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## **Training Series: Helping Those Released from Family Detention: Asylum Options for Immigrant Survivors of Domestic and Sexual Violence**

### **Hypothetical Domestic Violence Asylum Case\***

Maria, a 24-year-old woman, was born and raised in a small town outside of Sonsonate, El Salvador. She never attended school and is illiterate; only Maria's brothers received an education.

At age 14, Maria's neighbor Jose, 29 at the time, kidnaped Maria, locked her in his sister's home and raped her. When Maria became pregnant, Jose and her father negotiated to have Maria live with Jose as his wife. Maria did not want to live with Jose, but she felt she had no other choice to restore her honor in the community.

From that point on, Jose controlled every aspect of Maria's life. He treated her like a child and forced her to ask his permission to do even the simplest things such as watch television in the house. Jose was also extremely verbally and physically abusive, telling Maria she was worthless and forcing her to work like a slave, cooking and cleaning for him and his family. As time went on, Jose—who was a member of the Mara Salvatrucha gang—started forcing Maria to engage in sexual acts with his “friends” in exchange for money that he used to purchase drugs.

When Jose demanded that Maria have sex with his father in 2012, Maria took their daughters and fled to her aunt Nancy's house in another town. Jose found Maria and forced her to return with him, threatening to prostitute their daughters if she refused to come home. Maria tried to flee on at least three occasions over the next two years to different family members and each time Jose found her and brought her back, and threatened he would rather see her dead than with someone else.

Maria did not report Jose's abuse to the police; she did not think they would do anything to help her because of their ties to the gangs. She did receive medical treatment at a local clinic on one occasion as a result of injuries to her nose from a beating.

Finally, in July 2014, Maria left for the U.S. with her two daughters traveling on foot and by freight train to the Texas border. Border patrol agents apprehended Maria and her daughters near Hidalgo, Texas and detained them. Maria passed a credible fear interview and, upon release, they relocated to Baltimore, Maryland to live with family members.

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\* This case is based in part on the story of a client of the Tahirih Justice Center; some facts have been changed and pseudonyms are used.

*Questions to get you thinking before the webinar?*

1. Based on knowledge you have now, what forms of immigration relief might Maria or her children qualify for? What else would you want to know about Maria's circumstances or conditions in El Salvador to assess?
2. Who might you reach out to as a witness to support Maria's claims? What would you want to know about the potential witnesses?
3. If you were to meet with Maria, what might you do to develop rapport? What would you want to cover in your first meeting together?