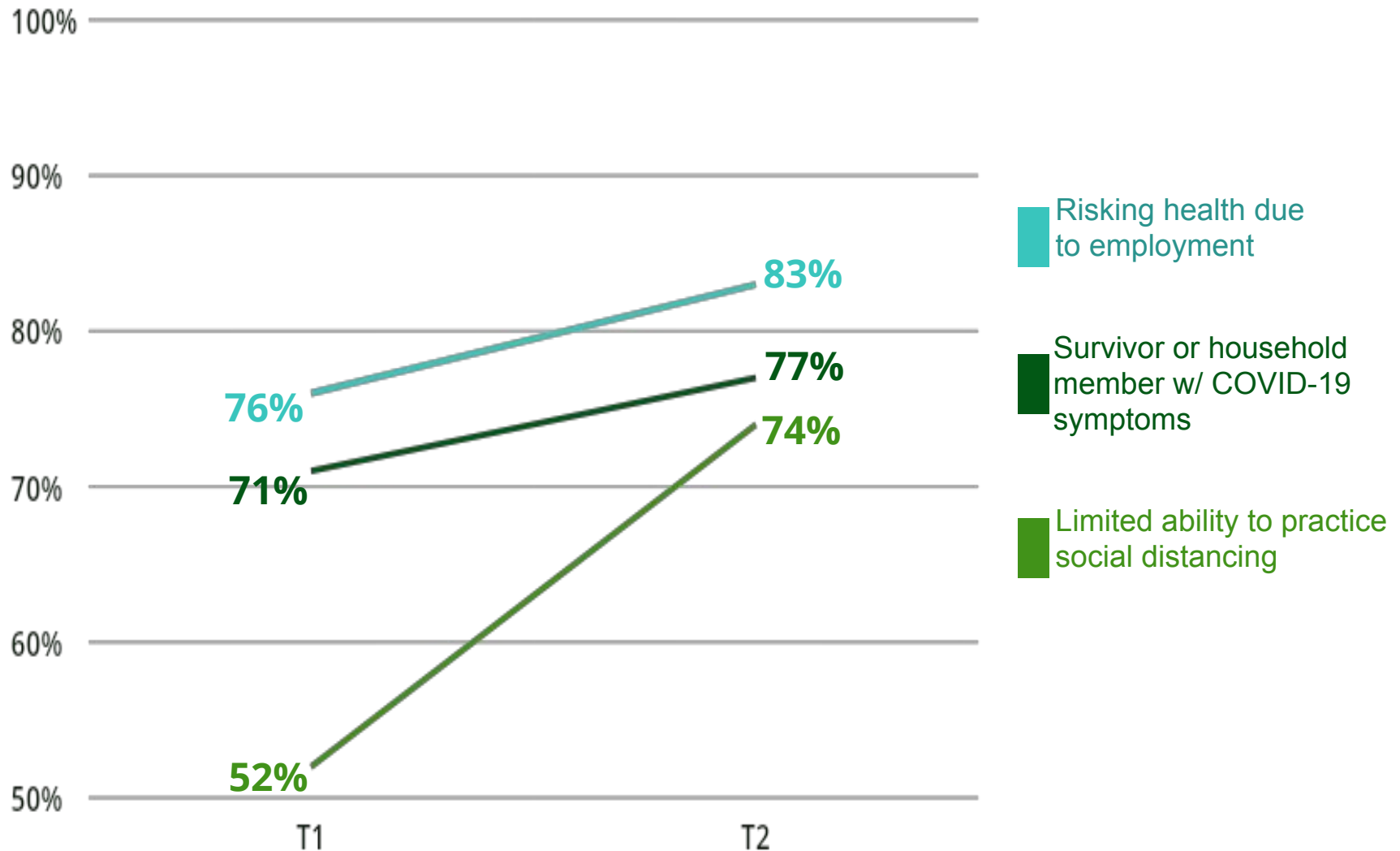


Health Challenges



[Image: Clipart of the world globe inside the COVID-19 virus. Source: United Nations]

Survivors faced risk to health inside and outside the home



Immigrant and survivors of color face added risks to health, safety, and well-being due to discrimination

At T1, **43%** said survivors experienced increased acts of **racism, xenophobia, and discrimination**

At T2, **71%** said survivors **feared of seeking help** for COVID-19 or abuse due to immigration status, race, or other identity factor

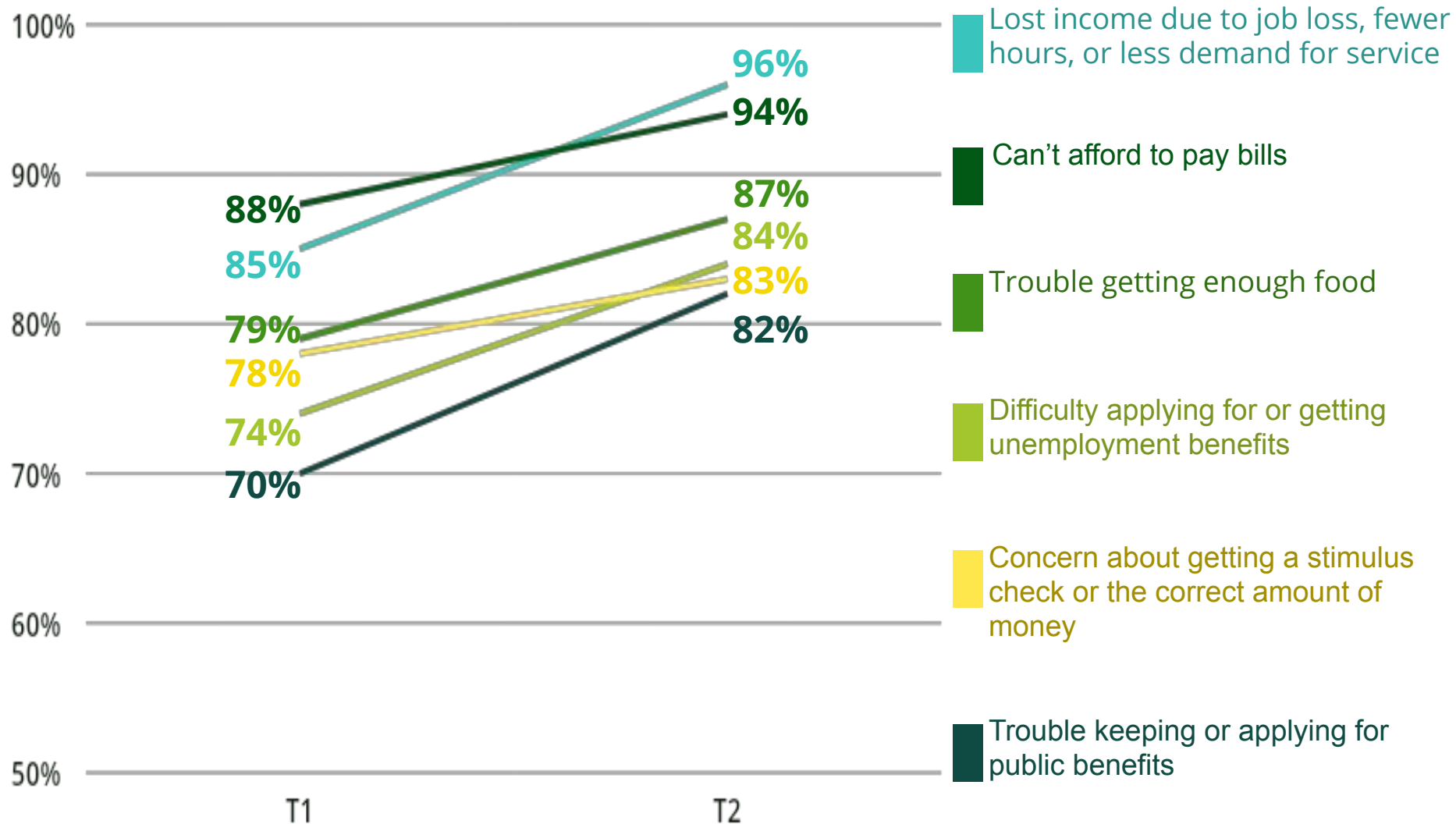


Money/Resource Challenges



[Image: Clipart of a piggy bank wearing a medical mask. Source: Vermont Public Radio]

Advocates work with survivors facing lost income, difficulty meeting basic needs, and getting financial relief



Survivors shared with advocates concerns about lost income, meeting basic needs, and getting relief

Type of Challenge	Percent of Respondents (%)	
	Time 1	Time 2
Lost income due to job loss, fewer hours, or less demand for service	85%	96%
Can't afford to pay bills	88%	94%
Trouble getting enough food	79%	87%
Difficulty applying for or getting unemployment benefits	74%	84%
Concern about getting a stimulus check or the correct amount of money	78%	83%
Trouble keeping or applying for public benefits	70%	82%

Changing Money-Related challenges based on population served

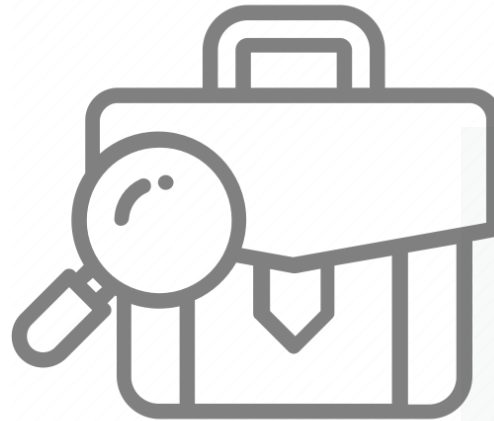
T2: Top 5 challenges reported by those working with immigrant communities

- Lost income
- Trouble getting enough food
- Can't afford to pay bills
- **Trouble getting public benefits**
- **Eviction or threatened eviction**



T2: Top 5 challenges reported by those working with general population

- Lost income
- Trouble getting enough food
- Can't afford to pay bills
- **Trouble getting unemployment**
- **Trouble getting a stimulus check**



STIMULUS CHECK

The link between language access & access to safety (T1)

*"Access to resources during COVID - 19 is the most challenging issue for API monolingual immigrants that we serve. The available resources communicated are in English and not available in other languages especially API languages. **By the time that API communities receive the information, those [resources] have already been taken or ran out.** In addition to this, the 'safer at home' order...prevents them from seeking help or leaving their abusive partners when home is not safe for them."*

Survivors face **housing instability**

At T1, **53%** said landlords/
creditors were inflexible
with **payments**

At T2, **82%** said survivors
faced **eviction** or threats
of eviction



[Image: Photo of apartment/housing units on urban street]

Survivors are overrepresented in “essential worker” industries with **few/no employee protections or benefits**, and face multiple forms of **economic exploitation**

At T2, **67%** said employers weren't offering **paid or unpaid leave**

At T2, **36%** said survivors were getting **scammed or defrauded**



[Image: Photo of US map with a clock and coins]



[Image: Clipart of hand coming out of a cell phone and taking money from a man]



Fewer rights, higher risk in employment (T2)

*“Our immigrant clients are struggling to remain employed and safe. They frequently have less choices when looking at employment if undocumented and so are **not in a position to advocate for their own health and safety** in an employment setting.”*

Link between Child & Legal/Systems Challenges



[Image: Clipart of a woman and two children playing, all wearing masks.
Source: Boston Children's Hospital]

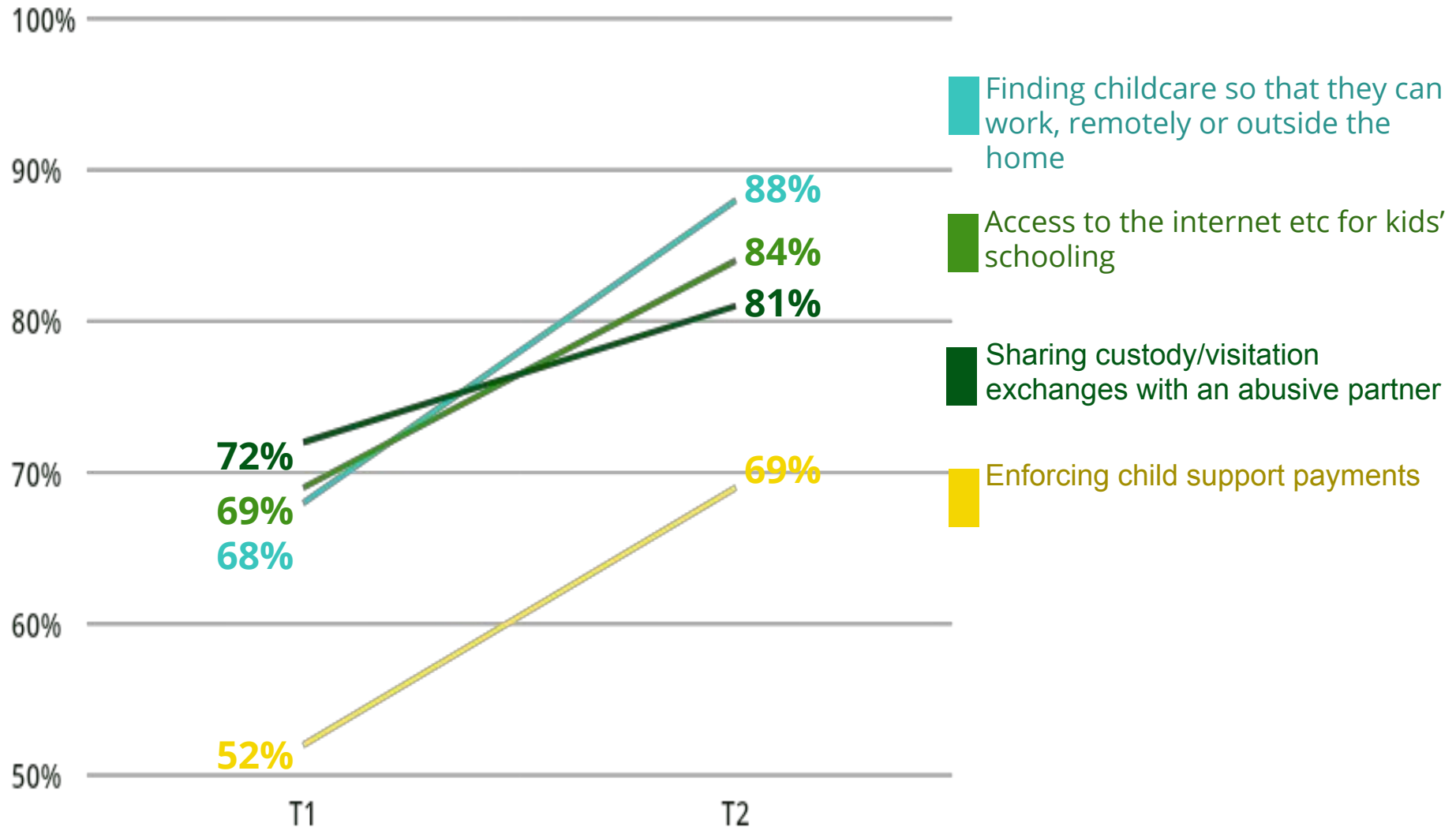


Trouble accessing court and trouble getting child support were related

*“Survivors [are] waiting on child support **cases that have been delayed**. In the meantime they are **not getting the money** they need to raise their kids.”*

*“We need courts to re-open for child support matters; **these have been considered ‘non-essential’** but child support should be considered an emergency issue.”*

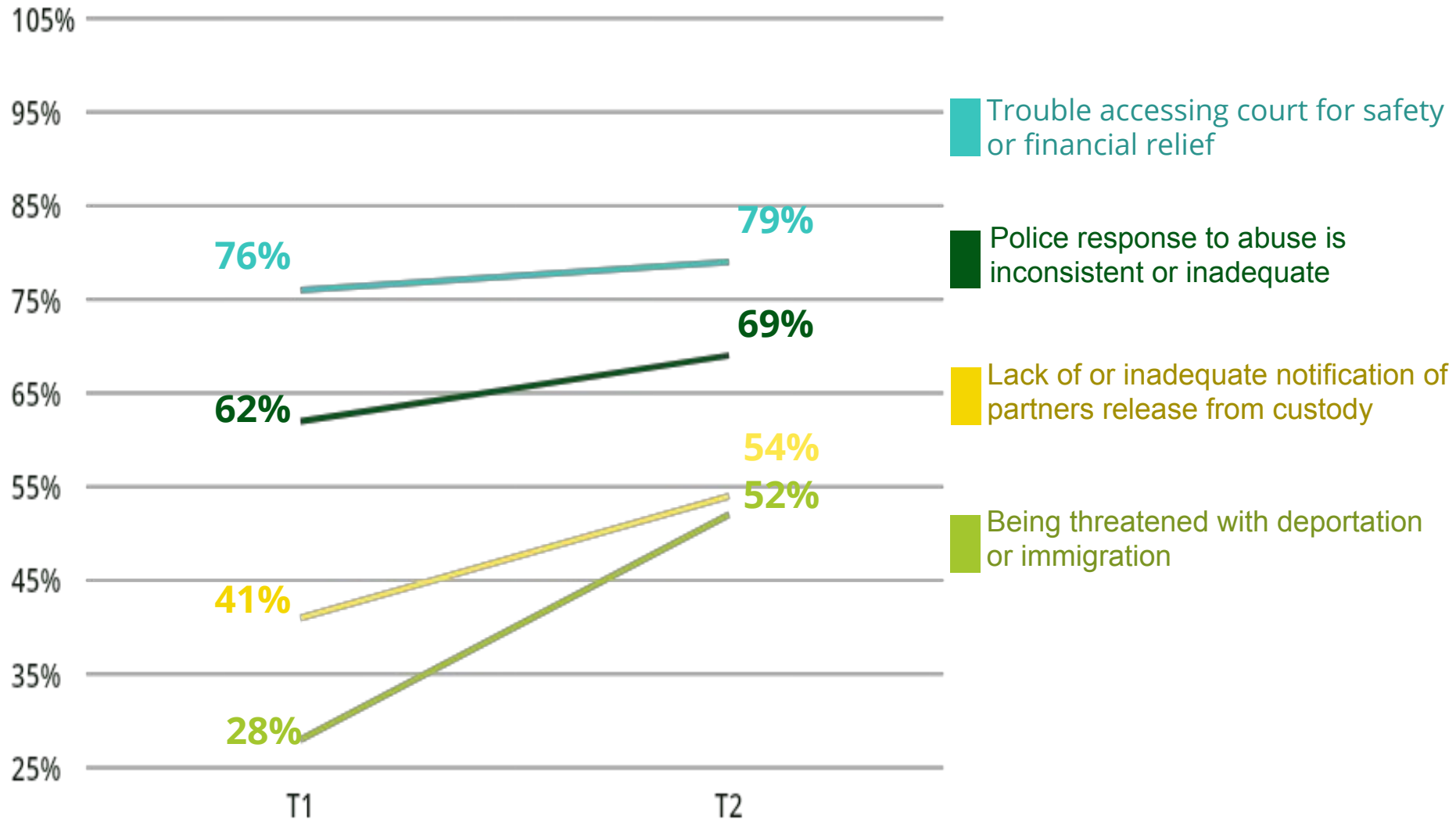
As the school year began, more survivors were talking with advocates about child-related concerns



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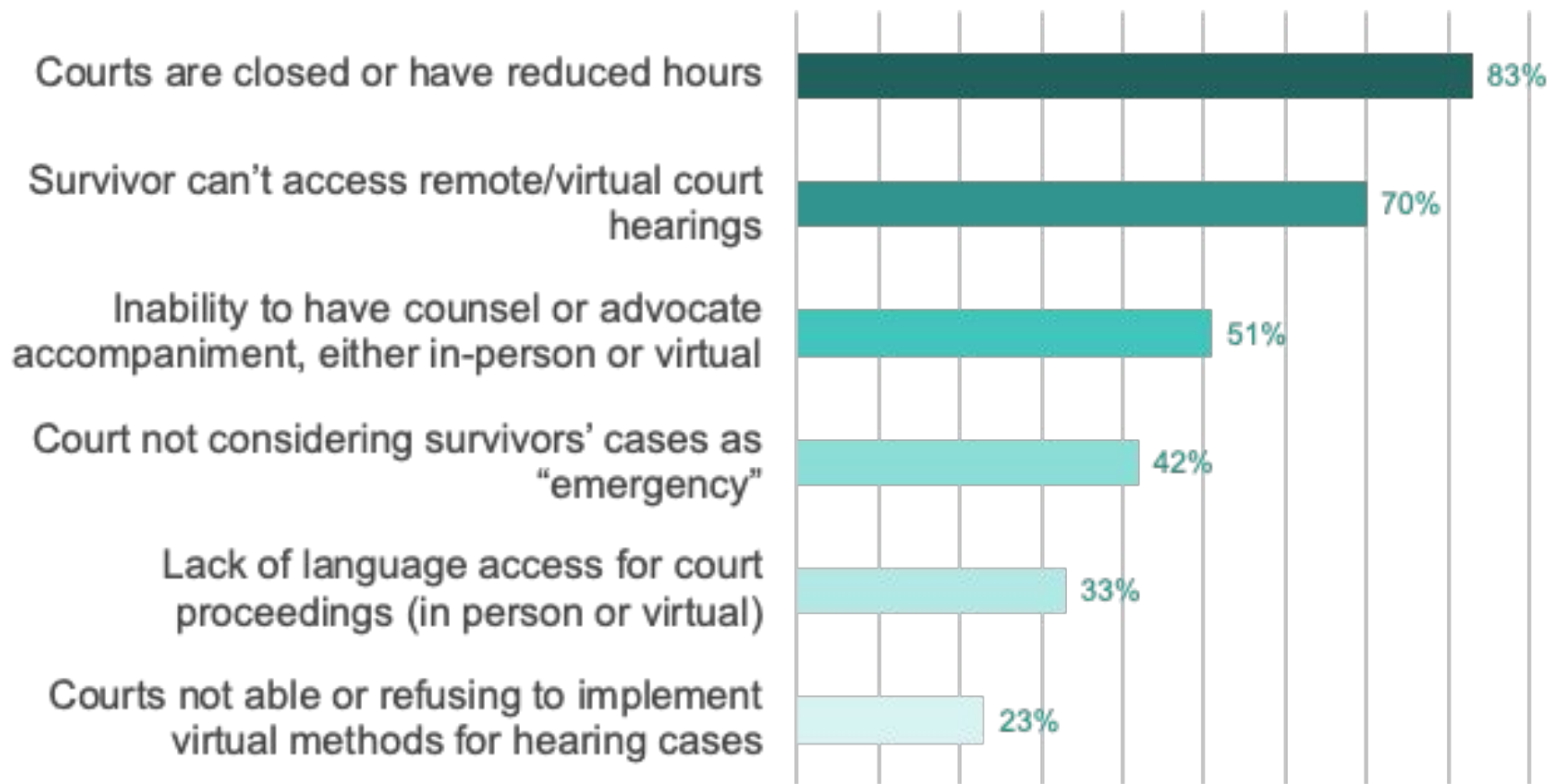
Type of Challenge	Percent of Respondents (%)	
	Time 1	Time 2
Finding childcare so that they can work, remotely or outside the home	68%	88%
Access to the internet etc for kids' schooling	69%	84%
Sharing custody/visitation exchanges with an abusive partner	72%	81%
Enforcing child support payments	52%	69%

Systems' policies and practices in response to COVID-19 presented difficulties for survivors



Systems' policies and practices in response to COVID-19 presented difficulties for survivors

Type of Challenge	Percent of Respondents (%)	
	Time 1	Time 2
Trouble accessing court for safety or financial relief	76%	79%
Police response to abuse is inconsistent or inadequate	62%	69%
Lack of or inadequate notification of partners release from custody	41%	54%
Being threatened with deportation or immigration	28%	52%



Why Survivors Had Trouble Accessing Court

Why Survivors Had Trouble Accessing Court

Type of Challenge	Percent of Respondents (%)
	Time 2
Courts are closed or have reduced hours	83%
Survivor can't access remote/virtual court hearings	70%
Inability to have counsel or advocate accompaniment, either in-person or virtual	51%
Court not considering survivors' cases as "emergency"	42%
Lack of language access for court proceedings (in person or virtual)	33%
Courts not able or refusing to implement virtual methods for hearing cases	23%

What can you do?

Promising & Innovative Practices



"Domestic violence advocates are perfectly situated to meet this moment. This is what we do."

"The grassroots organizing that's occurred is incredible."

"We don't want to go back. Survivors will shape the 'new normal.'"

Advocates/Attorneys can...

- **Review intake, selection & eligibility guidelines**
- **Use this moment to start having the economic conversation with survivors (understand their values, identify financial goals, help access resources)**
- **Partner, partner, partner! meal provision, food pantry, rental subsidies, tenant rights, computer/internet access**
- **Think outside the box:**
 - Employment attorneys can help navigate unemployment insurance systems, train advocacy programs, reach out to state dept of labor (not just wait to help with appeals)
 - Low Income Taxpayer Clinics can now help with filing, assist programs with accessing stimulus checks
 - Consumer lawyers can help programs prepare for debt collections cases (what can advocates do? What proactive work can be done?)
 - All lawyers/legal services can advocate for courts to prioritize language access/translation, remote hearings, encourage advocate accompaniment, and amplify needs expressed by immigrant advocates, survivors, and communities

<https://csaj.org/library/view/recommendations-for-practice-policy-supporting-lgbtq-immigrant-communities>

Programs can...

- **Get creative & offer flexibility with your program funds (legal fees, food supplies, technology)**
- **Familiarize yourself with your state's policies and guidelines around COVID-19**
- **Build & Use Partnerships to identify and expand access to essential resources**
- **Institutionalize & normalize advocate self-care**
- **Educate funders & policy makers about the economic impact of COVID-19 - [USE THIS DATA!](#)**

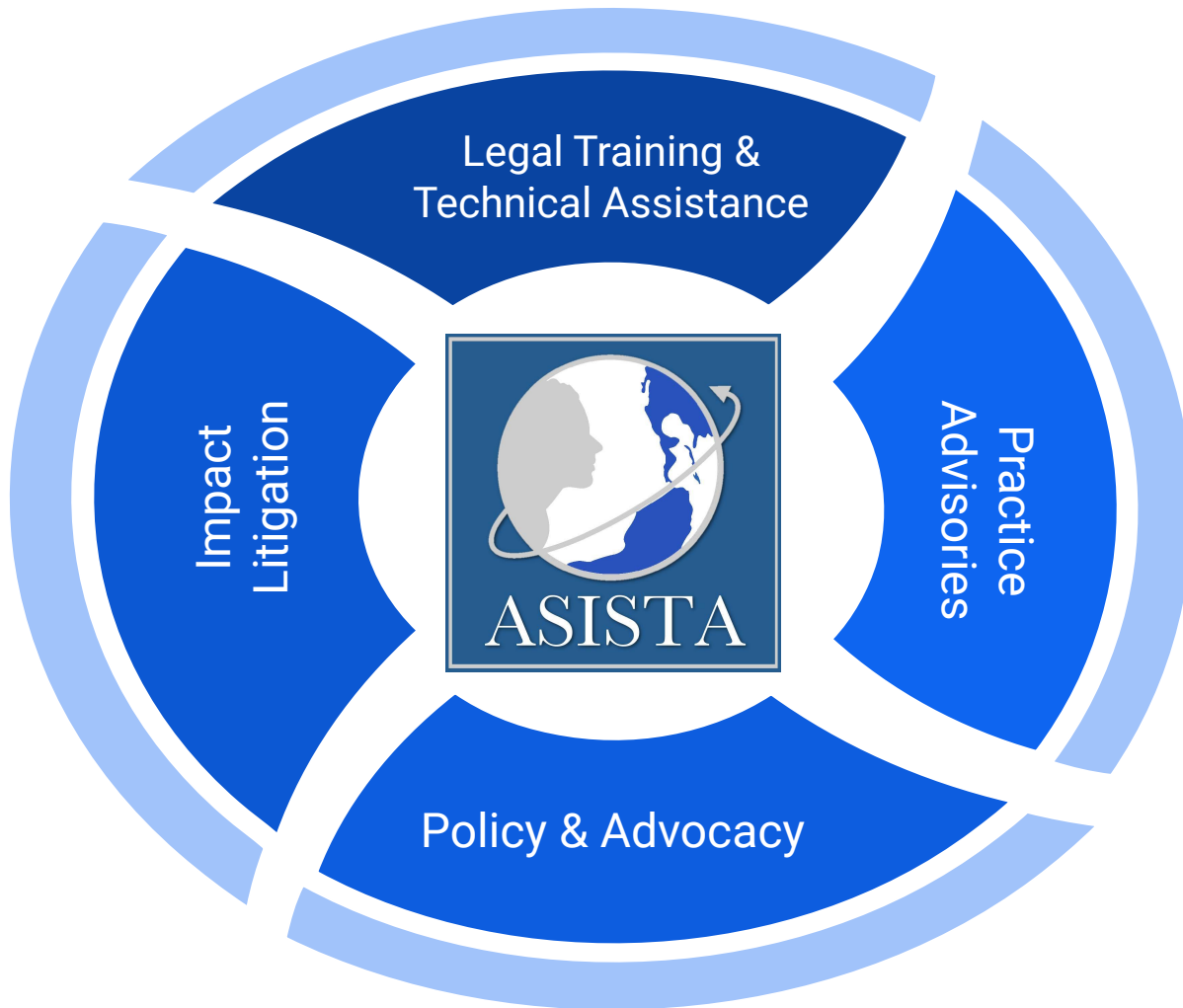
More on self care (collective care) for orgs...

Leadership always throws around words like “don’t forget to practice self care!”
How am I supposed to do that when I’m working my own job and two other peoples’ jobs, and it’s just crisis to crisis?

- **Conduct regular org climate surveys**
- **Ask for upwards feedback as well**
- **Make time to unpack**
- **Find or make opportunities to network and collaborate**
- **Don’t put the burden of “self care” on staff!**

Resources

- [Economic Impact of COVID-19 on Survivors, Data Dashboard](#)
 - Updates coming soon!
- [Recommendations for Practice & Policy: Supporting LGBTQ+, Immigrant, & Communities of Color](#)
- [Starting the Economic Conversation: An Advocacy Guide](#)
- [Unemployment Insurance & COVID-19: What Domestic/Sexual Violence Attorneys & Advocates Should Know](#) (webinar)
 - other CSAJ economic and consumer legal webinars [HERE](#)
- **DV & Economic Impact Payments (Stimulus Check) Flyer** ([English](#) | [Spanish](#))
- [Relationship Violence in Five Los Angeles Asian American Communities: Intergenerational Risk and Strengthening Factors](#) (AP3Con)
- [How COVID-19 & Systemic Responses Impact AAPI Survivors](#) (API-GBV)
- [AA and NHPI In-Language Resources for COVID-19](#) (APIAHF)



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Immigration Protections during COVID

- COVID has increased barriers to status, especially for matters involving US consulates abroad
- COVID has caused delays in customer service channels
- Egregious processing delays means that the add'l vulnerabilities survivors face due to COVID are not efficiently addressed

ASISTA Recommendations to USCIS

<https://asistahelp.org/wp-content/uploads/2020/04/ASISTA-USCIS-COVID-19-Recommendations.pdf>

Alliance for Immigrant Survivors Legislative Recommendations:

<https://www.immigrantsurvivors.org/ais-covid-2019-statement>

Questions

Questions?

(Use the chat box on the right of your screen to ask questions.)



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