



Our Newsletter Series on Immigration Options for Victims of Crime or Domestic Abuse:

- Last Month: VAWA
- **This Month: U Visas**
- Next Month: T Visas

Immigration Options for Victims of Crime or Abuse: U Visas

The U nonimmigrant status (U visa) is for victims of crimes who have suffered substantial mental or physical abuse and are willing to assist law enforcement and government officials in the investigation or prosecution

Differences Between U Visas and VAWA

Last month we discussed VAWA, which helps victims of domestic violence apply for lawful immigration status without the assistance of their abusive spouses. Both VAWA and U visas provide immigration options to victims of crimes, but they differ:

- VAWA requires marriage to an abusive U.S. citizen or lawful permanent resident
- A U visa does not require marriage or that the crime at issue be domestic violence
- A U visa requires that the victim assist the police/ prosecutor and that the police/ prosecutor sign a certification
- VAWA does not require assistance to law enforcement

Who Qualifies to Apply for a U Visa?*

To be eligible for a U Visa you must fulfill the following requirements:

- You must have been the victim of a qualifying crime
- You must have suffered substantial mental or physical abuse
- You must possess knowledge of the crime and be willing to assist in the investigation or prosecution of the crime
- The crime must have occurred in the USA
- You must be admissible to the USA

What is a Qualifying Crime?

Immigration has a specific list of crimes that qualify. Most violent crimes will qualify, but others may as well. Please consult with an attorney to see if a crime committed against you qualifies.

How Do I Apply for a U Visa?

Applying for the U Visa is a two step process. First, obtain a signed certification that you have assisted law enforcement from the police or the prosecutor. Second, fill out the proper forms and submit the required evidence and fees.

Other FAQs:

Does a person qualify for a U-visa if someone else in their family was a victim of a crime?

Yes, it is possible in some situations that a family member may qualify for a U-visa.

How do I get copies of police reports for the crime?

Each police department has different procedures for requesting police reports. You can call the police department to find out their procedures, or our office can assist you in gathering records.

Eligibility for a U visa is complicated and varies from case to case. Please see an attorney to determine whether your case qualifies.