

## 10th Conference on Health Care of the Chinese in North America

### Domestic Violence in Asian & Pacific Islander (API) Communities

*Sue Chan, MD, Medical Director, Asian Health Services, Oakland (Oakland)*

---



#### Definition of Domestic Violence

Domestic violence is the pattern of coercive behavior that involves physical abuse or the threat of physical abuse. It also may include repeated psychosocial abuse, assault, progressive social isolation, deprivation, intimidation, or economic coercion. Domestic violence is violence perpetrated by adults or adolescents against their intimate partners in current or former dating, married or cohabitating relationships of heterosexuals, gay men, lesbians, bisexuals, and transgendered people. It cuts across all race, class, ethnic, religious, and income levels.

#### Domestic Violence Incidence and Prevalence

- It's estimated that 1.5 to 3.9 million women are physically abused by their partners every year.
- One out of 3 American women report a husband or boyfriend at some point in their lives has physically abused them.
- A woman is physically battered every nine seconds in the United States.
- Among gays and lesbians, domestic violence is the third-largest health problem facing gay men, second only to AIDS and substance abuse. Domestic violence occurs between 20-25% of lesbian relationships, about the same percentage as heterosexual relationships.
- Annual estimates are 21,000 hospitalizations; 99,800 days of hospitalizations; 28,700 emergency department visits; and 39,000 physician visits for a total cost from injuries at \$44.4 million.

#### API Statistics

- Domestic violence is an underreported crime. The lack of statistics regarding API communities reflects the underreporting.
- No studies have sampled a large enough number of Asian Americans to estimate the prevalence of partner abuse.
- Santa Clara County in California is comprised of 17.5% APIs. Between 1994 and 1997, there were 51 deaths related to domestic violence. Almost one-third of those cases occurred among Asian women, the most cases of any ethnic group.
- In Chicago, a survey of 150 Korean women found 60% reported physical abuse.
- The Asian Women's Shelter in San Francisco provides nearly 4,000 bed-nights annually to API women and children.

- In Massachusetts, Asians constituted 2.4% of the population in 1991; however, they represented 13% of the women and children killed.
- A focus group with Southeast Asian Chinese estimated that 20-30% of Chinese husbands hit their wives.
- Recognition of domestic violence is increasing. In 1990, the New York Asian Women's Center received 2000 inquiries regarding domestic violence services. By 1996, the number of calls had increased to 3000. Since 1985, over 10 different South Asian community organizations have developed domestic violence programs in New York City.
- Mental health problems may be a symptom of domestic violence. Suicide rates are high among API women, and may be an indicator for domestic violence.

### **Domestic Violence and the Health Care System**

- A current or former spouse, boyfriend, or girlfriend injured 37% of all women who seek care in hospital emergency rooms for violence-related injuries.
- Women make 693,933 visits to the health care system every year for injuries from physical assaults.
- It's estimated that between 7% and 17% of pregnant women are physically abused by their partner.
- 31-54 percent of female patients seeking emergency services, 21-66 percent seeking general medical care, and up to 20 percent seeking prenatal care report partner abuse.
- Despite the interaction with the health care system, less than 10 percent of primary care physicians routinely screen for domestic violence during regular office visits.
- Emergency department staff only discussed domestic violence abuse with 40% of the abused women they treated. In another study, only 5% of domestic violence victims in an emergency department were identified.
- Among API women though, the interaction with the health care system may be less than other populations. At Asian Women's Center in New York, more than half of the women never receive medical attention for their injuries.
- Cultural values can be utilized in programs. Elders in the community can assist in dealing with domestic violence, and shame caused by public exposure can help inhibit future abuse. A study reported that physical violence is reduced with APIs when police intervene.
- Group counseling may be effective in providing a support system for women. Therapists should be direct and take an active role.
- Women need a bilingual advocate to help them navigate the system so that they do not drift from shelter to shelter and suffer from psychological problems. At the Cameron House in San Francisco, a Cantonese-speaking advocate counsels women about their rights over the phone and helps them with restraining orders.
- Agencies need more accurate fund allocation formulas that take into account the higher cost of serving limited-English speaking API women.

## **Immigrant Women – Special Considerations**

- A survey conducted by the Immigrant Women's Task Force of the Northern CA Coalition for Immigrant Rights found that 25% of Filipinas had experienced domestic violence in the Philippines, the U.S. or both.
- A study in China interviewed 600 pregnant women. 113 of them (17.9%) had a history of abuse, 99 women (15.7%) had been abused in the last year, 27 of them (4.3%) had been abused during their current pregnancy, and 59 women (9.4%) had been sexually abused in the last year. The husband was the perpetrator in the majority of cases.
- A study in Japan found that over three fourths of the women surveyed reported at least one type of violence perpetrated by their male intimate partner. These Japanese women reported a wide range of abuse - from a slap to an assault with a deadly weapon, from verbal ridicules to restriction of social activities, and from noncompliance with contraception to forced violent sex. About two thirds of the most serious physically violent incidents resulted in injury.
- A study in India found that 25.33% of Indian women reported abuse during non pregnant state, 22% reported physical abuse during index pregnancy and 8.33% reported increases in abuse during pregnancy. Abuse was recurrent in 92% of women. 4.54% of the women were hospitalized, 3.78% needed medical assistance and 19.7% were afraid of their partner (husband). Abused women were twice as likely to begin prenatal care after 32 weeks of gestation as compared to non abused women (OR = 2.5; 95% CI 1.1-5.6, p = 0.02).

## **Barriers**

- Women may be sponsored by their husbands or husbands' family; therefore, they may fear deportation (or deportation of their spouses) from reporting the abuse. The abuser may also threaten to withdraw her petition to legalize her immigration status.
- Women who are non or limited-English speaking have limited culturally and linguistically appropriate services and are further socially isolated. Some shelters do not take women who don't speak English, and others may require women to pay per diem rates. In Massachusetts, out of 35 women's shelters, only 2 have APIs on staff.
- Undocumented women may also not be allowed to use certain shelters (if the shelter has funding restrictions)
- Undocumented women lack legal documentation. Abusers may threaten to report their undocumented status to the INS, take away their children, or withdraw her petition for legal permanent residency status.
- Women may lack economic means, and if they are undocumented, they may face strict immigration laws that prevent her from working or force her to work in exploiting environments.
- Women may lack knowledge of the legal system and their rights in the U.S.
- Women may be afraid to call the police because of negative experiences with a racist criminal justice system. Also, they may come from countries where police and other institutions do not respond to domestic disputes.

- The police often do not bring bilingual police officers or interpreters; therefore, they often talk to the person who speaks English. In most cases, the English-speaking person is the husband who can then minimize the seriousness of the situation.
- Women may lack the support of their extended family who remain in their country of origin.
- Women face racism and stereotypes from American society that may make them more vulnerable to abuse. Mail order bride companies perpetuate the stereotypes of Asian women being passive, obedient servants and/or exotic sex objects. These brides have few financial and social supports and are completely dependent on their husband.
- Women may have joined their husbands who are U.S. servicemen. Research indicates a higher incidence of domestic violence within military families. Also, these women also have fewer financial and social resources and suffer from prejudices against interracial marriages.
- Immigrants/refugees escaping wars in their home countries have been exposed to environmental violence, causing heightened anxiety, depression and PTSD. It may also increase the acceptability of violence as a means of resolving conflicts.
- AHS' experience is that only about 2 out of 10 women actually make it to a shelter due to the lack of culturally and linguistically appropriate services, the lack of assistance to navigate resources, and the lack of support to leave the abuser. The Asian Women's Shelter in San Francisco is forced to turn away 600 individuals each year.

### **Domestic Violence and Immigration Laws**

- The 1986 Immigration Marriage Fraud Amendment of the Immigration Reform & Control Act (IRCA) made women dependent on their husbands to petition for permanent residency. The husband must file an immigrant visa petition for the wife, and the wife must file an application for permanent residency. The 1986 law said that if the marriage to a U.S. citizen or legal permanent resident was less than 2 years old, the immigrant spouse was granted a 2 year "conditional" residency. Before the end of the 2 years, the immigrant and spouse had to reapply to INS to remove the conditional status and obtain permanent residency for the immigrant spouse. If they failed to do that, the spouse's status automatically terminated and could be immediately deported.
- A waiver of the joint petition requirement could be obtained based on &extreme hardship& or if the women could show that they had entered into a "good faith" marriage and had a &good cause& to terminate the marriage, but they were difficult to obtain.
- The 1986 law also stipulated that employers could not hire immigrants without work authorization. Women who left their abusers had a difficult time obtaining employment and gaining financial independence.
- The 1990 Immigration Act removed the IRCA requirements for the second joint application and removed the &conditional& residency period.
- The 1994 Violence Against Women Act permits newly arrived immigrant spouses to file their own petitions for residency and gives them new protections against deportation. Immigrant spouses must prove they were abused, have a valid

marriage, and they and their children would suffer &extreme hardship& if deported. If they have been in the U.S. for at least 3 years, they can also ask the immigration court for permanent residency.

- The 1996 Personal Responsibility and Work Opportunity Act narrowed immigrant eligibility for benefits. It did include a Family Violence Option that allows states to make counseling referrals for women who are/were victims of abuse and waives welfare-to-work program requirements that would make it more difficult for women to escape abuse.
- The 1996 Illegal Immigration Reform and Immigration Responsibility Act, although restricting the legal rights of most immigrants, also contained provisions to protect abused women. It expanded public benefits to certain undocumented battered immigrants and created &deeming& exceptions for undocumented battered immigrants.