For Further Information Contact

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U VISAS FOR VICTIMS OF CRIMES

A Guide for Police, Prosecutors
And
Other Agencies Authorized to Investigate or Prosecute Domestic Violence, Sexual Assault or Other Crimes Against Immigrants

What is a U Visa?

A U visa gives temporary legal status to victims of certain crimes.

What is the purpose of the U Visa?

Alien crime victims may not have legal status and may be reluctant or afraid to report crimes or to assist authorities in investigating or prosecuting criminal activity.

The U Visa strengthens the ability of law enforcement to investigate and prosecute crimes against this vulnerable population.

Qualifying Criminal Activity

The following crimes, or any similar activity, which results in a violation of Federal, State or Local law constitute qualifying criminal activity:

rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes.

How Does an Alien Qualify?

In order to be eligible for a U Visa, the alien must prove to US Citizenship and Immigration Services (USCIS) that he or she:

1. Is a victim of a qualifying crime (see above);
2. Has suffered substantial physical or mental abuse as a result of that crime;
3. Possesses information concerning the crime;
4. Is, has been, or is likely to be helpful to the investigation or prosecution of the crime; and
5. The crime occurred in the US or violates US law.

Role of Law Enforcement

A U Visa applicant must include a completed form I-918 B signed by law enforcement, certifying that the alien is a victim of one of the qualifying crimes, possesses information about the crime, and has been, is or is likely to be helpful in the investigation or prosecution of the crime. The case can involve an ongoing investigation or one which was closed in the past.

USCIS MAKES THE DECISION TO GRANT OR DENY A U VISA

The law enforcement certification on form I-918B is a necessary part of the evidence. But it is not conclusive, and it is only one piece of the application that the victim must submit to USCIS. The victim must prove the entire case to the satisfaction of immigration authorities.