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Congress passed the Violence Against Women's Act ("VAWA") in part to prevent abused immigrant spouses who had entered into valid marriages in good faith, and their children, from being locked in abusive homes and relationships. The drafters of VAWA decided that analysis of domestic violence incidents under Department of Homeland Security ("DHS") regulations with regard to Immigrant Petitions (the "DHS Immigration Regulations") should not be limited to acts of violence but also include extreme cruelty. Thus, legal immigration status and protections could be obtained through VAWA without requiring that the immigrant spouse or child wait for the abuse to escalate to physical or sexual violence.

The phrase "battery or extreme cruelty" includes a range of behaviors that the DHS Immigration Regulations define as follows:

This definition of "battery or extreme cruelty" includes a continuum of abusive activities. Actions that are considered criminal under state law and which provide justification for issuance of a civil protection order or initiation of a criminal prosecution have always been generally the equivalent of "battery" under the DHS Immigration Regulations. When Congress created the battered spouse waiver in 1990 and VAWA protections (self-petitions, suspension of deportation, and cancellation of removal) in [1994], it coupled the DHS Immigration Regulations' definition of battery with the broader range of

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- Family Offenses, Nonviolent;
- Stalking; [and]
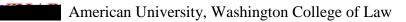- Trespass of Real Property".. [9]

The Model Code also allowed the opportunity for states to add additional crimes to the list.[10] Over time, state protection order statutes have expanded to offer protection against a larger list of family violence offenses including stalking, harassment, and threats, and attempts to harm family members, household members and intimate partners. However, the analysis conducted to support most protection orders issued in the United States continues to focus on criminal activity.[11]

The family court rulings that consider extreme cruelty an important factor in determining whether to provide protection to harmed individuals have other significant considerations in common with VAWA immigration cases. All VAWA self-petitions, VAWA cancellation and VAWA suspension cases require

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███[21]
- SP ████ ███[22]
- THREATENING TO KILL SPOUSE[23]
- VIOLATING OTHER RESTRAINING OR NO-CONTACT ORDERS[24]

A. Setting the stage:

There are four ways in which abusers can set the stage for apprehension of impending violence against the victim and beginning the cycle of coercive control: i) creating vulnerabilities, ii) exploiting existing vulnerabilities, iii) wearing down resistance, and iv) facilitating attachment.[29]

  i) Creating vulnerabilities:

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- [33]

  ii) Exploiting Existing Vulnerabilities

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iii) Wearing Down Resistance

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B) Coercive demand

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