



We have a collective responsibility to believe and support survivors of domestic violence.

- Nan-Hui Jo is a survivor of domestic violence. Her previous partner and child's father used a range of behaviors to exert power over her, including physical force.
- Abuse is a repetitive pattern of behaviors to maintain power and control. These behaviors can physically harm, arouse fear, and prevent a partner from doing what they wish or force them to behave in ways they do not want to make someone feel afraid and alone. Abuse includes the use of physical and sexual violence, threats and intimidation, emotional abuse, and economic deprivation. Different forms of abuse can occur simultaneously and we reject the notion that abuse must reach lethal levels of violence before being taken seriously.
- While institutions often fail to protect survivors, it is common for abusive partners to leverage the larger institutions of law enforcement, immigration enforcement, and family court to harass, intimidate, and abuse survivors. They may call the police, file restraining orders, report the survivor for domestic violence, and use child custody issues in an effort to retaliate and regain control of their partners.
- Nan-Hui's case is a clear example of how survivors are blamed and judged when they stay in abusive relationships, but also punished and criminalized when they try to leave. We are concerned by the greater impact and message this case is sending to other survivors of domestic abuse.

**All undocumented immigrants, including survivors, deserve dignity, respect, and access to support and safety.**

- Immigrant survivors are particularly vulnerable to domestic violence and may feel trapped in abusive relationships because of immigration laws, language barriers, social isolation, lack of financial resources, and unfamiliarity with US laws and social customs.
- Being undocumented adds additional layers of challenges because it restricts an individual's ability to work, drive, travel, access health care, or report abuses (domestic violence, workplace abuse, wage theft, etc.) without risk to him or herself.

- For undocumented survivors who are mothers, the stakes are high - the threat of detention, deportation and permanent separation from one's children can compound existing patterns of control and violence.
- Though there are provisions for immigrant and undocumented survivors under the [Violence Against Women Act \(VAWA\)](#), many are never properly informed of their option to self-petition for a green card under VAWA.
- Immigrant limited English proficient (LEP) mothers who flee from violent partners do not have the same access to information/resources as English speakers in the same situation.
- As an LEP immigrant mother, Nan-Hui was criminalized by Yolo County for having extremely limited access to information about her rights, domestic violence support resources, due process, family law, immigration law, and child abduction law. Now she awaits immigration court hearings and potential deportation in Yuba County Jail, which doubles as an immigration detention center as well as a county jail.
- Nan-Hui Jo's case demonstrates precisely why so many undocumented and immigrant survivors of domestic violence decide to stay in abusive relationships, and do not trust law enforcement or the legal system to help.

***We need systems that support survivors in creating safer lives for themselves & their children.***

- The criminal-legal system punishes survivors, separates children from their primary caregivers, and worsens the impacts of domestic violence. The systems that are supposed to help create safety for people often collude with abusive dynamics, criminalize survivors, and become part of the abuse that survivors face.
- Nan-Hui fled to her home country, South Korea, in 2009, fearing the safety of herself and her child. Upon leaving the country with her daughter, her former partner reported her for child abduction. Nan-Hui was arrested when she returned for a short-term trip to the US. The child was immediately separated from her mother and put in the custody of the child's father while Nan-Hui was extradited to a jail in Yolo County.
- Nan-Hui was denied bail, and it was a full five months before her case went to trial in December 2014. After a hung jury and a lengthy retrial, she was sentenced to misdemeanor child abduction and time served. Immediately upon release, she was taken into ICE's custody, where she remains in detention.
- Nan-Hui experienced harm, fear, assault and danger in an abusive relationship. She called the police twice about her abuse, and both times they failed to take a report. On one occasion, the police officers who arrived at the scene simply told the ex-partner to "walk it off."
- The way police responded to Nan-Hui's calls is not uncommon. Domestic violence calls constitute half of all violent crimes calls to police departments. However, at least [30% of cases where victims request police assistance](#) fail to result in an official report.
- Instead of being granted protection, survivors of domestic violence are often criminalized: [the ACLU reports that of all incarcerated women in the United States, 85-90% have experienced domestic and sexual abuse.](#)
- "Violence perpetrated against women and girls can put them [at risk for incarceration](#) because their survival strategies are routinely criminalized." - [Free Marissa DV Fact Sheet](#)
- "70% of people in women's prisons are [mothers](#). The number of mothers in prison in the US [increased by 122%](#) between 1991 and 2007. Prior to entering prison, many of these

women were the [primary caretakers](#) of their children at home.” - [Free Marissa DV Fact Sheet](#)

- Survivors should not be punished for defending themselves, protecting their children, and rebuilding their lives after escaping domestic violence.

***Nan-Hui and her daughter are the center of each other’s worlds.***

- Nan-Hui loves her daughter and acted in her daughter’s best interest. Although she did not know the intricacies of the U.S. legal system, she deeply felt the volatility of her situation. She learned over time that her ex-partner was violent, and when she felt the well-being of her child was endangered, she took steps to protect her.
- Like many survivors of domestic violence, Nan-Hui was concerned that if her previous partner had hurt her, that he would hurt the child. [According to a study funded by the U.S. Department of Justice, 30 to 60% of perpetrators of intimate partner violence also abuse children in the household.](#)
- Nan Hui’s daughter has been abruptly separated from her mother and transplanted to an unfamiliar setting and country where none of her current guardians speaks her native language. Instability and the absence of a trusted parent in a foreign setting is extremely frightening and has lasting developmental consequences on young children.
- [A number of survivors and children of survivors have come forward during this campaign](#) to describe the lasting impacts of growing up in homes where they witnessed domestic violence between parents or caregivers. Domestic violence impacts children, even if they themselves were not directly physically harmed by an abusive parent.
- Prosecuting Nan-Hui, a single mother who is doing her best to survive and rebuild her life free from violence, does not serve the best interests of her child.

***As a community, we stand with Nan-Hui and demand real solutions to domestic violence because Nan-Hui’s story represents the struggle of so many domestic violence survivors.***

- Incarceration, isolation, deportation and permanent separation do not represent justice for Nan-Hui or other survivors of domestic violence.
- We call upon this system to stop punishing women for protecting themselves and their children.
- We call upon this system to uphold and respect the self-determination of all women, not just those who have the privilege of U.S. citizenship.
- Justice for Nan-Hui and her daughter will begin with Nan-Hui’s freedom and immediate reunification with her child. We will continue to fight for their right to heal, love, and thrive together.