

Have You Been the Victim of a Crime? You May Qualify for a U Visa

What is a U Visa?

- The U Visa gives protection to immigrants who have been victims of certain crimes.
- Only certain crimes qualify for a U Visa:
 - Serious crimes (such as rape, torture, trafficking, incest, domestic violence, sexual assault, sexual contact, prostitution, false imprisonment, kidnapping, blackmail, extortion, manslaughter, or assault).
 - Crimes that occurred in the U.S. or violated U.S. laws.

Benefits of the U Visa

- People who are approved for a U Visa:
 - May stay in the U.S., in general, for a period of four years.
 - Will receive a work permit.
- Certain family members may be included on the U Visa application.

Do You Qualify for a U Visa?

- You may qualify for a U Visa if:
 - You suffered great physical or mental abuse as a result of the serious crime,
 - You have credible and reliable information of the details concerning the crime, AND
 - You will help law enforcement authorities investigate and prosecute the crime.
- You do not qualify for a U Visa if you have been convicted of an aggravated felony. (Talk to an immigration lawyer if you are not sure. Sometimes a misdemeanor under criminal law can be an aggravated felony under immigration law, and sometimes a felony under criminal law is not necessarily an aggravated felony under immigration law.)

What Should You Do Next?

If you qualify for a U Visa, you should:

1. **Show that you are a victim of a crime.** Put together information about your case.
 - Protection orders, police records, criminal court records;
 - Medical records, school records, photographs of injuries;
 - Your written statement about what happened;
 - Written statements from relatives, friends, shelter workers, counselors, social workers, or clergy who know what happened to you.
2. **Get a written certification from a law enforcement official with jurisdiction over the crime** saying that you are, have been, or will be helpful in the investigation and prosecution of the crime.
3. **Speak with an immigration lawyer** about getting help or filing for a U Visa on your own.

*This information sheet was prepared by the EOIR Legal Orientation Program
Last Updated October 2011*