



Contact: Sonia Muñoz, Esq.
Immigration Legal Counsel, LLC
Phone: 954.376.3767
smunoz@ilclawfirm.com

Visas for Victims of Crimes and Spousal Abuse

We have received many inquiries from victims of crimes requesting information on immigration **protection** for them. In specific, we get mostly questions from victims of **spousal abuse** and persons who have fallen victim to crimes while living in the United States. US Immigration laws actually have **specific visas for these people** and grant them work permits and lawful permanent residence, commonly known as the Green Card.

The **U visa** is a visa available to persons who are victims of crimes who have:

- (1) Suffered substantial physical or mental abuse from the criminal activity;
- (2) Have information regarding the criminal activity; and
- (3) Assist or are willing to assist government officials in the investigation or prosecution of the criminal activity.

To qualify to apply under the U visa, the criminal does **not** need to be a U.S. citizen or Green Card holder. And you are not required to even be physically **present** in the US to qualify for a U visa. You can apply from abroad as long as the criminal activity **violated US law and occurred inside the United States or its territories**.

Later, the U visa holder may also apply for his or her Green Card if:

- (1) He or she has been physically present in the United States for 3 years from the time the U visa was granted, and
- (2) His or her continued presence in the US is supported to ensure family unity or for humanitarian reasons.

The U visa can also be granted to the **spouse and minor children** of a victim of a crime who is 21 or older on the date of the application... **Or** to the spouse, unmarried siblings under 18, and the parents of a crime victim who is 20 years old or younger at the time of the U visa application. Also, the 3 year wait can be **reduced** by the USCIS **if** it receives information from law enforcement officials stating that they have no objection to the victim's application for a Green Card.

In regards to victims of domestic abuse, the Violence Against Women Act protects both **men and women** who suffer from mental, emotional, or physical abuse from their US citizen or Green Card holder spouses. The Act allows the victim of the abuse to self-petition for the Green Card and

obtain a work permit **without** the involvement of the spouse. Through the protection of the Act, the victim can petition him or herself *along with his or her minor children* **without** needing the spouse's consent, signature, or **cooperation**. The abuser would not even **find out** that the victim obtained or is in the process of applying for a Green Card.

If you have suffered emotional, mental, or physical abuse from your spouse **or** have fallen victim to a crime in the United States, you should seek the assistance of an Immigration attorney immediately. Avoid the urge to think that staying quiet is your best self defense. These situations tend to *only get worse*. Remember that this protection can be obtained without the offender having any knowledge at all. These Immigration benefits are designed **specifically** for the victims of abuse and crimes. There are several options available to protect you and your family and you should **not** pass them up. Your family will thank you.

About the Author:

Attorney Sonia M. Muñoz is a tri-lingual immigration attorney, who publishes weekly press releases and articles in both the English and Spanish media all across the country. She has appeared on both radio and television as an immigration expert. Aside from working as a Political Analyst for the CIA, Ms. Munoz has worked for the International Court of The Hague, co-authored a bench book for the U.S. Supreme Court, conducted and participated in conferences with State Senators and Representatives, and interviewed former President Bill Clinton. She is now the President of Immigration Legal Counsel, LLC. (ILC), a South Florida-based law firm, handling Business Immigration cases in all 50 states and Internationally. You can find more information about ILC and different methods of entry into the US on their website at www.ilclawfirm.com, or by calling 1-866-482-VISA(8472). Initial Consultation is FREE.

###