



Violence Against Women Act

Many individuals remain in abusive relationships because they fear reporting acts of domestic violence to police or fear seeking other forms of assistance.

The Violence Against Women Act (VAWA) provides a special pathway to lawful immigration status for victims of domestic abuse who would otherwise have to rely on their abusers to file a petition for status for them. VAWA allows victims of abuse who are close relatives of U.S. citizens and lawful permanent residents to file for status on their own (self-petition), without the abuser's knowledge, consent, or participation. This pathway is available to spouses and children of abusive U.S. citizens and lawful permanent residents (Green Card holders), and to parents of abusive U.S. citizens who are 21 years of age or older. These individuals may be eligible for lawful permanent resident status (Green Card), employment authorization, and public benefits. Applicants start the process by filing Form I-360.

VAWA provisions apply equally to anyone regardless of gender. Please visit uscis.gov/humanitarian/abused-spouses-children-and-parents for more information.

Noncitizen victims must establish that they:

- Have a qualifying relationship with the U.S. Citizen or Green Card Holder abuser;
- Reside or resided with the abuser;
- Have good moral character; and
- Have been a victim of battery or extreme cruelty.

The Importance of Front-Line Workers

U.S. law provides several protections for lawful and undocumented noncitizens who have been victims of crime, including domestic violence or trafficking. Many individuals are afraid of reporting that they have been a victim of crime in part because they worry they may be removed (deported) from the United States.

Professionals such as police officers, healthcare and social service providers, judges, and prosecutors are often the first to see the signs of victimization and are therefore in a unique position to provide information and assistance to victims. This brochure is designed to support front-line workers in this endeavor.

All agencies within the Department of Homeland Security (DHS), including U.S. Citizenship and Immigration Services (USCIS), are legally prohibited from disclosing that a victim has applied for the types of immigration protection discussed in this brochure, subject to certain exceptions.



Visit the
“Humanitarian”
section of the USCIS website
uscis.gov/humanitarian

To report suspected human
trafficking to Federal law
enforcement,
contact the HSI tip line at
866-347-2423
(866-DHS-2-ICE)

To contact the National Human
Trafficking Hotline, call
888-373-7888

Immigration Options for Victims of Crime

Information for Law Enforcement, Healthcare Providers, and Other Front-Line Workers

Violence Against Women Act
T Nonimmigrant Status
U Nonimmigrant Status



U.S. Citizenship and
Immigration Services



U.S. Citizenship
and Immigration
Services

T Nonimmigrant Status

T nonimmigrant status (also known as a T visa) provides temporary immigration protection to victims of a severe form of trafficking in persons (also known as human trafficking) who assist law enforcement agencies in the detection, investigation, or prosecution of this crime. Human trafficking involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act. It can happen in any community and victims can be of any age, race, gender, or nationality.

To apply for T nonimmigrant status, applicants must file Form I-914. Applicants must be physically present in the United States on account of the trafficking. T nonimmigrant status is valid for 4 years and can be extended in limited circumstances; recipients are also eligible for employment authorization.

T nonimmigrants may be able to adjust their status and become lawful permanent residents (obtain a Green Card) if they qualify. Certain family members may also be eligible for T nonimmigrant status.

Visit uscis.gov/humanitarian/victims-of-human-trafficking-t-nonimmigrant-status for more information.

Labor trafficking (forced labor) is the exploitation of a person for labor or services through the use of force, fraud, or coercion.

Sex trafficking is the exploitation of a person for the purpose of a commercial sex act by the use of force, fraud, or coercion. Anyone under the age of 18 who is induced into commercial sex is a victim of sex trafficking under U.S. law, regardless of whether there is force, fraud, or coercion.

Continued Presence is a temporary immigration designation provided to individuals identified by law enforcement as victims of a severe form of trafficking in persons who may be potential witnesses. The Continued Presence Resource Guide for law enforcement agencies and civil attorneys is available at: ice.gov/ContinuedPresenceResourceGuide.

Noncitizen victims must:

- Be a victim of a severe form of trafficking in persons;
- Be physically present in the United States on account of the trafficking;
- Comply with any reasonable requests for assistance from a law enforcement agency or other certifying official in the detection, investigation, or prosecution of the crime (or qualify for an exemption due to age or an exception due to trauma suffered);
- Suffer extreme hardship involving unusual and severe harm if removed from the United States; and
- Be admissible to the United States or qualify for a waiver.



U Nonimmigrant Status

U nonimmigrant status (also known as a U visa) offers temporary immigration protection for victims of certain qualifying criminal activity in the United States who have been helpful, are being helpful, or are likely to be helpful to certifying agencies in the detection, investigation, or prosecution of the qualifying criminal activity, and meet other requirements. U nonimmigrant status is valid for 4 years and can be extended in limited circumstances; recipients are also eligible for employment authorization. U nonimmigrants may be able to adjust their status and become lawful permanent residents (obtain a Green Card) if they qualify. Certain family members may also be eligible for U nonimmigrant status.

Victims of the following qualifying criminal activities* may be eligible for U nonimmigrant status:

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| • Abduction | • Murder |
| • Abusive Sexual Contact | • Obstruction of Justice |
| • Being Held Hostage | • Peonage |
| • Blackmail | • Perjury |
| • Domestic Violence | • Prostitution |
| • Extortion | • Rape |
| • False Imprisonment | • Sexual Assault |
| • Felonious Assault | • Sexual Exploitation |
| • Female Genital Mutilation | • Slave Trade |
| • Fraud in Foreign Labor Contracting | • Stalking |
| • Incest | • Torture |
| • Involuntary Servitude | • Trafficking |
| • Kidnapping | • Unlawful Criminal Restraint |
| • Manslaughter | • Witness Tampering |
| | • Other Related Crimes† |

* Also includes attempt, conspiracy, or solicitation to commit any of the above and other related crimes.

† Includes any similar activity where the elements of the crime are substantially similar.

To petition for U nonimmigrant status, the victim must file Form I-918. The victim must also submit,

with their petition, a certification (Form I-918, Supplement B) signed by a certifying agency official confirming that the victim was helpful, is being helpful, or will likely be helpful in the detection, investigation, or prosecution of the case, and they meet other eligibility requirements. Certifying officials should be aware that signing a certification does not grant immigration protections — only USCIS has the authority to grant or deny a U visa petition.

Visit uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status for more information.

Noncitizen victims must:

- Be a victim of qualifying criminal activity that occurred in the United States or violated U.S. law;
- Have suffered substantial physical or mental abuse as a result of the qualifying criminal activity;
- Possess credible and reliable information about the qualifying criminal activity;
- Be, have been, or are likely to be helpful to law enforcement, prosecution, judges, or other certifying officials in the detection, investigation, and prosecution of that qualifying criminal activity; and
- Be admissible to the United States or qualify for a waiver.

T and U Visa Law Enforcement Resource Guides for certifiers are available at: uscis.gov/tools/information-for-certifying-officials-law-enforcement-judges-and-other-agencies

To contact the certifying official hotline, call 240-721-3333.

This number is for use by certifying officials only. Certifying officials are law enforcement officers, prosecutors, judges, or representatives from an office or agency with the responsibility to detect, investigate, or prosecute the qualifying criminal activity or trafficking, or convict or sentence the perpetrator.