

Can I get a U Visa if I was a victim of a crime?

Author

Northwest Justice Project

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If you or someone in your family is a crime victim, you might be eligible for a U visa. This explains more about U nonimmigrant status and how to apply.

What is a U visa?

A **U visa** or **U nonimmigrant status** is sometimes given to people who are victims of crime and who are **not already** U.S. citizens or permanent residents.

If you or someone in your family (spouse, child, sibling, or parent) is the victim of a crime, you might be able to change your immigration status. You may be able to apply for a U visa.

A U visa or U nonimmigrant status gives you:

- 4 years of lawful status
- 4 years of work permission
- the chance to apply for permanent resident status

- a chance in some immigration court cases to avoid deportation or removal

WARNING: Be very careful when trying to get a U visa. Get legal advice from an immigration lawyer (<https://ailalawyer.com/>). You can contact the Northwest Immigrants Rights Project (NWIRP) (<https://nwirp.org/get-help>) to see if you qualify for legal help. **Be very careful before sending an application to USCIS.** If they turn down your application, you could be put in deportation proceedings.

Can I apply for a U visa?

Maybe. If one of these were the victim of a crime, then you might be able to apply for U status:

- you
- your spouse
- your child
- your sibling
- your parent

Even if the family member who is the crime victim is a U.S. citizen, you may still be eligible for U status.

If you apply for U status, your spouse and unmarried children under the age of 21 can apply for U status with you no matter your age. If you are under 21 when you apply for U status, your parents and your unmarried siblings under age 18 can apply for U status with you. You apply using Form I-918, Petition

for U Nonimmigrant Status (<https://www.uscis.gov/I-918>).

Starting April 1, 2024, you don't have to pay to apply for a U-Visa.
There should not be a fee to apply anymore.

Does it matter where the crime took place?

Maybe not. If you were the victim of a qualifying crime **anywhere under U.S. jurisdiction**, you might be able to get U status. You also might be able to get U status if the crime happened outside the U.S., but the crime **violated** U.S. law.

Do I have to be in the U.S. to apply for a U visa?

No. You can [apply for a U visa \(https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status\)](https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status) even if you're not in the U.S. right when you apply.

Can all crime victims get a U visa?

No. It depends on the crime, how the crime has affected you, and other factors. Victims of sexual assault, domestic violence, and many other crimes can apply for a U visa. [Read the complete list of qualifying crimes. \(https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status\)](https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status)

You **must** report the crime to law enforcement. Law enforcement will have to complete specific paperwork describing that you were

helpful with the investigation.

If you think yourself or someone in your family might be eligible for a U visa, you should try to get legal help.

Get legal advice from an immigration lawyer
(<https://ailalawyer.com/>).

What makes me eligible for a U visa?

You must prove these:

1. **You (or your family member) are a victim of a crime.** You (or your family member) must report the crime to the police if you want to apply for a U visa. You must get police reports to prove you are a crime victim. Other proof helps, like medical records, letters from people who helped you after the crime, or letters from witnesses to the crime. You must also write a sworn statement explaining the facts of the crime and its effects on your life. You must include your printed name, signature, and date. You don't have to sign in front of a notary, but you can.
2. **You or your family member have experienced serious physical or emotional problems because of the crime. Examples:** You have health issues because of the crime. Ask your doctor to write a letter about the medical problems. You are having emotional problems. Ask your therapist or counselor to write a letter about these problems. Anyone who knows about how you've suffered can write a letter. If you didn't go to the doctor or therapist but you suffered abuse, describe the

abuse in a written statement and how it causes your health issues. If you told a social worker or religious leader about the abuse and how it affected you, ask them to write a letter.

3. **You helped, are helping, or will help officials investigate or prosecute the crime.** You must get an official certificate Form I-918 Supplement B (<https://www.uscis.gov/I-918>) stating that you helped.

Before asking law enforcement for the certificate, try talk to an immigration lawyer (<https://nwirp.org/get-help>) about getting the certificate.

1. An official who knows how you helped or are helping the investigation of the crime can give you a signed certificate. The official could be:
 - a police official
 - a child protection officer
 - a prosecutor
 - an immigration official
 - a judge or other state or federal authorities

Most people who apply for a U visa also must apply for a waiver. The waiver application is Form I-192, Application for Advance Permission to Enter as Nonimmigrant (<https://www.uscis.gov/i-192>). You must write a statement explaining why you should be able to stay and why you don't want to go back to your home country. Try to talk to an immigration lawyer about this (<https://nwirp.org/get-help>). A lawyer can help you decide if you should file the waiver application and what proof you should send with it.

What are the benefits of U Nonimmigrant Status?

If you get U status:

- You get permission to live in the U.S. for 4 years

- You get permission to work in the U.S. for 4 years
- After 3 years of living in the U.S. with your U status, you might be able to apply for permanent residence (a green card)
- You might be able include your spouse, children under age 18, parents and unmarried siblings under age 18, depending on your or their age
- Even if you don't include your relatives now, you might be able to help them later

How long does it take to find out if I will get a U visa?

It can take years. Immigration works on applications in the order they're filed. Try to file yours as soon as you can in order to hold your place in line. After you file, you will wait for either a bona fide determination notice (<https://immigrantjustice.org/know-your-rights/know-your-rights-new-u-visa-bona-fide-determination-procedure>) or a notification of being placed on a waitlist. During 2025, the average wait time for notification of either of these could be **more than 4 years**. You can also check your specific case status (<https://egov.uscis.gov/>) once you have filed.

Immigration can approve a limit of 10,000 U visas every year. There's a list of people waiting. If immigration reviews your case and thinks you qualify for a U visa, but one isn't available now, they **can't** approve it. Instead, they say you have **deferred action status**. This lets you apply for a work card while you wait for the U visa. Work cards are good for 2 years. You must renew your work card until you get a final decision on your U visa. **Getting deferred action status doesn't guarantee you'll get a U visa.**

Can I get any help in the meantime?

Maybe. **You may also be eligible for crime victim compensation assistance** (<https://lni.wa.gov/claims/crime-victim-claims/apply-for-crime-victim-benefits/>). This can include compensation for lost wages, counseling, medical bills and other costs related to the crime victimization. This compensation program doesn't ask about your immigration status.

What do I need to know once I have a U visa?

If you are granted U nonimmigrant status, you will have certain rights and some responsibilities. Learn about what you need to know after you get a U visa.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.