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BOLETÍN:

A legal empowerment guide for advocates serving survivors






This guide summarizes foundational federal laws that ensure all survivors of domestic violence have protected access to services from federally funded programs. Key statutes—the Violence Against Women Act (VAWA), the Family Violence Prevention and Services Act (FVPSA), the Victims of Crime Act (VOCA), and Title VI of the Civil Rights Act of 1964 (Title VI)—establish strict confidentiality protections and prohibit discrimination. This resource is designed to help advocates uphold these legal obligations and comply with federal grant requirements.

 **Note:** *This document provides general legal information and is not a substitute for individualized legal advice. Survivors should always be encouraged to consult with a qualified attorney for guidance on their specific circumstances.*

Which federal laws require serving all survivors, and how do they apply to your agency's daily work?

Understanding your legal duties is essential to ensuring survivors receive safe access to services (such as emergency shelter, crisis intervention, or legal advocacy).

 **Advocate connection:** Did you know? Most domestic violence programs and shelters are made possible through FVPSA funding. Recognizing this link helps us see how federal protections directly support our local work.

Glossary: To ensure this guide is accessible to all staff, key agencies and legal terms are hyperlinked throughout the document and can be found in ASISTA's [Glossary of Terms](#) for further context.

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Federal law	Protection for survivors	What this means for you and your agency
<p>Violence Against Women Act (VAWA)</p>	<p>Immigration Relief: Provides immigration remedies allowing survivors to seek legal status independently from their abuser or after being the victim of certain crimes.</p> <ul style="list-style-type: none"> • VAWA Self-Petition - 8 U.S.C. § 1154(a)(1)(A) & (B) • U-Visa - 8 U.S.C. § 1101(a)(15)(U) • VAWA Cancellation of Removal - 8 U.S.C. § 1229b(b)(2) <p>Confidentiality: Prohibits disclosing a survivor’s personally identifying information. 34 USC §12291(a)(25) & (b)(2); 34 USC 12491; 28 CFR § 90.4(b) Bars Department of Homeland Security (DHS), Department of Justice (DOJ), and the State Department from making adverse decisions based solely on information provided by abusers. 8 U.S.C. § 1367.</p> <p>Nondiscrimination: Grantees may not exclude survivors based on immigration status 28 CFR 90.4(d) or discriminate on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, or disability (43 USC §12291(b)(13)).</p>	<ul style="list-style-type: none"> ▶ You are required to uphold strict confidentiality and non-discrimination laws. ▶ All survivors must be offered services.
<p>Family Violence and Prevention Services Act (FVPSA)</p>	<p>Confidentiality: Prohibits the disclosure of a victim’s personally identifying information, including information related to the location of a victim, without a court order or statute. 42 USC 10402(7); (42 U.S.C. 10406(c)(5); 45 C.F.R. §1370.4. Applies to state funding agencies and service agencies.</p> <p>Focus on Underserved Populations: Requires prioritization of services for underserved groups. 42 U.S.C. 10406(a)(3); 45 CFR 1370.2.</p> <p>Nondiscrimination: Grantees are prohibited from discriminating based on race, color, national origin, sex, religion, disability, or age. 42 U.S.C. 10406(c)(2). FVPSA does not impose immigration status requirements. See HHS: Domestic Violence Fact Sheet.</p>	<ul style="list-style-type: none"> ▶ Your agency is legally required to provide shelter and all core services to all survivors

Federal law	Protection for survivors	What this means for you and your agency
<p>The Victims of Crime Act (VOCA)</p>	<p>Confidentiality: Prohibit the disclosure of a victim's personally identifying or individual information, including information related to the location of a victim. Prohibits disclosure to government funding agencies (e.g., DOJ, Office of Victims of Crime (OVC), state victim services agencies) unless there is a valid court order or statute requiring disclosure. (28 C.F.R. §94.115)</p> <p>Nondiscrimination: Prohibits discrimination based on race, color, religion, national origin, sex, or disability. 34 U.S.C. § 20110(e).</p> <ul style="list-style-type: none"> • Victim Assistance Programs: All survivors are eligible for services. This applies to both discretionary and formula grants that are passed through state administrators. 28 C.F.R. § 94.103(a); 28 C.F.R. § 94.116 • Victim Compensation Programs: Most states allow survivors to apply regardless of immigration status, but a few states (Alabama, Missouri, and Idaho) restrict eligibility. See Victim Compensation in America: The State-Federal Partnership 	<ul style="list-style-type: none"> ▶ You may and should use VOCA funds to serve all crime victims. ▶ Be aware of variations in victim compensation eligibility by state.
<p>Title VI of the Civil Rights Act of 1964</p>	<p>Foundational NonDiscrimination Law: Prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving federal financial assistance. 42 U.S.C. § 2000d.</p> <p>Application to Survivors: Agencies must take reasonable steps to provide translation and interpretation to ensure meaningful access. 45 C.F.R. Part 80 (for HHS).</p>	<ul style="list-style-type: none"> ▶ Your agency must provide access to all services for all individuals. ▶ Translation and Interpretation services are a legal obligation.

Conclusion: Upholding legal standards in survivor services

Adherence to federal non-discrimination and confidentiality statutes is a core component of providing lawful, ethical, and effective services to survivors of domestic violence. The laws outlined in this guide collectively ensure that all survivors have protected access to safety and support. Esperanza United is committed to providing resources that help advocates and programs uphold these critical legal standards.

Works Cited

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8. Victims of Criminal Activity: U Nonimmigrant Status <https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status>