

National Survey on Types Of Criminal Activities¹

Experienced By U-Visa Recipients

By: Leslye E. Orloff and Paige E. Feldman

Immigrant Women Program, Legal Momentum
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Legal Momentum conducted a nationwide survey of attorneys and advocates assisting immigrant victims who are filing U-visa applications. We developed a survey and distributed it nationally to victim advocates, legal assistance programs, attorneys, law firms and law school legal clinics who are representing and assisting immigrant crime victims applying for legal immigration status through the U-visa. The U-visa is available to non-citizen victims of criminal activity perpetrated against them in the United States. To apply for the U-visa victims will have come forward and will reported their crime victimization to state, federal or local law enforcement officials and government agencies responsible for detecting, investigating, prosecuting, convicting or sentencing perpetrators of criminal activity.

In total **220** organizations from across the country responded to the survey, reporting on **4,034** different U-Visa recipients. Each survey respondent was asked to provide the total number of clients granted U-Visas since January 2008.

For each of the cases they reported on, the organization responding to the survey was asked to specify what categories of criminal activity the victim experienced. Survey participants were provided the full list of criminal activities that are statutorily included in the U-Visa under Immigration and Nationality Act section 101(a)(15)(U). For each victim they worked with who received a U-visa approval from the Department of Homeland Security, organizations surveyed were asked to check off each listed crime that each victim they worked with experienced that formed the basis of the victim's U-visa application. If a victim experienced multiple criminal activities, survey participants were asked to check all forms of criminal activity that each victim experienced.

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This national survey found that over 75% (76.3%) of the U visa cases being filed nationally were based on the following criminal activities: domestic violence, sexual assault, or human trafficking. The 4,034 U-visa recipients' cases in the survey reported experiencing crimes falling into the following broad categories:

- 45.9% Domestic violence
- 30.4% Rape, sexual assault, incest, trafficking
- 9.9% Felonious assault, murder, manslaughter
- 8.47% Kidnapping, being held hostage, unlawful criminal restraint, torture
- 5.3% Blackmail, extortion, perjury, obstruction of justice, attempts, conspiracy, solicitation

The specifics of the types of crimes reported were as follows:

Answer Options	Response Values	Percent of Cases
Rape	515	8.57%
Torture	40	0.67%
Trafficking	58	0.97%
Incest	155	2.58%
Domestic Violence	2758	45.91%
Sexual Assault	737	12.27%
Abusive Sexual Contact	320	5.33%
Prostitution	16	0.27%
Sexual Exploitation	24	0.40%
Female Genital Mutilation	0	0.00%
Being Held Hostage	68	1.13%
Peonage	22	0.37%
Involuntary Servitude	29	0.48%
Slave Trade	2	0.03%
Kidnapping	65	1.08%
Abduction	20	0.33%
Unlawful Criminal Restraint	120	2.00%
False Imprisonment	143	2.38%
Blackmail	64	1.07%
Extortion	18	0.30%
Manslaughter	13	0.22%
Murder	65	1.08%
Felonious Assault	519	8.64%
Witness Tampering	40	0.67%
Obstruction of Justice	51	0.85%
Perjury	30	0.50%
Attempt, conspiracy, or solicitation to commit any of the above mentioned crimes	115	1.91%

The range of sexual violence experienced by U-visa recipients included rape (8.57%); sexual assault (12.27%); abusive sexual contact (5.33%); trafficking (0.67%), sexual exploitation

(0.40%); forced prostitution (0.27%); and female genital mutilation (0%). The survey sought to obtain a similar level of detail regarding U-visa recipients experience with forms of domestic and family violence and other forms of abuse that may or may not be perpetrated by family members that was experienced by survey participants. Survey respondents were asked to specify how many U-Visa recipients are victims of the following:

- Intimate Partner Violence/Domestic Violence
- Child Abuse
- Elder Abuse
- Stalking
- Dating Violence
- Abuse of the Disabled

Of the cases reported in the survey 88.63% experienced one or more of these types of violence and 11.37% experienced crimes that did not fall within these categories. The details of the findings were as follows:

Answer Options	Response Values	Percent of Cases
Intimate Partner Violence/Domestic Violence	2887	71.57%
Child Abuse	430	10.66%
Elder Abuse	10	0.25%
Stalking	151	3.74%
Dating Violence	132	3.27%
Abuse of the Disabled	12	0.30%

Additionally, participants were asked how many victims receiving U-Visas suffered more than one type of U-Visa criminal activity. Fifty-one percent (51.29%) of U-visa recipients had more than one form of criminal activity on the U-visa list perpetrated against them and (3.38%) experience more than 5 different types of criminal activities.

Answer Options	Response Values	Percent of Cases
2 criminal activities	1411	34.98%
3 criminal activities	496	12.30%
4 criminal activities	92	2.28%
5 criminal activities	29	0.72%
6 + criminal activities	41	1.02%