



Victims of Crimes and “U Visas”

What is a U visa?

A **U visa** or **U nonimmigrant status** is sometimes given to people who are not U.S. citizens or permanent residents and are victims of certain serious crimes in the U.S. If you or someone in your family (spouse, child, sibling, parent) has been the victim of a crime in the U.S., there may be ways for you to change your immigration status. You may be able to apply for a U visa.

U visa or U nonimmigrant status gives you 4 years of lawful status, 4 years of work permission, and the chance to apply for permanent resident status. Some people are given a “bona fide determination” while they wait for a decision on their U visa, because decisions take many years. A bona fide determination (BFD) gives deferred action status and work permission. There is also a chance of relief in some immigration court cases for deportation or removal. However, the U visa application is decided by U.S. Citizenship and Immigration Services (USCIS), not immigration court.

Who can apply for a U visa?

If you, your spouse, your child, your sibling, or your parent were the victim of a crime in the U.S., you might be able to apply for U status. 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 how old you are. If you are under 21 when you apply for U status, your parents, and your unmarried siblings under the age of 18 can also apply for U status with you.

Also, if you were the victim of a qualifying crime anywhere under U.S. jurisdiction you might be able to apply for the U visa. You also might be able to apply for a U visa if you were the victim of the crime outside the U.S., but the crime violated U.S. law. You can apply for a U visa even if you are not in the U.S. right now.



Not all crime victims can get a U visa. It depends on the crime, if you helped with the investigation, how the crime has affected you, and more. See sections below about eligibility.

If you think you or someone in your family might be eligible, call an immigration lawyer for help.

What crimes qualify?

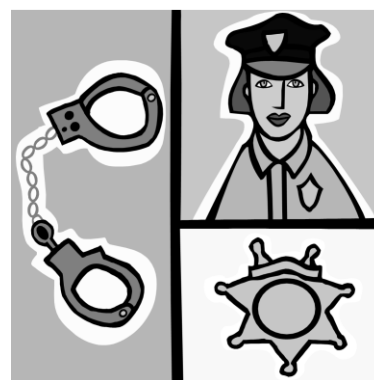
Here is a list of all the qualifying crimes. If you have been a victim of one of the crimes listed below, you may be eligible for a U visa. **Note:** crimes that are similar to these or an attempt to commit the crimes listed can also be used to apply for U nonimmigrant status.

Rape	Involuntary servitude
Torture	Slave trade
Trafficking	Kidnapping
Incest	Abduction
Domestic violence	Unlawful criminal restraint
Sexual assault	Blackmail
Stalking	Extortion
Abusive sexual contact	Manslaughter
Prostitution	Murder
Sexual exploitation	Felonious assault
Female genital mutilation	Witness tampering
Being held hostage	Obstruction of justice
Peonage	Perjury
False imprisonment	
Fraud in foreign labor contracting (knowingly recruiting, soliciting, hiring someone outside the US with the intent to bring them into the US under false terms)	

What makes me eligible?

You need to prove the following:

- 1. You (or your family member) are a victim of a crime in the U.S.** You need to prove that the crime happened. Proof could be a police report, a department of labor complaint, or child protection records. Other proof helps too, like medical records, letters from people who helped you after the crime, or letters from witnesses to the crime. You also need to write a sworn statement about the facts of the crime and how the crime affected your life. Make sure you include your printed name, signature, and date. You do not have to sign in front of a notary, but you can.
- 2. You (or your family member) had or have serious physical or emotional problems because of the crime.** For example, if you have health issues because of the crime, ask your doctor to write a letter about the medical problems. Or if you are having emotional problems, ask your therapist or counselor to write a letter about these problems. You can also have anyone who knows about how you have suffered write a letter. If you didn't go to the doctor or therapist but suffered abuse, describe the abuse in a written statement.



3. **You helped, are helping, or will help officials investigate or prosecute the crime.** You need to get an official certificate (Form I-918 Supplement B) signed by law enforcement. Talk to a lawyer about getting the certificate before you contact law enforcement. An official that knows about how you helped or are helping in the investigation of the crime is authorized to give you a signed certificate. The official could be:
- a police official
 - a prosecutor
 - a judge
 - a child protection officer
 - an immigration official, or
 - other state or federal authorities
4. **You are admissible, or you get a waiver.** Immigration uses the term “admissible” to talk about things in your history that could keep you from getting a visa or a status like U nonimmigrant status. Some things that could keep you from being “admissible” are:
- entering the U.S. illegally
 - committing certain kinds of crimes – even if you never went to court or jail or only paid a fine. See our fact sheet [How Being Charged with a Crime Can Affect Your Immigration Status.](#)
 - lying to immigration authorities
 - saying you are a U.S. citizen when you’re not
 - illegal voting
 - leaving the U.S. after being here illegally for at least 6 months

If you are not admissible, ask U.S. Citizenship and Immigration Services (USCIS) for a waiver. The waiver application is called Form I-192 Application for Advance Permission to Enter as Nonimmigrant.

Talk to a lawyer about your history. A lawyer can help you decide if you need to file the waiver application and if there is proof that you should send with your application. You need to write a statement that explains why you should be allowed to stay and why you don’t want to go back to your home country.

What are the benefits of U nonimmigrant Status?

If you are approved:

- 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 to include your **spouse, minor children, parents, and unmarried minor siblings**. Which family members you can help depends on your age or their age
- even if you don’t include your relatives now, you might be able to help them later.

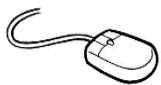


How long does it take for USCIS to review my U visa case?

As of September 2025, USCIS was issuing final decisions for U visa cases that were filed before April 30, 2017. There are only a certain number of U visas that USCIS can give out every year, so there is a long wait time to get a decision.

USCIS may give you what is called a Bona Fide Determination (BFD) while your U visa application is in process. You'll get a BFD as long as you sent all the necessary documents in with your application and there are no major issues in your case. There is nothing extra you need to do to get the BFD. The good thing is that it takes less time to review cases for BFDs. As of November 2025, 80% of BFDs in U visa cases are taking about 2.5 years for USCIS to review.

USCIS works on the applications in the order that they are filed. So, it is important to file your U visa application as soon as possible to hold your place in line. [Check how long](#) it is taking USCIS to give BFDs for U visa applications by going to www.uscis.gov.



- Scroll down to "Manage Your Case"
- Click on "Check processing Times"
- Scroll down to the "Form" drop down menu and choose "I-918 Petition for U Nonimmigrant Status"
- Scroll down to the "Forms Category" drop down menu and choose the only option, "Petition for a noncitizen who is a victim of a qualifying criminal activity, and their qualifying family members (Time from Initial Filing to Bona Fide Determination (BFD) Review)."
- Scroll down to "Field Office or Service Center" drop down menu and choose "Service Center Operations (SCOPS)." Right now, this is the only option.

More About BFDs

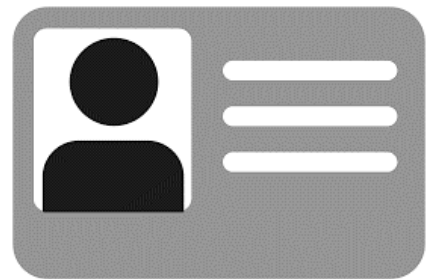
A BFD automatically comes with deferred action and a work card. Deferred action is temporary protection from deportation.

If you get the BFD notice from USCIS but you don't get a work card within a few weeks, you can apply for a work card using Form I-765 and send a copy of the BFD notice.

Getting a BFD and work card while your case is pending doesn't guarantee that your U visa will be approved. It may be years before a U visa is approved even if you get a BFD and work card.

If you don't get a BFD and work card while your U visa application is pending, you will get your work card if your U visa application is approved.

See our fact sheet [How to Get Permission to Work in Minnesota](#).



How can I learn more?

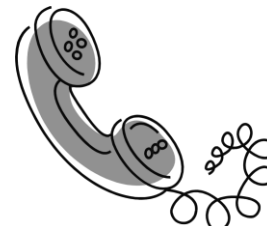
Go to www.uscis.gov



- At the top of the page, click on “Humanitarian” under “Topics”
- On the Humanitarian page, click on the tab that says “Victims of Crime and Abuse”
- Click on “Victims of Other Crimes”

Important phone numbers

- Find your local legal aid office at: [1\(877\) 696-6529](tel:18776966529)
- Domestic Abuse Service Center: [612-348-5073](tel:6123485073)
- Minnesota 2-1-1: call statewide for help in your area
- Or look for help from other programs at www.lawhelpmn.org/providers-and-clinics.



WARNING!

Be very careful before sending an application to USCIS. Sometimes if your application is denied you could be put in deportation proceedings. **This risk is greater now than it was in the past. If you haven't talked to a lawyer since before January 1, 2025, talk to one again before filing!** If you committed certain crimes – even if you never went to court or jail, or if you only paid a fine, lied to the government, or other things, you could also be put in deportation proceedings. REMEMBER: USCIS can look at ALL your records, even if the records were expunged!

Get help from an immigration lawyer. They help you make sure everything is ok!

To find help near you go to <http://www.lawhelpmn.org/providers-and-clinics>

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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