



U Visa for Nonimmigrants Who are Victims of Crimes

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A “U Visa” gives nonimmigrants temporary legal status and work eligibility for victims of criminal activity that occurred in the United States or a U.S Territory, or that violate U.S. law. To be eligible for a U Visa, the crime victim must cooperate with law enforcement. If at any point the crime victim stops cooperating with law enforcement, the visa can be withdrawn. The U Visa can be for a period of up to four years; extensions are permitted when the alien’s presence in the United States is required to assist in the investigation or prosecution of a qualifying criminal activity. A person with a U Visa whose has been physically present in the U.S. for a continuous period of at least three years since the date of admission as a U nonimmigrant can apply for permanent resident status, if the individual’s continued presence in the U.S. is justified on humanitarian grounds to ensure continuation of a cohesive family, or is otherwise in the best interest of the public.

What qualifies as a “criminal activity?”

[U.S. Citizenship and Immigration Services](#) says:

“Qualifying criminal activity is defined by statute as being an activity involving one or more of a long list of activities that violate Federal, State, or local criminal law – from murder, rape, torture, sexual exploitation, and extortion to witness tampering, obstruction of justice, false imprisonment, etc. This is not an exclusive list – in fact, the list of qualifying crimes represents the myriad types of behavior that can constitute domestic violence, sexual abuse, trafficking, or other crimes which vulnerable immigrants are often targeted. “

Consult an immigration lawyer or expert!

Undocumented immigrants should consult an immigration expert to see if he/she is likely to qualify for a U Visa, before contacting the U.S. Citizenship and Immigration Service because if the application is denied, the applicant could be deported.

For more information go to:

- http://www.womenslaw.org/laws_state_type.php?id=10271&state_code=US5Sep07.pdf

SOURCES: United States Immigration; womenslaw.org

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