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# LATINA IMMIGRANT WOMEN AND DOMESTIC VIOLENCE: LIKELIHOOD OF REPORTING TO MID-SOUTH POLICE

Kimberly Mathis Pitts

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Kimberly Mathis Pitts

*Candidate*

Sociology

*Department*

This dissertation is approved, and it is acceptable in quality and form for publication:

*Approved by the Dissertation Committee:*

*Approved by the Dissertation Committee:*

*Susan B. Beard*

, Chairperson

*Rob A. Johnson*

*Nancy Lopez*

*Yaschica Williams (SBT)*

**LATINA IMMIGRANT WOMEN AND DOMESTIC  
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POLICE**

**BY**

**KIMBERLY MATHIS PITTS**

B.A., Spanish, Western Carolina University, 1991  
M.A., Latin American Studies, University of New Mexico, 1995

DISSERTATION

Submitted in Partial Fulfillment of the  
Requirements for the Degree of

**Doctor of Philosophy in Sociology**

The University of New Mexico  
Albuquerque, New Mexico

**DECEMBER, 2010**

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I would like to dedicate this effort to the thousands of abused Latina immigrant women who have experienced and continue to be victims of domestic violence. I hope that this project sheds more light on their struggle for survival and serves to alleviate their suffering. Finally, I thank the multitude of service agencies and employees who work to curb domestic violence and who recognize the complexities of immigration in this country and dedicate their lives to justice for all.

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**ABSTRACT**

Domestic violence occurs across all ethnic and racial groups and affects women of all ages and socio-economic backgrounds. However, research shows that battered women of Latin American descent are less likely to seek help from either formal or informal sources (West, Kantor, & Jasinski, 1998) and research done on Latina women in shelters suggest that these women are more likely to stay longer in an abusive relationship before seeking help (Torres, 1991). To contribute to the growing body of literature on race and domestic violence, this research will examine particular situational and individual-specific characteristics of domestic violence incidents experienced by Latina immigrant women living in Memphis, Tennessee. Based on a sample of 568 immigrant Latina women, this research seeks to determine whether particular situational and individual-specific characteristics of domestic violence incidents affect whether the Latina victims will report to the police. Despite the multitude of possible barriers to reporting domestic victimization to the police, many of the hypotheses have not been studied systematically.

## TABLE OF CONTENTS

<b>List of Figures.....</b>	<b>ix</b>
<b>List of Tables .....</b>	<b>x</b>
<b>Chapter 1 : Introduction and Problem Statement.....</b>	<b>1</b>
<i>Introduction .....</i>	<i>1</i>
<i>About the Connections Project.....</i>	<i>7</i>
<i>Problem Statement .....</i>	<i>8</i>
<b>Chapter 2: Overview of Latino Migration to the United States .....</b>	<b>13</b>
<i>Introduction .....</i>	<i>13</i>
<i>Precursors and Effects of the Bracero Program .....</i>	<i>16</i>
<i>The Decision to Migrate .....</i>	<i>20</i>
<i>Recent Patterns of Female Migration.....</i>	<i>25</i>
<i>The Role of Women in Latino Society .....</i>	<i>27</i>
<b>Chapter 3: Sociological Examination of Domestic Violence.....</b>	<b>40</b>
<i>Introduction .....</i>	<i>40</i>
<i>Prevention Efforts and Prior Research .....</i>	<i>46</i>
<i>Current State of Domestic Violence .....</i>	<i>50</i>
<i>Magnitude and Severity of Domestic Violence .....</i>	<i>53</i>
<i>Police Reporting of Crime and Victim Decision-making .....</i>	<i>56</i>
<i>Theories of Immigrant Women and Domestic Violence .....</i>	<i>57</i>
<i>Current State of Immigrant Latina Violence .....</i>	<i>63</i>
<i>Barriers to Latina Immigrant Women Reporting Domestic Violence .....</i>	<i>66</i>
<i>Immigration and Domestic Violence Laws.....</i>	<i>73</i>
<i>Theoretical Synthesis .....</i>	<i>81</i>
<b>Chapter 4: Research Methods/Instruments of Collection.....</b>	<b>82</b>
<i>Introduction .....</i>	<i>82</i>

<i>Background details</i> .....	84
<i>Institutional Review Board</i> .....	86
<i>Sorting the Data and Determining Eligibility</i> .....	87
<i>Conceptual Framework</i> .....	88
<i>Discussion of the Dependent Variable</i> .....	89
<i>Discussion of the Independent Variables</i> .....	89
<i>Individual-specific Characteristics</i> .....	89
<i>Situational Characteristics</i> .....	93
<i>Project Limitations</i> .....	96
<i>Conclusions</i> .....	97
<b>Chapter 5: Factors Contributing to DV Reporting</b> .....	<b>99</b>
<i>Introduction</i> .....	99
<i>Culture and Domestic Abuse</i> .....	99
<i>Demographic Predictors of Domestic Abuse</i> .....	104
<i>Demographic Data Summary</i> .....	108
<i>Victim Age at Time of Intake</i> .....	108
<i>Victims' Marital Status</i> .....	109
<i>Victim Income and Employment Status</i> .....	111
<i>Victim Education</i> .....	112
<i>Languages of Victim</i> .....	112
<i>Medical Insurance for Victims</i> .....	112
<i>Victims with Children</i> .....	113
<i>Cultural Data Summary</i> .....	113
<i>Victim Place of Birth</i> .....	114
<i>Victim Length of Time in the United States</i> .....	115
<i>Victims' Relationship to Perpetrator</i> .....	116
<i>Age of Alleged Perpetrator</i> .....	117



<i>Perpetrators' Place of Birth</i> .....	117
<i>Incident Specific Data Summary</i> .....	119
<i>Language</i> .....	119
<i>Victim Employment Status</i> .....	120
<i>Victim/Perpetrator Country of Origin</i> .....	121
<i>Presence of an Eyewitness</i> .....	122
<i>Children Witnessed Abuse/Presence of Minor Children</i> .....	123
<i>Age of the Victim</i> .....	125
<i>Victim Access to Transportation</i> .....	126
<i>Summary and Conclusions</i> .....	127
<b>Chapter 6: Situational Factors - Reporting to the Police</b> .....	<b>129</b>
<i>Introduction</i> .....	129
<i>Multivariate Data Analysis</i> .....	132
<i>Calculating the Odds of a Report to Police</i> .....	133
<i>Discussion and Conclusions</i> .....	142
<b>Chapter 7: Discussion and Conclusions</b> .....	<b>145</b>
<i>Empirical Findings</i> .....	145
<i>Theoretical Contributions</i> .....	146
<i>Methodological Challenges and Opportunities</i> .....	150
<i>Policy Implications</i> .....	152
<b>LIST OF APPENDICES</b> .....	<b>159</b>
<b>APPENDIX A: Connections Project Intake Form</b> .....	<b>160</b>
<b>APPENDIX B: Services that were Discussed and Requested Form</b> .....	<b>162</b>
<b>APPENDIX C: Lethality Assessment Form</b> .....	<b>163</b>
<b>References</b> .....	<b>164</b>

**LIST OF FIGURES**

Figure 1: Percent Change, 1990 to 2000..... 14

## LIST OF TABLES

Table 1: Referral Sources of Connections Project Clients.....	8
Table 2: Demographic Characteristics of the Sample.....	110
Table 3: Victims' Place of Birth .....	115
Table 4: Relationship of Perpetrator to Victim.....	117
Table 5: Perpetrators' Place of Birth .....	118
Table 6: Comparison of Victims' and Perpetrators' Country of Origin .....	119
Table 7: U.S.-born Perpetrator by Reported to Police .....	122
Table 8: Children Witnessed Abuse by Reported to Police.....	124
Table 9: Age Order by Reported to Police.....	125
Table 10: Absolute Age Gap by Reported to Police.....	126
Table 11: Summary of Effects Predicting Police Reporting.....	127
Table 12: Logic Regression Model for Odds of a Police Report.....	136
Table 13: Comparison of Nationalities between Victims and Alleged Abuser .....	140

## **Chapter 1 : Introduction and Problem Statement**

### *Introduction*

In the winter of 1999, I worked as a migrant outreach worker in the Latino immigrant communities of Western North Carolina. It was during this time that I first became aware of domestic violence in the Latino immigrant community. Very early one cold December morning, I received a phone call from a rural mountain police station asking if I spoke Spanish. They were looking for an interpreter. Unclear as to how the police had obtained my number, I arrived at the police station to find a terrified young Mexican woman with an infant in her arms. The police recounted how the still shaking woman had been brought in by a neighbor. Neither the neighbor nor the police were able to understand what had happened to her. As I began to talk with her, she shared a horrifying story of how her husband had been drinking and started hitting her - again. Terrified that her baby might be injured, the hapless woman tried to escape. She had no means of transportation and she spoke no English. Desperately, she sought the only place she could think of on a cold, dark, night. She and the infant slept huddled in the crawl space beneath her rented mobile home. The woman had escaped into the night without shoes for herself or a bottle for the baby. It was early the next morning that the neighbor, who spoke no Spanish, found them, cold and hungry, and took them to the police station. The community was just in the planning stages of opening a shelter for abused women but, none of the recently hired staff spoke Spanish. The traumatized woman asked if I would take her and her baby to a neighboring town where she had relatives. I dropped her off and I never heard from her again.

After moving to a suburb of Memphis, Tennessee in 2004, I began working as a volunteer English-as-a-Second-Language (ESL) teacher at several local churches. Once again, the phone calls came from desperate immigrant women seeking advice, empathy, and refuge from their abusers. Sometimes women whom I did not even know called me on my cell phone. Without even realizing it, I once again had become part of the extended social network for immigrant women. It was these experiences that led me to acknowledge the widespread prevalence of domestic violence in immigrant communities and to ask why so many of the abused immigrant women whom I knew did not report the violence to the police. It is for these reasons that I decided to pursue this research topic.

This dissertation focuses on Latina immigrant women and their likelihood of reporting domestic violence to the police. This research considers some situational factors affecting reporting domestic violence to the police. These factors are important from a policy standpoint because if the opportunities for offending and the risks of victimization increase under certain circumstances, intervention strategies can be designed to counteract these forces. Concomitantly, if the barriers to police reporting can be identified, specific counter measures can be designed to increase reporting and reduce victimization.

Tennessee and other areas around the country have experienced dramatic increases in the number of Latino immigrants over the past two decades. While substantial documentation about domestic violence against immigrant women exists, there are still significant gaps in the literature. Too often, these studies are situated in areas where Latino immigration patterns have been well-established for decades, often referred to as migrant poles. Recent demographic trends have shown persistent evidence

that Latino immigrants during the last decade or so have increasingly settled in new areas in the South and the Midwest. Studies emphasizing domestic violence issues in these areas have often been based on particularly small samples and have been largely descriptive. It is important to note that traditional immigrant communities tend to have well-established immigrant social networks and social service agencies which support immigrants. In new migrant poles, the infrastructure is often not established enough to support recent immigrants or address their needs. This study seeks to supplement research and to contribute to a needed expansion of case studies in the new migrant settlement areas. In particular, this effort seeks to examine the characteristics of Latina immigrant women who seek social support services and make reports to the police and identify characteristics that distinguish them from those immigrant women who seek only services. Barriers affecting immigrant women's willingness to make reports to the police are explored in the literature section. It is the hope that this work may be able to contribute to revised policies and procedures for law enforcement and related social services.

Newspaper reporters have been criticized for presenting domestic violence as isolated incidents rather than as expressions of a larger social problem (Bullock and Cubert, 2002). While only 15.4% of Latina immigrant women in the United States report being victims of severe physical assault, in research surveys nearly a quarter of Latina immigrant women report having been victims of domestic violence at some point during their lifetime. Twelve percent of Latina immigrant women report experiencing some form of sexual coercion by an intimate partner during their lifetime. Nearly three-fourths

of Latina immigrant women report experiencing psychological aggression in an intimate relationship during their lifetime (Hazen & Soriano, 2007).

Violence against women takes many forms, depending on various social, demographic and economic factors. This study considers the plight of Latina immigrant women generally and explores victims' likelihood of reporting their abuse to the police. Social scientists and criminologists broadly define domestic violence as physical, verbal, or sexual violence directed toward family members, intimate others, and even mere acquaintances. The present research focuses on domestic violence between heterosexual intimate partners within committed relationships. This dissertation is based on data from a large sample of Latina women who have sought support through the Connections Project, which provides services to abused immigrant women. This is not a formal reporting outlet, but its records contain information about reporting incidence. About 40% of these women (n=227) are recorded in the casework files as having formally reported their victimization to police.

In the last twenty years, migration research has become increasingly prevalent in the social science fields. Much of the migration literature centers on theories and patterns of migration, generally, though some studies consider experiences of immigrants, including domestic violence. Within the immigrant domestic violence literature, predictors of abuse and/or the likelihood of an immigrant woman becoming a victim of domestic violence are frequently-studied topics. Most studies focus on the characteristics of immigrant women who are victims of domestic violence, though some also describe aspects of their abusers. Numerous Mexican immigrant women have participated in interviews recounting their experiences with domestic violence. In trying to understand

domestic violence in Mexican immigrant families, researchers have looked at the impact of acculturation into U.S. society (Caetano, Schafer, Clark, Cunradi & Raspberry, 2000; Caetano, Ramisetty-Mikler & McGrath, 2004; Champion, 1996; Hirsch, 1999; Kantor, Jasinski & Aldarondo, 1994; Grzywacz, Rao, Gentry, Marin & Arcury, 2009). Other researchers have delved into the obstacles to reporting domestic violence to the police (Ammar, 2000; Ammar, Orloff, Dutton, and Aguilar-Hass, 2005; Earner, 2009; Raj & Silverman, 2003; Torres, 1991).

This project applies the social network theory of migration in order to offer a perspective on why people leave their countries and families behind to come to the U.S., how they adapt to life in this country, and how social strain associated with migration often ends in domestic violence. It presents theories of domestic violence as a framework for exploring the question of why some immigrant women report abuse to the police and others do not. This research fills gaps in the immigrant domestic violence literature by considering a number of factors that affect the likelihood of reporting domestic violence to the police. Framed as a case study of Latino immigrant women in Memphis and Shelby County, Tennessee from 2003 to 2008, this study provides a glimpse into immigrant domestic violence by analyzing secondary data collected at an immigrant shelter.

Recent shifts in immigration patterns to the United States have received significant media attention. Those who support stricter immigration policy criticize the federal government's inconsistent messages and apparent lack of emphasis on enforcement, and worry that these new arrivals will harm the social service infrastructure, employment opportunities, and socio-cultural traditions of the United States. Proponents



of more relaxed immigration policy focus on immigrants' willingness to take jobs that natives disdain, and on ensuring that the basic human rights of immigrants are respected. Both positions are bound together in the tangled complexities of sorting out the "immigration question" in the United States. First, what is the size and extent of Latino immigration into the Mid-South? How many Latino immigrants are currently living there? Is it possible to accurately measure the population? When did they arrive? How did they get here? What are they doing now and what are their plans for the future? What proportion of the immigrants are Latina women? Answering these questions seems to be the logical first step before any progress can be made in understanding the factors that have led these women to live in the Memphis/Shelby County area. Moreover, any in-depth understanding and conclusions drawn about these women must start with insight into their social milieu.

Since 1990, Tennessee's population has been transformed from one that was primarily white and black, with a small but significant American Indian population, to one that now includes the largest permanently settled Hispanic population in the state's history (Mendoza, 2002) The effects of this rapid social change have been multi-faceted for public and private social service and other government agencies as they seek to adjust to the demands of this population shift. Fueled largely by shifts in immigration patterns (Burrell, Redding, Schenck, & Mendoza, 2001; Camarota & Keeley 2001; Mendoza, 2002; Mendoza, Cisel, & Smith, 2001; Saenz, 2004), these demographic changes have also created new opportunities for researchers to study the dynamics of Latino immigration. This research project is the result of one such opportunity.

### *About the Connections Project<sup>1</sup>*

In 2003, the Connections Project was established to address the unique needs of immigrant women victims of domestic violence in Memphis and Shelby County, Tennessee. The Connections Project is one project of a local agency that is part of a national umbrella organization providing a variety of services to women. Founded as a faith-based agency, it is one of the largest and oldest multicultural women's organizations in the world. The impetus for its creation was the increasing number of Latino immigrant women seeking shelter at the agency's abused women's services program. The umbrella agency that administers the Connections Project also runs a women's protection shelter and maintains a 24-7 crisis hotline, provides training and development services, leads community education groups, does court advocacy, and offers a variety of childcare and child development programs for women in the metropolitan area.

Besides being the first dedicated immigrant services program in the community, the Connections Project is unique in that staff members are native Spanish speakers who are themselves first-generation immigrants. The staff engages in outreach efforts through local ministries, community agencies, hospitals, schools, businesses, and neighborhood associations. The Connections Project is the most visible resource for Latino immigrant women in the community. They are highly recognized throughout the metropolitan area due to their advertising efforts through billboards, posters, newspapers, radio, and television. While the agency serves all immigrants, including African and Asian women, their main clientele are of Latin American origin. It is important to note that female victims of domestic violence are eligible for services through the Connections Project

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<sup>1</sup> In order to protect the identity of the individuals discussed in this project, the name of the agency has been concealed.

based on their own self-reported victimization. Neither a police report nor medical exams are required to substantiate victims' claims or entitle them to services. For immigrant women who may be reticent to report to the police because of their immigration status, the Connections Project fills an important need.

Referrals to the Connections Project come from a variety of sources (see Table 1). About one-third come from friends and family (34.9%) and the second largest number of referrals come from criminal justice professionals including the police, prosecutors, and attorneys (13.4%).

**Table 1: Referral Sources of Connections Project Clients<sup>2</sup>**

Referral Source	<i>f</i>	%	Referral Source	<i>f</i>	%
Citizen Dispute	43	7.6	Outreach	29	5.1
Church/Clergy	10	1.8	Police/Courts/Attorney	76	13.4
Doctor/Clinic/ER	30	5.3	Radio/TV	31	5.5
Family/Friends	198	34.9	Social Service Agency	46	8.1
Hotline	14	2.5	Yellow pages	14	2.5
Local Business	17	3.0	Unknown	4	.7
Newspaper	56	9.7	Total	568	100.0%

*Problem Statement*

Domestic violence occurs across all ethnic and racial groups and affects women of all ages and socio-economic backgrounds. However, research shows that battered women of Latin American descent are less likely than non-Latino white women to seek help from either formal or informal sources (West, Kantor, & Jasinski, 1998). Studies of Mexican American women in shelters suggest that these women are more likely than Anglo American women to stay longer in an abusive relationship before seeking help (Torres, 1991). Explanations for this vary, but some researchers attribute it to culture and

<sup>2</sup> Unless otherwise noted, all data presented in this research study was collected by the Connections Project between January 2003 and December 2008.

the changing role of women in Latin American and American society (Baca & Ryan, 1985; Champion, 1996; Hirsch, 1999). To contribute to the growing body of literature on immigration and domestic violence, this research examines particular individual and situation-specific characteristics of domestic violence incidents experienced by the foreign-born Latino immigrant women served by the Connections Project since 2003. As previously noted, this research project seeks to explore the individual and/or situational factors that will affect the odds of a report of the incident being made to police.

This contributes to the literature on Latino immigration and domestic violence by considering factors that affect the odds of reporting domestic violence to the police. Largely due to limitations of available data, this study does not include measures of emotional or psychological abuse. While all of the women in this study had suffered intense emotional and psychological strain as a result of their victimization, there is no measure available to compare the extent of damage inflicted.

This study considers immigrant women from Latin America who have self-reported domestic violence victimization to the Connections Project. In addition to seeking help from the Connections Project, some of these women also reported their criminal victimization to the police, an outcome that was recorded in their case files. Despite the multitude of possible barriers to reporting domestic violence victimization to the police, many of the hypothesized explanations have not been studied systematically. Indeed many of the possible reporting barriers are based on conjecture and anecdotal evidence. This study considers a sample of 568 cases of domestic violence incidents

reported to the staff of the Connections Project. In forty percent of the cases, reports were made to the police (n=227)<sup>3</sup>.

The results of this study may shed light on the kinds of situations in which immigrant women report incidents of domestic violence to the police and those situations in which they do not make reports. The conclusions of this work contribute significantly to the empirical literature, and the study may serve as a catalyst for changes in police and social services policies due to the focus on individual and situational factors such as educational status, access to transportation, the presence of children, physical injuries, etc.

During the six year period from its creation in January 2003 to December 2008, the Connections Project served 646 victims of domestic violence. The project is a structured case management intervention program that seeks to assess clients' needs and to make referrals accordingly. In addition to facilitating some peer counseling groups, a limited number of vouchers are available for women who need referrals for individual clinical counseling. The Connections Project allows immigrant women to be assessed and referred out for most necessary direct services. Chronically under-staffed and under-funded, the CP is unable to make standardized client record-keeping a leading priority. Individual client folders are maintained in a filing cabinet and required annual reports include limited frequency counts. All of the data included in this project had to be gathered by hand from the available agency forms, case manager notes, and other miscellaneous information in the case file and initially coded into an Excel spreadsheet and later into an SPSS database. Based on the parameters of the research design, all non-

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<sup>3</sup> The data for this study are drawn from case files from one social service agency and do not reflect the totality of immigrant women violence in Memphis.

intimate partner domestic violence cases were removed from the data set, as were cases involving women who were not born in Latin America. After excluding ineligible cases and removing others with substantial missing data, 568 records were available for analysis for this study.

This dissertation project unfolds in seven chapters. The present chapter introduces the basic research question and describes how this research contributes to the sociological literature on immigrant women's intimate partner victimization. Chapter 2 provides a description of the context of Latino migration to the United States over the past century and presents several theoretical explanations about the dynamics affecting migration experiences. This chapter also introduces some important cultural images about the roles of women in Latino society and how these conceptions have been affected by migration processes. Domestic violence is considered in historical perspective in Chapter 3. This chapter also explores some of the misconceptions and assumptions about domestic violence and attempts to explain both the magnitude and severity of this phenomenon. It is also in Chapter 3 that theories of domestic violence and immigrant women are merged in order to provide a foundation for the presentation of the data in later chapters. Chapter 4 introduces the data set. Descriptions of the research methods, including details about determining case inclusion into the final dataset, are included. The chapter also includes a conceptual framework to clarify the theoretical links between individual-specific and incident-specific factors. The data are presented in Chapter 5 using univariate and bivariate statistics to provide a better understanding of individual-specific factors of both victims and their abusers. This chapter provides a clear discussion of the factors related to domestic violence reporting tendencies. Chapter 6

looks at situational factors related to whether or not the victims made a report to police. A logistic regression analysis, with three nested models, is presented in this chapter. Analyses are made of each of the nested models. Finally, Chapter 7 considers the contributions of this research offers critical comments about the limitations of the data, and suggests some directions for future research.

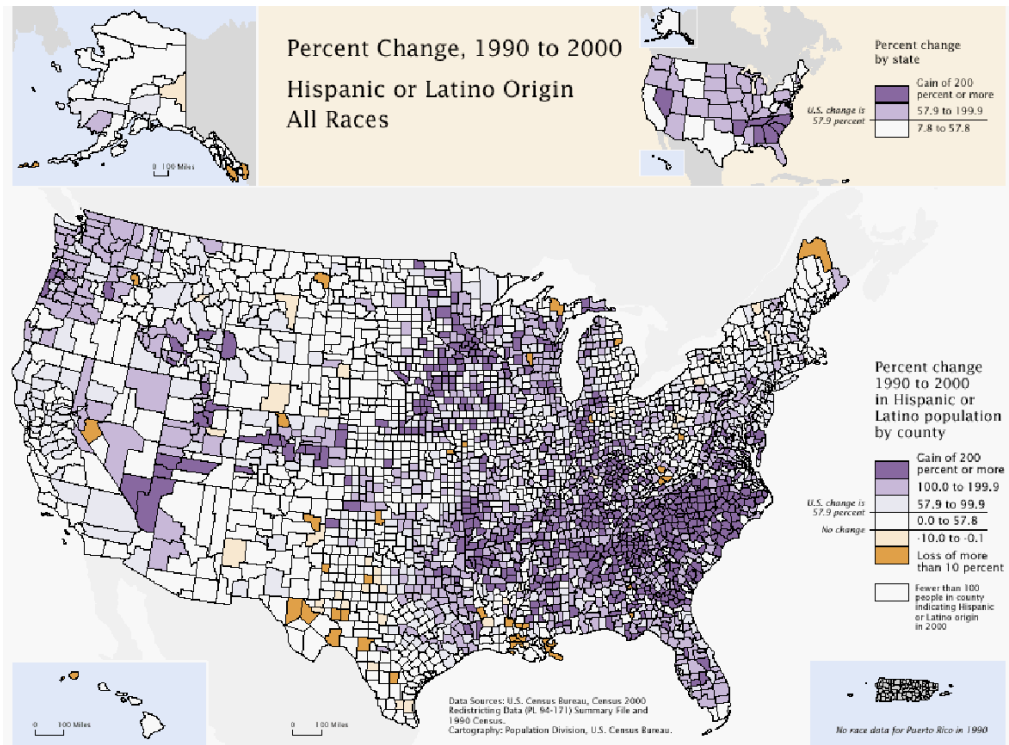
## **Chapter 2: Overview of Latino Migration to the United States**

### *Introduction*

Since 1990, the Latino population in Memphis has increased by 265%. The state is experiencing unprecedented growth in its Asian and Pacific Islander population as well. According to the 2000 Census, Tennessee had the sixth largest rate of growth in foreign born population in the U.S. Nationally, the foreign born population grew by 57% between 1990 and 2000. During this time frame, Tennessee, and all of its bordering states, experienced a rate of growth higher than the national percentage. Growth in Tennessee, Arkansas, Georgia and North Carolina more than doubled the national rate during this same period (Camarota & Keeley 2001; Mendoza 2002).

Figure 1 shows Hispanic or Latino population shifts nationwide between 1990 and 2000. The map shows dramatic growth rates in Tennessee and several other southern and mid-Atlantic states. While not all Hispanic or Latino population increases can be attributed to immigration of foreign-born individuals, the majority of the increases experienced in most Tennessee counties are due to foreign-born migrants. Of the more than thirty states with relatively high rates of Hispanic population growth, eight had rates at least twice the national rate: Arkansas, Georgia, Iowa, Nebraska, Nevada, North Carolina, Oregon and Tennessee. This is a very different pattern from that observed in previous decades. Among the traditional immigrant gateway states, only Arizona (88%), Florida (70%), and Illinois (69%) surpassed the national Hispanic growth rate (Campbell, 2008).





**Figure 1: Percent Change, 1990 to 2000**

According to Mendoza (2002), most Latina women in Memphis City (72%) and Shelby County (69%), Tennessee, are of Mexican origin. These women, the majority of whom are not United States citizens, are young, married mothers. The average age for Latina women in Shelby County is 24; most are better educated than their spouses and work full-time in low-paying jobs. They speak Spanish in the home and live in apartments with extended families. Most do not have a driver's license or car, so they car-pool to work. Almost 22% of Hispanic children in Shelby County live below the poverty line (Mendoza, 2002).

Because of these shifting demographic patterns during the past two decades, policy makers increasingly have to deal with a population of recent immigrants who tend to have fewer marketable skills, lower incomes, and a weaker command of English. They are also more likely to be victims of crime because would-be assailants know they

are less likely to report to the police, they are more likely to live and work in high-risk areas, and are known to carry cash instead of using banks. Tennessee and other states experiencing such dramatic population increases lack the service infrastructure (e.g., bilingual service providers, immigrant support agencies, culturally competent social services) to effectively accommodate the rapid influx of immigrants.

The rate of growth among the Latino population in Shelby County between 1990 and 2000 closely followed the statewide trend in Tennessee (278% increase). Shelby County is not unique: several nearby counties in Tennessee, Mississippi and Arkansas also experienced above average population growth (defined as between 131-400% above the state average) or extreme population growth (more than 400% above state average) in their Latino populations. In northern Mississippi, Desoto, Benton and Tippah counties all experienced extreme growth. Madison County, in western Tennessee, also posted growth rates more than 400% above the state average. In Arkansas, Jackson and Independence Counties both experienced above-average growth. Both the greater Memphis area and many counties in the surrounding areas have documented spectacular growth in the Hispanic population during the 1990s, and nearly all of this growth can be attributed to recent immigration. Although estimates vary, there could be as many as 45 to 50 thousand Latinos living in the greater Memphis area. The official Census Bureau count in 2000, found 23,364 Hispanics in Shelby County (the Metropolitan Statistical Area figure was 27,520). However, when one considers other evidence such as the number of live births, the number of Latino children enrolled in school, or the increase in the number of Latino businesses, the estimate of current Latino residents is significantly higher (Burrell, Redding, Schenck, & Mendoza, 2001).

What accounts for these migration trends? Why have migration patterns and trends shifted from traditional Latino migrant poles, such as Los Angeles, Chicago, or San Antonio? A wide body of literature attempts to explain the migration processes and the associated push and pull factors associated with the decision to migrate. Latino migration to the United States has become one of the most widely researched areas of migration studies. Whereas Latino men have a longer history of migration to the United States than their female counterparts, the number of Latina immigrants is growing rapidly. As a result, migration researchers are turning their attention to Latina women. Regardless of gender and place of origin, theoretical and empirical gaps still remain in migration studies. The following section explores migration literature, with a focus on Latino migration and particularly the experiences of Latina immigrants.

#### *Precursors and Effects of the Bracero Program*

Migration between Mexico and the United States represents one of the largest sustained currents of migratory workers in the contemporary world (Fox & Rivera-Salgado, 2004; Massey, Durand & Malone, 2003). Perhaps no single phenomenon has had as great an impact on United States immigration process and policy as the *Bracero* Program, a temporary worker program that allowed millions of Mexicans to migrate to the United States between 1942 and 1964. According to Oboler (1997), during the *Bracero* Program 4.8 million people came into the country as contracted workers. While reported figures vary, it is estimated that many Mexicans also entered without documents between 1942 and 1992 (Passel, 1985). Under the stipulations of the 1986 Immigration Reform and Control Act (IRCA), 2.3 million previously undocumented immigrants,

many of whom overstayed their contracts as *Braceros* or who were associated dependents of *Braceros*, were legalized (Massey, Arango, Hugo, Kuoauoci, Pellegrino, & Taylor, 2005). However, IRCA, with its legalization measures and various deterrents such as employer sanctions provisions, does not appear to have curbed unauthorized entry into the United States. According to the Migration Policy Institute, 57% of all unauthorized residents of the United States in 2004 were of Mexican origin (Passel, 2005). It is important to note that although net unauthorized entries into the United States slowed to an estimated 700,000 new immigrants each year between 2000 and 2005, the reduction was nearly as great as might have been expected as a result of stringent border controls stemming from stricter post-9/11 policies. Approximately 750,000 immigrants entered the U.S. per year during the 1990s (Van Hook, Bean, & Passell, 2005). However, assessing statistical trends requires an awareness of the relevant historical and structural factors, especially those that led to the creation and abolishment of the *Bracero* Program, in order to understand the modern reality of Mexican migration to the United States.

The Great Depression, which began in 1929, shaped the pattern of Mexican immigration to the United States in the 20<sup>th</sup> century. Thousands of Mexican workers were denied entry into the country and still more were denied access to available jobs because of hiring preferences for U.S. citizens. Between 1929 and 1942, Mexican migration to the United States was almost completely eliminated. The U.S. government forcefully repatriated many Mexicans, and state and local agencies often took the lead in ousting Mexican workers. Estimates of the actual number of repatriated Mexicans range from 415,000 to as many as 2 million, but it seems reasonable to estimate the actual number of repatriates at approximately one million (Balderrama & Rodriguez, 2006). It

is unknown how many others chose to return voluntarily to Mexico. Recent legislation has been introduced calling for an official apology to be made to those who were deported illegally and the Californian legislature has already passed similar legislation (Koch, 2006). As the depression worsened, repatriation, deportation and voluntary or induced departures spread throughout the United States.

The beginning of U.S. involvement in World War II in 1942 initiated a new era for Mexican labor, as labor demand mushroomed, especially in the southwest. The *Bracero* Accord, a “guest” or contract labor agreement allowing Mexicans to work in the United States on a temporary visa, was established in 1942 between the governments of Mexico and the United States and lasted until December 1964. By the end of the program, some 4.5 million Mexicans had worked as *braceros* in the United States; and at its height in the late 1950s, more than 400,000 workers migrated each year (Cornelius, 1978). At the same time, undocumented migration became a very serious concern for the U.S. government. In 1954, following U.S. involvement in the Korean War, the INS began a new deportation program known as "Operation Wetback" through which over one million undocumented workers were detained (Cornelius 1978). Despite the growing concern about undocumented workers and resulting efforts to regulate the inflow, *Bracero* Program visas did not meet the labor demand and undocumented migration increased throughout the 1950s. From 1942 to 1964, an estimated 5 million Mexican citizens were apprehended in the United States for working without proper documentation (Reichert and Massey, 1980).

The end of the *Bracero* Program in 1964 coincided with the Civil Rights Act of 1964 and with the amendments made to the Immigration and Nationality Act of 1952.

These legislative modifications were influenced by the civil rights movement of the 1960s and were implemented in an attempt to curb discrimination. Although the *Bracero* Program ended, both legal and undocumented Mexican immigration continued to grow, resulting in a number of important changes. During the *Bracero* Program, the majority of migrants were male; however, in the following years women and families began to immigrate in greater numbers. Furthermore, Mexican workers began to settle in a broader geographic area and Mexican labor diversified outside of the traditional agricultural realm. Most recently, there is significant evidence to support a shift away from traditional migrant poles to new destinations, and unauthorized migrants have become increasingly integrated into all sectors of the economy throughout the nation (Van Hook, Bean, & Passell, 2005). One important aspect of these trends, resulting from increased enforcement and significant changes in the law, was the increasing number of undocumented Mexicans who were apprehended. The INS recorded about one million apprehensions in the 1960s, but the number increased seven-fold in the 1970s to over seven million. Slightly more than 450,000 Mexicans entered the country legally (not counting *braceros* who numbered almost 900,000) from 1961-70, and during the following decade, about 640,000 people legally entered from Mexico (Rosenblum, 2004).

Mexican immigration to the United States must be understood and approached from an historical perspective that takes into consideration the political, economic and social factors that have intersected during this period. It is ultimately rooted in the structural transformations that have occurred in both countries during the past 160 years. The conditions of the 1848 Treaty of Guadalupe Hidalgo, which allowed for the annexation of nearly one-third of Mexico's national territory, set the stage for the

consolidation of racial and social hierarchies. The dictatorship of Porfirio Díaz created an abundant supply of Mexican workers in search of economic opportunities and refugees in search of asylum. The rapidly growing economy that emerged in the Southwest, particularly in mining and agriculture, created an urgent need for available inexpensive labor. The use of migrant labor was equally dependent on the ability to regulate their flows through repatriation and deportation in times of labor surplus. Technological developments, including the expansion of the railways and irrigation, led to the rise of industrial agriculture. The expansion of the national economy also spurred dependence on foreign labor. Several critical points in legislative history were affected by these structural factors, including the waivers allowed by the Secretary of Labor from 1917-21 and again during the *Bracero* years.

### *The Decision to Migrate*

Early theories of migration did not view migration as a gendered process. The neoclassical economic theory of migration views individuals as rational beings who make a cost-benefit decision to migrate based on the expected wages earned in the sending country and the receiving country. If the former exceed the latter, migration is likely to occur (Borjas, 1989). The new economic theory of migration contends that the family unit sees migration as a means of augmenting family income and diversifying risks. A family that feels economically deprived will use migration as a strategy to increase their capital (Stark & Bloom, 1985). Dual labor market theorists argue that the nature of post-industrial economies leads to a shortage of low-skilled workers to meet the economy's needs, increasing demand for migrant worker to fill low paying seasonal jobs (Piore,

1979). The world system theory of migration proposes that displaced workers in peripheral nations flow to core nations to fill unskilled jobs, especially in global cities (Petras, 1981; Sassen, 1991; Wallerstein, 1974). Social network theorists argue that interpersonal ties support initial and continual migration. These theorists have argued that women and men migrate for different reasons and in different ways. Immigrants use social migration networks both before and after they migrate, but males use them for different purposes than females (Hondagneu-Sotelo, 1994; Donato, 1993).

Each of these theories sheds light on an aspect of the migration process, but the migratory processes are more complex than the scope of any particular migration theory. Certainly, rational choice theories that link migration to economic forces and market pressures have considerable merit, especially given the wide disparity between economic opportunities in the United States and those in many Latin American countries, and the relatively low risks of negative consequences from apprehension. However, since Memphis is a non-traditional migrant pole with relatively high unemployment rates among minorities and considerable competition for low-skilled labor jobs, theories stressing social rather than economic causes may be more useful in explaining why migrants would go to destinations such as Memphis rather than places with less unskilled labor where they would be expected to have better employment options. Memphis is a challenging final destination due to the paucity of available resources to support the influx of new migrants. Furthermore, compared to many other areas of the country, Memphis has fairly robust enforcement policies and a history of several immigration-related law enforcement sweeps and mass incarcerations. In other words, the general



economic appeal of migration to the United States, whether for individuals or family units, could not explain why migrants choose to settle in Memphis.

Similarly, labor market theories seem less applicable to the migration scenarios of the past two decades in Memphis than they might have been in more traditional receiving areas. The Memphis metropolitan area offers little in the way of agricultural jobs. Currently, most recent immigrants in the Memphis area work in service, light industry, and construction related jobs. However, there is no labor shortage that could have increased the demand for migrant labor. While in June 2010 the unemployment rate for the Memphis Metropolitan Statistical Area (MSA) for the general population was 10.4%, the unemployment ratio between blacks and whites was three to one (Atufunwa, 2010). Indeed, the unemployment rate among certain population sectors could be as high as 50%. While the global market may be a major factor in the initial appeal of international migration, the lack of economic opportunities in Memphis specifically would seem to erode much of this enticement.

While these economic theories of migration focus on the initiation of migration, social network theory considers how migrants' social networks encourage both initial migration and continuous migration. Social network theorists do not believe that differentials in wages or employment rates are the determining factors in the decision to migrate. Instead they focus on interpersonal ties that affect the migration process. Migrants in sending and receiving countries are connected through social ties that include kinship, friendship, and community connections. Interpersonal ties not only affect the likelihood of migration; they also reduce both the associated risks and costs. Those with multiple ties are considered to have greater social capital. Migrant ties are important for

finding a means of crossing and paying for passage across the border, especially for undocumented immigrants. Migrant ties are also helpful for finding employment, housing, and information about services and opportunities. With each new migration, the social network expands to encourage further migration by decreasing the risks and costs associated with migration (Massey et al., 1993; Winters, De Janvry, & Sadoulet, 2001; Singer & Massey, 1998).

While migrant networks reduce the short-term costs associated with migration, networks are considered to function differently for women than for men (Kanaiaupuni, 2000), and an active immigrant social network is more important for the migration of women than for the migration of men (Donato, 1994). Migrant women's networks have been instrumental in helping women cross the border, settle, find jobs, and adjust to a world substantially different from the one from which they came. Women's migrant networks typically consist of female relatives or other close female friends, usually from the same village or community, who have experience crossing the border and living in the United States. These networks may help to encourage female migration by helping a woman to convince her husband to allow her, and sometimes her children, to migrate; by helping the woman migrate in cases where the husband has no knowledge of her intent to cross; or by loaning her money for a *coyote* to help her cross the border (Hondagneu-Sotelo, 1994). The importance of migrant women's networks goes beyond their role in helping women cross the border and find a job. Migrant women's networks also provide a social and informational outlet that helps to alleviate the isolation that many migrant women feel, enabling them to cope with the loneliness and fear that comes from living in another country. Through their migrant networks, women find daycare centers and

schools for their children, low-cost or free healthcare for themselves and their children, and appropriate places for shopping and conducting other necessary activities. Finally, the networks help women gain new freedoms. It is often through women's networks that women are taught to drive and learn how to get a driver's license. Also, through the women's networks, immigrants learn of birth control and the location of clinics where they can get contraceptives. Much of these activities are done without the knowledge or consent of the husband or male partner (Hondagneu-Sotelo, 1994). Women also may depend on migrant networks to help them flee from abusive or unhappy relationships (Matthei, 1996).

Social network theory seems to match the experiences of many Latino immigrants who have settled in the Memphis area. Memphis lies on the I-40 corridor, a well-known thoroughfare for Latino immigrants moving east. Initial immigrants help their friends and relatives to make the migration by providing them information, money, a place to stay, perhaps a job, and emotional support. People immigrate to locations where they find connections and a measure of familiarity. It is rare to meet an immigrant in the Memphis area who chose to live here without knowing someone in advance of their migration. Migration flows which began in the early 1990s continue to attract new descendants of these initial immigrant settlers.

Women represent half of the immigrants to the United States each year (Pedraza, 1991), yet early immigration literature and theory focused on men, assuming that when women migrate, they migrate to maintain or reunite the family (Kanaiaupuni, 2000). Only in the last decade have empirical studies looked at gendered determinants of migration. Pessar and Mahler (2003) suggest that transnational migration studies need to

include gender, especially in considering the role of the state in migration. Those researchers who have considered the determinants of female migration have typically ignored male migration. Only by considering migration for both genders can researchers gain a better understanding of the broad range of factors that affect migration.

### *Recent Patterns of Female Migration*

The largest increase in the number of female Mexican immigrants occurred after the 1986 Immigration Reform and Control Act (IRCA), which gave legal status to undocumented immigrants who had lived continuously in the United States since 1982 or had worked as seasonal farm workers during 1984-1986 (Donato, 1994; Kanaiaupuni, 2000). While recent immigration has included both the documented and the undocumented, undocumented female migration from Mexico is the largest category (Kanaiaupuni, 2000). While we know that the number of Mexican immigrants has increased, it is important to know the characteristics of the women who migrate.

Donato (1994) estimated the likelihood of migration to the United States based on personal and household characteristics using data collected by researchers on the Mexican Migration Project (MMP). Kanaiaupuni (2000) used MMP data collected in 43 villages in four Mexican states and additional ethnographic data to analyze patterns of female Mexican migration. Kanaiaupuni's findings concur with Donato's previous findings, and the ethnographic data help to further explain the patterns of female migration.

Donato (1994) found that the probability of migration increased as women's education increased. Kanaiaupuni (2000) also found that high school educated women

had a greater likelihood of migration than did high school educated men. She concluded that education benefits women more in the United States than in Mexico in large part due to gender discrimination in Mexican labor markets. Kanaiaupuni further found that economic hardships for single women encourage migration to the United States. Women from land-owning families were less likely to migrate than women from landless families. However, women from families with small businesses were more likely to migrate than women from families that were not entrepreneurial for two main reasons. First, entrepreneurs were more likely to want to take financial risks; and second, the entrepreneurial families typically had more access to capital. Women were also more likely to migrate if there were many adults in their family since the cumulative responsibility for the family could be more easily shared. Having an immediate family member, who lives in the United States, or a family member who had received amnesty under the IRCA, increased the chance of a woman migrating to the United States. Both Donato (1994) and Kanaiaupuni (2000) found a curvilinear pattern in the relationship between migration and the age of female migrants. Young unmarried and childless women are more likely to migrate than married women or women with children. Women in the early stage of marriage, with young children, are not likely to migrate because of the difficulty of migrating with small children, the social disapproval of mothers migrating, and the lower costs of raising a family in Mexico compared to the United States (Kanaiaupuni, 2000). However, as women move beyond childrearing age, particularly if their marriage or union has terminated, women are more likely to migrate than men, regardless of whether they have children.

Donato (1994) asserts that it is the structural characteristics (ownership of land or businesses and the number of adults and children) of their families that shape Mexican women's immigration patterns. Other research shows that economic pressures may outweigh structural factors or the power of social control. For example, Kanaiaupuni (2000) argues that family reunification may not be the primary reason for migration, but that women typically migrate, even though it entails separating the family, for economic reasons.

### *The Role of Women in Latino Society*

While some Latin American countries are slowly urbanizing and industrializing, aspects of their society may be still considered patriarchal. Stevens (1973) defines patriarchy in simple terms as a form of social organization in which males dominate females. Tiano (1994) provides a more recent and complex definition of patriarchy in which patriarchy is more than the subordination of women in the household, based on gender relations and ideologies of male authority. Patriarchy and capitalism are intertwined and women are exploited based on class and gender both inside the home and outside of the home in the workplace. A gendered division of labor reinforces patriarchal cultural values and promotes capitalism (Tiano, 1994).

A gendered division of labor is encouraged and enforced in many parts of Latin America, and most prominently in Mexico, which accounts for a disproportionate amount of immigrants to the U.S. *Machismo* and *marianismo* represent the traditional expected roles of men and women. Machismo is an emphasis on male strength and dominance. The conceptual analogy for women, *marianismo*, is patterned after the Catholic Virgin Madonna, and prescribes servility, submissiveness, responsibility for all domestic chores,

and altruistic dedication to family and children (Stevens, 1973). Women are expected to tend to the home and the children. Their domain is the *casa*. A man's domain is the *calle*, street, or area outside of the house. The man, however, is the dominant figure within the house as well as outside. Men are expected to be authoritative leaders of the family who are in control of both women and children. In addition, as breadwinners of the family, men are expected to control financial decisions (Stevens, 1973; Ruiz & Tiano, 1987).

Whereas a man may have a *casa chica*, or lover with whom he may have another family, a woman must be submissive to her husband. *Marianismo* prescribes the appropriate behavior of woman as mother and wife. The woman is supposed to live according to the image of the Virgin Mary, or in Mexico, the Virgin of Guadalupe. She is supposed to be devoted to her children, husband, and house. She is dependent upon her husband, selfless in her devotion, and always proper (Grimes, 1998).

Ruiz and Tiano (1991) argue that the dichotomous depiction of Mexican border women as conservative idyllic mothers or ill-reputed cantina women is stereotypical and unfounded. Many Mexican border women are single heads of household, working to provide for their families. Many are politically active and have formed unions to protest their working conditions (Ruiz & Tiano, 1991). Furthermore, women's movement into manufacturing work alongside young men has allowed for unsupervised social interaction between young men and women. In fact, Tiano and Ladino (1999) found that maquiladora workers went to dance halls and other social gatherings unaccompanied by adult chaperones and many met their spouses at gatherings such as these.

Scholars differ in their assessment of the degree to which patriarchy is lessening. Hondagneu-Sotelo (1994), suggests that “migration has transformed Mexico from a rural nation to an urban one” (p.11). She argues that Mexican society can no longer be characterized as a traditional patriarchy. Instead, she asserts that women are now active participants in labor markets, especially in the fields of education, nursing, and garment manufacturing. Tiano (1994), however, suggests that women’s movement into manufacturing in maquiladora factories on the U.S.-Mexico border has generally not empowered them, but instead has been an extension of patriarchy. As Mexican border mothers were increasingly recruited to work in maquilador factories, the view of mothers working full time changed from a negative portrayal of a negligent mother to a positive image of a mother providing economically for her child (Tiano & Ladino, 1999). Furthermore, the fields of employment which Hondagneu-Sotelo mentioned are concurrent with the traditional roles of women. In the home, women educate children, nurse family members, and often sew the clothing. Moving into the paid work force to perform those same jobs, while still engaging in them at home, is not an indicator that Mexican society has moved from patriarchal to more egalitarian, as it is consistent with the gendered division of labor.

While there is significant data (Fernandez-Kelly, 1983; Tiano, 1990; 1994; Ward, 1990) to indicate that Mexican women’s labor force participation outside the home has increased significantly since the 1970s, women’s entrance into the workforce has typically been in tertiary sectors consistent with their roles as subordinate wives and mothers. Tiano (2005) shows an increase from 17% to 35% in the proportion of adult women in the Mexican labor force between 1970 and 2000.



While women have increasingly moved into the paid labor force, some rural areas of Mexico are still patriarchal with *machismo* dominating (Fernandez-Kelly, 1983).

While remnants of patriarchy remain in rural areas of Latin America or among the older generation, Latino society is not static. It is continually changing, especially as media become more available and influential and more Latinos, both men and women, experience life differently in the United States (Barajas & Ramirez, 2007). The following section considers important distinctions about how migration processes are actually gendered processes.

#### *Gender Change through the Migration Process*

As immigrant husbands left families behind in Mexico, women and men experienced a change in gender roles. When women began to migrate with their husbands, families had to further renegotiate roles within the family. The migration process and adapting to life in a host country, including dealing with changing gender roles, often created strains on family relationships. These strains often ended in domestic violence.

Prior to the 1920s, most Latin American migrants to the United States were Mexican men. Gradually, however, a few agricultural employers encouraged migration of entire families in an attempt to stabilize the labor force, causing a new pattern in which women and children working in the fields alongside men. When job opportunities declined during the Great Depression, many Mexican laborers were forcefully deported and repatriated to Mexico. Following the end of World War II and the creation of the *Bracero Program*, men's migration continued steadily until the last *braceros* returned to

Mexico in 1964. With the end of the *Bracero* Program, there was an increase in the number of immigrating women (Hondagneu-Sotelo, 1994). The Bracero Program was based on annual agricultural cycles of employment of mostly male worker. After 1964, former Bracero workers began migrating to fulfill unmet labor demands and many brought their families.

In examining the ways in which gender shapes migrant experiences for both women and men, Hondagneu-Sotelo (1992) compared the migration experiences of 26 San Francisco Bay area families, 22 of whom were undocumented. During 18 months of participant observation begun in 1986, Hondagneu-Sotelo (1992) completed in-depth interviews with a snowball sample of 44 men and women, aged 30-73. She focused her study on ten couples, five in which the man migrated prior to 1965 and five in which the man migrated after 1965. Most of the women in both groups had not worked outside of the home prior to male migration.

She found that while the usual unit of analysis for migration research is the family or household unit, the family does not always act as a unit. Not only were women generally not involved in the decision for the husband to migrate, but when women were opposed to male migration, their voices went unheard. The majority of Mexican men who migrated prior to 1965 did so alone. They typically lived in all-male communities, were separated from their families for long periods of time, and were likely to gain legal status, all of which contributed to changing gender norms. The men who lived in predominantly male communities learned to perform and became accustomed to doing household chores typically done by women including cooking, cleaning, and laundry. This was more of a

transitional adaptation to a temporary situation than a cultural shift away from traditional gender roles.

While men's household duties expanded to include all of the work that women traditionally perform, women left behind in Mexico also found their roles transformed. Those women whose husbands migrated prior to 1965 were left for extended periods of time, ranging from one to sixteen years, often receiving little or no financial support. Many of these women supported their children by working in the home, taking in laundry, or generating income in the informal sector by selling goods. The result was that these women became more autonomous. As the women provided for their children and made decisions concerning their families, their self-esteem also grew. Women then used their increased self-sufficiency to reunite their families. Since many of the men who migrated prior to 1965 became legal residents, their wives had to have their husbands' help in order to become legal residents themselves. Women used their children and extended kin to help persuade their husbands that it was in the best interest of the family, especially the boys, for the family to be reunited in the United States.

However, this situation shifted with the end of the *Bracero* Program. After 1965 Latino men migrated for shorter periods of time, they were not likely to gain legal status, and the number of female migrants increased. During this period, Latino men who migrated to the United States were likely to arrive in established immigrant communities of men. Although the trips to the United States were relatively short, Latin American women who were left behind still had to learn new strategies for supporting their families and become more independent and self-sufficient. Furthermore, after 1965, most migrants came to the United States illegally since legal immigration was heavily

restricted. Women planning to cross the border no longer needed a husband's help in migrating, especially since most were not seeking legal status. If a husband objected to his wife's migration, she could rely on the support of a women's network, which had not existed prior to 1965. As more women became established in the United States, they served as sources of social capital for other women wishing to immigrate. A woman, who wanted to immigrate without the help or knowledge of her husband, could call on female kin and friends for help in arranging and paying for a "*coyote*" to take her across the border so she could reunite with her husband.

In another approach to examining the changing role of women, Baca and Ryan (1985) participated in ethnographic research in Nayarit, Mexico, to study the effect of male migration to the United States on the status of women left behind. They argue that "migration expands women's roles and alters village family structure, resulting in women asserting themselves as family leaders" (Baca & Ryan, 1985, p.15). They hypothesized initially that the traditional roles of men and women were changing in that women were taking over the responsibility of their husbands' work while they were away. However, their research suggested, to the contrary, that when men migrate, the traditional roles of women are more strictly enforced. When men start to leave for the United States, they ask another man, usually the husband's father, one of his male relatives or a close friend, to watch over his family during his absence. The woman is supposed to call upon those men to help find workers to work in the fields, assist with her husband's business, and even escort her to the market. If a young wife is seen at a dance with another man, her husband will be immediately notified in the United States. Even though some women were reported to have enjoyed freedom from their husbands, their workload often

increased. Despite the husband's physical absence, the persistence of patriarchy as a cultural system was continuously enforced through the constant observant eyes of the community. In this way, wives of men who migrated were not relieved of their traditional roles. Ahern, Bryan, and Baca (1985) in Migration and La Mujer Fuerte, another work based on the same research in Nayarit, propose that even though women are socially controlled by the remaining male family member, they can still become self-sufficient, strong, and independent while the husband is in the North. By becoming head of the household, albeit temporarily, women must take responsibility of the family finances, pay the bills, and provide for the children. While male relatives may help, women are expected to do more. However, their social life is still often controlled by male family members. They are not allowed to be alone with other men and are watched while outside the house. Women who were able to successfully complete all of their work and the work normally assigned to the husband according to the socially acceptable confines of her community would experience an increase in community status.

After the Immigration Reform and Control Act of 1986, an initial wave of Mexican women migrated to the U.S. legally and reunited with their families (Pitts, 2001). Because of the availability of low wage jobs for immigrants and the higher cost of living in the U.S., Mexican immigrant women generally entered the workforce. The decision to enter into paid employment outside the home was not always supported by the husband, but it was usually an economic necessity. Grzywacz et al. (2009) found that women's movement into the paid labor force meant a renegotiation of gender roles within the family as the woman was no longer able to complete all of the domestic tasks required for maintaining a home and raising children. In some families, when the woman

was at work, the man had to prepare meals and care for children. More traditional immigrant men had difficulty with these new responsibilities. Immigrant men from more traditional, especially rural, families were not only unaccustomed to caring for children and cooking meals, they did not know how. Furthermore, their unfamiliarity with the use of electric stoves, microwave ovens and other kitchen appliances often left immigrant men feeling emasculated and incompetent. Most immigrant women found that work outside of the home added to their overall work load because they were still responsible for domestic tasks. While women often felt a sense of accomplishment and empowerment, men, on the other hand, felt that they had lost the respect of being the head of household. This difference in perspective, along with women's new freedoms, contributed to conflicts within the home. Conflicts were further exacerbated when women who had never before had an income, were now earning a paycheck and wanted to participate in the household decisions on how the money would be spent. Some women also felt that because they were earning a paycheck, men should treat them with more respect and that leaving an abusive relationship was more feasible. As women entered the workplace, their social networks were often expanded and they were introduced to more liberal American views of women and work, which further challenged men's role in the family. As women became more acculturated, men clung to traditional gender roles, resulting in marital conflict and domestic violence (Grzywacz et al. 2009).

In her ethnographic study of generational gender changes of Mexican women living in Atlanta and their sisters or sisters-in-law living in Jalisco, Hirsch (1999) found several shifts in gender behavior as men and women migrated. Whereas only slightly less than half of the younger generation of Mexican women was employed, most of their

female relatives living in Atlanta were employed outside of the home. In the United States, because so many women are employed, the world outside of the home becomes part of their domain. In the United States the traditional separation between *calle* and *casa* begins to break down. Furthermore, due to the relative anonymity of urban living, once women go outside of the immigrant community, strict vigilance by male community members is not possible. Hirsch concluded that women's work in Atlanta increased female independence much more than it does in Mexico. In other words, employment in the U.S. is a motivating factor in gender change. Pedraza (1991) also found that as women became employed outside of the home and contributed more to the economic well being of the family, relationships within the family became more egalitarian and cooperative as they participated more in decision-making.

In a more recent study of Mexican immigrant men in domestic violence treatment programs, men attributed the inception of domestic violence to the stresses due to changes in gender roles after migration to the U.S. Men in the study stated that they felt that their new work environment was degrading and they felt dehumanized and disrespected. They further felt that they were victims of racism. This new change in work status often resulted in men's physical violence at home. Men's devaluation in the workforce was often combined with women's entry into the workforce, often for the first time. As women entered the workforce and contributed more to the family income and became more independent, men in the study stated that they felt they were losing control not just of the family, but of their cultural heritage. Domestic violence was used as a way to control women (Hancock & Siu, 2009).

Immigration and the decision-making processes concerning migration are indeed gendered processes. Migration affects men and women differently. While the family's income may increase due to migration and there may be more educational and economic opportunities for children, the cost of the strain associated with adapting to life in the U.S., and the one which is the focus of this work, is domestic violence. The new-found freedoms that many Latina women experience following migration to the United States, resulting not only from their own economic achievements, but also from the loosening grip of *machismo* in both the male and female psyche, can create a gendered conflict of ideas which sometimes escalates into domestic violence. In the following sections, domestic violence will be explored in general and then more specifically as we consider the situations of Latina immigrants.

There is no doubt that gender roles change for men and women when they migrate to the U.S. It is clear that those changes lead to familial conflicts, which sometimes result in domestic violence. Some of the immigrant women, who had never previously experienced abuse at the hands of their husbands, were now victims of domestic violence. In fact, Erez et al. (2008) found in interviews with immigrant women that half the women in the study experienced an increased level of violence after arriving to the U.S. and 22% reported that the violence did not begin until arrival in the U.S.

Gender role changes not only occur when men and women cross the border into the U.S.; the changes in expectations and values occur as young women move from rural areas of Mexico to urban border cities for employment. Tiano and Ladino (1999) found that women's employment in *maquiladora* factories in the border city of Ciudad Juarez, Mexico, led to changes in their attitudes toward dating and motherhood. While their



study did not explicitly consider domestic violence, it did explore a variety of changes in gender roles and expectations due to women's movement into the workforce that could lead to domestic violence. Men may have expectations about the roles and proper behavior of women, while women may have different ideas. As women experience independence and freedoms outside of the home, their expectations, beliefs and behaviors often change. Men, who do not have positive experiences with migration or who hold traditional values, may try to deal with their circumstances by increasing control over the women in their lives. The resulting power struggle often results in domestic violence.

### *Summary*

The history of immigration between Latin America and the United States has been especially complex. The fact that the economies of the United States and many Latin American countries are intricately connected in mutual dependence is certain. The past two decades have witnessed unprecedented flows of new immigrants seeking economic relief, political refuge, and improved living conditions. During this period patterns of migratory flows have shifted to non-traditional migrant poles in the Midwest and southeast. Southern urban areas like Atlanta, Birmingham, Jackson, New Orleans, and Memphis have struggled to meet the social service demands of these new immigrant populations. Understanding the history of Latin American immigration to the United States, especially the effects of the World Wars, the *Bracero* Program, and past immigration legislation helps to shed light on the current situation.

Migration theories are useful tools for analyzing and explaining the reasons for migration between Latin America and the United States. The macro-level theories help to illuminate the role of push and pull factors from a global perspective. These theories

help to explain economic and political pressures that may influence the decisions of individuals and families to migrate. Furthermore, world systems level theories are also useful in explaining the distribution of immigrant populations within the United States as migrant laborers meet labor needs around the country. However, these theories seem to be most beneficial when describing initial patterns of migration and are less robust in explaining subsequent or secondary migration flows. Initial migration settlement decisions may be in response to labor demand, immigration enforcement, and available resources, but secondary flows are best explained by considering migration based on social networks.

Patterns of female migration have been primarily connected to the experiences of men. Male migrant networks within the United States have helped to facilitate female opportunities. The experiences of men have influenced those of women, including border crossing, movements within the country, employment, and housing strategies. However, the social processes of migration and changing gender roles of both men and women create measurable tension within traditional families. Of course, there is no cultural ideal type that can account for the experiences of all Latinos. Even so, as a result of migration, many Latina immigrant women experience shifts in their expected gender roles. Latina women face new challenges and opportunities that result in changing gender norms. This shift leads to acculturation strain between males and females that may lead to domestic violence. The next chapter focuses on domestic violence and seeks to situate the experiences of immigrant women within the context of the extant literature on the issue.

## **Chapter 3: Sociological Examination of Domestic Violence**

### *Introduction*

Violence against women in intimate partner relationships has precedents going back hundreds of years. The Laws of Chastisement, developed under the rule of Romulus of Rome in 753 B.C. gave a man explicit rights to beat his wife. In the early years of the Christian church, the patriarchal rights of men to dominate and control their wives were widely accepted. Constantine the Great had his wife burned alive in 300A.D. when she was no longer needed (Lemon, 1996). The so-called “rule of thumb” standard, which gave men the right to beat their wives as long as the rod was no thicker than a man’s thumb, was common throughout Europe and was commonly understood as legal in English law throughout the Middle Ages (Martin, 1976). The Catholic Church was largely inconsistent in its teachings about how women should be treated, and by the 1500s wife beating was still considered the right of a dutiful husband (Martin, 1976).

In order to consider the issues surrounding domestic violence, one must first examine domestic violence history within U.S. society. It is also vital to understand how the definition of domestic violence, specifically intimate partner abuse, has evolved over time and has influenced the criminal justice system as a whole. Additionally, it is important to conceptualize how the perception of domestic violence has changed from a societal expectation and acceptable method of social control to a destructive and abusive behavior that is dramatically impacting society.

Pleck (1989) contends that within U.S. culture, domestic violence was a public policy concern as early as 1640. Many of the laws and cultural norms of early America were rooted in the religious teaching of Puritan Christianity. Such laws often permitted

certain acts of violence towards ones spouse. For example, it was permissible for men to strike their wives as long as a certain size stick was used and serious injuries were not sustained (Pleck, 1989). As a result, domestic violence was viewed as an effective means of social control. Often there was a sense of duty and societal expectation for men to discipline their wives' behavior.

American colonialism in the 17<sup>th</sup> and 18<sup>th</sup> century generally followed English common-law traditions and religious Puritanism, and women continued to be subjected to abuse with impunity (Kleck, 1989). In the early 1800s, some changes were beginning to occur. In 1824, the Mississippi Supreme Court ruled that men should apply only “moderate chastisement in periods of emergency” to their wives (Lemon, 1996). In 1829, the English abolished men's absolute power to punish their wives and in 1857, a Massachusetts court overturned the idea that spousal rape was lawful (Schechter, 1982). In 1861, John Stuart Mill petitioned the English parliament to allow divorce on the grounds of spousal cruelty and violence (Dobash & Dobash, 1992). Mill's view on divorce influenced American feminists Elizabeth Cady Stanton and Susan B. Anthony (Pleck, 1983). Alabama became the first U.S. state, followed shortly thereafter by Massachusetts, to legally ban wife beating in 1871. A decade later, Maryland made wife-beating a crime punishable by up to one year in jail (Schechter, 1982). Slowly, other jurisdictions in the United States began to recognize the rights of women not to be abused, but enforcement standards continued to be widely disparate.

In the late 1800s and early 1900s people involved in the temperance movement and children's advocates began to acknowledge the presence of domestic violence and the problems associated with it. These individuals advocated for stricter punishment for

abusers and easier methods for women to divorce abusive husbands (Pleck, 1989). For the first time, the American public began to recognize the reality of domestic violence and its prevalence within our culture. Although effective steps were not taken to prevent domestic violence, policy makers and law enforcement officials began to acknowledge the need to address domestic violence.

While methods for combating domestic violence varied over time, it was not until the late 1960s that domestic violence was primarily addressed as a “domestic matter” (Pleck, 1989). Additionally, the second wave of the feminist movement asserted that it was necessary to address domestic violence at the institutional level in order to prevent future violence (Mills, 1999).

Although the efforts of the second wave of feminists on behalf of the women’s liberation movement of the 1960s made substantial headway against domestic violence, there was also a backlash. The actions of the victim were often scrutinized and blamed for provoking the violence (Pleck, 1989). Daly and Chesney-Lind (1988) provide an overview of the treatment of gender and beliefs about women in criminology studies of the 1960s. They argue that biological factors, instead of cultural or social factors, were assumed to explain women’s deviance. Girl’s and women’s deviance was defined differently than male deviance. Female deviance included immorality and running away. Furthermore, during this time men and women were perceived as living in separate spheres. Men were considered to live in the public sphere, while women’s private sphere consisted of the home. A woman’s job was to take care of the home, and provide for the husband and children. The second wave of feminists considered the public/private sphere to be oppressive to women. The focus for the second wave of feminists was equality

with men (Daly & Chesney-Lind, 1988). Many also contended that the availability of outside help meant that the victim should merely leave the relationship (Pleck, 1989).

The second wave of the feminist movement of the late 1960s was successful in drawing the public's attention to the oppression of women. While early 1970s research on gender and crime focused on female deviants and criminological studies trying to link the women's movement with the increase in female crime, during the late 1970s and early 1980s, attention began to focus on women as victims of male aggression. Rape of a wife by her husband also came to be considered a crime during this time. Thanks to the second wave of the feminist movement, patriarchy and the oppression of women were brought to the forefront.

Various branches of feminists, especially radical feminists, began to speak out against domestic violence. Radical feminists generally argue that men's violence and aggression towards women is biologically based and that men feel a need to control women, particularly their sexuality (Brownmiller, S. 1975). According to radical feminists, domestic violence is one way that men exert their control over women. Men's control over women is perpetuated in the patriarchal structure of society. Through the socialization process, men are able to maintain control over women throughout life. Only by overthrowing patriarchy, do radical feminists believe women will be free of male oppression (Daly & Chesney-Lind, 1988).

Liberal feminist theorists propose that social rather than biological factors influence male violence against women. In their view, men's status in a patriarchal society empowers men over women. They argue that resources should be redistributed so that men and women have equal access to opportunities. Liberal feminists believe that

male violence toward women is a socially constructed concept and that once women are equal to men, women should no longer have to live with the fear of domestic violence. The liberal feminist view of domestic violence considers how societal institutions have created, encouraged and enforced male dominance. The liberal feminist perspective does not blame the individual woman for lacking enough self-esteem to leave an abusive husband. Neither does liberal feminism view domestic violence as a private problem that occurs within the family (Daly & Chesney-Lind, 1988).

Marxist feminists focus on the stratification of society by social classes. Societal inequality is a result of gendered patterns of inheritance. Women and children were considered men's property and their labor within the home is a further form of exploitation. Social change would occur through a societal shift from capitalism to socialism. In a socialist society, women and men would equally share the burdens of household and childcare. They also would share equally in all labor and decision-making (Daly & Chesney-Lind, 1988).

While Marxist feminists focus on oppression as a result of social class, socialist feminists consider oppression to occur because of the intersections of race, class, and gender. Socialist feminists argue that even when women enter the work force and attain high educational achievements, they are still oppressed in a dominant patriarchal society. They argue that both capitalism and patriarchal society must change significantly. While radical feminists do not believe that men can change their violent nature, liberal, socialist and Marxist feminists do believe that men can change and that men and women can have relationships free of domestic violence (Daly & Chesney-Lind, 1988).

It was not until the early 1980s that the prevalence of domestic violence was acknowledged and federal and state legislators began to recognize the importance of addressing it. Women were able to take out restraining orders to protect them from abuser husbands (Daly & Chesney-Lind, 1988). In the early and mid-1980s several states passed mandatory arrest legislation that permitted police officers to arrest domestic violence offenders on misdemeanor charges, even if the act did not happen in the presence of the officer (Sherman, 1992). This new law was primarily in response to a 1984 Attorney General's Task Force on Family Violence, which found that arrest was the most effective means of addressing domestic violence (Mills, 1999). Some states even implemented legislation that allowed the state to press charges rather than rely on compliance of the victim. Additionally, "no-drop" prosecutions became common in many jurisdictions. This concept required the prosecution of all individuals arrested for domestic violence, regardless of victim participation or cooperation (Hanna, 1996).

By the 1990s, every state in the country had adopted mandatory arrest legislation. These legislative actions had a tremendous impact on our criminal justice system as a whole. As a result, there was a huge influx of domestic violence offenders into the system, and it became evident that something had to be done to relieve the problem (Maxwell, 2005). At this time, many states were also requiring offenders to attend anger management classes. Additionally during this time period, judicial orders of protection, which prohibited the offender from contacting the victim, became prevalent as a means of addressing domestic violence (Arias, Dankwort, Douglas, Dutton, & Stein, 2002).



### *Prevention Efforts and Prior Research*

Historically, the common strategy for addressing domestic violence has been directed toward the offender and involved controlling his or her future behavior. Although research from the late 1970s suggested that a more integrated approach among the offender, victim, law enforcement, and social services would likely be more effective in preventing domestic violence, not until recently have programs been developed in such a manner (Maxwell, 2005). Research pertaining to the issue takes three different forms reflecting the historical stages through which responses to the problem have evolved. The first is male privilege and the right to discipline commonly associated with U.S. society prior to the feminist movement of the 1970s. The second is mandated behavior of the 1980s and 1990s in an effort to protect victims. The third is a current movement toward “collective empowerment” in an effort to provide a holistic and systemic response to domestic violence (Lutze & Symon, 2003).

An emphasis on preventing domestic violence by mandating police response and offender behaviors mainly arose following the research of Bard and Zacker (1972) and Sherman and Berk (1984). Bard and Zacker (1972) found that police may have a more effective impact on preventing domestic violence recidivism when psychological approaches are employed. Sherman and Berk (1984) conducted research known as the Minneapolis Domestic Violence Experiment. The research concluded that suspects who were not arrested for domestic violence were 50% more likely to re-offend within six months than those who were arrested. This research led to the widespread implementation of mandatory arrest legislation. Research suggests that by 1986 nearly one-third of all police departments had implemented mandatory arrest policies for

domestic violence directly as a result of the Minneapolis Domestic Violence Experiment (Mills, 1999). Ultimately, Sherman and Berk's (1984) research was replicated six times in other cities as part of the Spouse Assault Replication Program. Unfortunately, the results were less promising due in that the replicated studies failed to prove any relation between arresting suspecting domestic violence offenders and the prevention of future recidivism (Maxwell, 2005).

Mandatory arrest legislation gave way to other court mandated behaviors. The late 1980s and 1990s saw a dramatic increase in mandated anger management classes for offenders, orders of protection, and a drastic rise in court ordered batterers' treatment programs. Most research pertaining to batterer treatment programs has found that these programs have little impact on future acts of domestic violence by individuals who are mandated to complete the programs (Feder & Forde, 2000). Only in some cases where the offender has an obvious stake in conformity, has the research suggested that these programs may be more effective (Feder & Forde, 2000).

Mandatory arrest, anger management classes, and orders of protection were all intended to ensure victim safety by controlling the actions of the abuser. As suggested by Sherman (1992), the main objective for mandatory arrest legislation was to deter the acts of the offender, according to the assumptions of deterrence theory which claims that punishment or its threat is an effective way to control behaviors such as domestic violence. Hirschel and Hutchison (1992) also examined the issue of judicial interventions as a deterrent. They concluded that most replicated research has shown that mandatory arrest legislation and court ordered batterer treatment programs have

ultimately failed to deter domestic violence offenders in the long run and may actually lead to under-reporting of relationship violence.

More recent efforts to address domestic violence have suggested that the failures of the past may be directly related to the unique nature of domestic violence. Research suggests that domestic violence may result from power struggles within intimate relationships and thus may reflect an attempt to control one's partner regardless of external factors (Felson & Messner, 2000). According to Goldner (1998), many domestic violence offenders report that they are nonviolent in relationships outside of their intimate relationships. And offenders often lack criminal records illustrating violent behavior outside of their intimate and emotional relationships.

Another researcher suggests that this selective violence may be “woven into the confusing melodrama of the couple’s involvement” (Goldner, 1998, p. 2). This notion suggests that controlling relationships may not create violence, but rather that violence is a component of controlling relationships. As a result, Goldner also concludes that the interwoven aspect of domestic violence and controlling relationships suggests that the problem is mutually constructed and maintained. This concept should not be over-generalized or interpreted to suggest that domestic violence victims are to blame for acts of violence, but instead that the victims sometimes participate in the construction and maintenance of relationships that involve violence. When the presence of children, shared living space, financial dependency, and substance abuse are added to the equation, the complexities of relationships involving domestic violence are further compounded.

Lyon (2002) found that more than two-thirds of the respondents in her study were living with the offender at the time of the arrest, more than half had children with the

offender, and more than half were also dependent on the abuser for financial assistance. A 1992 study from the American Medical Association acknowledged the link between substance abuse and domestic violence. The study estimated that 92% of arrested domestic violence offenders had used alcohol or drugs on the day of their arrest. Lee and Weinstein (1997) found that almost 60% of men in inpatient detoxification programs admitted to violence towards their spouse. A study of Mexican immigrants in Texas found that 72% of the immigrants believe that alcohol is the cause of domestic violence (Kugel et al., 2009).

As a result of research that examines the complex nature of domestic violence, a more holistic and social services oriented effort to address domestic violence has emerged. Belknap and Potter (2005) suggest that coerced or mandated victim cooperation within the prosecution of the offender removes victim control of the situation and limits their agency. Victims are left with a feeling of helplessness and powerlessness from the system as a whole.

Goodman and Epstein (2005) found that responding to the victim's needs with social supports and services may increase victim safety. This concept has been supported by academic research, as well as by proponents of feminist theory, for more than thirty years, but is only now becoming a substantial aspect of domestic violence treatment programs. More programs are moving toward voluntary victim participation and outside social services. Some efforts are offering substance abuse counseling, job skill training, and parenting classes for offenders. Even though these programs are in the initial stages of implementation, many are showing some positive results.

### *Current State of Domestic Violence*

In addition to understanding the history of society's responses to domestic violence, it is necessary to conceptualize and define domestic violence as it is currently perceived within our society. American culture possesses and reinforces a multitude of assumptions regarding the definition of domestic violence. Additionally, within a certain social context, victims are often labeled as lacking willpower and are encouraged to just leave abusive relationships. These assumptions commonly lead to social discourse that ultimately blames or attributes future violence to the victim.

According to a 1998 report from the Department of Justice, *Violence by Intimates: Analysis of Data in Crimes by Current or Former Spouses, Boyfriends, and Girlfriends*, it is estimated that between 960,000 to 3 million women in the U.S. are physically abused at the hands of their husbands or boyfriends annually. Additionally, a woman who leaves an abusive relationship is six times more likely to experience violence at the hands of her former spouse than if she were to remain in the relationship. It is also estimated that on average abused women leave and return nine times before permanently leaving. This is often due to the complexity of abusive relationships and the fact that children and financial dependency are usually involved in the equation. According to the same 1998 Department of Justice study, more than half of all domestic violence victims have children under the age of twelve living in the home. It is estimated that approximately 3.3 million to 10 million children witness domestic violence annually.

A 1998 survey from The Commonwealth Fund found that nearly one-third of all women are physically or sexually abused during their lifetime. According to a 2003 Bureau of Justice Statistics Crime Data Brief, in the United States, every day

approximately three women are murdered by their husband or boyfriend. The same report also indicated that in 2001 domestic violence accounted for 20% of all violent crimes against women and only three percent of the violent crimes against men. Due to the immense number of individuals associated with domestic violence each year, it is imperative to examine current judicial methods for dealing with domestic violence.

More recently, many large jurisdictions have established special court sessions specifically designated to hear only domestic violence cases. This practice was originally designed to relieve the overwhelming number of domestic violence cases being brought before the court as a result of mandatory arrest laws (Carlson & Nidey, 1995). While it is estimated that more than 300 judicial systems have adopted specialized practices when considering domestic violence, there are three common structures for such specialized domestic violence courts (Littel, 2003). The first is the “Civil Protection Order Docket,” which primarily hears requests for orders of protection and violation hearings (Littel, 2003). While such courts are limited to only hearing civil matters and are often unequipped to address related legal issues such as child custody, they do promote victim safety and offender accountability (Littel, 2003).

The second specialized court for domestic violence is the “Criminal Model” (Littel, 2003). These courts often hear only domestic violence offenses and attempt to directly address the criminal behavior. In most cases, one judge presides over all the domestic violence cases for a given jurisdiction. While the criminal model is the most common form of specialized domestic violence court, it is limited to only considering criminal issues and often lacks the ability to deal with civil matters (Littel, 2003). The Memphis domestic violence court is an example of the criminal model.

The third specialized domestic violence court format is the “Domestic Violence Court with Related Caseloads” (Littel, 2003). This manner of addressing domestic violence permits the court to hear not only the criminal offense, but also related issues such as requests for orders of protection, child custody, and child support. The benefit of this format is that it allows one judge to take a holistic or all-encompassing approach to dealing with the criminal offense (Littel, 2003).

Recently, many of these special sessions have also adopted procedures to include voluntary victim participation and have offered access to social services for the victim (Lyon, 2002). Such judicial interventions have moved away from focusing primarily on the offender and have begun to acknowledge the importance of including the victim in an effort to minimize future victimization. While the notion of victim inclusion is somewhat controversial, it has definitely gained popularity within the past 15 years. Some argue that it limits agency and causes re-victimization, while others assert that it acknowledges the unique nature of domestic violence and will ultimately reduce domestic violence recidivism (Hanna, 1996).

One example of such a court is the one in Albuquerque, New Mexico. The domestic violence court in Bernalillo County recognizes the complexity of many domestic violence cases and the limitations of orders of protection in cases involving common property and children. Batterers participate in a treatment curriculum based on cognitive intervention and domestic violence education that is designed to help them identify and prevent impulses and behaviors that may lead to violence. Victims and the children of victims can access treatment services that help them to cope with a variety of post-traumatic stress issues as well as a variety of other counseling and treatment needs.

In some cases, couples may also engage in family counseling and other types of family preservation services (Pitts, Givens, & McNeeley, 2009).

Having set the stage for a better understanding of the dynamics of domestic violence and efforts to address the issue in the United State's generally, the situation of Latina immigrants and domestic violence will now be addressed.

### *Magnitude and Severity of Domestic Violence*

Research on domestic violence victimization of immigrant women has been somewhat inconsistent. Some argue that immigrant women do not experience intimate partner violence at a higher rate than other women, although their exposure to such violence may be for a greater duration (Ammar, 2000; Orloff, Dutton, Aguilar-Hass & Ammar, 2003; Torres, 1991). The National Violence Against Women Survey (NVAWS), which is based on a random sample of men and women in the United States, reports that 21.2% of Hispanic women are likely to experience physical assault during her lifetime compared to 21.3 % of white women and 22.1% of all women in the US (Tjaden & Thoennes, 2000). Almost a fourth of Latina women experience or are exposed to domestic violence in their lifetime. While Tjaden & Thoennes found a small difference due to ethnicity in the likelihood of experiencing physical assault in one's lifetime, it is likely that their study did not include immigrant women. Others have suggested that immigrant women suffer a much higher rate of intimate partner violence than non-immigrant women (Raj & Silverman, 2002). In fact, one study found that almost half of immigrant women reported experiencing an increase in abuse after migrating to the United States (Anderson, 1993). Research by Ingram (2007) found a much higher



lifetime prevalence rate of 57.2 percent among Latinos. It seems likely that the difference can be attributed to the differences in immigration status. More than half of the Latinos included in Ingram's study were immigrants. Perhaps of even greater concern, is the severe lack of culturally competent services and responses to meet the needs of Latina victims of domestic violence (Maciak, Guzman, Santiao, Villalobos, & Israel, 1999). Latina women are also more likely than Anglo women to be hit with a fist or kicked. Seventy-four percent of Latina immigrant and non-immigrant women and 60% of non-Latina women in a southern California study reported being hit with a fist or kicked (Edelson, 2007).

While this study focuses on abused Latina immigrants, a growing body of research suggests that Latino dating violence is another area of domestic violence that needs to be further explored. In a study of ninth-grade Latinos in Texas, Sanderson et al. (2004), found that level of acculturation was closely related to likelihood of abuse. Latina teens who reported speaking English at home were twice as likely as those from monolingual Spanish-speaking homes to report experiencing dating violence. Girls from homes in which both parents were born in Mexico, were also less likely to report experiencing dating violence as the Latina teens who had a parent born in the U.S. Furthermore, the teens who felt that they were the object of racism or discrimination were more likely to report being abused in dating relationships. The results of the teen dating study are comparable to those of abused immigrant women. Domestic violence programs should not be limited to adults. As the aforementioned study has shown, domestic violence often starts at an early age and Latina immigrant teens are being victimized.

Domestic violence is not an individual issue. It is a social problem that not only affects Latino immigrants; it is a social issue that affects all immigrant women in the U.S. A plethora of research exists on the abuse of Asian immigrant women living in the U.S. (see Ahn, 2006; Ayyub, 2000; Bhanot & Senn, 2006; Bhuyan et al., 2005; Dasgupta, 2000; Goel, 2005; Hicks, 2006; Hurwitz, 2006; Lee, 2007; Merchant, 2000; Midlarsky et al., 2006; Shiu-Thornton, 2005; and Sullivan et al., 2005). Immigrant domestic violence affects immigrants of all races, ethnicities, educational and income levels. Many of the issues that affect the Latino immigrant community are also prevalent in other immigrant communities. Recently-arrived, or first generation, Korean immigrants display high rates of domestic violence (Ahn, 2006). Families, especially those of Muslim immigrant women, are often reluctant to allow abused women to leave her abusive husband (Ayyub, 2000). Other researchers have found that women believe that they must endure their suffering (Bhuyan, et al., 2005). Cultural ideals of wife and mother make it difficult for an abused immigrant woman to leave her husband and break up the family (Goel, 2005). Husband's alcohol use was found to be associated with domestic violence for Chinese immigrants (Hicks, 2006). Abused South Asian immigrant women are more likely to suffer from depression and poor health (Hurwitz et al., 2006). Acculturation and changing gender roles have also been found to be associated with domestic violence in Vietnamese immigrant families (Shiu-Thornton et al., 2005) and other South Asian families (Bhanot & Senn, 2006). Changes in the family as a result of immigration have also been linked to domestic violence in the Ethiopian immigrant community (Sullivan, et al., 2005). The above studies were cited to show that many of the factors associated with domestic violence in the Latino immigrant community affect other immigrants in the

U.S. Stresses caused by the immigration process, clashes in cultural values and ideals, followed by a renegotiation of gender roles, suggest that the adaptation process is not always smooth. The result is often violent and many immigrant women bear that burden silently.

### *Police Reporting of Crime and Victim Decision-making*

Reporting criminal victimization to the police can have numerous consequences for domestic violence victims. Some are intended and some may be unanticipated. Victims may receive referrals for services and perpetrators can be captured. Victims might also become ostracized by friends and family for seemingly betraying their intimate partner. Victims might also face scrutiny for any illegal behavior they may have engaged in and perhaps be arrested for that as well. Often, reports to the police do not result in the arrest of the abuser and the risk to the victim may be heightened as a result of the report. The desired effects and actual results of reporting to the police are not always the same.

Previous research has considered the dynamics of decision-making on crime-reporting behavior. Goudriaan, Lynch, and Nieuwbeerta (2004) proposed a two-dimensional theoretical framework that considered situational and contextual influences on reporting decisions. Xie, Pogarsky, Lynch, and McDowall (2006) investigated the relationship between victim reporting and police responses to previous reports. Research has consistently found that incident severity indeed increases the likelihood that a report will be made to police (Baumer, 2002, Schnebly, 2008). A few studies have addressed the issues of victim decision-making by distinguishing between rational and normative

reporting decisions (Felson, Messner, Hoskin & Deane, 2002; Goudriaan et al., 2004). Rational reporting is defined as situations where the benefits of reporting a crime, such as recovery of property and reduction in victim vulnerabilities, outweigh the potential risks (i.e., retaliation) and investment of time and effort. Normative reporting behaviors are based on the individual's personal beliefs or attitudes about the value of making a report. Other research has also considered normative crime reporting differences (Ruback, Ménard, Outlaw & Shaffer, 1999). Kaukinen (2004) sorted help-seeking behaviors into three categories: minimal or no help-seeking, family and friend help-seeking, and substantial help-seeking. Research has shown that help-seeking decisions vary by race (Kaukinen 2002, 2004). Moreover, prior research has shown that Latina victims of interpersonal violence are less likely to use either formal or informal resources following a violent incident compared to white women (West, Kantor, & Jasinski, 1998), and minority women are more likely to engage in damaging withdrawal behaviors (Sanders-Philips, Moisan, Wadlinton, Morgan, & English, 1995).

### *Theories of Immigrant Women and Domestic Violence*

Theories that attempt to explain why immigrant women are particularly vulnerable to domestic violence range from macro- to micro-level, and include cultural as well as structural reasons for explaining the violence. Learned helplessness theory posits that individuals who experience extremely negative situations over which they have no control, such as domestic violence, may internalize feelings of helplessness (Perilla, Bakeman, & Norris, 1994). Unassimilated or less acculturated immigrant victims of domestic violence may feel particularly unable to change their situation, and as a result

become depressed and exhibit low self-esteem (Perilla, Bakeman, & Norris, 1994).

While the interpersonal theory of learned helplessness focuses on the individual, the intrapersonal theory of family violence focuses on the potentially harmful relationships of individuals within the nuclear family (Perilla, Bakeman, & Norris, 1994).

The modeling theory of domestic violence also uses the family as the unit of analysis in suggesting that those individuals who witnessed domestic violence in their family of origin are more likely to model that behavior in their own families. Children who witness their father beating their mother are more likely to become perpetrators themselves. In a study of dating relationships, Rouse (1988, as cited in Perilla, 1999) found that more Latinos than any other group reported witnessing their fathers committing acts of domestic violence.

Another approach to explaining domestic violence by focusing on the institution of the family is status inconsistency theory (Yick, 2001). Status inconsistency theory portrays family members in a constant struggle against each other for control over family resources. Each member's position within the family is dependent upon the resources that he/she contributes to the unit. The person with the most resources is afforded a position of power over those with fewer resources and is thus able to control the behavior of the disenfranchised members. However, those threatened members of the family often resort to violence to equalize the power relations. Status inconsistency occurs not only when a wife's income is higher than her husband's income, but also when a husband's occupation does not match his education. If the husband is highly educated, but earns a low income or is in a low prestige job, he may experience the strain of status inconsistency (Yick, 2001). In an interdisciplinary approach to studying the allocation of

family resources in eleven countries, Bruce and Dwyer's (1988) compilation of articles found that men and women in third world countries often withheld from their spouses the amount of money they actually earned. Men stated they earned more money than their wives and some wives claimed they earned less income than their husband when they really earned more. Men and women not only contributed income differently to the household, their spending patterns varied. Women focused on providing for the basic necessities of the children with no remaining discretionary income. Furthermore, men tended to save money for leisure activities.

International migration provides all of the ingredients for status inconsistency within the family. It is often easier for immigrant women to get work than it is for immigrant men, which could lead to role changes within the family, particularly if the wife did not work outside the home in the country of origin. Also, because the United States does not accept degrees from all foreign institutions, many educated immigrant men are in occupations with much less prestige and pay than they held in their country of origin. Members of a family who are less assimilated or acculturated or those who come from traditional societies may feel more strain than members who are more proficient in English or knowledgeable of American culture. Finally, just being thrust into a completely different culture and not knowing how to negotiate the responsibilities of daily life, such as banking, shopping, or enrolling the children in school, is often very stressful for immigrant families. While the husband may feel that he has lost control over many aspects of his life, his sphere of influence is now his family and he may resort to violence to fulfill his need to be in control (Ong & Azores, 1994; Sluzki, 1979; Simon, 1992; as cited in Yick, 2001).

Learned helplessness, family violence, and status inconsistency theories are micro-level perspectives of domestic violence that focus on the individual or the family as the unit of analysis. Marginalization, modernization, and feminist theories of domestic violence take a more macro-level approach to theorizing about the problem of domestic violence. The ecological model considers the limitations of each theory and combines aspects from various theoretical perspectives to form a more comprehensive approach to theorizing about the reasons that men commit acts of domestic violence.

The marginalization perspective suggests that as development shifts from core to periphery production, role changes within traditional society, particularly the family occur. With the increased use of machinery, women move from a more equal role with men in production to a more marginalized role as the reproducers of labor, thereby becoming economically dependent upon men (Boserup, 1970). Men are often reluctant for their wives to get jobs outside of the home for fear of a shift in power relations. Even when women do have permission to work outside the home, they are typically employed in the lowest paying sectors of the job market. When women attempt to improve their economic position through educational attainment leading to better employment, men often feel threatened and try to control the women through domestic violence (Oropesa, 1997). Many immigrant women are marginalized not just by their gender and immigrant status, but by their race, ethnicity, and class. Immigrant women tend to work in the lowest paying sectors of the formal and informal job markets. Because of documentation status, many immigrant women are unable to marry the immigrant men that they meet in the United States, keeping them in consensual unions.

While the marginalization perspective proposes that the egalitarian status of women erodes with development, the modernization perspective suggests just the opposite: that the development of nations leads to an improvement in the status of women because it increases their access to healthcare, education, and economic resources (Tiano, 1984). Unlike in traditional societies, with development women are able to use their economic gain to exert more influence on family decision-making. Modernization theorists suggest that there will be a transition to more egalitarian gender roles as women enter the workforce. An equalization of gender roles is considered to lead to a decline in domestic violence. Furthermore, development, especially compulsory education, will result in a lower fertility and a prolonging of marriage, which enhance the status of women (Tiano, 1984). Women, who are married at a very young age and have many children, do not have much bargaining power in the extended family or marital relationship. Rural to urban migration is further expected to be beneficial to women in that they are no longer under the control of extended family members or expected to subscribe to traditional gender roles. In fact, migrant couples are thought to be egalitarian (Oropesa, 1997).

The marginalization and modernization perspectives both recognize that development elicits not only structural changes at a national level in a country, but development also leads to a change in the gender roles of families. The marginalization and modernization perspectives disagree on whether societal development leads to an enhanced status for women and a more egalitarian relationship between husbands and wives.



Unlike the marginalization and modernization perspectives which view women's marginalized role as a result of traditional societal norms and beliefs, the radical feminist perspective, focuses on power differentials between men and women. Due to the nature of the structure of our patriarchal society, women are oppressed in all areas. Domestic violence is a form of female oppression in the institution of the family. Traditional Latino culture encourages unequal gender relations through the dichotomization of "*machismo*" and "*marianismo*". A characterization of the "macho" man is one who likes to drink, is authoritarian, especially within the family, and is strong, powerful, and sexually adventurous. Some researchers have suggested that the concept of "*machismo*" includes positive elements such as the man being financially responsible for the well being of his family and for taking care of his family (Perilla, 1999). Despite the "positive" elements of "*machismo*," some would argue that the husband, no matter how good of a provider, still has control over his wife, so the relationship is not egalitarian. Women are expected to live up to the impossibly high expectations of the virginal submissive wife and daughter. "*Marianismo*" is the feminine complement to *machismo*. *Marianismo* is based on an idealized view of the Virgin Mary, or in many Latin American countries, The Virgin of Guadalupe. It posits the self-sacrificing mother against the controlling powerful husband. Women are relegated to the sphere of the home and men to the sphere of the street. Women who cross into the sphere of the street are considered bad women or "Malinches." Domestic violence becomes culturally expected and accepted as women's lot in life (Perilla, 1999). The traditional Latino cultural concepts of *machismo* and *marianismo* prescribe gender roles for men and women that continue the male advantageous patriarchal society. Patriarchy exists at the

micro level in the everyday interactions of men and women and the macro level through the unequal access to economic, educational and political resources.

### *Current State of Immigrant Latina Violence*

The Immigrant Women's Task Force of the Coalition for Immigrant and Refugee Rights and Service (CIRRS) found in their 1990 survey of undocumented Latinas and Filipinas that a third (34%) of the Latinas stated that they had experienced domestic violence. Straus and Smith (1990) using data from the National Family Violence Survey, found that 17.3% of Hispanics reported experiencing domestic violence during the past year compared to 11.6% of white women. In a further comparison of white and Hispanic domestic violence rates, Straus and Gelles (1990) found that not only did Hispanics report a higher rate of domestic violence than whites, but the incidence of severe cases of husband-initiated violence was double the rate for Hispanics than for whites (7.3% for Hispanics). Straus and Smith (1990) further found that nearly one quarter (23%) of Hispanics reported domestic violence by a spouse compared to 15% for whites. In a 1991 survey, Sorenson and Telles found that of the 2,392 households surveyed, 20% of Mexican-born Hispanics and 30.9% of Mexican Americans reported experiencing domestic abuse by a partner. The Texas Council on Family Violence (1992) reports that Hispanic women comprise 30% of the abused women in Texas shelters. Kantor, Jasinski and Aldarondo (1994) found that 10.5% of Hispanic women reported experiencing domestic violence in the past year, which was more than double the rate reported by white women (3.4%).

Tjaden and Thoennes (2000) looked at incidences of reported rape using the 1994-1995 National Violence Against Women Survey and found that 14.5% of Hispanic women reported having been raped. In her study of migrant farm worker women, Rodriguez (1995, as cited in Hass, Dutton, & Orloff, 2000) found that more than a third (35%) admitted that they had been hit by a boyfriend or husband during the past year. Another 1995 study of Mexican and Central American immigrant women found that more than half had received death threats (Hass, Dutton, & Orloff, 2000). Similarly, Neff, Holamon, and Schluter (1995) found that 17.3% of Hispanic women self-reported experiencing domestic violence in the past year. Of 127 Mexican American women in a 1996 study in Fresno County, California, Lown and Vega (2001) found that 10.7% of the women reported being physically abused by a partner. In a study interviewing 280 Latina women, Hass, Dutton, and Orloff (2000) found that almost half (49.3%) reported experiencing some form of physical violence. In a study of 527 Hispanic couples, Caetano, Schafer, Clark, Cunradi, and Raspberry (2000) found that 10-20% of the sample reported at least one incident of male-initiated violence in the previous year.

While the above studies point out the prevalence of domestic violence among U.S.-born Mexican American and immigrant Latino women, Oropesa (1997) explored the rate of domestic violence among women in Mexico. A Mexican Ministry of Health life history study conducted in 1992 using personal interviews with 794 women from states in each region of Mexico found that almost 19% of the women reported experiencing physical abuse (being hit) by their husbands. Studies of domestic violence in Lima, Peru, found that more than half (51%) of the women interviewed had experienced domestic violence (Güezmes, Palomino, and Ramos, 2002 as cited in

Alcalde, 2006) and that an alarming 88% of Limeñas reported knowing someone who had been a victim of domestic violence in the past year (Espinoza, 2001). Alcalde (2006) points out that while current research has focused on the domestic violence experiences of Latina immigrants living in the United States and the rate with which they are victimized by male partners, women who migrate from rural to urban areas within Latin America experience high rates of intimate partner abuse, yet their experiences have been neglected in the literature.

Studies of immigrant Latina domestic violence conducted between 1990 and 2006 report varying rates of domestic violence among Hispanic women ranging from 10.7% to more than 50%. Lown and Vega (2001) argue that the actual number of women experiencing domestic violence is much larger than had been than reported. Their study found that 10.7% of women reported experiencing domestic violence, but their study did not include women who were recently separated or divorced. Women who have recently left a partner may have done so as a result of experiencing domestic violence. Furthermore, Lown and Vega did not include welfare recipients in their study since living with a partner is a violation of receiving welfare. However, just because having a live-in male partner could lead to denial of welfare, it does not mean that women do not live with a partner or have an interpersonal relationship with a partner and therefore are not susceptible to experiencing domestic violence.

Most of the research on immigrant women and domestic violence was collected using self-reported data. The women were either surveyed or interviewed. Immigrant women are often resistant to or fearful about admitting to being a domestic violence victim or to being involved with an abusive partner. Furthermore, divorced and separated

women were not included in the studies, even though they are especially likely to be abused women.

### *Barriers to Latina Immigrant Women Reporting Domestic Violence*

Based on findings from various studies, abused Latina women are likely to be young (Denham, 2007; Ingram, 2007; Klevens, 2007; Lown & Vega, 2001), urban (Lown & Vega, 2001), low income (Cunradi, Caetano, & Schafer, 2002), cohabiting with an Hispanic partner i.e. not legally married (Lipsky, Caetano, Field & Larkin, 2006), have three or more children and not very well educated (Denham, 2007; DeWest, Kantor, & Jasinski, 1998). Some studies have found that abused Latinas have low levels of acculturation or proficiency in English (Lipsky, Caetano, Field & Larkin, 2006), while others have found that abused Latinas are more highly acculturated and more likely to speak more English than non-abused Latinas (Denham, 2007). They are not likely to have health insurance or social support networks (Denham, 2007). Considering these characteristics, perhaps it is not surprising that Latina victims of domestic violence are typically reluctant to report abuse to the police.

There are a number of factors that deter an immigrant woman from reporting her abuser to authorities. While some of the reasons that women do not report abuse are apparent, such as language barriers, others are based on myths about the police and immigration officials. Others may not report abuse because of discriminatory police practices (Ammar et al., 2005). Reporting domestic violence is widely considered an important step leading to the elimination of abuse. Therefore, we must understand why abused immigrant women are reluctant to report domestic violence, and as Gillis et al.

(2006) found, we must understand why immigrant women often wait years and until the violence has escalated to report the abuse to the police.

Aguilar-Hass, Dutton, and Orloff (2000) use the term “immigration-related abuse” to refer to the psychological and physical abuse that dependent immigrant women suffer. Immigrant women who legally depend upon their U.S. citizen or legal permanent resident (LPR) husbands to sponsor their residency are left in a very vulnerable position regardless of whether they are physically abused. Those immigrant women who are victims of domestic violence often feel trapped in the abusive relationship. Migration-dependent immigrant women have many fears about reporting abuse, some of which are valid, although others are unfounded and are attributed to myths or a lack of information or knowledge of U.S. customs and immigration procedures (Aguilar-Hass, Dutton, & Orloff, 2000).

Immigrant women, especially those who are unable to work because of their documentation status, believe that if they report their abusive husbands, they will lose their financial support. Because their migration status is dependent upon the sponsorship of their abusive husbands, they fear that if they report the abuse, their husbands will retract the sponsorship and they will be deported (Aguilar-Hass, Dutton, & Orloff, 2000). The fear of deportation is grounded in reality. Undocumented immigrant men who are convicted of battery could be deported (Carlin & Phillips, 2009). Several hundred domestic violence perpetrators are deported each year for abusive acts and their dependent spouse and children are often deported with them (Menjívar & Salcido, 2002). Citizen and LPR husbands threaten abused women that they are going to retract or

destroy the women's documents. Some husbands try to control their immigrant wives by threatening to have them deported for marriage fraud (Raj & Silverman, 2002).

Children are often used as leverage against immigrant women. Besides threats to do bodily harm to children, immigrant mothers fear that if they are deported their children will be permanently taken away from them and that the children will be left to be raised by an abusive father or will be taken by social service agencies to be raised by strangers (Aguilar-Hass, Dutton, & Orloff, 2000). In a study of Latino immigrant children in the Texas child welfare system, Vericker et al. (2007) found that while only nine percent of children in the Texas child welfare system were Latin American immigrant children or U.S.-born children of Latin American immigrants, they were more likely than all other children in the child welfare system to be placed in non-relative foster care homes or in group homes. While interviewing Mexican immigrant women involved in the New York child welfare system, Earner (2009) also found that in almost half of the cases in the study, child welfare agency became involved due to domestic violence incidents. In a third of those cases, the children were taken out of the home because the mother did not comply with mandates requiring that she leave the abuser. Furthermore, another woman in the study reported that in order to get her children back, she not only had to leave her husband, she had to get a job and a bigger apartment, and attend counseling and parenting classes (Earner, 2009). For a Mexican immigrant woman who has been financially dependent upon her spouse, meeting those criteria for reunification with her children may seem impossible as well as culturally inappropriate. The fear of children being raised by strangers appears to be valid. The situation becomes even more complex for immigrant women who migrated with children *and* have children

that were born in the United States. Women with children born in the host and receiving countries face the deportation of some children and the potential removal by social services of other children (Hancock, 2007). Many immigrant women endure the abuse because they love their husbands and do not want to break up the family (Raj & Silverman, 2002).

Many immigrant women do not have accurate information about police or social service agencies. Some immigrant women believe that if they seek professional medical help for the abuse or the assistance of social service agencies, their husbands will be arrested and the wife will be deported. Many undocumented immigrant women believe that social service agencies will not assist them because of their documentation status or that the agencies will report them to the Immigration and Customs Enforcement (ICE), formerly known as Immigration and Naturalization Service, INS or “la migra”, and they will be deported (Aguilar-Hass, Dutton, & Orloff, 2000; Lewis, West, Bautista, Greenberg, & Done-Perez, 2005). Furthermore, immigrant women are not always aware of the services offered at domestic violence shelters. Many are not even familiar with the concept of a shelter. They also do not know that they may be eligible to receive many types of assistance such as child support, housing, and financial support (Erez, 2000).

Immigrant women may be reluctant to report abuse to the police in the host country because of a fear of police in their sending country (Lewis, West, Bautista, Greenberg & Done-Perez, 2005; Menjívar, 2000; Menjívar and Salcido, 2002). Based on their experiences in their countries of origin, they may believe that domestic violence is not a concern or matter for the police. Wife beating is not considered a crime in many countries, and therefore victims may not even consider calling the police in their



receiving country (Erez, 2000). Besides the belief that police are not concerned with wife battering, many immigrant women fear U.S. police officers based on interactions or observations with law enforcement officers in their country of origin. Immigrant women do not want to leave an abusive husband only to be controlled by a potentially abusive and powerful police officer (Wachholz & Miedema, 2000). Others have argued that the U.S. criminal justice system has been “blatantly discriminatory” toward immigrant populations (Ammar et al., 2005, p. 232).

Even when immigrant women overcome the fears associated with reporting an abusive husband and want to contact police or a domestic violence shelter, they are often unable to do so because of a language barrier. Erez (2000) states that immigrant women are frequently unable to read in their own language, much less that of the receiving country. Moreover, many of the women who migrate to the United States each year speak an indigenous dialect and may be non-literate in the official language of their sending country. The women’s inability to speak proficient English, coupled with many departments’ and agencies’ lack of bilingual/bicultural employees, makes reporting the abuse difficult (Aguilar-Hass, Dutton, & Orloff, 2000; Menjívar, 2000; Menjívar & Salcido, 2002). Furthermore, some researchers have found that interpreters are not always reliable. They may distort the facts, downplay the abusive situation, or take the side of the perpetrator (Menjívar & Salcido, 2002).

Immigrant women often rely on their children to serve as interpreters in everyday situations. However, some immigrant women have found that their children were not willing to interpret for their mother when reporting the abusive father to authorities. Furthermore, some of the children did not accurately interpret the information that the

mother wanted to convey. Because the husband is typically the more acculturated member of the family, the police may turn to the perpetrator for information on the abuse (Erez, 2000). Furthermore, some shelters have turned away immigrant victims of domestic violence because they did not speak English (Raj & Silverman, 2002).

When an immigrant woman does make the decision to leave an abusive husband, whether she reports the abuse or not, she may experience a lack of support from her extended family and social network and be condemned by her church (Menjívar & Salcido, 2002). The woman who reports the abuse or leaves the relationship is often condemned by the religious community and left completely isolated in a foreign country. They are told, "*Es tu cruz*" -It's your "cross" (Hirsch, 1999, p. 1336) implying that domestic violence is the woman's cross or burden, analogous to Jesus Christ carrying the wooden cross on his back as he walked to his crucifixion. Yet even while its norms may reinforce victimization, the church can have an opposite effect by exerting social control that discourages male violence and encourages family unity. Women who attend church less than once a month are twice as likely to be victims of domestic violence than women who attend church services one or more times a month (Lown & Vega, 2001). Studies using focus groups suggest that many women have a fear of shame in leaving an abusive relationship, because they subscribe to the belief that women's primary role is wife and mother regardless of her personal situation (Klevens, Shelley, Clavel-Arcas, Barney, Tobar, Duran, et al., 2007). Interviews with domestic violence service providers and Latino community members support the claim that wife beating is more accepted in Latino culture and that women may grow accustomed to the abuse or become passive and accepting of it (Lewis, West, Bautista, Greenberg, & Done-Perez, 2005).

Mexican women often report that they would not be allowed to return to their parents' home if they left an abusive husband (Hirsch, 1999). Abused immigrant women who leave their husbands often consider themselves, and are considered by others, to be "bad" wives, because a "good" wife would stay in the relationship no matter what. Even if a woman leaves an abusive husband, she may not report the abuse because domestic violence is considered to be a private family matter, not a problem for legal authorities to control (Menjívar & Salcido, 2002).

Even immigrant women who speak English fluently and have the necessary financial resources may be unwilling to report their abusive husbands. Hirsch (2002) interviewed an abused immigrant woman who had lived in the United States for a decade, spoke English proficiently, and had a higher income than her husband, a driver's license and car. The woman chose not to report her abuse even though she was highly acculturated, because her situation had allowed her a level of economic success and mobility that she would not have experienced in her sending country and she was afraid to jeopardize it by engaging with the authorities.

While there are numerous obstacles to reporting domestic violence to the police for documented and especially for undocumented immigrant women, Pearlman et al. (2003) found that minority women in impoverished neighborhoods are more likely to report domestic violence to the police than white women. In the Rhode Island study, 67% of Black women and 65% of Hispanic women reported their abuse to the police, while only 50% of white women reported their victimization. Because the Pearlman et al. study used Census block group data, it is likely that undocumented immigrant Latina women were not included in the sample or at least not well represented in the sample.

Undocumented immigrant Latina women are less likely to report their abuse to police than legal Hispanic women.

When women do report domestic violence to the police, the next step is often to file a protective order. While there appears to be no published studies on the likelihood of re-abuse after filing a protective order for Latina immigrants, Carlson, Harris and Holden (1999) analyzed the effectiveness of protective orders for black, white and Hispanic natives. The study found that 68% of Hispanic women reported being abused before a protective order was filed, and that after the order was filed, domestic violence dropped to 18%. Seventy-six percent of black women and 56% of white women reported being victims of domestic violence. After protective orders were filed, abuse for black women dropped to 38% and 15% for white women. Unfortunately, the study found that the presence of children increased the likelihood of re-abuse. Women who had children with their abusive partners were four times more likely to be re-abused. While the above research suggests that protective orders may have a deterrent effect on domestic violence for some U.S. born Hispanics, it remains unknown how protective order could benefit Latina immigrants. More research must be done to illuminate these dynamics.

### *Immigration and Domestic Violence Laws*

Even though immigration laws have undergone several changes in the last ten years, an undocumented status still makes it difficult for a woman to receive legal assistance if she is being abused (Menjívar & Salcido, 2002). The 1952 Immigration and Nationality Act allowed an immigrant to marry a citizen or Legal Permanent Resident or LPR and to change the alien's status to that of a LPR without leaving the United States to

file for documents from the home country. Legislators became concerned that alien immigrants were only marrying U.S. citizens or LPRs in order to become documented. Therefore, in 1986, Congress passed the Immigration Marriage Fraud Amendments Act (IMFA) just a few days after passage of The Immigration Reform and Control Act of 1986. Based on surveys conducted in various countries, Congress decided not to grant permanent residency to aliens married to citizens or LPRs, but to grant a conditional status. Those countries that were surveyed not only gave immigrants a conditional status, that status was revocable. The INS granted conditional status which started a conditional period of at least two years. In order to apply for permanent status, the couple could not divorce within that two year period. They had to petition the INS together to change the status to permanent and had to participate in personal interviews. Women were completely dependent upon their husband's support to get a green card. The date of the marriage or the date of application was not considered in determining the conditional period. Because of delays in processing visa applications, the conditional period could last for more than four years. Immigrants became dependent upon their spouses in order to obtain documents. In some cases, women were allowed to petition for permanent residency without their husband's petition, but in order to qualify women had to prove that the marriage was a "good faith" marriage, she initiated the divorce, and that deporting her would create an extreme hardship. Domestic violence was not considered an acceptable reason for granting permanent residency (Anderson, 1993).

It was only after an abused immigrant woman contacted Representative Louise Slaughter that domestic violence became considered as part of immigration marriage laws. Slaughter discovered that abused immigrant women had no choice but to stay in

their abusive relationship in order to become permanent residents. By leaving an abusive relationship, the immigrant woman would lose the sponsorship of her husband and be deported to her home country. Slaughter introduced the Immigration Marriage Fraud Amendments Act (IMFA) in 1989 to the House. Representative Bruce Morrison incorporated Slaughter's bill to create the Immigration Act (IMMACT) in 1990. The IMMACT allowed an abused immigrant woman to apply for a waiver during the two year conditional period if she could prove that the marriage was in good faith and that she or her child were physically abused or suffered extreme cruelty at the hands of the citizen or LPR husband. It did not matter who initiated the divorce (Anderson, 1993). However, there were still some gaps in the bill. The abused husband had to accompany the immigrant wife to an interview and file a petition on her behalf (Goldman, 1999). The burden of proof was on the wife, who often had difficulty proving that she had entered into the marriage in good faith and suffered extreme cruelty.

The May, 1991 Immigration and Naturalization Service (INS) Interim Rules outlined the guidelines that INS officers were to follow in processing visa documents for abused immigrant women. The abuse was divided into two categories: physical and extreme mental cruelty. In order to change their migration status, abused immigrant women had to provide written testimonies or affidavits from experts including social service workers, doctors, psychologists, school personnel, police officers or other professionals (Anderson, 1993). Abused immigrant women had to produce documentation of the abuse even though, as indicated above, there are numerous barriers that prevent immigrant victims of domestic violence from reporting the violence or even from seeking help.

In 1990 Senator Joseph Biden introduced the Violence Against Women Act (VAWA), which four years later became law under former President Bill Clinton (Anderson, 1993). The 1994 VAWA recognized that allowances need to be made for undocumented women, and allowed abused documented or undocumented immigrant women, abused children, or the parent of an abused child to self-petition for permanent residency. It eliminated the requirements of having the abusive citizen or LPR request the green card for his estranged wife and interviewing the perpetrator to determine that the marriage was entered into in good faith (Goldman, 1999). Yet, in addition to all of the requirements of the IMMACT (good faith marriage, physical or extreme cruelty, extreme hardship if deported) the woman still had to prove that she was of good moral character. Those women whose applications were approved still had to wait the same amount of time for their permanent residency as immigrant women who were not victims of domestic violence. If a woman met all of the VAWA stipulations, her deportation would be suspended and she would be granted permanent status and a green card (Goldman, 1999).

Once her VAWA petition was granted, she would be eligible to receive some public benefits (Raj & Silverman, 2002). Before the petition was granted, however if an immigrant woman received social services or was arrested for domestic violence, even if she was defending herself, she was no longer considered to have good moral character and as a result may not receive a petition. Under the Personal Responsibility and Work Opportunity Reconciliation Act (Welfare Reform Act), immigrant women are barred from receiving income support or public assistance. The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 amended the Welfare Reform Act so that

abused immigrant women could be eligible to receive some assistance (Goldman, 1999). While abused immigrant women received financial assistance under IIRIRA, they still were not free from deportation. Depending upon the type of abuse, how soon it occurred after entering the United States, and the state in which the couple reside, abusive immigrant men may be deported if reported to the authorities. Deporting even an abusive husband could leave an immigrant woman socially isolated and economically vulnerable (Raj & Silverman, 2002).

In an effort to address the limitations of the 1994 VAWA, VAWA 2000 allows those women not covered by VAWA 1994 to receive permanent status and protection from deportation. Provisions were made for women in cohabiting relationships and a new crime victim visa was created. However, abused immigrant women are still required to report their abusive partner, which would likely lead to deportation of the spouse or boyfriend. VAWA 2000 does not consider an act or conviction related to abuse to be a declaration against an immigrant woman's good moral character, since arrests must be made when domestic violence is reported. Abused immigrant women are eligible to receive certain social services benefits, and the receipt of those benefits is not held against them. Furthermore, once women's applications have been approved, they are free to remarry (Raj & Silverman, 2002). VAWA 2000 also eliminates the need to prove extreme hardship and good moral character. A major change from VAWA 1994 is that abuse occurring before migration to the United States is also considered. Finally, immigrant domestic violence victims were grouped in a special category of people who may apply for asylum (Menjívar & Salcido, 2002).



Immigrant women who have been the victims of domestic violence, yet do not qualify for the VAWA visa, may have another option, the “U visa.” The Victims of Trafficking and Violence Protection Act of 2000 stipulates that up to 10,000 immigrant victims of crimes may receive Crime Victim visas if they cooperate with law enforcement investigations, the crime occurred in the United States, and the abused person has resided in the United States for at least three years (Shetty and Kaguyutan, 2002). But they have to testify against their traffickers, which can put themselves and their families at risk of retaliation.

Under the 1994 and 2000 VAWA a number of immigrant women were considered not eligible, others were deported, and a number of women chose to stay in the abusive marriage because of a financial dependency on the abuser. In an effort to address the deficiencies in VAWA 1994 and VAWA 2000, VAWA 2005 was passed. VAWA 2005 addressed a number of immigrant abuse issues that the two previous acts did not. For example, more types of abuse were covered under the act in addition to domestic violence, such as stalking, dating violence, and sexual assault. VAWA 2005 also allowed for more victims of abuse to file for protection, including minor (under 25) children and incest victims, and parents of LPRs or citizens.

VAWA 2005 also addressed the particular needs of immigrant wives who are being abused by their LPR or citizen husbands. Abused immigrant women were often fearful of reporting the abuse and filing immigration petitions. Many abused immigrant women did not want to risk being deported to their country of origin and losing their children, or having the immigrant husband deported and losing their financial security. Wives of citizen husbands were not usually financially self-sufficient. Under VAWA

2005, when immigrant women self-petitioned, their children were included in the mother's application. Furthermore, if the VAWA petition was approved, abused immigrant women were given work authorization so that they were not financially dependent upon the abuser husband. Women who feared being deported were given more opportunities to file paperwork under VAWA 2005. Some of the barriers to filing for deportation relief were removed and more opportunities to file were given. Furthermore, if the immigrant women could prove extreme cruelty or battery, they did not have to adhere to the penalties for failure to leave if deportation proceedings had begun. They were also able to get visas for family members who accompanied them in migrating to the U.S. without having to prove extreme hardship in the sending country. Abused immigrant women's confidentiality is another area that was improved upon, which is especially important for women who were brought to this country through trafficking rings. Another important concession is that Immigration and Customs Enforcement (ICE) will not determine arrest or deportation using information provided by the abusive spouse or the spouse's family members. This helps ensure that women no longer have to fear that if they report the abuse to the authorities, the abusive husband will report her to ICE and she will be deported. To further help immigrant women who are victims of domestic violence, under VAWA 2005, abused women are provided information about legal and domestic violence services. The entire process of self-petitioning under VAWA was changed so that fewer forms are required and the cases are expedited (Arguello, 2009).

In 1999 Simon Gonzales abducted his three daughters, all under the age of 11 and killed them. Jessica Gonzales, his estranged wife, had previously filed a restraining order

and repeatedly contacted the Colorado police about fears of her husband harming herself or her girls. Gonzales drove his truck to the police department, open fired and was killed. The bodies of the girls were found in back of the truck. Despite the state's mandatory arrest laws for domestic violence, her husband had not been arrested and her restraining order not enforced. Gonzales filed a law suit against the Castle Rock police for refusing to enforce the restraining order, but in 2005 the Supreme Court found that she did not have a constitutional right to have the order enforced. In 2007, the Inter-American Commission on Human Rights heard the case of *Jessica Gonzales v. United States*, a landmark case in which Gonzales sued the U.S., claiming that her human rights had been violated, stating that the U.S., in particular the Colorado police department, had not protected her from her abusive husband. The Commission returned an admissibility decision in favor of Gonzales. Her case was the first domestic violence one heard by the Commission. Gonzales took her human rights case further by testifying before the United Nations in Geneva. She argued that domestic violence is not an individual or family issue but an issue of human rights abuse (Bettinger-López, 2008).

While many legal advances have been made for both undocumented and documented immigrant women in abusive relationships, there are still gaps in the migration laws. Abused immigrant women are often too fearful to report their abuse. Many immigrant women are not aware of VAWA or do not know how to initiate the self-petition for a change in immigration status. Even when they do seek help, they are not likely to have access to the mandatory documents to prove that they have been abused. Furthermore, cultural and language barriers hinder many women from seeking help. Dasgupta (2000) argues that U.S. immigration acts and laws have been based on sexist

policies which subordinate women to men, giving men complete power and making women dependent upon men. Hass, Ammar and Orloff (2006) found that almost 75% of spouses did not file immigration documents for their abused spouses. Furthermore, Strack (2000) points out that since 1996 less than half of the VAWA petitions have been approved.

### *Theoretical Synthesis*

This chapter has used the extant literature on domestic violence, immigration, and Latin American studies to establish a basic framework for understanding Latina domestic violence victimization and the barriers affecting reporting to the police. Sociological theories of domestic violence, including ones that address severity and magnitude, help to explain why some men abuse women. Push and pull factors surrounding the decision to migrate provide an additional set of dynamics that define gender roles between men and women. As gender power shifts through the processes of immigration, interpersonal conflicts may be exacerbated. Cultural factors specific to Latin American immigrants make explaining Latina domestic violence scenarios even more complex. In the following chapters, this dissertation further links these broad theoretical perspectives into a more cohesive and data driven explanation of situational factors affecting the likelihood of the incident being reported to the police.

## **Chapter 4: Research Methods/Instruments of Collection**

### *Introduction*

Growing up in a small town in the southern Appalachian mountains of North Carolina, Mexico seemed so distant and exotic to me. There was only one Hispanic girl in my elementary school. Her skin was a little darker, she had a strange last name, Garcia, and she sometimes brought tacos to school. I had never even eaten a taco. After three years of high school Spanish, I realized that the language was easy for me, so I decided to major in Spanish at Western Carolina University, the school in my hometown, where I graduated in 1991. At the end of my second year of college, I participated in a two month international program at *la Universidad de las Americas* in Puebla, Mexico. That trip changed my life in many ways. I met my future husband and decided to pursue a M.A. in Latin American Studies at the University of New Mexico. After finishing my master's degree in 1995 and having two boys, we moved to Oaxaca, Mexico for my husband to complete his dissertation research. After two years in Mexico, we returned to western North Carolina. During the six years that I had lived in Mexico and New Mexico, North Carolina had experienced a rapid growth of Mexican immigrants and did not have support services to deal with the growing immigrant population. It did not take long to find a job as a migrant outreach worker and Spanish teacher at a local community college. I soon became part of the migrant social network, particularly the women's social network. I enrolled children in school, helped immigrants fill out job applications, accompanied them to doctor visits and court proceeding, and helped people get their driver's license. I even taught several people to drive and interpreted during the birth of a child and a breast surgery. As I worked closely with the Mexican immigrant community,

I witnessed the stresses associated with migration, especially undocumented migration, and strains as families adjusted to their new situation. As immigrant women reached out for help, I became more aware of the prevalence of domestic violence in the immigrant community.

My husband and I decided to return to Albuquerque in 2000 so that he could finish his Ph.D. and for me to start the Ph.D. program in sociology at UNM. The issues of domestic violence in the immigrant community continued to haunt me. In 2004, we moved to Memphis, Tennessee where my husband took a position at the University of Memphis. I began teaching high school Spanish and English-as-a-Second-Language (ESL) at a local church. Through the ESL class, I met many women and became aware of the prevalence of domestic violence in the immigrant community in Memphis. It was also during this time that I met the director of the Connections Project and decided to focus my dissertation on Latino immigrant domestic violence.

The program referred to throughout this work as the Connections Project has been strategically disguised in order to protect the clients and staff of the agency. However, only the name has been changed. The basic description of the services provided is accurate. The Connections Project is a program of a local branch of a national umbrella organization that is widely known as the oldest and largest women's organization in the United States. The Connections Project serves immigrant women throughout the Greater Memphis and Shelby County Metropolitan area. Since being established in 2003, the Connections Project has served hundreds of immigrant women.

The Connections Project is especially well-known throughout Memphis and Shelby County and their referrals come from a variety of government, business, and

community sources. See Table 1 in Chapter 1 for a detailed explanation of referral sources. Awareness of the program stems from a broad commitment to on-going advertising efforts through newspapers, magazines, radio, and television and is reinforced by a particularly strong program coordinator who is also an immigrant woman. In fact, all of the staff members of the Connections Project are native Spanish speakers born in Latin America. While there are other programs in Memphis and Shelby County that serve Latina victims of domestic violence, the Connections Project's specific focus on immigrant women and their explicit ability to serve Spanish-speaking immigrants attracted my attention early in this study.

#### *Background details*

Originally, the research plan for this study was to collect official law enforcement data that would allow for a detailed analysis of domestic violence incidents involving Latina victims. An automated data source was identified through the Memphis Police Department and the Shelby County Sheriff's office. After an initial review of the data codebook, it became clear that this data set would not allow for the type of analysis desired since the police records did not include sufficient detail to be able to discern between U.S.-born women of Latin American descent and foreign-born Latinas. Similarly, acculturation factors such as length of stay in the United States, language, and country of origin were not included in any standardized fashion on the police reports. A variety of situational factors, soon to be discussed as central to the analysis, were not included in the police reports.

After discovering the limitations of the police data, I decided to contact the executive director of the local branch of the national organization that houses the Connections Project. I had met with the program director of the Connections Project and was already familiar with their work. After meeting with her and agreeing to their data protection protocols, I obtained a security clearance to take a preliminary look at the client files. The first obstacle to accessing the data was that the data had never been analyzed or even compiled electronically. All records were kept in a filing cabinet in hard-copy format. Generally speaking, the file folders were inconsistently labeled, disorganized, poorly indexed, and not standardized. A client intake form, lethality assessment form, and referral tracking form were usually available, although there was some evidence of slight changes in the forms over time. Appendix A includes copies of all three forms.

Case management notes were typically hand-written on a variety of paper types. The files included lots of miscellaneous forms. Occasionally there would be a police report, sometimes an inventory of property for an intake to the shelter, or perhaps school transfer paperwork, or discharge paperwork from a hospital emergency room. Most phone log notes or case notes were written in Spanish. Annual reports compiled by the program director were comprised of tick marks and simple frequency counts usually recalled from memory. The point here is not to criticize the agency or to suggest that their case management is lacking but rather, to provide some insight into the challenges of compiling and automating the data for analysis. To the contrary, it became exceedingly clear that the staff members at the Connections Project were doing an exceptional job of serving their clients in crisis. When given a choice of providing



services or doing paperwork, the client files clearly establish which option the Connections Project staff emphasize.

After a review of fifty or so cases, it became apparent that this data source included many of the pieces of information needed to carry out the project. It was also evident that this would be a tedious and painstaking effort to compile. Simultaneous to my review, I became aware that the program director had allocated some funds to network the various offices of the larger agency in favor of a centralized and automated data storage system. As part of this work, a bilingual assistant was hired to complete as much information as possible corresponding to data normally collected in the client intake forms. The research assistant automated all of the records for the Connections Project from January 2003 through December 2008 and stored them in an Excel spreadsheet. In early 2009, a new database was developed for the program, but there was no available staff to keep up with data entry demands. As of early 2010, no additional records have been automated.

#### *Institutional Review Board*

All research involving human subjects done by faculty and students at the University of New Mexico require the approval of the Institutional Review Board (IRB) for the Protection of Human Subjects. Having already completed the required on-line Collaborative IRB Training Initiative (CITI), I made an application for an expedited review to the UNM IRB committee and received final approval on August 6, 2009. See Appendix B for a copy of the approval letter. With the IRB approval, I obtained the previously collected automated data in the Excel file, which included 646 client records

that had been stripped of all primary identifying information such as name, address, telephone numbers, or government tracking numbers.

### *Sorting the Data and Determining Eligibility*

This project only includes cases of immigrant women born in Latin America who had experienced domestic violence as a result of the behavior of their intimate male partner. The original data set had 646 client records which included a few cases which did not meet these criteria. The following 78 cases were removed:

- Victim is not of Latin American descent (n=21).
- Latina victim is not foreign-born (n=17).
- No evidence that Latina was victimized (n=2).
- No evidence that Latina was victimized by an intimate partner (n=12).
- All perpetrator data missing (n=18).
- Dependent variables missing (n=4).
- Majority of independent variables missing (n=4).

The next step in the process of reviewing the data was to clean and reconcile data inconsistencies. For example, several data fields were entered as text and were not coded in the preferred format. Certain numeric fields were stored as text; there were a number of misspellings, and data that had to be translated into English. The data were checked for referential integrity and logical inconsistencies. For example, a woman with no children could logically not have children in common with her abuser. Similarly, a woman with a total of two natural children could not have three children born in the

United States. And a person with photographs of her injuries should not have been coded as having no injuries. Strategies to correct for missing cases were also used. In cases where the victim's or the alleged abuser's date of birth was missing, the mean value for all victims or abusers was used. Cases with substantial missing data were removed rather than run the risks inherent in using imputed values. The most obvious risk is that imputed data will differ in analytically important ways and consequently lead to bias. This is especially problematic when doing multivariate analyses. In the next sections, the dependent and independent variables for the study will be discussed in further detail.

### *Conceptual Framework*

This study considers immigrant women from Latin America who have been victimized by their intimate partners. All of data are from women who sought services from the Connections Project. In addition to receiving support from the CP, some of these women reported their criminal victimization to the police while others sought not to, but instead to receive all their support from the Connections Project.

Three types of correlates of crime reporting to the police have been examined in the empirical literature—victim specific (individual or household), incident-specific, and environment-specific variables (Bennett & Wiegand, 1994; Goudriaan, Lynch, & Nieuwebeerta, 2004). The current research primarily considers victim/offender specific and incident-specific factors. The context of this research, that of Latina immigrant women, allows for little inference to environment-specific factors, and the neighborhood and community factors are not thoroughly considered due to a lack of data.

### *Discussion of the Dependent Variable*

This study looks at whether or not Latina immigrant women reported incidents of domestic violence to the police. The dichotomous dependent variable is well-suited for a binomial logistic analysis strategy (Borooah, 2001; DeMaris, 1995; Xie, Pogarsky, Lynch, & McDowall, 2006).

### *Discussion of the Independent Variables*

The proposed conceptual model for doing this study includes an analysis of two main areas of information. First, this study considers various individual-specific characteristics of both the victim and the alleged perpetrator. Second, this research will look at a variety of situational determinants. Similar strategies of analysis have been previously done by other researchers in other contexts (i.e., juvenile versus adult reporting) (Watkins, 2005) and college women's reports of sexual assault (Fisher, Daigle, Cullen, & Turner, 2003). The available data source includes information to address these two broad areas of investigation. Each of these categories is discussed in more detail below.

#### *Individual-specific Characteristics*

Individual-specific data for both victims and alleged offenders seems particularly important to include in this study. Demographic data for victims is available including: nationality, place of birth, age, marital status, education, employment status, and income. Certain acculturation measures which are also individual-specific are available for the victims in this research including length of stay in the United States and whether or not

the victim speaks English. Less information is available for the alleged perpetrator, but the following fields can be studied: nationality, place of birth, and age. Each of these variables will be analyzed using bivariate and multivariate techniques to investigate effects on reporting to the police. Prior findings about the relationship between the available independent factors and domestic violence, and questions arising from these findings are included below.

Age: Duncan, Stayton, and Hall (2000) found that the likelihood of domestic violence assault decreased significantly with each year of increasing age.

Younger people are at more risk of being injured in a domestic assault than older people. A more recent study found the same trend (Frias and Angel, 2005). The birthdates of both victims and suspects are available in the CP data.

Race/Ethnicity/Nationality: Tjaden and Thoennes (2000) provide the only evidence available that considers the effect of inter-racial partners and domestic violence. In their study they find that inter-racial intimate partner couples experience domestic violence at a higher rate than intra-racial intimate partners. There is no known research on the effects of nationality on domestic violence for immigrant women. Are there differences in terms of assault risk for women in mixed nationality relationships? Do the power dynamics involved in relationships composed of mixed-nationality couples affect their odds of reporting victimization to the police? These questions will be explored in the next two chapters.

Place of birth: Kantor, Jasinski, and Aldarondo (1994) found that birthplace is a significant predictor of domestic violence. A recent study has shown that Latino women's region of origin significantly affects whether or not they will report domestic violence to the police. Ammar, Orloff, Dutton, and Aguilar-Hass (2005), in a study of women in Washington, D.C., found that Latina women from Central America were the most likely to call the police to report domestic violence (81.5%) followed by South Americans (11.3%) and those of Mexican origin at 7.5%. It is important to note that Mexican women in Ammar et al.'s study only comprised about 14% of their sample. In Memphis, the percentage of women of Mexican descent is far greater. The intake form includes country of origin for the immigrant woman and her aggressor.

Immigration Status: Research has shown that the immigration status of Latina domestic violence victims is a significant barrier affecting the decision to report domestic violence to the police (Raj & Silverman 2002). Length of stay in the United States was also found to be relevant by Ammar et al. (2005). Length of stay is likely to be highly correlated with acculturation. Lown and Vega (2001) found acculturation levels to be associated with domestic violence. In interviews with 1,155 Mexican women in Fresno County, California, birthplace was the primary predictor of domestic violence. U.S.-born Mexican American women were twice as likely as Mexican-born Hispanics to report domestic violence.

Income: Regarding crime reporting behaviors, Baumer (2002) and Goudriaan et al. (2006) show that the likelihood of police notification is significantly lower in areas characterized by socioeconomic disadvantage. Additionally, women who are financially dependant on abusing partners may be reluctant to report them to the police. The Challenge Project intake form asks if the immigrant woman has a job, her schedule, where she is employed, monthly income and how many adults in the home work full-time and part-time.

Education: Perilla (1999) argues that females in Latin America are predisposed to a lack of emphasis on educational priorities. Shared socialization patterns for girls emphasize the role of the dependent female homemaker. Access to education, especially higher education, is often unobtainable to many Latinas. The assets that an immigrant woman brings with her to the receiving country include prior work experience and education.

Marital Status: Stets and Straus's 1990 study found that cohabiting couples reported more violence than did either married or dating couples; they cited three main reasons: social isolation, autonomy-control, and investment. Other studies focusing on Latinos found that women who were married or cohabitating were not significantly more likely to be victimized than women who were single, divorced, separated, or widowed (Van Hightower & Gorton, 1998; Van Hightower, Gorton & DeMoss, 2000). A major problem in many previous studies of marital violence within Latino communities is that researchers did not differentiate between the

national origins of respondents. The presence of this information in my data enables this study to address that deficiency.

### *Situational Characteristics*

It would seem that certain situational characteristics of the domestic violence incident in question might also have an effect on the likelihood of reporting to police. Several “situational” characteristics of the incidents will be coded from the files. Specifically, did the incident involve any witnesses? Were children present? Was the victim pregnant? What was the relationship of the victim to the offender? Were there multiple victims and/or multiple offenders? Where did the incident occur (i.e., public vs. private setting)? Was there some specific fear of repercussions to the victim if she reported (gangs, etc.)? Were there previous violent incidents involving the victim and the current perpetrator? Had the victim previously been victimized? Some of these issues are discussed in more detail below.

Ended Relationship: Based on a thorough review of the literature, there are no known studies that consider whether the victim and/or offender believed that the relationship had already ended at the time of the domestic violence event. The Connections Project Client Intake Form asks whether the aggressor was a spouse/ex-husband, boyfriend/ex-boyfriend and whether the woman had applied for a divorce. This might have an explanatory value for reporting abuse and could be useful in predicting future risk of violence.



Pregnancy: The intake form asks whether the victim was pregnant. Latina women report more abuse during pregnancy than Anglo women (Edelson, 2007). Erez et al. (2009) interviewed 137 immigrant women from 35 countries and found that 46% reported being battered while pregnant. Prior research has shown that among Hispanic immigrant women, pregnancy reduces the probability of domestic violence victimization (Van Hightower, Gorton, and DeMoss, 2000). Their research however is contradictory in that nearly 50% of the victims were subsequently identified as pregnant. Murdaugh, Hunt, Sowell and Santana (2004) found that the severity of abuse increased among Hispanic women who experienced domestic abuse prior to and during pregnancy. Pregnancy in the current dataset is simply coded as yes or no. Women were also asked whether they were receiving prenatal care or had medical insurance.

Relationship of victim to suspect: This field records the social relationship of the victim to the offender. The intake form includes two categories: husband/ex-husband/family member and boyfriend/ex-boyfriend/girlfriend/child in common/roommate. Evidence in the literature shows that Hispanic couples who report that they are not married are twice as likely to experience domestic violence as those who are not (Cunradi, Caetano, Clark, & Schafer, 2000). Furthermore, Kaukinen (2004) suggests that race and the relationship between victims and offenders influence the nature and type of violence one experiences as well as how victims and the criminal justice system are apt to respond to such incidents.

Having a Driver's License/Access to Transportation: The Connections Project intake form inquires as to whether a woman has a driver's license and if she has reliable access to transportation. In the state of TN, it is not legal for an undocumented immigrant to receive a driver's license. Prior to 2003, many immigrants were allowed to receive licenses. All of the previously allowed driver's licenses expired in February, 2009. The ability of undocumented immigrants to obtain a drivers license varies by states. Having reliable access to transportation is a second variable in the data set. Based on confirmation from the program staff, this variable captures whether the woman had a vehicle available for her use whether she had a driver's license or not. This field will be used as a better measure of victim independence. This clearly has implications for women who may be seeking to escape a violent situation.

Witnessing domestic violence of victim's child: The Connections Project intake form asks the women whether their children have witnessed abuse. Furthermore, it is possible to determine if the victim's children were present during the referring domestic violence incident. At least one study has suggested that this is a critical factor affecting the likelihood of crime reporting to the police (Ammar et al. 2005).

Victim injury: Substantial evidence in the literature has established a strong positive association between crime severity and likelihood that a crime report will

be made (Baumer 2002; Felson, Messner, Hoskin, & Deane, 2002; Pino & Meier, 1999; Shnebly, 2008). Sometimes reporting to the police is a foregone conclusion, especially in domestic violence incidents where injuries requiring medical treatment are present. The Connections Project case files include few details about the referring incident.

### *Project Limitations*

This research project only considers two dimensions of help-seeking behavior – those who contact the Connections Project and report to the police and those who only contact the Connections Project. In Memphis, The Connections Project is the primary agency that serves immigrant women who are victims of domestic violence. There is no other agency in Memphis that strategically targets this population or that has the demonstrated breadth of services available for immigrant women. Even so, there are many other types of help seeking behavior that are not included here (i.e., family, friends, faith-based, other mental health resources, and medical doctors). Perhaps most importantly, this study does not consider data for Latina victims who did not seek help at all. Also, this research does not address the original motivations for reporting to the police. If we knew what the victims hoped to achieve by contacting police, we might be able to anticipate why other victims do not seek help.

Although some anecdotal evidence may be available, this study does not consider broader social issues systematically at a community or neighborhood level such as economic disadvantage, confidence in the police, collective efficacy, social capital, and

social cohesion, which may all be relevant factors affecting police reporting and help seeking behaviors.

### *Conclusions*

The data set for this secondary research study was obtained from the Connections Project located in Memphis, Tennessee, and is based on immigrant women born in Latin America who became victims of intimate partner domestic violence between 2003 and 2008. The data files were electronically provided by the Connections Project and were stripped of all primary identifiers. The data offer a unique opportunity to complete a case study of Latina immigrant women living in Memphis, TN.

The dichotomous dependent variable is reports made to the police. The independent variables in the project will allow for a replication analysis similar to other studies in the literature. Some independent fields have not been widely studied in the literature on immigrant women and domestic violence. Nationality data will allow for a comparison of individual factors that may increase or decrease the odds of assault and/or reports to the police. This research will also support analysis of commonalities and differences between the victim and alleged abuser that have previously not been fully considered.

The research methods in this study are appropriate and are similar to other studies done related to domestic violence and reporting to the police (Xie, Pogarsky, Lynch, & McDowall, 2006). The case sample includes data for 568 Latina immigrant women – an ample size to warrant the analytical procedures that will be used in chapters 5 and 6. This work will contribute substantially to the literature and provide some useful contributions

to potential policy shifts in the Mid-South as lawmakers and advocates seek to better assess assault risks and remove possible barriers for immigrant women suffering from abuse.

## **Chapter 5: Factors Contributing to DV Reporting**

### *Introduction*

Immigrant women suffer a much higher rate of domestic violence than non-immigrant women (Dutton, Orloff & Aguilar-Hass, 2000; Raj & Silverman, 2002). In fact, one study found that almost half of the immigrant women in that study reported experiencing an increase in abuse after migrating to the United States (Anderson, 1993). Several studies in the last decade have looked at the characteristics of female victims and male perpetrators in seeking to answer the question of why immigrant women are abused at such a high rate and why all of them do not report the violence to the police.

### *Culture and Domestic Abuse*

Migrating to the United States is very stressful for most immigrant families. They not only have to learn a new language, and find housing, employment, and schools; they must learn how to “negotiate” the new culture in which they live. They are bombarded with new ideas, norms, and values and must determine how the new culture fits with their traditional or sending community culture. Change is inevitable and that change often creates conflict. Hass, Dutton, and Orloff (2000) found that 48% of the women in their study reported an increase in domestic violence after migrating to the United States. Almost 10% of immigrant women reported that they experienced abuse during the process of immigration and a third of immigrant women reported an increase in the battering after immigration (Hass, Ammar, & Orloff, 2006). Adames and Campbell (2005) suggest that “exposure to mainstream U.S. culture and more liberal attitudes could be more harmful than liberating to immigrant Latinas” (p. 1343).

There is an inherent risk in any discussion of culture as being a contributing factor leading to victimization of any sort. The challenge lies in avoiding the tendency to accept negative behaviors and attribute them to either naturalized (i.e., that's just how they are) or culturalized (i.e., that's how they treat their women) conditions (Erez, Adelman & Gregory, 2009). Accepting harmful behaviors as inherent conditions of being a member of a particular cultural group minimizes the effect of domestic violence on women and may lead to an insincere commitment to justice for victims. Another important point to consider is that not all batterers of Latina women are Latino men and even among those who are Latino, assimilation varies considerably. In the data used for this study, for example, seventy-five (13.2%) of the alleged perpetrators were not of Latin American descent. Even so, traditional Latino male culture, inasmuch as such a complex concept can be generalized, has often been described as being centered on masculine dominance, power, and a willingness to engage in high-risk behaviors (Gonzalez-Guarda, Ortega, Vasquez and De Santis, 2010). This power is an integral part of the male Latino manifestation of machismo.

While there may be several examples of such behavior, alcohol consumption provides one scenario in which to explore the concept of machismo. In one instance, researchers found that alcohol consumption by Latino men was described as being a cultural inheritance and a common cause of arguments with intimate partners (Fiorentino, Berger, & Ramirez, 2007). Latino men often demonstrate their manliness through the consumption of alcohol. Macho men must drink. When heavy alcohol consumption is combined with a need to exert control or show their power, domestic violence is often the result. Recent, less assimilated, male immigrants may be more likely to turn to violence

to exert some control over their social world and deal with the stresses associated with migration. Unassimilated Mexican men are likely to hold to the cultural tradition that associates maleness with alcohol consumption (Perilla, 1999). While not all men who drink abuse their wives, male alcohol use is strongly associated with domestic violence. Several studies (i.e., Caetano, Ramisetty-Mikler, and McGrath, 2004) have found that women are more likely to be abused by men who drink excessive amounts of alcohol. Men who experience migration-related stress were more likely to react with abuse (Caetano et al., 2007). A qualitative study of eight Mexican immigrant women also found that the women interviewed considered heavy drinking to be a cultural trait of machismo and associated heavy drinking with domestic violence (Adames & Campbell, 2005). In a study of 60 immigrant Latinas living in an urban area in the United States, Perilla, Bakeman, and Norris (1994) found a high correlation between levels of male partner's consumption of alcohol and levels of female partner abuse. In fact, 77% of the women who reported that their husbands drink frequently also reported that they experienced high levels of abuse from the intoxicated male partner. In a study of 527 Hispanic couples residing throughout the United States, Caetano et al. (2000) found that for highly acculturated men, frequent heavy drinking is strongly associated with male-female domestic violence. Male perpetuated domestic violence was also higher for men who were categorized in the moderately acculturated group, whose alcohol consumption levels were lower (once a week or more) than those of men who rarely or never drink. Caetano et al. (2000) also found that women who occasionally drink are more likely to be abused than women who do not drink. In a study of 89 men, half of whom were Spanish-speaking immigrants, who were attending a batterer's intervention program in Southern



California, Scott et al. (2009) found that 27% of the Spanish-speaking men, of whom nearly 90% were Mexican and a third were undocumented, had a history of domestic violence arrests and more than half the men in the study reported using alcohol. In contrast to the above studies which found a link between alcohol and domestic violence in immigrant families, Caetano, Ramisetty-Mikler, Vaeth, & Harris, (2007) argue that acculturation stress, adjusting to a new life in a new country, rather than alcohol is responsible for domestic violence. Caetano et al. (2007) found that contrary to other past studies, alcohol was not related to domestic violence. However migration-related stress, the stress of moving to a new country, and finding a home, school, job, and so on, was linked to domestic violence.

Scott et al. (2009) also found that almost half the men in the Southern California domestic violence treatment program he studied were Mexican-born immigrants with an average of nine years living in the U.S.; and that, although it was not the focus of the study, they tended to have low acculturation levels. Kantor, Jasinski, and Aldarondo's (1994) findings from a study of 800 Hispanic families support the claim that acculturation, as measured by birthplace, is highly associated with wife abuse. Acculturation stress has also been linked to domestic violence in Mexican American families in California (Firestone, Harris, & Vega, 2003). Kantor, Jasinski, and Aldarondo (1994) found that birthplace is a significant predictor of domestic violence. Walter (2006) found that age at migration to the United States is also a significant indicator of male perpetuated violence. Men who migrated to the U.S. at a younger age were more likely to abuse their female partners than men who migrated later in life.

Migration to the United States produces many stressors that may lead to domestic violence, but factors associated with migration are not the sole causes of domestic violence; other cultural beliefs and norms also contribute to this social problem. A belief that wife beating is acceptable increases the likelihood that a man will abuse his wife or domestic partner (Walter, 2006). Many Latinos believe that slapping one's wife is appropriate in an interpersonal relationship (Ingram, 2007). In considering the approval of domestic violence, Kantor, Jasinski, and Aldarondo (1994) found variations in the acceptability of domestic violence among several Hispanic subgroups. Cubans reported the least approval of male perpetuated violence (2.5%), followed by Mexicans (10.5%), Mexican Americans (17.9%), and Puerto Ricans (20.4%). Approval of wife abuse doubles the odds of abuse occurring (Kantor, Jasinski, & Aldarondo, 1994). Also, the belief that family and community members will intervene in domestic violence is a deterrent to violence (World Health Organization, 2003).

Children who grow up in families in which domestic abuse commonly occurred may be especially likely to accept wife beating as a normal part of male-female relations. Kalmuss (1984 as cited in Perilla, 1999) suggests that childhood observations of spousal abuse are a strong predictor of that child becoming an abuser in his intimate partner relationship. One survey of over 12,000 households found that more Latinos than non-Latinos reported having been a witness to domestic violence in their home as a child (Ingram, 2007). More than half (224 out of 527) of the male perpetrators in Caetano et al.'s (2000) study reported witnessing domestic violence as a child or having been a child victim of domestic violence. More than 90% of Latino men in batterer intervention

programs and 80% of Latina women in support groups report observing domestic violence as a child (Perilla, Frndak, Lillard & East, 2003).

### *Demographic Predictors of Domestic Abuse*

Menjívar and Salcido (2002) use the term “environmental stressors” to refer to strains within the family that are associated with education, employment, and money. Perilla, Bakeman, and Norris (1994) found victim’s income to be a significant predictor of abuse. Abused women in their study had higher incomes than their husbands, making their economic contribution to the family greater than the man’s contribution. In fact, regardless of income level, employment outside the home is a strong predictor of abuse among Mexican immigrant women (Murdaugh, Hunt, Sowell, & Santana, 2004). When couples first arrive in the U.S., women often find employment faster and more easily than men, and often at a higher salary than their male partners. When this situation occurs, men are often left feeling vulnerable and react by abusing their partner (Gonzalez-Guarda et al., 2010). Another study found frequent domestic violence to be associated with the number of years of employment of the wife (Oropesa, 1997). Domestic violence is also higher in families in which neither the husband nor the wife is employed than in dual-income or husband-as-breadwinner families (Oropesa, 1997). Kantor, Jasinski, and Aldarondo (1994) also found that unemployment led to an increase in domestic violence. These findings are especially daunting when one considers that Mexican men are almost twice as likely as other Hispanics or Anglos to be unemployed or only employed part-time (Kantor, Jasinski, & Aldarondo, 1994).

Less educated women are more likely to be abused than highly educated women (Perilla, Bakeman, & Norris, 1994). Oropesa (1997) also found education to be a significant predictor of domestic violence. A wife's likelihood of being abused declines with each additional year of education. As education and literacy increase, women become more aware of their rights and of the services that are available to them. Furthermore, a higher education may lead to more employment opportunities and choices for women, which can offer them the economic means to leave an abusive relationship.

Most studies find that women in consensual unions are more likely to become victims of domestic violence than married women (Caetano et al., 2000; Oropesa). Kenney and McLanahan (2006) found little difference in physical violence occurring within the first year of a relationship (19% for married couples and 21 percent for cohabiting couples); however in looking at long-term relationships they found more physical violence in cohabiting couples (31%) than married couples (19%). Women who are older than their partner are also more likely to be abused than women who are younger or about the same age as their partner. Also, women who marry at a young age are more likely to be abused than women who marry later in life (Oropesa, 1997). While one study found that domestic violence is more likely to occur in young families, Champion (1996) found that abused women in his sample had on average been married eight years, about two years longer than women who reported no experience of domestic violence. As age of the abuser and victim increases, domestic abuse tends to decrease (Kantor, Jasinski, & Aldarondo, 1994).

The number of children in the family has also been found to be a predictor of domestic violence. Women with more children are more likely to be the victims of abuse

than those with few or none (Perilla, Bakeman, & Norris, 1994). While Lown and Vega (2001) found that women with four or more children were more likely to be victims of domestic violence, Champion (1996) found that women with three or more children were more likely to be abused. Markides, Roberts-Jolly, Ray, Hoppe, and Rudkin (1999) found a decrease in marital satisfaction during the child-bearing years. It is not surprising that there would be an increase in domestic violence during this time as families adjust to new economic and time constraints related to starting and raising a family.

Researchers have also found a difference in rates of domestic violence between rural and urban areas, though the results are inconsistent. Oropesa (1997) and Champion (1996) found that women in rural areas were more likely to experience domestic violence than women in urban areas. Lown and Vega (2001), however, found that living in an urban area contributed to domestic violence.

Women whose immigration status is dependent upon a male U.S. citizen or legal permanent resident (LPR) are in general more likely to be abused than women whose migration status is not dependent upon their husbands. In fact, Narayan (1995) cites a study (see Anderson, 1993) claiming that more than three-fourths of women whose immigration status was dependent upon male spouses were abused. Another study argues that the immigrant/citizen marriage is three times more likely to be abusive than non-immigrant marriages. Furthermore, the study revealed that 64% of abused immigrant women were or had been married to citizen husbands (Hass, Ammar, & Orloff, 2006). In another study, seventy two percent of the spouses of abused dependent immigrant women had not applied for legal immigration papers for their wives (Raj & Silverman, 2002).

Menjívar and Salcido (2002) suggest that in addition to immigration status, women who do not speak English proficiently are at a higher risk of experiencing domestic violence than women who do. Champion (1996) also found that abused Mexican American women were less assimilated in terms of their English language usage than non-abused Mexican American women. The abused women were primarily Spanish dominant speakers or monolingual Spanish speakers.

Menjívar and Salcido (2002), however, note that among some immigrant communities, an abused woman's ability to speak English puts her at even greater risk of domestic violence. In such cases a husband who feels threatened by his wife's proficiency in English and consequent ability to report the abuse, may try to exert more control over the woman. In a study of Latino domestic violence in rural eastern North Carolina, an area that has had recent dramatic increases in the Mexican immigrant population, Denham et al. (2007) found that those Latina women who completed the English language questionnaire reported higher rates of domestic violence than the women who filled out the questionnaire in Spanish. The authors do note that although there was a language difference in respect to abuse, it was not statistically significant. Caetano et al. (2007) looked at the effect that acculturation levels had on both men and women. In a study of nearly 400 couples, they found that lower acculturation for men is more likely to cause stresses that result in domestic violence. The finding was opposite for women. Women with higher levels of acculturation were more likely to be victims of domestic violence. Furthermore, Hirsch (1999) in *En el Norte la Mujer Manda*, proposed that the migration process does indeed lead to changing gender roles which may create strain in the marital relationship; however both men and women in her study reported the

widespread belief that in the North men cannot hit women because the police will intervene. Immigrant women, regardless of migration status, do have a legal right to protection from an abusive male. She further suggests that men are not as macho in the North because aggressive behaviors such as excessive drinking and fighting are likely to call negative attention to them and attract the police or migration officials.

These empirical findings provide a basis of comparison for assessing the findings portrayed herein. The following section includes a summary and discussion of the demographic, cultural, and situational factors included in the data set used in this study.

#### *Demographic Data Summary*

The following discussion seeks to describe the data included in this case study. Note that the data collected for this study were not specifically gathered for use in this research; rather, they were used to inform and guide the case management practices of the Connections Project. This is typical of secondary data research and, as is often the case, analysis of a secondary data set leaves the researcher wishing for additional details. Still, the data summarized here make a significant contribution to the literature in that the conditions of Latina immigrant women victimization are described at this unique location and time in history. Table 2 provides a demographic summary.

#### *Victim Age at Time of Intake*

The mean age for all victims at the time of intake into the Connections Project was 31.5 years of age and the ages are fairly normally distributed across the sample. Calculating the skewness statistic shows a significant positive skew as a result of extreme

outliers. The median value is only slightly lower, however, at 31.3 years old. The age of victims ranged from 13 to 65 years old, with a standard deviation of 7.7 years.

### *Victims' Marital Status*

While seemingly straightforward, marital status is not always a simple matter to understand, particularly with Latino immigrants. Marriage can occur *por los dos leyes* (by the two laws). These refer to civil law and the law of the church. Sometimes, Latinos do not consider themselves married unless it is by both laws. Others considered themselves married even though they were not formally bound together by either law. These complexities are often difficult to sort out and are even further complicated as a result of migration. According to the data collected, less than half (39.4%) reported they were married at the time of intake. For undocumented immigrants, it is especially difficult to find a way to legally marry in Tennessee.



**Table 2: Demographic Characteristics of the Sample**

<b>Characteristic</b>	<b>% (N=568)<sup>4</sup></b>
<b>Mean age at intake</b>	31.5 years (s.d.=7.7)
<18 years old	1.6%
18-24 years old	19.2%
25-29 years old	23.9%
30-34 years old	25.9%
35-44 years old	24.5%
>44 years old	4.9%
<b>Marital status</b>	
Married	39.4%
Not married	60.6%
<b>Victim's monthly income</b>	
<\$1,123 month	93.5%
<\$1,515 month	3.2%
<\$1,908 month	2.6%
<\$2,300 month	0.7%
<b>Mean # people in the household</b>	4.2 (s.d.=1.6)
<b>Mean # adults working in house</b>	1.3 (s.d.=1.3)
<b>Mean Years of Education</b>	8.2 years (s.d.=3.2 )
0-6 years	41.2%
7-9 years	29.0%
10-12 years	24.6%
>12 years	5.1%
<b>Victim Employed</b>	
Yes	54.2%
No	45.8%
<b>Mean # of Children Total</b>	2.0 (s.d.=1.4)
U.S.- born only	36.3%
Foreign-born only	22.9%
Both U.S. & Foreign-born	19.2%
No children	14.7%
<b>Pregnant at intake</b>	12.1%
<b>Mean # minors in home</b>	0.7 (s.d.=0.5)
<b>Mean # children U.S.-born</b>	1.1 (s.d.=1.2)
<b>Mean # children foreign-born</b>	0.9 (s.d.=1.3)
<b>Victim nationality</b>	
Mexico	61.4%
Central America	23.8%
South America	9.7%
Caribbean	4.6%

<sup>4</sup> Some categories do not add up to 100% because of rounding or missing data.

### *Victim Income and Employment Status*

As a result of certain funding requirements, the agency that gathered the data for this study did not collect victim income as an absolute amount value. Rather, the data are coded according to certain thresholds which allow the agency administration to draw down dollars for certain types of victims based on their self-reported income. The majority of all victims (93.5%) report their monthly income to be less than \$1,123 per month.

There are some other data fields which provide more insight into the overall economic situation of these women. At the time of intake, the women reported a mean of 4.2 people living in their primary residence with a range from 2 to 14 (s.d.=1.6 persons). The composition of these households is open to some speculation. Slightly more than half (54.2%) of household members were reported to be employed. On average, these female victims had 0.7 minor children living in the home. The remaining individuals in the home are likely the intimate partner-and probably the abuser- along with one or two other adults. The women reported that a total of 1.3 adults per residence were wage earners. Slightly more than one-third, 34.3%, of the victims lived in households with only one employed adult. In most (69.2%) of these single-income households, the victim was the only adult employed. Another one-third (29.0%) lived in households where no adult was employed. The remaining cases (36.6%) include households with more than two employed adults. In summary then, these women were predominately from single wage-earner households and each wage had to support an average of 3.2 individuals. Nearly half (48.4%) of the women in this sample did report receiving some form of

public assistance. The most commonly received public assistance was WIC, Medicaid, or food stamps.

### *Victim Education*

Compulsory education in most of Latin America extends only through primary school. In the current sample, the victims had an average of 8.7 years of education with a standard deviation of 3.2 years. Extreme outliers on the upper end of the education distribution inflate the mean. The ratio of skewness to its standard error is  $.220/.103=2.14$ . Using a criterion of 2.0 or greater in magnitude shows that the mean is significantly skewed in a positive direction. The mean is therefore biased and the median of 8.0 years of education is a more appropriate measure of central tendency. Slightly more than one-quarter (25.4%) reported having twelve or more years of education.

### *Languages of Victim*

Two of the women in this sample spoke Portuguese, but all of the others reported speaking at least some Spanish. While many of the victims probably spoke at least some English, only 12.9% were coded as bilingual speakers of English and Spanish.

### *Medical Insurance for Victims*

Few of the victims had any medical insurance (7.9%). Some women reported that they had no insurance for themselves, but that their children did receive Medicaid or some other insurance (an additional 4.0%). As will be shown in the next section, 59.7%

of victims reported having children born in the U.S. Presumably, all of these children would have been Medicaid eligible.

### *Victims with Children*

Most women in this sample had children (85.3%). On average, the women had two children. Some of these reported children were no longer minors and may not have been living with the mother. About one-third of victims had more than two children. A total of 315 women (55.5%) in this sample had at least one child who was born in the United States. Almost one-quarter (22.9%) of the women reported that all of their children had been born in another country while another one-fifth (19.2%) had some children born both in the United States and others who were born abroad. A number of women (12.1%) were pregnant at the time of their intake into the Connections Project.

### *Cultural Data Summary*

Culture should not be used as a justification to accept negative behaviors. As mentioned previously, the pitfall that policymakers and others sometimes make is to simply ignore or even accept negative behaviors, including violence against women, by claiming that a certain behavior is culturally prescribed. The implication is that the people who share a particular culture have made some rational choice to accept the practices and behaviors shared by their culture.

As migrants travel to a new country, cultural challenges face them. The challenges are not limited to issues of acculturation and assimilation into the receiving community, but also to resolving and negotiating aspects of culture from the sending

community. In this section, a discussion of regional differences and a proxy measure of acculturation, length of stay in the United States, will be presented. Some basic descriptive features of the alleged perpetrator will be included. Less data about alleged abusers is available for analysis.

### *Victim Place of Birth*

Recent migratory trends to the Mid-South show that immigrants largely originated in Mexico. Mendoza (2002) completed a study of Latino immigration to Memphis City and Shelby County and determined that Latino immigrants were primarily of Mexican descent (69.3%). Central and South Americans comprised 22.4% of the population in 2000 and those of Caribbean descent made up approximately eight percent (Mendoza, 2002). In the current sample, the majority of women (61.4%) were originally from Mexico. It is also important to note that the Program Coordinator of the Connections Project and the majority of the staff are also natives of Mexico. It is not surprising that Mexican women are the majority in the sample because they predominate in the general Latino immigrant population. Central Americans are the next most represented group of women with Hondurans (9.9%), El Salvadorans (6.3%), and Guatemalans (6.0%) being most prominent. Less than one-tenth of victims in this sample are of South American descent and Colombians (2.8%) made up the largest percentage. Caribbean women were the least represented at only 4.6%.

It is important to note that the data included in this secondary analysis are not randomly selected. Thus, generalizations should be made with great care. Small samples for Caribbean and South American women pose threats to the validity of any conclusions.

Similarly, it would be ill-advised to make any specific generalizations about the victims from any given country. See Table 3 for a complete frequency list.

**Table 3: Victims' Place of Birth**

Place of Birth	<i>f</i>	Valid %	
<b>Mexico</b>	<b>349</b>	<b>61.4</b>	
<b>Caribbean</b>	<b>26</b>	<b>4.6</b>	
	Cuba	8	1.4
	Dominican Republic	6	1.1
	Puerto Rico	12	2.1
<b>Central America</b>	<b>135</b>	<b>23.8</b>	
	Costa Rica	1	0.2
	El Salvador	36	6.3
	Guatemala	34	6.0
	Honduras	56	9.9
	Nicaragua	7	1.2
	Panama	1	0.2
<b>South America</b>	<b>55</b>	<b>9.7</b>	
	Argentina	4	0.7
	Bolivia	7	1.2
	Brazil	7	1.2
	Chile	7	1.2
	Colombia	16	2.8
	Ecuador	1	0.2
	Peru	5	0.9
	Uruguay	2	0.4
	Venezuela	6	1.1
<b>Unspecified/Missing</b>	<b>3</b>	<b>0.5</b>	
<b>Total</b>	<b>568</b>	<b>100.0</b>	

*Victim Length of Time in the United States*

An immigrant's length of time in the United States is an important proxy for acculturation. Clients served by the Connections Project are interviewed by counselors upon intake and are asked how long they have been living in the United States. Unfortunately, this question is not clearly specified, and thus there is no clarity as to whether the answers reflect total time in the United States or only the amount of time on their most recent migration. Latin American women typically have fewer border crossings than men (Arriola, 2000), and it is reasonable to expect that this variable refers

to victims' total time in the country. An analysis of the data shows that women in this sample had been living in the United States for a mean of 6.6 years (s.d.=4.7 years and a range of less than one month to 35 years). A closer analysis shows that 83.6% of victims had arrived in the country within a decade prior to their intake into the Connections Project program and 44.4% had been in the country 5 years or less.

The victims' length of time living in Memphis is also recorded. Memphis has not been a traditional migrant pole and migration patterns, especially since 1995, have shifted to many new destinations in the South (Camarota & Keeley 2001; Mendoza, 2002; Saenz, 2004). The participants reported living in Memphis for a mean of 4.6 years (s.d.=3.2 years) with a range of less than one month to 22 years. Since this sample includes intakes between 2003 and 2008, it is logical that most victims arrived in Memphis between 1998 and 2003.

#### *Victims' Relationship to Perpetrator*

The information reported about alleged perpetrators is provided by the victim at the time of intake into the Connections Project and there is little to no independent corroboration or verification of the personal data collected with the exception of data on the police incident report (if one exists). Data reliability regarding alleged perpetrators is a concern and there are considerable amounts of missing data.

The current data set only includes records where the reported perpetrator was a current or former intimate partner. Domestic violence incidents involving other relatives were excluded prior to analysis. The victims reported the following relationships with

their alleged perpetrator. There were no instances of same-sex domestic violence in this data set.

**Table 4: Relationship of Perpetrator to Victim**

<b>Relationship of Perpetrator to Victim</b>		<i>f</i>	<i>%</i>
<b>No Children in Common</b>		<b>276</b>	<b>48.6</b>
	Boyfriend	219	38.6
	Ex-Boyfriend	44	7.7
	Spouse	13	2.3
	Ex-Spouse	0	0
<b>With Children in Common</b>		<b>292</b>	<b>51.4</b>
	Boyfriend	16	2.8
	Ex-Boyfriend	46	8.1
	Spouse	211	37.1
	Ex-Spouse	19	3.3
<b>Total</b>		<b>568</b>	<b>100.0</b>

#### *Age of Alleged Perpetrator*

The mean age of the accused perpetrators (33.3 years, s.d.=7.9) was slightly higher than the mean age of the victims (31.5 years, s.d.=7.7) in this data set. The mean age gap between victims and alleged perpetrators is slightly higher than the difference of the means. The age gap in years is 4.1 years, which can be accounted for by the unbalanced standard deviations between the two groups.

#### *Perpetrators' Place of Birth*

The alleged abusers of the victims in this sample, as might be expected, are mostly (87.0%) of Latin American origin. The largest group of men was from Mexico (57.9%), while Central Americans (18.5%), South Americans (5.8%), and those from the Caribbean (4.2%) were also represented. Note that 12.9% of the sample were born in the United States and were divided between African Americans (4.4%) and Anglos (8.5%). At least two Latinos were identified without a specified country of birth.



**Table 5: Perpetrators' Place of Birth**

Perpetrators' Place of Birth		<i>f</i>	Valid %
<b>Asia</b>		<b>2</b>	<b>0.4</b>
<b>United States</b>		<b>73</b>	<b>12.9</b>
<b>Mexico</b>		<b>329</b>	<b>57.9</b>
<b>Caribbean</b>		<b>24</b>	<b>4.2</b>
	Cuba	9	1.6
	Dominican Republic	6	1.1
	Puerto Rico	9	1.6
<b>Central America</b>		<b>105</b>	<b>18.5</b>
	El Salvador	20	3.5
	Guatemala	34	6.0
	Honduras	43	7.6
	Nicaragua	3	0.5
	Panama	5	0.9
<b>South America</b>		<b>33</b>	<b>5.8</b>
	Argentina	5	0.9
	Bolivia	4	0.7
	Brazil	3	0.5
	Chile	1	0.2
	Colombia	9	1.6
	Ecuador	4	0.7
	Peru	2	0.4
	Uruguay	2	0.4
	Venezuela	3	0.5
<b>Unspecified Latino</b>		<b>2</b>	<b>0.4</b>
<b>Total</b>		<b>568</b>	<b>100.0</b>

A comparison of the victim/perpetrator place of birth reveals surprisingly diverse relationships between intimate partners. Over half (52.6%) of the victim/perpetrator relationships were between individuals who did not have the same country of origin. A cross-tabulation collapsed by region shows a statistically significant difference between victim and perpetrator country of origin comparisons. Of the Latino categories shown in Table 6, Mexican women are the most likely to have a male abuser who is from the same sending country. Mexicans are the most likely to engage in same-nationality relationships followed by Central Americans, South Americans, and victims from the

Caribbean. Generally these trends line up with expected values especially in light of the number of available same-nationality partners.

**Table 6: Comparison of Victims' and Perpetrators' Country of Origin**

Country of Origin	Mexico		Central America		South America		Caribbean		Total	
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
Different	146	41.8	83	61.5	44	80.0	23	88.5	296	52.4
Same	203	58.2	52	38.5	11	20.0	3	11.5	269	47.6
Total	349	100.0	135	100.0	55	100.0	26	100.0	565	100.0

$X^2(3)=50.438, p<.05$

### *Incident Specific Data Summary*

The primary objective of this study is to better understand Latina immigrants' decision to report domestic violence incidents to the police. The current data set allows for an unprecedented explanation of some of the situational factors that may facilitate or pose barriers to police reporting. In this case study, 227 (40.0%) of the victims filed a police report as a result of their most recent domestic violence victimization. In the following sections, various cross-tabulations will be presented to illuminate the demographic and situational factors that may account for this difference.

### *Language*

An examination of language ability in this population does not reveal any significant differences ( $X^2(1)=.218; p>.05$ ). Bilingual women in this sample were no more likely to report abuse to the police than women who spoke only Spanish. Perhaps this finding is blurred by issues of language competency. English immersion allows for some transference of language ability and unintentional language learning occurs.

Length of stay in the United States may be a better measure of acculturation than English language ability. Another factor that may account for the statistical irrelevance of language in this analysis is the much wider availability of Spanish language services in local police forces. It is possible that even monolingual Spanish speakers would feel fewer barriers to reporting to the police because of the availability of Spanish-speaking dispatchers and other law enforcement officials.

#### *Victim Length of Time in the United States*

Various iterations of length of stay in the United States were considered and similarly found to be statistically unimportant as indicators of reporting to the police. Again, this may be a result of improved community outreach activities similar to the broader range of services available through local police departments. It may also be that the victim's extended network may help reduce barriers that might otherwise decrease the likelihood of reporting. In this scenario, even a woman who is a recent arrival to the United States would benefit from the experiences of those in her social network. This may also suggest mean duration of stay is not a good indicator of assimilation in general.

#### *Victim Employment Status*

The women in this sample were nearly equally split between those who were employed (54.2%) and those who were not (45.8%). Cross-tabulating employment status by whether or not the most recent incident of domestic violence was reported to the police did not reveal any statistically significant differences ( $X^2(1)=1.849$ ;  $p>.05$ ). Perhaps a contributing factor in this situation is the different ways that immigrant women

sometimes explain their employment status. Work done in informal sectors is sometimes not considered to be “real” employment (Smith & Mannon, 2009) and some have favored the term “semi-formal,” to describe the grey areas of overlap between clearly formal and clearly informal employment (Cobb, King, & Rodriguez, 2009). According to previous research, being employed should increase independence and contact with others who might be influential in a woman’s decision to report abuse; however, in this sample, this hypothesis is not supported. Low paying, menial jobs may not be very empowering or independence-generating.

#### *Victim/Perpetrator Country of Origin*

In situations where the victims and alleged perpetrators were from the same country of origin, the data show a significantly higher tendency to report to the police ( $X^2(1)=25.61$ ;  $p<.05$ ). One might have expected the opposite finding – that is, that the woman would be more likely to report a non-compatriot. The increased likelihood of reporting to the police might be better explained by considering the role of extended family members. Because of the increased familiarity with a perpetrator from the same country as the victim’s family, extended relatives may be more likely to encourage reporting. It also increases the likelihood that extended relatives of the couple will also be acquainted and thus, they may have higher levels of personal interest in the couples’ relationship. Also, a number of the non-equal partners were American citizens.

The data sample included 75 cases where alleged abusers were born in the United States. Victims who were coupled with U.S.-born perpetrators were significantly less likely to report to the police. Considering the immigration vulnerabilities of many of the

Latina women in this sample, it is perhaps not surprising that only 26.7% of those in relationships with U.S.-born men reported their abuse to police. Many were likely concerned about their immigration status and the possibility of being deported. Furthermore, some women probably doubted whether or not their complaint against a U.S.-born man would be taken seriously. See Table 7.

**Table 7: U.S.-born Perpetrator by Reported to Police**

Reported to Police?	Perpetrator U.S.-born				Total	
	Yes		No			
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
Yes	20	26.7	207	42.0	227	40.0
No	55	73.3	286	58.0	341	60.0
Total	75	100.0	493	100.0	568	100.0

$X^2(1)=6.4; p<.05$

*Presence of an Eyewitness*

Eyewitnesses were present in 40 percent of the domestic violence incidents in this study. The presence of a witness was a significant indicator of whether or not a police report was filed ( $X^2(1)=92.4; p<.05$ ). Domestic violence is a crime that, by definition, occurs between intimate partners, ordinarily in the privacy of the home. The presence of witnesses to a domestic violence incident may help to bolster the resolve of the witness and provide the extra corroboration that is needed to make a report to the police. The dependent variable does not measure who the reporter is – only that a report to the police was made. It seems probable that some of these witnesses may have been the ones who reported the incident to police. Witnesses who are children of the victim are qualitatively different than adults and even other non-relative children. A common response of many

victim mothers is to protect their children. During an abuse scenario, the risks of her own child being injured heighten emotions and may provide a catalyst for the victim to report their victimization to the police.

### *Children Witnessed Abuse/Presence of Minor Children*

As mentioned previously, most of the women in this sample were mothers (85.4%). Not surprisingly, many of these children (52.1%) reportedly witnessed their mothers being abused. Households with children often have higher stress levels due to limited resources and the responsibilities for the care of the young. Issues around child custody when families are experiencing conflict also heighten angry responses and may lead to intensified violence. An important indicator of whether or not a report to the police was made is whether the victim's children had witnessed or were present during domestic violence incidents. This finding would seem to reflect the perceived risk to the children either on the part of the mother or by another reporter. More than half of all of the women in this sample reported that their children had witnessed their victimization. Perhaps due to fears that the violence could escalate and involve the children, mothers who say their children have witnessed abuse are significantly more likely to report to the police. Neighbors, friends, and family might also be more likely to report to the police if a child's safety is concerned. Women who either did not have children or whose children had not seen their victimization were far less likely to make a report to police.

**Table 8: Children Witnessed Abuse by Reported to Police**

Reported to Police?	Children Witnessed Abuse				Total	
	Yes		No			
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
Yes	155	52.4	72	26.5	227	40.0
No	141	47.6	200	73.5	341	60.0
Total	296	100.0	272	100.0	568	100.0

$X^2(1)=39.6; p<.05$

Similarly, if the mother had minor children, whether they witnessed the abuse or not, there is a significantly greater likelihood of reporting to the police ( $X^2(1)=4.6; p<.05$ ). Note that the presence of a witness is not the same as the presence of a child. Children are counted independently of other witness and a cross-tabulation of these two independent variables shows a significant difference ( $X^2(1)=13.1, p<.001$ ). However, there is considerable overlap here, as 81.7% of those with minor children reported that their kids had indeed witnessed domestic violence. It is noteworthy that the birth location of the children was not a significant factor affecting victim injury or reports to the police. Reporters to the police did not appear to consider birth place, or presumed legality, in deciding whether the child might be at risk as a result of domestic violence. Another variable related to this was similarly insignificant. Whether or not the mother or her children had health insurance, including Medicaid, did not affect reporting.

There is considerable literature that deals with pregnant victims of domestic violence. In this sample, 69 women reported that they were pregnant at the time of their intake into the Connections Project program. Slightly less than one-third of these pregnancies were women who did not have any children. In this sample, there is not a significant relationship between pregnancy and victim injury ( $X^2(1)=2.15; p>.05$ ).

However, there is a relationship between the victim being pregnant and the decision to report to the police ( $X^2(1)=7.5$ ;  $p<.05$ ). Perhaps the perceived additional risk associated with pregnancy reduces the victim’s ability or willingness to resist and thus, reduces her potential for injury. The increased reporting likelihood could easily be attributed to the victim’s own recognition of her and her unborn baby’s vulnerability to their abuser. Based on earlier findings, it seems more probable that eyewitnesses are more likely to report victimization of pregnant women.

*Age of the Victim*

The age of the victim does not influence the likelihood of reporting to the police, although the age difference between victim and abuser does affect this outcome. This outcome has not, to my knowledge, been identified anywhere else in the literature. Variations between the ages of the victim and the alleged perpetrator are shown by doing a “gap” analysis. A number of the abusers in this sample were in fact younger than their victims. The data show that if victims are older than their alleged abuser, they are more likely to make a report to the police in a case of domestic violence.

**Table 9: Age Order by Reported to Police**

Reported to Police?	Age Order				Total	
	Victim Older		Victim Younger			
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
Yes	83	59.7	140	33.5	223	40.0
No	56	40.3	278	66.5	334	60.0
Total	139	100.0	418	100.0	557	100.0

$X^2(1)=29.9$ ;  $p<.05$



By considering the absolute age gap, which is the calculated difference between the ages of the victim and abuser, we find that the greater the age gap, the more likely a victim is to report abuse to the police. Whereas those with an age difference of less than three years made a report to the police 34.7% of the time, those with larger gaps reported almost half the time (3 to 5.99 years = 48.8% and 6 years or more=46.7%). The difference appears to be greatest for those with more than three years difference in age gap.

**Table 10: Absolute Age Gap by Reported to Police**

Reported to Police?	Absolute Age Gap between Victim and Abuser						Total	
	0 to 2.99 years		3 to 5.99 years		6 years or more			
	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%	<i>f</i>	%
Yes	198	65.3	66	53.2	72	53.3	226	40.2
No	105	34.7	58	46.7	63	46.7	336	59.8
Total	303	100.0	124	100.0	135	100.0	562	100.0

$$X^2(1)=8.5; p<.05$$

#### *Victim Access to Transportation*

Having reliable access to transportation in Memphis is important for independence of movement because the city's public transportation system is not well-developed. Approximately two-thirds of the victims (69.0%) reported that they had their own access to transportation, while slightly fewer (67.8%) reported that they knew how to drive. Perhaps access to transportation intensifies a male assailant's feeling of vulnerability. If the woman has transportation, her level of independence is presumably higher. Men seeking to subordinate women are thus threatened. Having transportation is a significant factor in police reporting for domestic violence victims in this sample ( $X^2(1)=4.7; p<.05$ ).

**Table 11: Summary of Effects Predicting Police Reporting**

Independent Variables	Significant Predictor of Reporting to Police?
Language	No
Length of time in the U.S.	No
Victim employment status	No
Victim/Perpetrator from same sending country	Yes
Presence of an eyewitness	Yes
Children witnessed abuse	Yes
Age of the victim (age order)	Yes
Age of the victim (relative age gap)	Yes
Victim access to transportation	Yes

*Summary and Conclusions*

This chapter has presented univariate and bivariate analyses that prefigure the multivariate analysis in the next chapter. The descriptive data allow for a better sense of who is included in this sample of Latina immigrants who has made police reports. The typical client served by the Connections Project in Memphis is a Mexican woman, slightly over 30 years old, with two children, and is not likely to be married to her abuser. She is likely to have been in the United States for less than five years. She is likely to be poorly educated. She has a good chance of being employed and may be the sole source of income in her household. She has a good chance of receiving public assistance as a result of her U.S.-born children and is very unlikely to speak English.

A counterintuitive finding is that slightly more than half of the victims in this sample were abused by a partner who was not born in the same country. About half of the abusers had children in common with the victim and most of the abusers were

identified as spouses. Victims without children in common with their abuser were most likely to be victimized by a boyfriend.

Several important statistically significant findings have been identified. The police were called and a report was made in 40% of these cases. The presences of physically injuries significantly factored into whether or not a police report was made ( $X^2(1)=128.7; p<.05$ ). Several bivariate comparisons made throughout the chapter considered the relationship between independent factors and reports to the police. There is considerable agreement among the factors. The significant predictive factors for reporting to the police are country of origin differences between the victim and abuser, whether or not eyewitnesses were present, whether the victim's children were present during the abuse, and whether the woman had access to transportation. Factors that had little or no effect on reporting include English language speaking ability and length of time in the United States.

## **Chapter 6: Situational Factors - Reporting to the Police**

### *Introduction*

In the previous chapter, univariate and bivariate analyses were employed to describe the data set and profile the respondents in the sample. This chapter seeks to go beyond these more rudimentary techniques and to use more robust multivariate procedures to better understand the effects of a variety of independent factors on the dependent variable being considered: whether the abusive event was reported to the police.

The analysis included in this chapter will allow for a focused review of the effects of victim attributes, some alleged abuser attributes and some revealing situational factors that may help to understand why some abused immigrant women make police reports and others do not. In doing so, it will explore the role of assault in affecting the likelihood of police reporting among Latina women in the sample.

Research has shown relatively robust findings about Latina abuse victims. Duncan, Stayton, and Hall (2000) found that Latina women were much more likely than non-Latinas to be injured in the course of domestic violence episodes. They also found Latina victims to be the least likely to consent to medical care. When victims are injured, the odds of making a report to police and abuser arrest increase dramatically (Kane, 2000). This suggests that Latinas may be more likely to report to police than non-Latinas, due to the increased likelihood of sustaining physical injuries.

Similarly, research on incidence of domestic violence involving immigrant women has consistently emphasized the risk these women face and their reluctance to report their abuse to police. And, while domestic violence against women is one of the

most common ways immigrant women are victimized (Davis & Erez, 1998; Erez, 2000; Erez, Adelman, & Gregory, 2009; Raj & Silverman, 2002), significant barriers may discourage immigrant women from reporting violence to the police (Bui, 2004; Dasgupta, 2000; Wacholz & Miedema, 2000). Ingram (2007) found that Latina victims typically turn to friends and family to ask for help, and seek the help of police and clergy only as a last resort. Mexican immigrant women in their sample sought refuge and help from the “traditional healing arts” before seeking police intervention (Hass, Dutton, & Orloff, 2000, p. 95). Also, many women realize that reporting domestic violence to police authorities may lead to further acts of abuse and put them in an even more vulnerable position (Goldman, 1999). When an immigrant woman does decide to report the abuse, she is often not taken seriously or dismissed entirely. Because some states have mandatory arrest policies for domestic violence calls, immigrant women may be unwilling to report an abusive immigrant husband, especially if either one of them is undocumented, for fear that he or she will be arrested and/or deported (Raj & Silverman, 2002). A study of African American domestic violence victims who called 911 for help found that nine percent of the women were coarrested when police were called out to investigate the domestic violence incident. Cohabiting women were more likely to be coarrested than married women (Houry & Reddy, 2006). Although there appears to be no studies regarding co-arrest rates for Latina immigrant women and domestic violence, one can conclude that at least some immigrant women have been co-arrested, thereby affirming the fear of calling the police.

Shelters have often turned away abused immigrant women because of their illegal documentation status (Raj & Silverman, 2002). Some studies have found that police

officers believe that domestic violence or wife-beating is part of the culture for certain racial and ethnic minority groups including immigrants, which may suggest officers are more tolerant if the behavior is deemed culturally acceptable, even though such actions are illegal. The same study found that because of the time involved in making an arrest and processing paperwork, officers are not likely to make an arrest near the end of their shift. If the perpetrator is an undocumented immigrant, filling out the additional paperwork could significantly lengthen a shift (Menjívar & Salcido, 2002).

Even when agencies and shelters seek to educate abused immigrant women about their rights in their native language within a community setting, husbands are often resistant to the dissemination of this information (Menjívar & Salcido, 2002). Merchant (2000) found that ethnically specific immigrant women's domestic violence agencies are becoming more prevalent in the United States, and they have had the most success in reaching abused immigrant women. The staff at these agencies is typically fluent in the language of the immigrant woman, and is often from the same country as the population they serve. They view the violence within the context of the sending culture and offer culturally appropriate solutions and alternatives. The Connections Project, from which the data for this study were collected, is just this sort of program. While 40% of the women in this study did report their abuse to the police, the majority (60%) chose not to do so. Still, these victims did seek assistance at the Connections Project as an alternative. This chapter also considers victim demographics and certain cultural measures for both the victim and the alleged perpetrator. This final model will draw in some situational factors that may affect whether or not an incident is reported to the police.

## *Multivariate Data Analysis*

The data utilized for this case study provide an opportunity to build upon the available literature and research related to the gendered nature of immigration. The data set, although lacking in many details about the violence incidents, allows for multivariate procedures that illuminate the situation of Latina immigrant domestic violence victims in Memphis.

The dependent variable for this research is whether a police report was filed following the violent incident. As is often the case, the availability of data drives the analysis. The dichotomous nature of the dependent variable, 0=no police report and 1=police report, makes Ordinary Least Squares (OLS) procedures inappropriate because the dependent variable is not continuous; that is, OLS normally accounts for a single unit of change in  $x$  compared to a unit of change in  $y$ , so it only works for continuous dependent variables. A logistic regression strategy is appropriate for modeling categorical dependent variables, both binary and polytomous categorical variables<sup>5</sup>. Since the dependent variable here is binary, the analytical strategy will use the binary logistic regression analysis strategy using SPSS PASW version 18. Using a logit formulation, as opposed to an OLS strategy which requires a continuous dependent variable, is recommended in this situation because it allows for the  $Y$  term or dependent variable to be expressed in probability terms, which always fall between 0 and 1 (DeMaris, 1995)<sup>6</sup>.

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<sup>5</sup> This is also known as a multinomial logit model. A multinomial logit is a regression model which generalizes logistic regression by allowing more than two discrete outcomes such as may occur with nominal level variables.

<sup>6</sup> The following equation is the result:

With this basic rationale for using logistic regression, we can use the available data in an attempt to predict whether a victimized Latina immigrant woman has greater or lower odds of report her abuse to the police. Based on the previous chapters, and especially the univariate and bivariate analysis presented in chapter five, the independent factors under consideration will be considered in a table with three separate models.

*Calculating the Odds of a Report to Police*

The major objective of this research is to determine the conditions under which a report to the police is likely to be made in cases of domestic violence involving Latina immigrant women and their intimate partners. This section provides three logistic regression models that are detailed in Table 12. The models consider three broad topical areas. Model 1 considers the demographics of the victims including marital status, education, the ability to speak English, pregnancy, age of the victim, and women’s employment status. Model 2 includes measures that are most closely associated with issues of culture, including nationality of the victim and alleged abuser, as well as dummy variables to isolate the effects of being from Central America, South America, the Caribbean and Mexico (the reference group). Length of time in the United States, a proxy for acculturation and assimilation, is also included. The third model looks at

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$$P(Y = 1) = \pi = \frac{\exp(\alpha + \sum \beta_k X_k)}{1 + \exp(\alpha + \sum \beta_k X_k)}$$

However, this formula does not allow for the right side of the equation to be understood as an additive function of the independent factors until the probability  $\pi$  has been transformed through use of the natural logarithm. The odds then, expressed as a ratio of probabilities becomes  $\pi/(1 - \pi)$  and can be modeled as the following linear function which takes the shape of a sigmoid curve between 0 and 1 when graphed:

$$\log\left(\frac{\pi}{1 - \pi}\right) = \alpha + \beta_1 X_1 + \beta_2 X_2 + \dots + \beta_k X_k$$



situational factors – that is to say, aspects that are specific to the violence incident itself. This includes such independent variables as the presence of an eyewitness, whether any children were present at the time of the incident, whether the woman reported having access to reliable transportation and whether the victim was physically injured. See Table 11 for a summary of the data output.

### **Model 1**

The first logit model considers the basic demographics of the victims regressed against the dependent variable. The model chi-square ( $X^2=22.954$ ) is significant at  $p.<.001$ , and with a degrees of freedom equal to six, is parsimonious. The  $R^2$  calculation using the Nagelkerke measure is low at .054, so the amount of explained variance is especially small. The significant predictors of whether a report was made to police include education (measured continuously) and whether the victim was pregnant (Yes=1). These will be discussed in the order they were included in the analysis in the following section.

Marital status was found to be insignificant in the earlier chi-square calculations, but was included here because of the theoretical and substantive importance. In this sample, only 39.4% of women reported that they were married. Complicated by immigration status and the inability to become legally married in the U.S., this variable poses some reliability concerns. Latinos often marry “*por los dos leyes*” meaning by the two laws, that is, the law of the state and the law of the church. Furthermore, couples can be “*juntado*” meaning that they are living together with a more or less common understanding that they are together as an intimate couple. Couples can continue under

this arrangement for decades with little or no social disdain. In essence, the idea of traditional marriage that may have been socially enforced prior to migration is much more flexible in the way it is interpreted following migration to the U.S. than it generally is prior to migration.

**Table 12: Logic Regression Model for Odds of a Police Report**

Variable	Models									95% Confidence Intervals	
	Demographic			Cultural			Situational			Lower	Upper
	$\beta$	S.E.	Exp(B)	$\beta$	S.E.	Exp(B)	$\beta$	S.E.	Exp(B)		
Intercept	-1.532***	.466	.216	-2.681***	.541	.068	-3.477***	.706	.031		
Married	.071	.182	1.073	-.002	.195	.998	-.157	.235	.855	.554	1.319
Education	.096***	.028	1.100	.107***	.031	1.113	.128***	.037	1.136	1.060	1.218
English	-.081	.263	.922	-.022	.292	.978	.073	.359	1.075	.564	2.051
Pregnant	.844**	.280	2.326	.778**	.298	2.177	.752*	.359	2.121	1.088	4.133
Age victim	.002	.012	1.002	.003	.013	.789	.002	.016	1.002	.973	1.032
Victim employed	.290	.181		.282	.193	.143	.128	.241	1.137	.736	1.757
Same nationality				1.199***	.201	3.316	1.158***	.239	3.184	2.053	4.939
Central American				.924***	.231	2.519	.914***	.280	2.495	1.505	4.138
South American				1.044***	.325	2.841	1.025**	.385	2.788	1.343	5.786
Caribbean				.431	.610	1.539	.437	.810	1.549	.387	6.203
How long in the U.S.				.009	.021	1.009	-.013	.025	.987	.942	1.035
Eyewitness							1.697***	.229	5.459	3.596	8.286
Children Present							1.092***	.238	2.980	1.946	4.564
Have Transport							-.534*	.260	.587	.365	.944
Victim injury							2.176***	.302	8.811	4.876	15.92
											1
Model chi square <sup>7</sup>	22.954			69.171			244.662				
Degrees of Freedom	6			11			15				

<sup>7</sup> All model chi-squares are significant at  $p < .001$   
 \* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$

Number of years of education was retained as a continuous variable. In model 1, education is significant and positive, which can be interpreted to mean that as education increases, so do the odds that a victimized woman will report to the police. The odds ratio for model 1 in Table 12 is 1.1, a relatively low odds effect per each additional year of education, which means squaring the variable did not reveal any non-linear relationship.

Whether or not the victim spoke English at the time of the abusive incident is included here for substantive interest. Few women (12.9%) in this sample were reported as being bilingual. Perhaps this is also an issue of English fluency. The variable may also have low reliability given that all of the Connections Project staff members are native Spanish speakers. Because the counselors are native speakers, they may tend to engage women in Spanish only and not consistently inquire about English speaking ability. Their ability to gauge English fluency may also be limited.

In this sample, age was normally distributed. In fact, the larger than expected number of women over age 40 in this sample runs counter to the typically reported tendency for victimization being higher among younger than relatively older women. Age in this model is not significant. Age-squared, which should capture the non-linear changes in the age effect, is similarly insignificant.

Whether the victims were employed at the time of their intake into the program also was found to be insignificant. Presumably employment would have increased the number of contacts in the victims' social networks and increased outlets for disclosing the abuse. As mentioned in an earlier chapter, it could also be possible that the question regarding employment is not captured with enough depth or context to understand

immigrant women's employment practices. How are they employed? Are they employed in the informal economy, the formal economy, or perhaps some combination? Finally, some of the women who come to The Connections Project are seeking shelter. In situations where the woman had to quit her job in order to seek protection, her recent employment history may not be representative of her current situation.

## **Model 2**

Model 2 includes all of the independent factors in model 1 and adds some additional exogenous factors related to nationality and acculturation. The model chi square shows significant improvement at  $X^2(11) = 69.171$ ,  $p < .001$ . This represents a significant improvement over model 1, which can be demonstrated by calculating the difference of the model chi squares and establishing significance levels at the  $p < .001$  levels for five degrees of freedom. Similarly, the Nagelkerke  $R^2$  measure improves in model 2, increasing to .159.

The nationality of the alleged perpetrator was compared to the place of birth of the victims. A recoded dichotomous variable was devised to compare couples of the same nationality with couples of contrasting nationalities. The results show that victims are more likely to make a report to the police in situations where their own nationality is similar to that of their assailant. There are several dynamics that may help explain this situation. First, it could be that victims sharing the same nationality as their abusers feel better able to anticipate the future behavior of their compatriots based on their familiarity with the culture. Also related to cultural expectations, victims may have a better sense of their abuser's ability or likelihood of continuing in the behavior when they share the same

nationality. Importantly, victims and abusers of the same nationality generally have commonalities in the social networks. A report to the police does not necessarily have to originate from the victim, but may come from someone who knows both members of the couple. Finally, there are a number of U.S.-born abusers in this sample. Fearing exposure to authorities by an abuser whose citizenship status gives him greater access to human capital may make a woman, and her extended network, less likely to make a report to police.

Other research has documented national variations in Latina women's likelihood of reporting abuse to the police. For the purposes of this analysis, victims were grouped into four geographic categories: Mexican, Central American, South American, and Caribbean. Mexican was retained as the reference category while the others were dummied<sup>8</sup> to isolate their effects. Central American women were the most likely to report to the police, followed by South Americans. Being of Caribbean descent was not a significant predictor of reporting to the police. A cross-tabulation of victim's place of birth compared to whether or not the couple shared a common nationality was significant,  $X^2(3)=50.438, p<.05$ . The data show that Caribbean and South American women in this sample were significantly more likely to have an intimate relationship with someone who did not share their nationality, while Central Americans and Mexicans were less inclined to do so.

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<sup>8</sup> A dummy variable is a numerical variable, usually coded as either 0 or 1, used in regression analysis to represent subgroups of a sample. Dummy variables are useful because they enable a single regression equation to represent multiple groups simultaneously in order to isolate the effects of a certain subgroup.

**Table 13: Comparison of Nationalities between Victims and Alleged Abuser**

Victim Country of Origin	Alleged Perpetrator Country of Origin				Total	
	Different		Same		<i>f</i>	%
	<i>f</i>	%	<i>f</i>	%		
Mexican	146	41.8	203	58.2	349	61.8
Central American	83	61.5	52	38.5	135	23.9
South American	44	80.0	11	20.0	55	9.7
Caribbean	23	88.5	3	11.5	26	4.6
Total	296	52.4	269	47.6	565	100.0

$X^2(3)=50.438, p<.05$

### Model 3

Additional factors specific to the situation at the time of the abuse incident are included in model 3. Model 3 shows a substantial improvement in the overall model with a model  $X^2(15)=244.662, p<.001$ . The comparison between model 2 to model 3 is similarly significant. Also, the amount of variance explained by model 3 as shown by the Nagelkerke  $R^2$  more than triples to .484 with the addition of the situational factors.

The presence of an eyewitness to an abuse incident increases the likelihood that a report will be made to the police by a second party, someone other than the victim. It also makes it more difficult for the victim to explain away the abuse. It is also important to note here the housing situations of many of the victims included in this sample. It is not uncommon for multiple, non-intimates and non-relatives to live in the same household. One victim reported thirteen adult wage-earners in her household! In large non-nuclear family households, a conflict between a pair can upset the balance of the entire living arrangement, which might lead bystanders to report the abuse in the hopes that this might have a deterrent effect in the abuser's behavior.

The next independent variable asks victims to divulge whether their children had been present during the abuse. Note that the presence of a witness is not the same as the presence of a child. Children are counted independently of other witness. A cross-tabulation of these two independent variables shows a significant difference ( $X^2(1)=13.1$ ,  $p<.001$ ). Furthermore, a review of the standard errors did not reveal any numerical issues such as multicollinearity between the two variables or any others. Generally speaking, most mothers would seek to protect their children from violence. Concerns about the safety of their children and worries by others in their household or social networks who may become aware of abuse, greatly increase the odds that the police will be called. The odds ratio parameters at the 95% confidence interval show that the odds increase between 1.9 at the lower bound and 4.6 at the upper bound that the police will be called as opposed to situations where children are shielded from such experiences.

Having a reliable means of transportation was the final variable included in model 3. Transportation in Memphis is a critical component for mobility due to the under-developed public transport system. Based on information in the case files, there is reason to believe that some Latinos in Memphis fear taking the bus due to complicated bus schedules and safety concerns. Having a reliable source of transportation would presumably allow women to escape social isolation and to pursue housing options away from the abuser. In the present analysis, contrary to expectation and perhaps counter intuitively, women with reliable transportation were less likely than others to have their abuse reported to the police. It would appear that being able to leave the abuse, as facilitated by access to transportation, might be seen as a sufficient outcome. Having regular transportation would likely have the added benefit of increasing availability to



social support networks, such as participation in religious activities, employment, and school. The wider the social network, the more likely abused women are to encounter others who may be able to provide support. The more people who know about the abuse, the more likely someone is to report it to the police.

The independent factor in this model that has the greatest effect on the odds of report a domestic violence incident to the police is whether or not the victim suffered physical injuries. Unfortunately, the dataset does not allow for a more in-depth consideration of the types of physical injuries sustained. Depending on the type of physical force used, the severity of any injuries and the manner through which the injuries come to light, reporting to the police may be certain. For example, bruising inconsistent with the explanation provided by the victim in a hospital emergency room may prompt the attending medical professionals to make a report to police. Victims who reported emotional, psychological, economic, and other non-violent abuse were significantly less likely to report to the police than those who experienced physical violence.

### *Discussion and Conclusions*

Latina immigrant women who sought help from the Connections Project and reported the abuse to the police were likely to have a higher than average education. The typical “reporter” was likely to be pregnant at the time of the domestic violence incident. She and her abuser were of the same nationality and she was likely to be physically injured. The situational factors surrounding the abuse tend to have the greatest effect on

likelihood of reporting abuse to police. The presence of children and eyewitnesses increased the likelihood that a police report would be made.

Situational factors therefore, offer considerable insight into the choices women, and other observers, make regarding reporting to the police. For some immigrant Latina women, strategies other than contacting the police may allow victims to achieve their immediate goals. Police intervention is not a panacea for ending domestic violence and, in fact, may exacerbate the abuse that immigrant women suffer. From the case file reviews and conversations with various immigrant women that have occurred over the past five years, it is clear that many abused women seek solutions that are best accomplished through informal strategies – not through contact with law enforcement.

While to outside observers physical safety may seem like an obvious priority for the victim, there are other goals that may be equally as important from a victim's perspective. The need for safety may be balanced by the need for improved economic opportunities for oneself and children, access to emotional support and improved social capital networks, reunification with children or other relatives, skills training and educational goals, spiritual renewal, family planning, improved housing conditions, and referrals to community resources. While ethnically-specific agencies and shelters, like the Connections Project, are addressing the needs of some communities of women, other alternatives exist to help abused immigrant women (i.e., faith-based organizations, community centers, neighborhood groups, friendship networks).

Research has shown that providing immigrant women with educational opportunities will help them to become more financially secure and less dependent upon an abusive partner (Sharma, 2001). Wachholz and Miedema (2000) suggest that many

immigrant men and women would not have to live in poverty if they were able to get jobs in the fields for which they were trained. They suggest that universities in the United States should be more accepting of foreign academic credentials. Culturally specific and linguistically relevant information about domestic violence should be available to women in various forms and at diverse locations such as grocery stores, radio stations, etc. (Menjívar & Salcido, 2002).

Factors that affect the odds of a report being made to police can be inverted to help explain the converse- namely, the circumstances under which a victim is unlikely to file a complaint with police, (or have one filed on their behalf), but will nevertheless lead them to seek support at an agency like the Connections Project. There is an obvious weakness in this data set in that it limits the analysis to women those who went to the agency, and does not reflect the entire spectrum of Latina immigrant women in the community who are victims of domestic violence. Why did those abused women neither file a police report nor seek support at this agency? How many victims are there in Memphis? As is often the case, new research creates new questions. The next chapter will further expand on some of the limitations of the study and will suggest possible policy implications of this research.

## **Chapter 7: Discussion and Conclusions**

### *Empirical Findings*

This study considers factors that influence whether or not a Latina immigrant victim will report a physical injury during a domestic violence incident. Clearly, this study finds that there are certain situations in which police reports are made. Better educated female victims and those who are pregnant do indeed report to the police more often, but reporting is no more likely among employed women than non-employed ones. Scenarios where children or other witnesses are present are more likely to be reported to the police. One weakness of the data is that it is impossible to determine who made the report to the police. This may be the case with pregnant women, since they are more likely to have physical examinations as a result of prenatal care. Perhaps medical professionals are making the reports and not the actual victims.

The findings related to nationality suggest some interesting possibilities. Women who share the same nationality as their abuser are more likely to report to the police. Perhaps this could be attributed to the network of presumably same-nationality friends and extended relatives. Perhaps these people are the reporters or it may be that they pressure the victim to report. Those of differing nationalities may make fewer reports because of immigration concerns or fear of retaliation by non-compatriots. More research is needed to sort out these issues.

Another interesting angle in this study is to consider the factors that were determined not to be statistically significant. Marital status is irrelevant to police reporting. Measures of assimilation, including length of time in the United States and English speaking ability, were similarly found to be of little or no importance.

The results of this study are largely consistent with prior studies of reporting crime to the police, especially the finding that incident-specific factors are the most important ones affecting the odds of reporting (Zhang, Messner, & Liu, 2007). Victim-specific correlates encompass a variety of demographic factors, including marital status, education, English-speaking ability, age and other predictors. The most important demographic factors related to police reporting are education and age, both of which are significantly positively associated. The significant situational factors include the presence of an eyewitness, the presence of children, victim assault, relationship status, and whether or not the victim had access to reliable transportation.

This research goes beyond most other studies by considering whether victims and alleged abusers shared the same nationality and looking at the impact of this on reporting outcomes. While this discussion does not account for specific cultural differences between immigrants from different sending communities, it is not unreasonable to make some inferences based on culturally-specific differences. The results of this analysis show that victims who share the same nationality with their alleged abusers have greater odds of having their violent incident reported to police.

### *Theoretical Contributions*

The current data set includes women who disclosed their domestic violence to the Connections Project. All of the women in this study were served by the Connections Project. Two-fifths (40%) reported their victimization to the police while 60% made no report. The logistic regression models presented in chapter 6 report the odds of reporting to the police. Conversely, these can be interpreted from the viewpoint of those who did

not report to police and instead chose to report only to the Connections Project. These women sought resolution to their victimization situation by seeking community intervention as opposed to reporting to the police. Demographically, the data show that women who are less well-educated have greater odds of reporting to the Connections Project. It appears that the intentional outreach efforts of the Connections Project are reaching many of those most in need of services and from a policy viewpoint, future efforts should target those with low education levels.

Latina immigrants in mixed nationality relationships have lower odds of reporting to the police. It seems reasonable to believe that women in mixed nationality relationships would be more socially isolated and less able to rely on human capital networks within their own nationality groups. These women may also be especially vulnerable and face additional isolation factors. The Connections Project and other similar agencies should continue to be specifically aware of the needs of this group. Because of their unequal relationship, there are increased opportunities for power differentials that may also make this population especially susceptible to abuse that goes unreported.

Perhaps the most revealing finding of this research done on Latina immigrant women in the Greater Memphis area concern the factors which did not appear to be statistically significant. Factors of social isolation are not as straightforward as they might seem for some immigrant women. Marital status is changing as a result of immigration policies and cultural adaptations. Marital status was found to be insignificant in every combination of factors available. Marriage as a formal agreement between two consenting people negotiating sexual and property rights is near

meaningless in light of relationships among many, especially younger Latino immigrants. Because partners may cohabit for many years without marrying, the importance of a formal marriage as a significant independent factor in this data set is not statistically relevant.

Similarly, English speaking ability is not a relevant factor predicting reports to the police. Perhaps there are some women who would have reported to the police if they had spoken English, but there is no evidence to support this. Most Latina immigrants develop human capital networks to supplement their language deficiencies. Certainly, the social service agencies in the Greater Memphis area are struggling to keep up with the needs of the Spanish-speaking population. These efforts are improving outcomes for immigrants. Essentially, a nominal level question regarding language speaking ability seems to be of little use and in this sample, is completely irrelevant statistically.

Length of stay in the United States as a proxy for acculturation did not appear to be statistically significant in any of the models. How can this be explained? Nearly two-thirds of the women in this sample are of Mexican descent. By this year, 10% of all Mexican-born persons will be living in the United States (Passel, 2005). The various waves of sustained migration to the United States from Mexico have changed both American and Mexican culture. The media, improved communications, marketing, and other technological innovations have had a huge impact in this area. Life in the United States for many recent immigrants is not as strained and uncomfortable as it was twenty years ago. Even in new immigrant destinations like Memphis, it is possible for immigrants to survive and indeed thrive despite low levels of acculturation.

Employment status in the second logistic regression model shown in Table 12 had no impact on reporting the domestic violence incident to police. Based on the literature, one would have expected to find employed women to be more likely to report to the police because of their presumed increased levels of autonomy and expanded social networks. However, employment status is insignificant in this model. It could be argued that this difference stems largely from the way employment status is measured. Indeed, many immigrant women have differing degrees of formal and informal work. By supplementing formal work with informal work through jobs like babysitting, cleaning houses, cooking, and other activities, many women are employed. For example, the Connections Project included one Latina woman with eight children. Her only source of income was selling fried fish to others in the apartment complex where she lived. Although she is listed as unemployed, this woman provided for herself and her children. The Connections Project and other social service agencies should consider expanding how informal work is measured.

The more educated a woman is the more likely she is to report to police. However, her ability to speak English is not a relevant factor and neither is length of stay in the United States. It may be that local agencies have been able to essentially nullify language barriers through strategic hiring of bilingual personnel in key positions. Agencies such as the Connections Project are similarly able to advocate on behalf of monolingual women. The availability of transportation is also relevant. Having transportation appears to provide a level of independence that in fact reduces reporting to the police. Women with access to transportation may be more prone to leave an abuser. Leaving an abuser may not be the best solution, but it is a solution nonetheless. Finally, a



measure of cultural vulnerability is available in the dataset and allows for additional examination. Victims of the same nationality as their abusers are far more likely to report to police. Those in mixed nationality relationships may feel more culturally vulnerable. In other words, the victim may be confused by their abuser's behavior and have difficulty resolving conflicts that they perceive may be due to cultural differences.

Key distinctions about the desired outcomes of victims of domestic violence need to be made. First, not all victims seek to have their abuser arrested, and formal solutions afforded through the criminal justice system are not always desirable. In many cases, the women just want the violence to end. They want their children to be safe. They need support to become self-sufficient. Some seek cultural resonance – that is, they seek a culturally prescribed resolution through strategies that may be far less formal. For example, a woman may seek the support, influence, and intervention of the church. Another victim may seek a resolution by disclosing her husband's violent tendencies to his mother, father or other relatives. These less formal solutions should not necessarily be characterized as somehow inappropriate, less beneficial, or ineffective. In fact, for some women, a report to the police may run completely counter to her desired outcomes.

### *Methodological Challenges and Opportunities*

For agencies seeking to improve data collections procedures, there are several opportunities for improvement. Referential integrity is the chief concern, especially when attempting to parse country of origin, nationality, ethnicity, and other categories relating to specific victim, offender, and children demographics. Inconsistencies in coding decisions affect the ability of researchers to do substantive investigations based on

these variables. Agencies need to clarify labels and follow best practice procedures when establishing data collection forms. Agencies should avoid the pitfalls commonly associated with translation errors. Some concepts in English have different implications and emphasis in Spanish. For example, marital status in Latino cultures could have a number of interpretations including: married by the church, married according to civil law, living together for many years, partners with children in common, or married under religious and civil law. Agencies collecting data should ensure that injury data are clearly explained as self-reported, and whether they are based on medical and/or legal reports. It would be helpful to have improved criminal histories for alleged perpetrators and victims, and a clearer understanding of who made the report to the police and why. Immigration status is often difficult to sort out for blended families. The parentage of children involved is also difficult to discern. Open-ended questions allow for interesting qualitative analysis, but certainly pose complications for standardized analyses when common themes cannot be consistently uncovered. In recent years, there has been some attempt by law enforcement agencies to standardize reporting procedures, but in Memphis it is especially difficult to determine the immigration status of anyone listed on a police report. While this may improve trust toward the police, it limits researchers' ability to analyze unique populations.

Case studies, like any other scientific method, have their strengths and weaknesses. But how valid are the findings stemming from such research, particularly when they are based on data gained from interviews? There are a number of areas of concern in a study like this one. The data were gathered by another person and the secondary researcher does not have the ability clarify questions or repair incorrectly

coded responses. Ordinarily, agencies like the Connections Project are not collecting the data with research in mind, but instead they are typically seeking to satisfy some funding requirement. Thus, sound data collection methods are not always followed and the reliability concerns arise. Along with these problems come concerns about internal validity and making sense of data as well as external validity. Finally, taking the data and actually utilizing the strengths and balancing the weaknesses in an effort to make reasonable conclusions that contribute to the literature and social policy is always a challenge. In the end, we are often left with a mixed picture concerning the scientific value of some case studies – one where academic freedom and methodological rigor wrestle to produce generalizable findings.

### *Policy Implications*

Domestic violence among immigrant women is no longer hidden behind closed doors. Researchers have documented the prevalence of the problem, and have studied the characteristics of the victims and the perpetrators to assess which combination of factors leads to domestic violence. Immigration and domestic violence laws have been changed in an attempt to help immigrant victims of domestic violence. Migration laws have acknowledged that immigrant women whose migration status is sponsored by their husbands are vulnerable to domestic violence, and may have no choice except to stay in their abusive marriages. Migration laws have changed to allow these women to leave abusive relationships without the fear of deportation. However, undocumented immigrant women, who illegally crossed the border and are married to or cohabitating

with an undocumented immigrant man, may have no legal protection from domestic abuse and may be deported.

According to Earner (2009), the abused Mexican immigrant women in her study felt that the state (the U.S. government) has an obligation to protect them from their abusers. While the abuse may occur in the private sphere, it should be addressed in the public sphere. However, the women in the study feared--and rightly so-- that state intervention might be even more detrimental to their families, leading them to be broken apart when children were removed by Child Protective Services or husbands or partners were deported. They recommend that the state rethink its intervention strategies that view the primary goal as keeping the family intact (Earner, 2009). Kugel et al. (2009), in a study of almost 300 immigrants along the Texas border, also found that immigrants wanted the police to intervene to help decrease domestic violence. While both male and female immigrants reported that police intervention was necessary for decreasing domestic violence, more men reported calling police for intervention than women. The authors note that only 22% of Mexican immigrants in the study were aware of other resources for ending domestic violence. However, even the majority of responders who were aware of other resources reported seeking help from the police as their preference. Domestic violence has often been perceived as a private family issue, which is why the state has been hesitant to interfere. Erez et al. (2008), however, argue that the myth of domestic violence only occurring within the home is false. They argue that domestic violence in U.S. immigrant groups is increasingly becoming more common in public spaces and in front of non-relative others.

Law enforcement officers assigned to work in migrant communities should be offered training on the language and culture of the people that they serve so that they are less biased or uninformed in dealing with members of the immigrant community. Efforts should also be made to recruit members of the immigrant community to train as law enforcement officers (Erez, 2000). Some suggest that law enforcement officers and court officials should educate women about the legal process, including legal terminology, and victim's rights (Gillis, Diamond, Jebely, Orekhovsky, Ostovich, MacIsaac et al., 2006).

Carlin and Phillips (2009) offer a number of suggestions to attorneys who represent abused undocumented immigrant women. They argue that legal counsel must be proactive in defending undocumented immigrant women. They encourage attorneys to argue that immigration status is irrelevant to divorce or civil proceedings and that undocumented women are no more likely to flee with children than documented mothers. While undocumented immigrant women may not have strong familial ties to the community, they do often have strong social networks with ties to schools and religious organizations. Not only should the legal system advocate for abused immigrant women, attorneys should make sure that women are knowledgeable about legal jargon and informed of court proceedings. Gillis et al. (2006) found that immigrant women felt that they were victimized by the legal process; many were not pleased with the outcome and wished that they had not started the proceedings.

Mental health agencies must work with law enforcement, social services, and shelters. Hancock (2006) suggests including leaders of the Latino community to find a culturally appropriate means of ending immigrant domestic violence. Physically abused Latinas, especially undocumented immigrant women, suffer more from depression than

physically abused white or black women (53%, 37% and 47% respectively) (Ramos & Carlson, 2004). In a study of abused Latina women who were receiving services at agencies helping domestic violence victims, Edelson et al. (2007) found that abused Latina immigrants and non-immigrants demonstrated more symptoms of depression than non-Latina women. The Latina women in the study also had significantly lower self-esteem than non-Latina women. Alegria et al. (2007) found that age of migration to the U.S. and length of stay in the U.S. affect risk of onset for some psychiatric disorders. Not all Latino immigrants should receive the same mental health treatment. Mexicans who migrate to the U.S. in their thirties are more likely to suffer from depression than those who migrate at a younger age.

Not all women who are abused want to leave their spouses or partners or want to be independent, yet many of the services offered to abused immigrant women are centered on them leaving the abusive spouse. While VAWA 2005 has made great strides in helping immigrant women get out of abusive relationships, still the end result is severing the relationship with the abuser (Arguello, 2009). Culturally acceptable alternatives should be available to immigrant women so that they are able to find help to ease the abuse without having to break up the family. Hancock (2006) argues that respite should be available to abused immigrant women who need a break from an abusive home environment.

Domestic violence prevention strategies should target male perpetrators. Flores-Ortiz (2000) found that Latino men who feel that they are disrespected in the workplace often have anger issues in the home. The disrespect affects a man's self-esteem and he may take his anger from the workplace out on his wife as a way of making himself feel

more in control. Immigrant men have been more successful in completing batterer intervention programs than non-immigrant men --54% immigrant men compared to 38% of non-immigrant men (Rothman, Gupta, Pavlos, Dang, & Coutinho, 2007). However, Hancock and Siu (2008) stress that culturally appropriate treatment models should be used for Mexican immigrant men. Mexican immigrant men have not been successful in completing treatment programs, such as the Duluth model, which focuses on ending abuse in the home by creating a more egalitarian home environment. They suggest a new treatment model to end abuse framed in a culturally appropriate context in which the man is still considered the head of the family. Instead of the emphasis being on forming an egalitarian relationship with his spouse, the motivation for behavioral-change should be on forming stronger family bonds. They argue in support of this new treatment model by suggesting that domestic violence is less prevalent in Mexican immigrant families who adhere to traditional gender roles for men and women (Hancock & Siu, 2009). While Hancock and Sui argue that domestic violence must be addressed within a cultural context preserving the male role as head of the family, Bui and Morash (2008) argue that addressing domestic violence in immigrant communities requires a change in the societal belief of male supremacy.

Culturally sensitive social support agencies or local community organizations headed by Latinos are an important step toward ending immigrant domestic violence. Rural communities throughout the U.S. are especially in need of such programs. In a study of Latino domestic violence in rural eastern North Carolina, Denham et al. (2007), found that abused Latinas were twice as likely as non-abused Latinas to report lacking a social support network and five times more likely than non-Latinas to lack social support.

In non-traditional migrant areas, Latina immigrant women often feel especially isolated. Smith and Mannon (2009) found that Latina immigrant women in northern Utah feel especially isolated. Abused Latina immigrant women need a strong social support network, as the research has indicated. Women, who feel that they have nowhere to turn for help, may decide to take matters into their own hands to end the abuse. Leonard (2001) found that seven percent of Latina women incarcerated in California prisons were convicted of killing their abuser. Women, especially immigrant women, must have people to turn to who can help them, so they do not feel isolated.

Another issue that has been explored in American domestic violence studies, but has not received sufficient attention is the relationship between poverty and domestic violence in the immigrant community. Many immigrants, especially Mexican, move to the U.S. to escape poverty, but find that because of low-paying jobs, their living situation is not immediately significantly better than in Mexico. Sokoloff and Dupont (2005) state that there is evidence to show that “the most severe and lethal domestic violence occurs disproportionately among low-income women of color” (p. 44).

One of the most disturbing findings in this research is that children were likely to be present during the abuse incident. Children learn abusive behaviors from significant others, including their parents. While not all children who witness abuses grow up to be abusers, the alarming number of children who are witnesses to domestic violence is a cause for concern for many reasons, including the psychological well-being of the children. Support should be available for children who have witnessed abuse.

It is clear from this work, and work from many other researchers, that domestic violence is an issue that affects many immigrant families and that migration-related stress



can trigger domestic violence. In order to help immigrant families, many suggestions have been made about the role of police, social service and mental health agencies, and how they should be more culturally sensitive to the needs of immigrant women. Community-based organizations like the Connections Project aim to help abused immigrant women, but that help is framed within the current legal system. Domestic violence against immigrant women is not simply a state level issue—it is up to all of us to help. Many immigrant women living in our own communities could use a ride, a meal, or a friend to talk to. We must all take ownership of this problem and help, if only in small ways, such as taking toiletries to abused women’s shelters. While awareness of this problem is a first step, much work still has to be done to help the immigrant families who are residing in our country to have the same quality of life that we expect for ourselves. Perhaps the fight to eradicate domestic violence in this country will have an effect on sending countries as well and women will no longer feel that, “Women in Latin America and Mexico are supposed to suffer a lot with their husbands,” as one immigrant woman stated in an interview (Erez, 2009, p. 48). There is a need for sociologists from the United States and Latin America to collaborate in an effort to better understand the dynamics of domestic violence, law, and women’s empowerment. As men and women move between Mexico and the U.S., perhaps the message that domestic violence is not acceptable and will not be tolerated will become the norm within not only Mexican homes, but all homes.

## **LIST OF APPENDICES**

### **Connections Project Data Collections Forms**

**APPENDIX A: Intake Form**

**APPENDIX B: Services that were Discussed and Requested Form**

**APPENDIX C: Lethality Assessment Form**

**APPENDIX A: Connections Project Intake Form**

Date: \_\_\_\_\_

Advocate: \_\_\_\_\_

**Client Information:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code** \_\_\_\_\_

**Ph.: (h)** \_\_\_\_\_ **(cell)** \_\_\_\_\_ **(o)** \_\_\_\_\_

**How long have you been living in the United States?** \_\_\_\_\_ **In Memphis?** \_\_\_

**Where did you learned about our services?** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

'12 and under '13-17 '18-25 '26-40' 41-60' 61+

**Race (s)** \_\_\_\_\_ **Ethnic group / what country and city are you from?**

**What language/s do you speak?** \_\_\_\_\_

**Are you employed?** \_\_\_\_\_ Yes \_\_\_ No \_\_\_ **What are your work hrs?** \_\_\_\_\_

**Where do you work?** \_\_\_\_\_

**Is your monthly income less than?'** \$1,123' \$1,515' \$1,908' \$2,300

**What is your highest level of education?** \_\_\_\_\_

**Are you pregnant?** \_\_\_\_\_ **Are you receiving prenatal care?** \_\_\_\_\_

**Do you have health insurance?** \_\_\_\_\_

**Who lives with you?** \_\_\_\_\_

**Work full time/part time** Full time \_\_\_ Part time \_\_\_

**How many children do you have?** \_\_\_\_\_

**Sex**

M F

M F

M F

M F

**How many were born in the United States?** \_\_\_\_\_

**Who helps you paying for child care?** \_\_\_\_\_

**Are you receiving any type of government assistance?** \_\_\_\_\_

**Do you drive?** \_\_\_\_\_ Yes \_\_\_ No \_\_\_

**Do you have a vehicle?** \_\_\_\_\_ Yes \_\_\_ No \_\_\_

**Do you use public transportation?** \_\_\_\_\_ Yes \_\_\_ No \_\_\_

**Do you own or rent your house?** \_\_\_\_\_

**When will the lease end?** \_\_\_\_\_

**Who is in the contract?** \_\_\_\_\_

**Have you suffered any abuse from your partner, family member or friend?**

\_\_\_\_\_ Yes \_\_\_ No \_\_\_

Have someone forced you to work or to have sex? \_\_\_\_\_ Yes \_\_\_\_ No

Would you like to talk about the abuse? \_\_\_\_\_ Yes \_\_\_\_ No

Have **you** experience any of the following?

\_\_\_\_\_ Physical abuse

\_\_\_\_\_ Psychological, verbal or emotional abuse

\_\_\_\_\_ Sexual abuse

\_\_\_\_\_ Did you witness abuse as a child \_\_\_\_\_ Police intervention

\_\_\_\_\_ Medical intervention

Have your children witness the abuse? \_\_\_\_\_ Yes \_\_\_\_ No / Explain how \_\_\_\_\_

**Abuser information:**

Name \_\_\_\_\_ Age \_\_\_\_\_

DOB \_\_\_\_\_ Race or ethnic group \_\_\_\_\_ Country and city of birth \_\_\_\_\_

Language/s that he/she speaks \_\_\_\_\_

What is your relationship with this person?

\_\_\_\_\_ Spouse/Ex-spouse/Blood related

\_\_\_\_\_ Boyfriend/Ex-boyfriend/Girlfriend/Child in common/Room mate

Has the divorce been filed? \_\_\_\_\_ Yes \_\_\_\_ No

When and where did you get married? \_\_\_\_\_

**Information about the last incident of abuse:**

When did the last incident occur? \_\_\_\_\_

What happened? Explain briefly.

Did you call the police? \_\_\_\_\_ Was a report taken? \_\_\_\_\_

Did the police take pictures? \_\_\_\_\_ Yes \_\_\_\_ No Did you take pictures? \_\_\_\_\_

Was an arrest made? \_\_\_\_\_ Yes \_\_\_\_ No

Do you have eyewitnesses? \_\_\_\_\_ Yes \_\_\_\_ No / Who? \_\_\_\_\_

Saved messages \_\_\_\_\_ Yes \_\_\_\_ No

Log of harassing calls \_\_\_\_\_ Yes \_\_\_\_ No

Letters or notes with threatening messages \_\_\_\_\_ Yes \_\_\_\_ No

Is any court case pending? \_\_\_\_\_ Yes \_\_\_\_ No Date of court appearance \_\_\_\_\_

Reason for court \_\_\_\_\_

Client authorized the Connections Project to discuss pertaining information with other agencies:  
\_\_\_\_\_ Yes \_\_\_\_ No

**APPENDIX B: Services that were Discussed and Requested Form**

<b>Safety planning</b>	
<b>TN Criminal Injuries Compensation Fund</b>	
<b>Locks Change</b>	
<b>911 cell phone</b>	
<b>Shelter</b>	
<b>Client needs shelter and was referred to:</b>	Connections Project      Other
<b>Police reports</b>	
How to file      Do a follow up      Obtain a copy <b>Report number#</b>	
<b>Order of Protection</b>	
Client file for an OP	
OP Was:      Granted      Dismiss at no cost      Dismiss w/cost      NTBF	
Denied      Client wants to dismiss	
Docket number#	Respondent was served on:
Respondent violated the Order of Protection	
<b>Arrest warrant</b>	
<b>Client wants to file an arrest warrant</b>	
Arrest warrant was:      Granted      Denied	
<b>Jail information and bond conditions</b>	Booking number:#
<b>VINE number 1-877-590-8463</b>	Client was registered in VINE on
<b>Criminal court (subpoena)</b>	
Client was subpoena for court	Court day
<b>Client needs legal assistance for:</b>	Criminal case      OP      Divorce
Juvenile Court	
Client was referred to:	
MALS      CLC      Pro bono attorney      other private attorney	
Attorney's contact information:	
<b>Juvenile court</b>	
<b>Client needs assistance for</b>	
Child support	
Custody	
Other	
<b>TCADSV Immigrant Legal Clinic</b>	
Client was referred to the clinic on:	
<b>Counseling /Client was referred to:</b>	Family Services      Choices      Exchange Club
Other:	
Number of children referred to the Exchange club:	
Ages	
Client was provided written information on available services and educational material	
Client has been invited to the IWS support group:	
Client attends the IWS group:	
<b>Client needs interpreter to have access to services that do not provide interpreters</b>	

**APPENDIX C: Lethality Assessment Form**

Did you meet the person in your home country?	
How long have you known this person?	
When did the abuse Start?	
Did the abuse increased since you moved to the US?	
Are you living together?	
How long were/have you been living together	
Do you have any relatives in Memphis?	
Do you have any relatives in the US?	
Have you ever called the police, if so, how many times?	
Has he been arrested for domestic violence?	
Does the abuser have a case pending in court?	
Does the abuser have a history of problems with alcohol?	
Does the abuser have a history of problems with drugs?	
Does the abuser have problems keeping or finding a job?	
Has he/she hurt you in the past during fights?	
Does the abuser have access to a weapon (gun or knife)?	
Is there a gun in the house?	
Has the violence increased in frequency over the past year?	
Has the physical violence increased in severity over the past year?	
Has a weapon or threat with a weapon ever been used?	
Does he/she ever try to strangle you?	
Does he/she ever threaten to kill you?	
Do you believe he/she is capable of killing you?	
Does he control most of your daily activities?	
Has he ever threatened you to call immigration and have you deported?	
Has he ever threatened you with taken the children away from you?	
Has he ever abused the children?	
Has he ever used violence against a pet?	
Have you ever been beaten by him while you where pregnant?	
Is he/ she constantly jealous of you?	
Have you ever had suicidal thoughts?	
Have you ever try to commit suicide?	
Has the person abusing threatens to commit suicide?	
Has the person abusing try to commit suicide?	
Is the abusive person also violent outside the home?	
Has the abusive person ever stalked you?	
Has the abusive person been incarcerated (in jail or prison)?	

On scale from 0 to 10 being extremely likely, how likely is it that, the defendant will assault you in the future? \_\_\_\_\_

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