

**Desperate
Housewives**

For some women who come here on dependent spouse visas, the American dream turns into a nightmare. Abused and tortured by their husbands, they do not know who to turn to for help in an alien country. SHIVALI SHAH chronicles a horrifying epidemic that's eating into the Indian-American community. Illustrations: Dominic Xavier and Uttam Ghosh

(*Some names changed to protect identities)

She told me, "You beat me, then I will learn," said Ramesh Maddi, to New Jersey police detectives in 2001, to explain the injuries on his wife. In the two months that Sireesha Pesala, 23, lived with Maddi, 26, Maddi beat, bit, burned, and starved his new bride. When she was taken for medical treatment, Sireesha had 10 fractures on her back, 30 bite marks all over her body, and two pus-oozing third-degree burns from being seared by a heated spoon.

The perpetrator of these horrendous crimes is an otherwise tame-looking computer professional. Maddi had a master's degree and was employed with an Indian software major. He was in the United States on a temporary work visa on which his employer could apply for a green card. The match seemed a good one to Sireesha's family. They could never have imagined what was in store for their daughter. Maddi made life hell for Sireesha. He would not allow her to wear clothes or bathe. As punishment, he would not allow her to eat for days at a time. She was not allowed to leave the house alone. She could not use the phone except to talk to him and his family. "Every morning I have to call my sister-in-law and I have to talk for 10 minutes. If I talk more than that, he will come and beat me," Sireesha testified in the criminal trial against Maddi. He monitored Sireesha's phone calls over the internet. "One day it happened," she testified, "I talked to [my sister-in-law] for 15 minutes. After he came home, he started punching me and hitting me everywhere." Sireesha was like other battered immigrant women: isolated, scared and unaware of who to turn to for help. It took her two months to call the police because she did not know they respond immediately. "In India," she said, "police they don't come right away." She also feared the police would side with her husband, resulting in even more beatings.

The final straw for Sireesha was the one that literally broke her back. She reluctantly called the police after a particularly horrific weekend during which the family celebrated Maddi's birthday. Sireesha testified Maddi made her lie on the floor and jumped on her back "with the shoes on." At the time, he weighed 175 lb; she was a tiny 110 lb. "I thought I would die," she said. He pulled her up by the hair and bit her chin, causing it to bleed. "He told her to cup her hand and get to the bathroom because he didn't want her to bleed on the carpet," said Assistant Morris County Prosecutor Karin Kelly-Weisert. According to Sireesha, Maddi didn't want to lose his security deposit on the apartment. Maddi called his parents in India, asking what he should do with Sireesha. A bad housewife, without sufficient dowry, she was not the kind of wife he wanted. After the phone call, according to Sireesha's testimony, Maddi said, "I got the green signal. I will kill you. I will remarry." When Maddi went to work, she dialed 911 with the assistance of a family contact.

In his defense, Maddi said Sireesha asked for the abuse. "She came from a family where she was not told what is good and what is bad. What she should do and what she should not do," Maddi told detectives the day Sireesha dialed 911. He said she burned food, couldn't use a pressure cooker properly and damaged pots while hand washing. He demonstrated how he initially only slapped her wrist, and said he started biting her at her request. Maddi claimed Sireesha said, "Till then nobody beat me, so I couldn't learn anything... nobody tried to teach me anything, so I became like this, so you beat me, I'll learn."

Sireesha had 10 bones fractured in her back so badly that Dr Mark Rosenberg, her emergency room doctor, testified the bones were bleeding. "It would be impossible to break so many vertebrae on both sides of the [spine] with one blow," he testified, "this would have to be multiple blows to the back." Rosenberg added Maddi was so violent that he could have killed her. "The mechanism and the force that was required to break these areas of her back created significant concern... that [the injuries] were indeed life threatening."

After a five-day trial, Maddi was convicted of aggravated assault, criminal restraint, making threats, and attempted murder April 28. On July 12, he was sentenced to 15 years in jail with the possibility of parole after seven-and-a-half years. For the sentencing, his parents flew from India to speak on his behalf. Through an interpreter, they gave tear-filled testaments to Maddi's intelligence, spirituality and charity.

"He was the type to help anyone," said Maddi's father. His parents, brother and sister all stated that he should not be forced to throw his life away for "one mistake." While handing down his ruling, Superior Court Judge John Harper stated in all his years as a judge, this was the worst case of physical abuse he had seen.

Sireesha also sued Maddi in civil court for the expenses associated with her medical care and received a judgment of approximately \$60,000. In the four years between dialing 911 and her former husband's conviction, Sireesha completed an MBA, and persisted in helping prosecute Maddi. Her English improved dramatically. A family friend had to write a script to help Sireesha

communicate with the 911 dispatcher. Four years later, “Sireesha speaks English better than I do,” said Prosecutor Kelly-Weisert with a chuckle. Sireesha is currently in India with her family.

While her case is extreme, there are many like Sireesha in the US. Abuse is prevalent in all societies, but it is particularly difficult for immigrant women because they are cut off from their support systems back home. Maddi did not allow Sireesha to call her parents in the southern Indian state of Andhra Pradesh. “If Sireesha had been in India, there would have been intervention by her family,” said Kelly-Weisert.

Every year thousands of married women come to the US to start a new life. Few understand the limitations of their visa status. Women who find themselves in abusive marriages quickly learn that the freedoms America boasts of are not meant for them. The two most common temporary work visas for Indians are the H-1B and the L-1 visas. Both allow foreign nationals to work in the US temporarily and bring their spouses—under the H-4 and L-2 visa respectively. Indians receive the highest number of H-1B visas and a significant portion of L-1 visas. The overwhelming majority of dependent spouses are women. The restrictions on their dependent spouse visas place them at higher risk of abuse than other immigrant women.

Barrier: Dependence

The H Visa Survey is currently surveying current and former H-4 wives to compile demographics on this understudied population. Preliminary results indicate that the majority of H-4 wives tend to be English speaking, from middle-class backgrounds, with a minimum of a bachelor’s degree, and have career ambitions. In other words, not women one typically associates with terms such as ‘victim’ and ‘helpless.’

But South Asian Women’s Organizations across the US receive calls from a disproportionate number of dependent wives. While all SAWOs report calls from dependent wives, in areas of dense Indian population, the incidence of abuse is alarmingly high. Within the last five years, SAWOs in Boston, Houston, Washington, DC, and North Carolina have reported periods of time during which at least half their clients were H-4s. Kiran, a SAWO in North Carolina, reports that the percentage of H-4 clients they worked with increased from 25 percent in 2003 to an alarming 75 percent so far this year. Aparna Bhattacharyya, director of an Atlanta SAWO, Raksha, says out of the 390 calls for help her organization received in 2004, approximately 137 were from battered women on H-4 visas.

Though domestic violence cuts across cultural and economic barriers, the restrictions dependent spouse visas impose makes these women more vulnerable to domestic violence. The restrictions also make it near impossible for these women to leave an abusive situation. Immigration status is often used as a weapon. Once married, for example, a dependent wife can only apply for her visa

with documents only the H-1B/L-1 husband possesses. The husband's cooperation is required at each step of the immigration process, including for a visa extension or applying for a green card. If the husband does not want his employer to apply for a green card for his wife, he merely has to say so. The attorney will tend not to confirm this information with the wife.

Access to documents is a big problem for battered dependent wives. Once a husband has stolen his wife's documents, she cannot replace them without his cooperation. Even if she has her own documents, she needs proof of her husband's current H-1B /L-1 status to convert her visa to an independent status such as an H-1B or a student visa. Documents such as pay stubs and his H-1B approval are considered the husband's confidential documents, even though the wife needs them to convert her status.

Some immigration attorneys report being pressured by their clients not to talk to their wives. One attorney received case files at work with an inter-office note that read: 'Do not talk to wife.'

Battered dependent spouses often call a domestic violence agency after they realize their husbands have stolen their immigration documents or find out that their immigration attorney has been stonewalling them. As Jasleen* was preparing to leave her abusive husband, she realized that Jagbir* had taken her immigration documents. "When I called up our immigration attorney who had done his H-1 and my H-4, she said [Jagbir] is our client." Jasleen recalls. "He had already phoned her and instructed her she should not dispatch any photocopies of any of my visa papers to me. Since [Jagbir] was her client and giving her money, not me, I had no access to any of my documents or their photocopies." At 25 years old, Jasleen went from being married to a successful software consultant to being a divorced single mother of an infant son with no record of her legal presence in the US and no money to get back to India. "My life is already over," she sobbed.

The immigration attorney represents the employer, the husband, and the wife as long as everyone's interests are in harmony. From a legal ethics perspective, if a marriage is disintegrating, the attorney should cease to represent both husband and wife. In reality, what often happens is that the immigration attorney either intentionally or unintentionally stops communicating with the wife and continues to represent the husband.

Some attorneys are reluctant to sever the one employee's case from the employer's roster fearing that sending one file to a competitor or creating more paperwork is the first step to losing the entire account. In some cases, the attorney may feel more loyalty to the husband.

Barrier: No Work

H-4 wives do not have work authorization. In 2002, dependent spouses of L-1 and E-1/E-2 visa holders were granted work authorization. No reason was stated to why H-4s were ignored.

Though the spouse of L-1 and E-1/E-2 visa holders can work, authorization is not automatic. She must apply for an employment authorization document for which she needs her husband's cooperation. Maddi, for example, did not want his wife to work. "As a traditional Indian... I like my wife to be a housewife," he said.

Without an independent source of income, abused dependent wives must rely on their husbands to provide basic necessities such as food, heat, and medicine. Jagbir, for example, would not leave Jasleen money when he went on business trips. He often ate lunch and dinner at work before coming home. "I had to get food from neighbors and borrow money from my aunt," Jasleen recalled. During one northeastern winter, Jagbir neglected to pay the utilities and Jasleen and their infant son were without heat for a month while he was out of town. Even a woman who knows before getting married she cannot work on an H-4 often underestimates the implications.

Without work authorization, she doesn't have a social security number, without which she cannot have her own bank account, safe deposit box — and in many states, a driver's license — without the husband's cooperation. Soma Dixit, outreach coordinator with a New Jersey SAWO, Manavi, said without a social security number, a battered woman may have trouble renting an apartment after leaving her husband.

Some women have no option but to work illegally to make ends meet. Julie's* software developer husband threw her out with only a few hundred dollars. Staying with relatives and friends, she struggled to make a living without work authorization. A nurse in the western Indian state of Gujarat, 40-year-old Julie worked as a maid in a Midwestern American motel cleaning toilets and scrubbing floors.

Oceans Apart

Many battered Indian women in the US are abandoned in India. A dependent wife is often powerless to return without her husband's cooperation. SAWOs across US receive pleas for help from India from women who want to return to the US — either to confront their husbands, get a divorce under US laws, or try to make their marriages work.

Anuradha Gurnani, legal coordinator, Manavi, said transnational abandonment was part of a growing epidemic in the South Asian community. She cited two typical patterns of abandonment.

In the first scenario, the US-residing husband travels to India and marries with the promise of helping his bride immigrate to the US. Instead, “the woman is left waiting [in India], sometimes pregnant.” In the second scenario, husband and wife living in the US take a ‘vacation.’ She is dumped in India with no financial support and often without her passport and visa documents. “If the divorce is filed in the US, the woman is usually unable to re-enter the US to contest the divorce due to immigration and/or financial barriers,” Gurnani explained.

Gurnani recalled one client who went to India under the pretext of a vacation. “Once they arrived at the Indian airport, he told her he didn’t want anything to do with her anymore, took her and her child’s passport and abandoned them at the airport,” Gurnani said. Even if the woman obtained a replacement passport, she would need the visa stamp in the stolen passport to re-enter the US.

It Could Happen to Anyone

There is a common perception that intimate partner abuse only happens among the poor or uneducated. It is inconceivable to many that an upwardly mobile Indian can be physically violent or emotionally abusive. “Many people believe that if a woman is educated or economically well-off, she is less likely to face domestic violence,” Dixit observed. As a result of these community perceptions, middle and upper-class women often have a difficult time acknowledging the abuse and seeking help.

Most dependent spouses have English language skills, higher education, and access to middle-class family and friends. But often the woman feels embarrassed or is in denial of the situation. Nawar*, an intelligent woman with an MBA, called me for help because she signed divorce documents without reading them. When I suggested she approach the local SAWO, she said she was too ashamed to tell people who she knew from progressive community events that she was a victim of abuse. “I always considered myself an emancipated feminist,” said Nawar, “how can I go now and tell them I’m a victim?”

“Educated, wealthy women being battered receive the same messages from society,” said Dixit, “they are hesitant to get help because of the fear of not being taken seriously or being blamed for the abuse.”

Some battered dependent spouses are financially comfortable, but not free from fear. While living with her husband, Julie had an upper-middle class lifestyle with her executive husband, complete with her own full-time maid. After a 13-year friendship, it was not until Julie’s fourth day in the US that her husband Jignesh’s* abusive personality surfaced. He burned their wedding album and the carpet, beat her, broke her belongings, and alternated between threatening murder and suicide. While she was pregnant, he force-fed her four bottles of beer. She had never had a drink before. She

spent the next three days vomiting and crying. She was shattered that the man she and her family had known and respected for so long could be such a monster. Leaving a comfortable lifestyle for an uncertain future — in which she knew she could not work legally — was a difficult decision. “Now,” Julie said with an uncomfortable laugh, “my maid makes more money than I do.”

Options

While it is true that dependent wives are middle or upper-class and are documented, they enjoy these privileges for only as long as their husbands allow them. Once he cuts off her access to his checking account and prevents the renewal of her visa, she is as undocumented and indigent as other battered immigrant women.

Immigration attorneys at Legal Services or Legal Aid and at non-profit organizations are generally not equipped to provide immigration advice to women on employment-based visas. This leaves dependent spouses with the financially impossible option of hiring a private lawyer. SAWOs have been enduring the brunt of this epidemic. Providing emotional support and information about resources and women’s shelters, they are helpless to do more. “There are more options [and] services for undocumented women than for these [dependent spouses],” said one advocate who preferred to remain anonymous, “it is outrageous that women legally here on visas are treated worse.”

Alternatives include returning to India or converting to an H-1B or student visa. All three of these options require resources to which most of these women do not have access. Battered women married to US citizens and green cardholders may be eligible for a green card independent of their abuser under the Violence Against Women Act. As wives of temporary workers, however, dependent spouses receive no comparable relief. VAWA is currently in the process of reauthorization, but there is resistance to making dependent spouses eligible.

The U visa for crime victims allows battered women to remain in the US and potentially get a green card if they assist law enforcement in prosecuting their husbands. While an important step forward and utilized by some women, the overwhelming majority of battered dependent spouses will not avail themselves of this option. Fear of law enforcement, particularly post 9-11, the uncertainty around the U visa— whose specific regulations have not been published yet — and lack of training of attorneys and law enforcement in the use of the visa deters many women. After her hardware engineer husband broke her nose, Neelima*, who once worked in the software industry in India, sought help for the sustained violence she had been suffering for two years in the US. She rejected applying for a U visa because a criminal trial in New York meant her community back home would know.

The Need for Change

As a community, acknowledging domestic violence as a public issue and supporting victims is a priority. Talking openly about abuse can help reduce the stigma around family violence and create an environment in which more women seek help. Once a woman has left a tortuous relationship, members of the community must take initiative in providing her concrete support.

While social reform is an essential long-term process, legal reforms are a more immediate goal. Current laws treat women who come to the US as dependent wives as appendages of their husbands. The right to earn a living and ending immigration dependence are vital steps towards treating all dependent spouses with respect. Battered dependent spouses should also be made eligible for relief under VAWA. The Network of Advocates for Dependent Immigrant Spouses of America advocates increased legal protections of dependent spouses of temporary visa holders.

Because the majority of dependent wives are Indian, our community needs to pay particular attention to this problem. To effectuate legal reform, community organizing and lobbying is crucial. Without the active and direct involvement of Indian business leaders, professional and community organizations, and temporary visa holders, dependent spouses will continue to remain vulnerable. And we will hear of more women like Sireesha.