



## **Washington Public Assistance for Immigrant Victims of Domestic Violence**

This brochure will tell you what benefits you may be eligible for if you are an immigrant and a victim of domestic violence. If you have a different immigration status, please read one of the brochures listed below.

- **Washington Public Assistance for Refugees and Humanitarian Entrants**
- **Washington Public Assistance for Public Interest Parolees**
- **Washington Public Assistance for Legal Residents (Permanently Residing Under Color of Law)**
- **Washington Public Assistance for Undocumented Immigrants**
- **Washington Public Assistance for Family Visa Beneficiaries**
- **Washington Public Assistance for Immigrants Who Legalized Under the Immigration Reform and Control Act**

### **I don't have any papers and my husband makes me afraid and says he'll call Immigration if I complain to anyone. What can I do?**

If you are married to a citizen or legal permanent resident and you are the victim of domestic violence, you may be able to apply for a green card for yourself and your children under the "Violence Against Women Act" (VAWA). If you have questions about your immigration status and are a domestic violence victim, you should call the Northwest Immigrant Rights Project at 206-587-4009 or 509-854-2100 to find out if they can help you.

### **How can the Northwest Immigrant Rights Project help me?**

They can advise you on how to apply for immigration status on your own. Or, if you already have a green card that will expire after two years, they may be able to help you get a permanent card. Their services for low-income domestic violence victims are free or affordable and everything you say to them is confidential (they won't tell anyone else what you say). For more information about immigration questions, see the publication "*Questions and Answers for Immigrant and Refugee Women*".

### **Will my family and I be eligible for benefits if we leave my abuser?**

Most likely yes! What you are eligible for depends on your immigration status. Many families are a mixture of citizens, legal residents and undocumented people. Here is a list of what each might be eligible for. These programs require that you have low income and few resources (bank accounts and property).

## **Undocumented family members.**

- **Medical benefits.** Undocumented residents of Washington State can get emergency medical help, and undocumented children and pregnant women can get medical coupons. (NOTE: The program for undocumented children, which is being implemented in January 2006, is limited to about 4300 individuals. The initial application period is between December 1 and 16, 2005. Those who do not get selected at that time or who apply later may be placed on a waiting list.) The Basic Health Plan, which has premiums and co-payments based upon your income, is available to all Washington State residents. Immunizations, testing and treatment of communicable disease are also available from the health department.
- **Emergency cash assistance.** A program called Consolidated Emergency Assistance Program (CEAP) is also available to families once a year. (The amount can be up to the amount of a one-month welfare grant.)

## **US Citizens and Legal Residents (Including individuals with a case under VAWA or with family visa petition approved but not living with spouse or parent due to domestic violence).**

- **Medical benefits.** Washington State has both federal and state programs that provide emergency medical care for adults and medical coupons to disabled individuals, families, pregnant women and children. NOTE: Families who are legal residents will not be eligible for medical coupons unless they have a status known as “qualified”. Even some “qualified” immigrants may have to wait for five years before they can get non-Emergency Medicaid. Call your local legal services office if you have been denied so that they can advise you.

- **Cash Assistance.**

**For families**--Washington State has Temporary Assistance for Needy Families (TANF--a federal program available to citizens and certain immigrants) and State Family Assistance (SFA—a state program available to other immigrants who have some legal status or whom Immigration does not intend to deport).

**For persons who are disabled or 65 and over**—There is both a Federal program called Supplemental Security Income (SSI—available to citizens and certain immigrants) and a state program called General Assistance Unemployable (GA-U—available to other immigrants who have legal status or whom the INS does not intend to deport).

- **Food Stamps.** Washington State has both federal Food Stamps (for citizens and certain immigrants) and the Food Assistance Program (for immigrants who have some legal status or whom Immigration does not intend to deport).

## **How do I apply for assistance?**

Go to the welfare office (community service office) nearest you and fill out an application for benefits. Look in your phone book to find out which office serves your zip code. Be sure to take a copy of your immigration documents if you have them. (This includes a copy of your receipt notice from Immigration.) If you do not have immigration documents yet, you may still be eligible for some assistance. If you don't have a social security number, leave that line blank or put “not available”. The welfare office is required to accept

emergency applications at any time and may be able to help you soon with cash, medical coupons, and food stamps.

### **What if I don't speak English?**

The welfare department must give you an interpreter and must translate the letters that it sends to you. When you fill out an application, be sure to check the box that says that you have difficulty speaking, reading or writing English. The welfare office should also provide you with an interpreter if you have to call your worker on the phone or if she calls you back with a question.

### **What if I don't read and write or have difficulty understanding information and following through?**

When you apply for assistance, the welfare department will ask you whether you need extra help, such as someone to help you fill out forms, or call you to explain your letters. If you do need this help you should be sure to say yes, and ask that they provide you Necessary Supplemental Accommodation (NSA). For more information on the services provided to someone who needs NSA see our brochure entitled "DSHS Help for People with Disabilities: Necessary Supplemental Accommodations (NSA) available on the web at [www.Washingtonlawhelp.org](http://www.Washingtonlawhelp.org).

### **If I get public benefits for myself and my children, will welfare tell my husband where I am?**

No, they should not. The welfare department usually asks for information about the fathers of children who apply for assistance so that the government can make sure the fathers pay child support for their children. This can mean that your children receive more money than the welfare department will provide. However, if you are afraid that your child's father may try and find you and hurt you, tell the welfare department that it should not collect child support because if it does, you may be harmed. If your husband has been violent or threatened violence in the past, you should also ask that your address be kept confidential.

### **My children and I don't have our green cards (lawful permanent residence) yet. Will receiving assistance make it hard for us to get our green cards later?**

- **Non cash assistance is ok.** No matter what your immigration status, you and your family **can** receive any **non-cash benefit** for which you are eligible, including food stamps, medical coupons (except for institutionalized medical care), child care, and job training, **and still get your green cards later.**
- **Cash assistance** such as TANF, SSI (or the state funded programs of State Family Assistance or GA-U) received by US citizens, legal permanent residents, and some immigrants (refugees, asylees, certain Cubans, Haitians and Nicaraguans, Lautenberg parolees, special immigrant juveniles or registry applicants) is also ok.
- **Cash assistance received by immigrants other than those listed above may be a problem if Immigration believes you are likely to become a public charge.** If you do not yet have permanent residence and the cash assistance is the only support you have for your family, talk to an attorney about what you can do to show Immigration that you will be able to support yourself in the future.

- **NOTE FOR VAWA APPLICANTS:** *if you or your child is a victim of domestic violence and you have petitioned under the Violence Against Women Act, consular officers and Immigration officers are **not permitted to consider** benefits, even cash benefits, that you may have received in order to escape the domestic violence when determining public charge. However, they may consider other factors described below.*

## **What will Immigration consider when I have to show I am not likely to become a public charge?**

You may need to show that your health, prior work history, age and education make it likely you will go back to work as soon as you have work authorization and have arranged for your family's needs. For VAWA applicants, Immigration cannot look at cash benefits received in determining whether you are likely to become a public charge. For others who don't yet have their green cards but need cash assistance to take care of their families, be prepared to show Immigration that the cash assistance was temporary to help you escape from domestic violence. Other things you can do to get support for yourself and your family include: ask the welfare office to help you get child support to help pay for your children's needs; ask for training and ESL classes to help you become employable. For more information on public charge, consult our brochure titled "USCIS Guidance on Public Charge, When is it Safe to Use Public Benefits?" available at [www.Washingtonlawhelp.org](http://www.Washingtonlawhelp.org).

## **If my abusive husband has sponsored me and my children and filled out an affidavit of support saying he will support us, can the welfare department deny me assistance?**

No. Although the welfare department will normally require you to provide information about your sponsor's income and resources when you apply for assistance, they should not require you to provide this information if you are a victim of domestic violence and your need for assistance is related to the domestic violence. They may try to recover the assistance from your sponsor, but cannot deny you help because he will not pay.

## **What if I need help getting public assistance for myself or my children?**

If you have questions about your eligibility for public assistance or your benefits have been denied or terminated, call the Consolidated Legal Education and Referral (CLEAR) line at 1-888-201-1014, TTY 1-888-201-9737 for referral to a legal services office near you. Public assistance rules are complicated and welfare workers sometimes make mistakes because they are not familiar with immigration law. Often a lawyer or advocate can help you make sure that you and your family get the benefits you need to keep you safe and healthy.

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