Contents

Introduction 4

Checklist 6

Part I: Can I get a U-Visa? 7

Requirement 1: Were you the victim of a crime that happened in the U.S.? 8

Requirement 2: Did you help law enforcement? 10

Requirement 3: Were you hurt because of the crime? 12

Requirement 4: Can you stay in the U.S. even if the U.S. has a reason for deporting you? 14

Part II: How do I apply for a U-Visa? 16

Step 1: Obtain a Supp-B 17

Step 2: Complete the U-Visa Application, Form I-918 20

Step 3: Complete the "Waiver" Application, Form I-192 26

Step 4: Write your Personal Statement 30

Step 5: Try to Obtain Additional Documents to Support your Case 34

Step 6: Put your Application and Supporting Documents Together 38

Step 7: Mail your Application to the Government 41

Introduction

If you have been a victim of crime in the United States and are looking for immigration help, this Manual is for you. Part 1 of this Manual helps you decide whether you meet the basic requirements to get a U-Visa. Part II explains how to apply for a U-Visa. This Manual is written for people in immigration detention in Northern California, but people outside detention may also find it useful.

What is a U-Visa, and how can it help me?

A U-Visa lets victims of crimes who meet certain requirements stay in the United States. A U-Visa provides the following benefits:

- You can legally live in the United States for four years. After three years of having a U-Visa you can apply for a green card to stay in the U.S. permanently. (And if you get a green card, you can eventually apply to become a U.S. citizen).
- With a U-Visa you can get permission to work in the United States.
- Some of your family members might also be able to get a U-Visa.
- With a U-Visa you might be eligible for certain public benefits in some states like California and New York.

How do I apply?

To apply for a U-Visa, you need to fill out certain forms and put together papers that support what you say on the forms. You then will send these documents to U.S. Citizenship and Immigration Services ("the government"). The government will decide whether you should receive a U-Visa. You do not need to go to court or an interview. You do not need a lawyer. However, when possible, it is better to apply with the help of a lawyer or victim advocate. The government will make its decision based entirely on the forms and papers that you send.

How long will it take the government to decide whether I get a U-Visa?

Processing times vary. The government is currently taking about 6-9 months to approve or deny a U application. This time may change depending on the number of applications people send in. Also, it can take longer if the government requests more information partway through the process. If you are in immigration court, you can usually ask the judge to postpone your case in order to see if the U application is approved.

What type of person can apply for a U-Visa?

If you do not have immigration papers, you can apply for a U-Visa. You also can apply for a U-Visa if you stayed after your papers expired. If you have a green card, you should ask a lawyer whether you can apply for a U-Visa.

You can apply for a U-Visa when you are outside the United States, so you may want to keep this option in mind if you have to leave the country.

Part I. Are you eligible for a U-Visa?

Almost no matter what you have done in the past, you can still apply for a U-Visa. People who have committed crimes or been deported in the past can still apply.

How much does the U-Visa cost?

The U-Visa is free. You do not have to pay to apply. However, most people have to send in an additional form called a waiver, and there is a fee for the waiver. People who cannot afford the fee can ask to apply for the waiver for free. See pages 14-15 of this Manual for more information.

If my U application is approved, can I travel abroad and re-enter the U.S.?

If you travel abroad after your U application is approved, you must obtain the actual U-Visa stamp in your passport from the U.S. Embassy or Consulate abroad before you can re-enter the U.S.

WARNING: **before** traveling abroad, you should contact a lawyer to discuss whether you might have difficulties obtaining the U-Visa stamp based on any criminal convictions/offenses or immigration violations in your record.

Is there anything I should do because I am in immigration detention?

There is an Immigration and Customs Enforcement (ICE) hotline for detainees who believe they may be U.S. citizens or victims of a crime. If you are in immigration detention, be sure to tell the ICE officials at your facility that you are applying for a U-Visa and be sure to call the ICE hotline to let them know that you are applying for a U-Visa. The ICE hotline phone number is (855) 448-6903.

If I get a U-Visa, can my family get papers too?

Sometimes. If you get a U-Visa, you can get papers for some of your family members. But, you have to apply for them to get papers. If you want to apply for your family, you will need to fill out Form I-918 Supplement A. It does not matter if your family members are in the United States or if they are here legally.

This Manual does not provide instructions for applying for family members. However, if you decide to apply for them, you can do so now or you can apply after you get your own U-Visa and are released from detention. Below is a list of people who are also eligible to receive U-Visas if the government approves your U-Visa application and you apply for them:

If you are under 21:

- your parents
- your legally married spouse*
- your children (if they are unmarried and under 21)
- your unmarried brothers and sisters under 18

If you are 21 or over:

- your legally married spouse*
- your children

** NOTE: you must be married legally (or common law in some states) at the time you submit your U-Visa application for your spouse to qualify for a U-Visa based on your application.*

The following U-Visa Checklist provides an overview of the U-Visa process. Parts I and II of this Manual will explain each item in detail. As you read this Manual, refer back to this Checklist to see where you are in the process.

U-Visa Checklist

Legal requirements:

You must meet all of these conditions to apply:

- ☐ ***Crime requirement***
  Have you been the victim of a crime that occurred in the United States?
- ☐ ***Helpfulness requirement***
  Have you been helpful to the police or law enforcement?
- ☐ ***Harm requirement***
  Have you been hurt, either physically or mentally, because of the crime?

Documents you need:

You must send the government all of these documents:

- ☐ ***Form I-918 Supplement B (also known as Supp-B)***
  The form that shows that you helped law enforcement
- ☐ ***Form I-918***
  The main form for a U-Visa application
- ☐ ***Personal statement***
  The story in your own words of what happened to you
- ☐ ***Form I-192 (if applicable)***
  Waiver form: If you have committed either immigration or criminal violations, you need to ask the government permission to stay in the U.S.
- ☐ ***Cover letter***
  A letter that you send along with your application
- ☐ ***Identity documents***
  Documents that show who you are, like passports and birth certificates

Other:

These documents are helpful, but not necessary:

- ☐ ***Police and court records***
  Which prove you were the victim of a crime
- ☐ ***Letters from friends & family***
  Which talk about the crime and the harm you suffered
- ☐ ***Letters from doctors & mental health professionals***
  Which help prove you were harmed by the crime

U

I: Can I get a U-Visa?

To get a U-Visa, you must meet the following ***three*** requirements:

1. Crime Requirement

you must have been the victim of a crime in the United States

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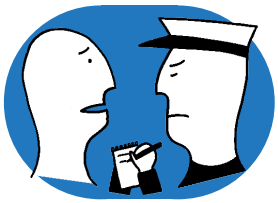

2. Helpfulness Requirement

you must have helped police and/or prosecutors

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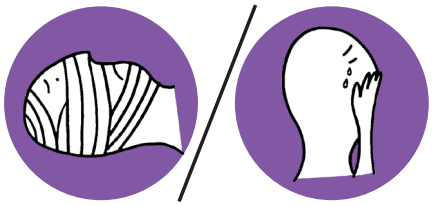

3. Harm Requirement

the crime must have hurt you physically or mentally

Let's get started!

Requirement 1: Were you the victim of a crime that happened in the U.S.?

Were you the victim of a crime?

To be eligible for a U-Visa, you must have been the victim of one of the crimes listed below. It does not matter whether the person who hurt you was convicted or even arrested for the crime. It also does not matter whether the person who hurt you had immigration papers.

Different laws sometimes use different names to describe the same crime. As long as the crime is the same as one on the list, it does not matter if the police where you live call it something different. You can still apply for a U-Visa.

Also, as discussed on page 5 of this Manual, if you are in immigration detention and were a victim of a crime, tell the ICE agents at your facility that you are considering applying for a U-Visa and call the ICE hotline at (855) 448-6903.

Did the crime happen in the U.S.?

You can apply for a U-Visa only if the crime happened in the United States.

Have you suffered from a crime?

- ***Domestic abuse*** (your family member or partner beat or harassed you)
- ***Felonious assault*** (examples: shooting, stabbing, mugging, or home invasion when you are home)
- ***Involuntary servitude*** (being forced to do work you do not want to do)
- ***Peonage*** (being forced to do work you do not want to do to pay off a debt)
- ***Rape***
- ***Sexual assault***
- ***Abusive sexual contact***
- ***Forced Prostitution***
- ***Sexual exploitation***
- ***Female genital mutilation***
- ***Incest***
- ***Kidnapping***
- ***Abduction***
- ***Being held hostage***
- ***Slave trade***
- ***Unlawful criminal restraint***
- ***False imprisonment***
- ***Manslaughter***
- ***Murder***
- ***Torture***
- ***Trafficking***
- ***Blackmail***
- ***Extortion***
- ***Obstruction of justice***
- ***Witness tampering***
- ***Perjury***

Or an attempt or conspiracy to commit any of these crimes

Examples

1- Omar was stabbed in the neck. The man who stabbed him was convicted of felonious assault. ***Omar may be eligible for a U-Visa because felonious assault is on the list of crimes.***

2- When Monica asked her boyfriend where he had gone the night before, her boyfriend kicked her and threw her down a flight of stairs. The boyfriend was arrested for domestic violence, but he never was convicted or taken to court. ***Monica may be eligible for a U-Visa because domestic violence is on the list of crimes.***

3- One of Krupal's neighbors was jealous of him. As Krupal came home from work one day, he saw the neighbor throw a rock through the window of his empty house. The neighbor was convicted of vandalism. ***Krupal is <u>not</u> eligible for a U-Visa because vandalism is not on the list of crimes.***

4- Esteban entered the United States five years ago. Seven years ago, he was kidnapped and held hostage in Colombia before his family paid to ransom him. Esteban has not been the victim of a crime since that time. ***Esteban is <u>not</u> eligible for a U-Visa. He was the victim of kidnapping, which is on the list, but no part of the crime happened in the United States.***

5- Angela's boyfriend started abusing her when they lived in Guatemala. Five years ago, both of them entered the United States. The boyfriend continued to abuse Angela until an American policeman finally arrested him last month. ***Angela may be eligible for a U-Visa. She was the victim of domestic violence, which is on the list, and part of this crime happened in the United States.***

6- Sven works at a convenience store in Los Angeles. A co-worker there blackmailed Sven into giving him money. ***Sven may be eligible for a U-Visa. He was the victim of blackmail, which is on the list, and this crime happened in the United States.***

Questions

1. "I was the victim of robbery. Can I get a U-Visa?"

Maybe. Robbery is sometimes a felonious assault, which is one of the crimes on the list. If you were hurt, or if the robber had a weapon, your chances of getting a U-Visa are even better.

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2. "Someone in my family was murdered in this country. Can I get a U-Visa because he was murdered here?"

Maybe. If someone in your close family was the victim of a crime on the list, you should talk to a lawyer to see if you can get a U-Visa.

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3. "Someone tried to hurt me, but my friend stopped him before I got hurt. Can I still get a U-Visa?"

Yes. You may be eligible for a U-Visa as the victim of an ***attempt***—this is when someone ***tries*** to hurt you.

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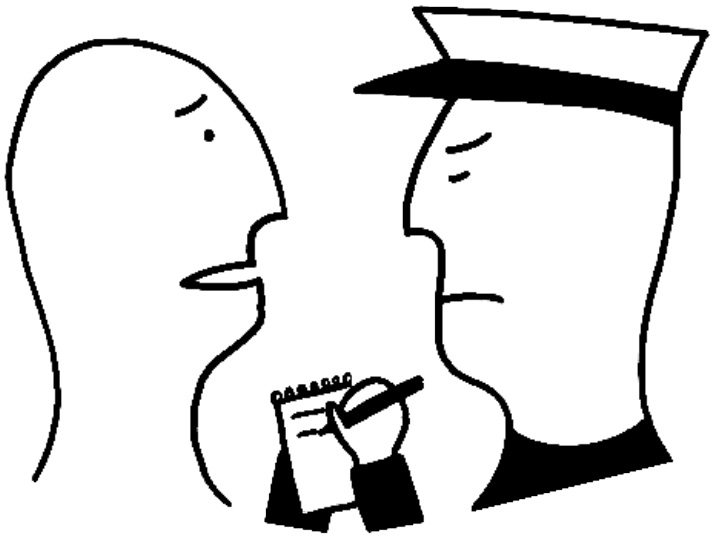
4. "My spouse used to hit me and beat me up all the time. It was just part of our relationship, and I got used to it after a while. Is that really a crime?"

Yes. It is domestic violence, and you can apply for a U-Visa.

Requirement 2: Did you help law enforcement?

To be eligible for a U-Visa, you must have helped law enforcement. There are many ways of doing this. The box below shows you some of them. Even if you only helped law enforcement in one way—for example, calling 911—you may still apply for a U-Visa.



Type of Law Enforcement Help

- *Did you call the police?*
- *Did you tell the police about what happened?*
- *Did you answer their questions?*
- *Did you let them take pictures?*
- *Did you help the police find who did the crime?*
- *Did you talk to a prosecutor?*
- *Did you testify in court?*

If you answered yes to <u>any</u> of these, you helped law enforcement. To get a U-Visa, law enforcement must agree that you were helpful. For more information see pages 17-19 of this Manual.

Examples

1- Jon was assaulted by someone who broke into his apartment. He called 911 and met the police when they arrived. Jon told the police the attacker was wearing a red hat. Later, he helped identify the attacker from a group of suspects and testified at his trial. ***Jon may be eligible for a U-Visa because he helped law enforcement.***

2- Rosa was assaulted by someone who broke into her apartment. She called 911. When the police came, Rosa was afraid that her husband would hurt her if she told the truth, so she told the police everything was okay. So when the police asked her why she would not say what happened, she did not say anything. ***Rosa <u>might</u> be eligible for a U-Visa (she helped law enforcement by calling 911). Rosa should talk to a lawyer to see if there is anything else she did that helped law enforcement.***

3- Carmen was attacked in the street. She called 911. The police came. She told them she did not see her attacker, but he ran down Market Street. The police never found the attacker. ***Carmen may be eligible for a U-Visa because she helped law enforcement. It does not matter whether the police never found or convicted the attacker.***

Questions

1. "I was the victim of a violent crime, and then I was the victim of vandalism. I did not help the police investigate the violent crime, but I gave them a lot of information about the vandalism. Can I get a U-Visa?"

No. You cannot get a U-Visa by helping law enforcement with a crime that is not on the list of violent crimes under Requirement 1.

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2. "Someone assaulted me several years ago, but I never told the police. Can I do something now to help them, and would it make me eligible for a U-Visa?"

Maybe. You can help police at any time. But it is easier to get a U-Visa if you helped shortly after the crime happened.

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3. "Someone hurt me. I did not talk to the police because he told me he would kill me. Can I get a U-Visa?"

Maybe. If you did not help the police but had a good reason not to, you should talk to a lawyer.

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4. "How do I prove I helped law enforcement?"

There is a form that law enforcement must sign, which proves that you helped them. This is the ***Supp-B***. We will talk more about it in Part II.

Requirement 3: Were you hurt?

To qualify you for the U-Visa, you must have been hurt. You need to have suffered either physical or mental harm or both.

Sexual abuse will almost always make a person eligible for a U-Visa, because it causes both physical and mental harm. It does not matter whether you were hurt by a single act, or by many acts over time, such as domestic violence.

Injuries

- *Did you have pain?*
- *Are you still injured or in pain?*
- *If you were already sick, did the crime make it worse?*
- *Did it affect how you look?*
- *Did you have to miss work?*
- *Did you have to go to the doctor?*
- *Did you have to take medicine?*
- *Were you anxious or depressed?*
- *Did you have to see a therapist?*
- *Did you feel sad?*
- *Did you have trouble eating or sleeping?*

If you answered yes to any of these questions, you may have been hurt.

Examples

1- Tariq was beaten up in a parking lot by a group of men. He was cut and bruised, and a tooth was knocked out. He was taken in an ambulance to the hospital, where his wounds were stitched up. ***Tariq may be eligible for a U-Visa because he was hurt.***

2- Julio was robbed at knife-point on the street. The robber stole his cellphone and spat in his face. He was not physically injured, but was very upset, and is now terrified to go outside by himself at night. He started seeing a therapist after the robbery. ***Julio may be eligible for a U-Visa because he was hurt.***

3- Alejandra was sexually assaulted by her boyfriend. After the assault, she felt anxious and ashamed, and often had flashbacks. She spoke to her doctor, who told her that she was suffering from rape trauma syndrome. ***Alejandra may be eligible for a U-Visa because she was hurt.***

4- Mario and Tamara are married. They came to the U.S. two years ago. One year ago, Tamara had an affair with a co-worker, and Mario found out. He was furious. From then on, he constantly shouted and swore at her. He ordered her never to leave the house. When she disobeyed him, he would slap her and push her to the floor. Afterwards, he would apologize for hurting her, and promise to stop. But it kept happening. Over time, Tamara became anxious and depressed. She often cried, and sometimes felt like she couldn't get out of bed. She was very frightened of Mario, and wanted to escape, but didn't see how. Eventually, she told Mario she was going to leave him. Mario slapped her across the face, and screamed that he would kill her. Tamara locked herself in the bathroom and called the police. They came and arrested Mario. ***Tamara may by eligible for a U-Visa because she was hurt over time.***

5- Amihan was 18 and lived with her parents. Her father did not like the way she dressed or the boys she went out with. He often screamed at her, and said that he wished she had not been born. Sometimes he would hit her with his fists or a leather belt. Amihan wanted to leave home, but she had nowhere to go. She felt lonely and frightened. She spoke to her doctor, who treated her bruises and gave her some antidepressant medicine. One day, after her father slapped her on the face, she called the police. ***Amihan may be eligible for a U-Visa because she was hurt over time.***

Questions

1. "I was hurt, but I did not speak to a doctor or a therapist. Can I still apply for a U-Visa?"

Yes. You do not have to seek treatment to be eligible for a U-Visa. If you have not gotten treatment, there are other ways to show that you were hurt. We will talk about them in Part II, when we explain how to apply for the U-Visa.

2. "My boyfriend abused me, but most of the abuse happened in Mexico. Can I still apply for a U-Visa?"

Yes. You can still apply for the U-Visa, as long as at least one incident of abuse took place in the U.S., and you were helpful to the police.

3. "I was hurt, but I recovered, and I am fine now. Can I still apply for a U-Visa?"

Yes. You don't need to still be hurt to apply for a U-Visa. You can apply for a U-Visa if you were hurt in the past.

Requirement 4: Asking the government to forgive any reason it might have for deporting you

Many people have done things (such as committing a crime or entering the U.S. illegally) that make it difficult for them to get permission from the government to stay in the U.S. The good news is that the U-Visa is different from most other visas because the goverment will forgive almost anything you have done in the past as long as you ask. The process of asking the government for forgiveness is called a "waiver." When you ask for a waiver, you list all of the things you want the government to forgive.

Most U-Visa applicants apply for a waiver, and the government is usually generous in granting these waivers. If you are in detention, you need to ask for forgiveness of crimes and/or immigration violations you committed.

WARNING: if you have multiple criminal offenses, you should try to find a lawyer to assist you with your U-Visa application. Although it is possible to obtain a U-Visa, a lawyer can help you because your application is more difficult.

What do I need a waiver for?

There are many possible reasons why you might need a waiver. The box below provides a list of some of the acts that require a waiver.

The government is generous in granting these waivers, so you should be completely honest about all the reasons why you need a waiver. If you do not know if you need a waiver, it is best to apply for a waiver anyway.

Do you have any of these things on your record?

You need a waiver if you have broken immigration laws:

- *coming to the U.S. without papers or with someone else's papers*
- *returning to the country after you were deported*
- *saying that you were a U.S. citizen if you are not*
- *not showing up to immigration court for a hearing*

You need a waiver if you have committed almost any crime, including:

- *any drug offense*
- *theft or fraud*
- *crimes involving violence*
- *helping a non-citizen enter the country illegally*
- *prostitution*

You also need a waiver if:

- *you have a serious infectious disease (except HIV)*
- *you are addicted to drugs*
- *you have certain physical or mental disorders*
- *you practice polygamy*
- *you voted illegally*

If you answered yes, you need a waiver even if you were not convicted or arrested.

Is there a cost?

The waiver costs hundreds of dollars but most people in detention can apply for free. If you cannot afford a waiver (because, for example, you do not have a job or any other income) you can ask the government to process your waiver application for free. We will explain how to do this in Part II.

How does the government decide if I can get a waiver?

The government will balance good things that you have done in this country against the bad things that you have done. Good things include helping law enforcement, taking care of your family and working hard. Bad things include crimes and immigration violations. You will not need to go to court or speak with a government official to get a waiver. The government will decide whether to give you a waiver when it looks at your U-Visa application.

WARNING: if you do not tell the government the truth about all of the reasons why you need a waiver, you might face serious problems later, especially if you travel outside the U.S. and try to return.

Examples

*1- **Yoon** Sun was deported but after leaving the U.S. she hired coyotes to help her reenter the U.S. illegally. **Yoon Sun needs to apply for a waiver because she re-entered the U.S. illegally after being deported.***

*2- Miguel has never committed a crime in his life. His mother brought him to the United States when he was six months old. **Miguel needs to apply for a waiver because he entered illegally. It does not matter that he was only a baby.***

*3- When Mohammed entered the U.S., immigration officers asked him about his immigration status. He told immigration that he was a U.S. citizen, even though he is not. **Mohammed needs to apply for a waiver because he made a false claim to being a U.S. citizen.***

*4- Andrea has a conviction on her record, but she cannot remember exactly what it was. She does not know for sure whether it is a type of conviction that requires a waiver. **Andrea should apply for a waiver.***

Questions

1. "I have many criminal convictions and immigration violations. Do I need to fill out a separate form for each reason?"

No. You can list all of the reasons on the same form.

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2. "I have been deported twice before. The judge told me I could never come to the U.S. again. Can I still apply for a U-Visa?"

Yes. No matter if you have been deported in the past, you can apply for a U-Visa. But you will need a waiver.

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3. "What are my chances of getting a waiver?"

The government is generous when it grants waivers to U-Visa applicants. Even if you have committed many crimes, you can apply. But, you should include in your application all of the reasons why you think the government should forgive you (for example, because of your family ties and community involvement). See Part II of this Manual for more information on how to apply.

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4. "How can I get a full list of every possible reason why I might need a waiver?"

We have included some blank forms in this guide. One of them is called I-918. At Part 3 of the I-918 Form is a long list of questions. If you answer any of them "Yes," you may need a waiver.

If you have any doubt at all about whether you need a waiver, you should ask for it. To make sure that you get the waiver you need, you should write down every reason that you think may apply to you.

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5. "Am I less likely to get a U-Visa if I need a waiver?"

No. Most U-Visa applicants apply for a waiver, and the government is usually generous in granting these waivers. as long as you are truthful. However, if you committed a violent crime or have multiple criminal offenses, you should work with a lawyer or advocate familiar with U-Visas because without help, it will be harder to get a U-Visa.

II: How do you apply for a U-Visa?

To apply for a U-Visa you must complete several steps. This section explains in detail how to complete each step. Below is a checklist of the seven steps you must complete before you submit your application.

Seven-Step Checklist in Applying for a U-Visa:

- ☐ *1) Obtain a Supp-B from law enforcement saying that you were helpful.*
- ☐ *2) Complete the U-Visa Application, Form I-918.*
- ☐ *3) Complete the Waiver Application, Form I-192.*
- ☐ *4) Write your Personal Statement.*
- ☐ *5) Try to obtain additional documents to support your case.*
- ☐ *6) Put your application and supporting documents together.*
- ☐ *7) Mail your application to the government.*

Applying for a U-Visa takes time and energy. You can make it simpler by planning your time and keeping things organized. You should also try to get help from a family member or friend outside of the detention center who can help you obtain documents, reach out to people, make copies, and put the application together.

Step One: Get your Supp-B

As explained in Part I, to qualify for a U-Visa you must show that you helped law enforcement. The way to show that you helped is to have a police officer or a prosecutor sign a government-issued form saying that you helped them. The prosecutor in your case might have been called the District Attorney, Assistant District Attorney or City Attorney, for example. The name of the form is ***Form I-918 Supplement B***. In this guide, we will call it the ***Supp-B.*** It is important to know who to ask for the Supp-B, and what to ask for.

Remember, the Supp-B is required and without it you will not get a U-Visa. Below is a checklist of steps you must take to get a Supp-B:

Supp-B Checklist:

- ☐ *Figure out who to ask for the Supp-B*
- ☐ *Complete Part I of the Supp-B form*
- ☐ *Draft a Cover Letter*
- ☐ *Send your Cover Letter with the Supp-B form to the police and/or prosecutor*
- ☐ *Wait to receive your signed Supp-B Form from the police and/or prosecutor*
- ☐ *Once you receive your signed Supp-B ask for a bond hearing (if you are in detention) so that you can try to get released from detention while you file your U-Visa application.*

First: Figure out who to ask for the Supp-B

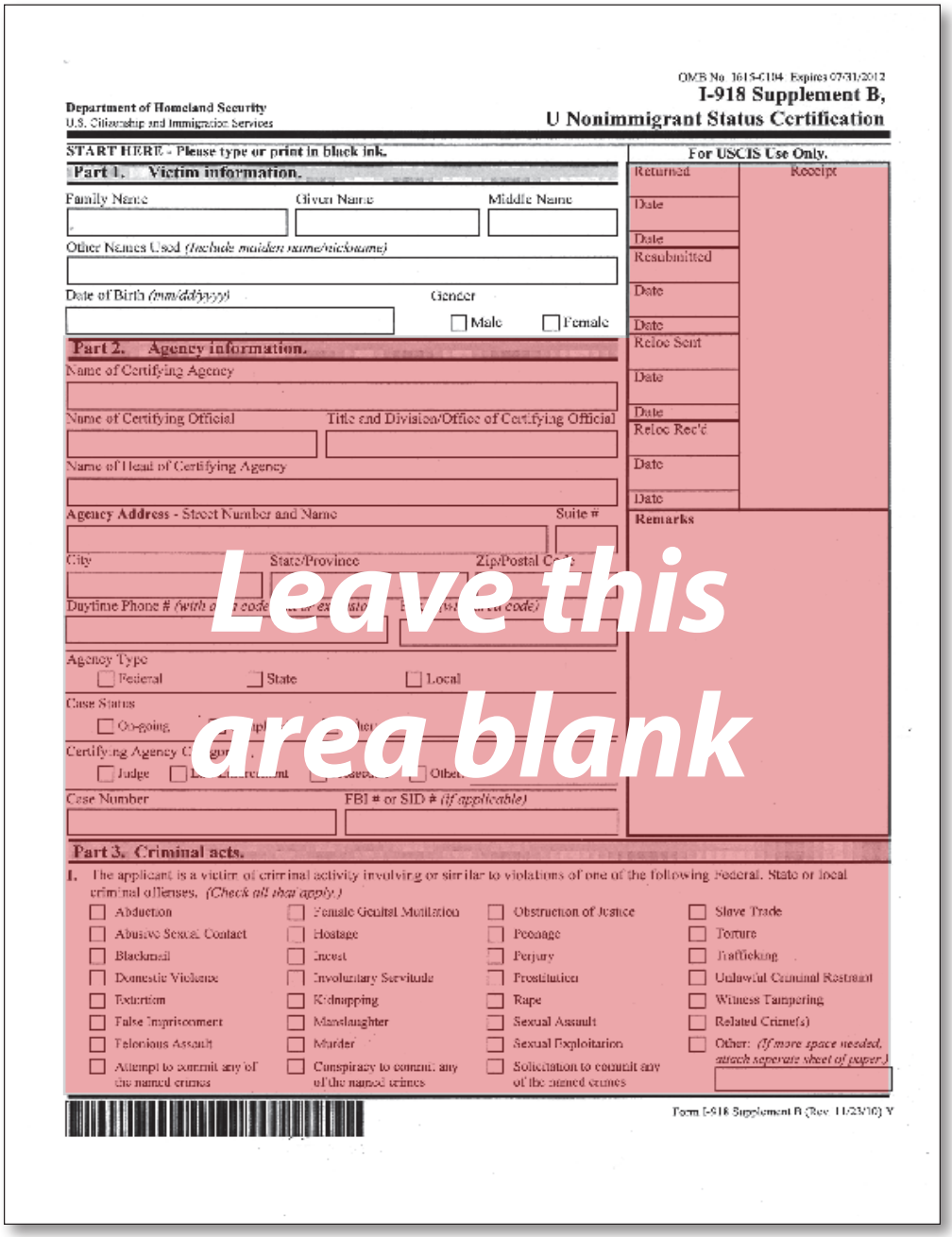
As the victim of a crime, did you contact the police? If so, this same police department is where you will ask for the Supp-B. You or someone helping you should call the police department and ask for the name and contact information for the person who signs the Form I-918 Supplement B for U-Visa applications. If you are unable to get the name of the person in the police department who signs Supp-Bs, address your letter to the Chief of Police. If the police department cannot help you, try calling the Victim/Witness division of the District Attorney's office, and ask them who you should contact for the U-Visa Certification (the Supp-B).

If the police filed charges in court against the person who harmed you, the prosecutor may have gotten involved in the case. If the person who harmed you was ultimately convicted in court you can also try asking the prosecutor for a Supp-B.

Second: Fill out Part 1 of the Supp-B Form.

At Appendix 1, we have included a blank Supp-B form. You should complete Part 1 of this form and send it to the police and/or prosecutor to fill out the rest of the form. This form is also available at www.uscis.gov.

In Part 1, fill out your name, sex, and date of birth. If you have two family names, write them both. If you have ever used other names—like a maiden name—write them in full under ***Other Names Used.***



OMB No. 1615-0104 Expires 07/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-918 Supplement B,
U Nonimmigrant Status Certification

START HERE - Please type or print in black ink.

Part 1. Victim information.

Family Name | Given Name | Middle Name

Other Names Used *(include maiden name/nickname)*

Date of Birth *(mm/dd/yyyy)* | Gender ☐ Male ☐ Female

Part 2. Agency information.

Name of Certifying Agency

Name of Certifying Official | Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

Agency Address - Street Number and Name | Suite #

City | State/Province | Zip/Postal Code

Daytime Phone # *(with area code)* | Fax # *(with area code)*

Agency Type ☐ Federal ☐ State ☐ Local

Case Status ☐ On-going ☐ Completed ☐ Other

Certifying Agency Category ☐ Judge ☐ Law Enforcement ☐ Prosecutor ☐ Other

Case Number | FBI # or SID # *(if applicable)*

For USCIS Use Only.

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	

Remarks

Leave this area blank

Part 3. Criminal acts.

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. *(Check all that apply.)*

☐ Abduction	☐ Female Genital Mutilation	☐ Obstruction of Justice	☐ Slave Trade
☐ Abusive Sexual Contact	☐ Hostage	☐ Peonage	☐ Torture
☐ Blackmail	☐ Incest	☐ Perjury	☐ Trafficking
☐ Domestic Violence	☐ Involuntary Servitude	☐ Prostitution	☐ Unlawful Criminal Restraint
☐ Extortion	☐ Kidnapping	☐ Rape	☐ Witness Tampering
☐ False Imprisonment	☐ Manslaughter	☐ Sexual Assault	☐ Related Crime(s)
☐ Felonious Assault	☐ Murder	☐ Sexual Exploitation	☐ Other: *(If more space needed, attach seperate sheet of paper.)*
☐ Attempt to commit any of the named crimes	☐ Conspiracy to commit any of the named crimes	☐ Solicitation to commit any of the named crimes	

Form I-918 Supplement B (Rev. 11/23/10) Y

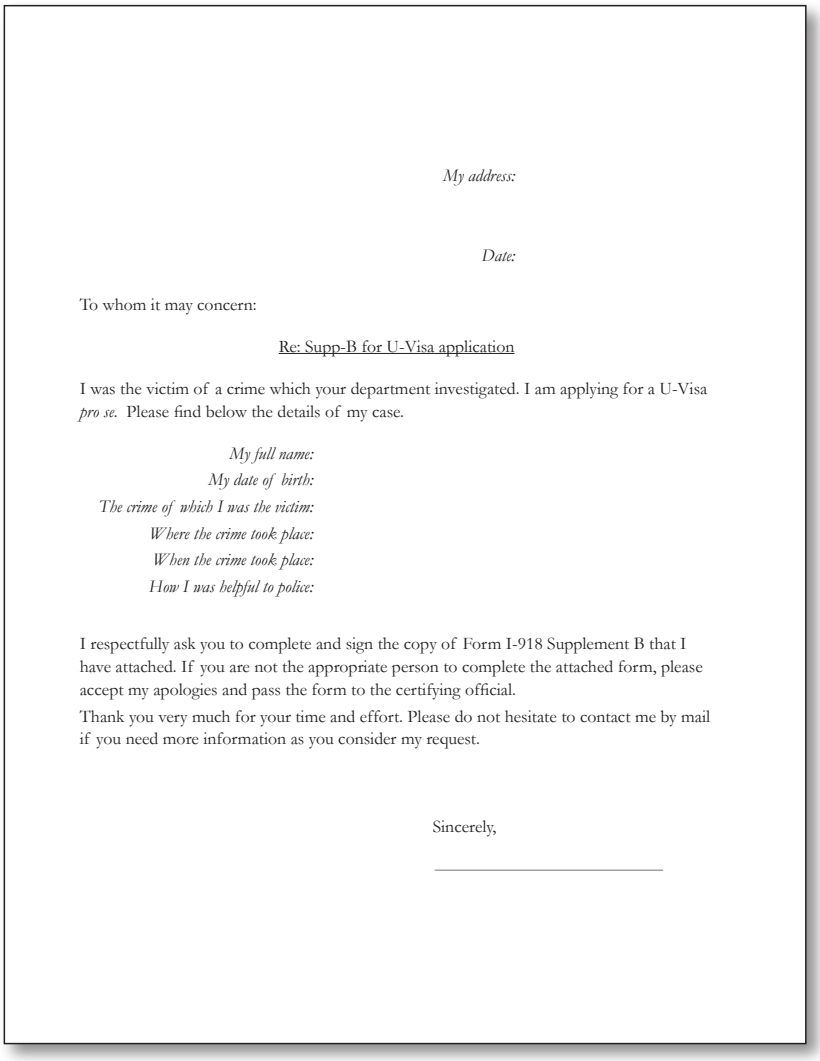
Third: Cover letter

It will help the police department to send in a cover letter with your Supp-B form. We have included a cover letter for you at Appendix 2. It has space for you to fill out your details and describe the crime you suffered to help the police fill out the Supp-B.

In the top right of the letter, you should write your address (if you have someone helping you obtain documents you can provide that person's address). If you are in detention, you should do everything possible to find a "safe" address for documents to be sent to you. Otherwise, documents will likely get lost. If you are unable to find a "safe" address, write "ICE Custody", and then the address of your detention facility.

In this section, fill out your name and date of birth, and the details of the crime. Then briefly say how you cooperated: for example, "I called 911 and gave a statement," or "I let the police photograph my injuries."

Under "Sincerely," sign the letter.



My address:

Date:

To whom it may concern:

Re: Supp-B for U-Visa application

I was the victim of a crime which your department investigated. I am applying for a U-Visa *pro se*. Please find below the details of my case.

My full name:
My date of birth:
The crime of which I was the victim:
Where the crime took place:
When the crime took place:
How I was helpful to police:

I respectfully ask you to complete and sign the copy of Form I-918 Supplement B that I have attached. If you are not the appropriate person to complete the attached form, please accept my apologies and pass the form to the certifying official.

Thank you very much for your time and effort. Please do not hesitate to contact me by mail if you need more information as you consider my request.

Sincerely,

Fourth: Send in your Supp-B

It is now time to send in your Supp-B. Put your Cover Letter and your Supp-B in a single envelope. Mail it to the police officer or prosecutor who is in charge of certifying Supp-Bs. If you have someone helping you outside your detention facility, make sure that you put that person's address on the back of the envelope (as the return address). That way, if you move detention facilities, the Supp-B will not get lost.

Fifth: Wait to receive the signed Supp-B Form from the police or prosecutor

You cannot apply for a U-Visa until the police department or prosecutor return the signed Supp-B Form back to you. Sometimes this can take several weeks or even months. As we explain later, you will include the signed Supp-B with your U-Visa application. Note that the Supp-B is only valid for six months so you should plan to submit your U-Visa application within six months of receiving the Supp-B from the police or prosecutor.

REMEMBER, there is no guarantee to get a Supp-B. It is up to the police or prosecutor to decide whether to sign your Supp-B. Seek help from a lawyer if you believe they made a mistake in not signing your Supp-B.

Sixth: Once you receive your signed Supp-B ask for a bond hearing

Not only is the signed Supp-B a very important first step in getting your U-Visa, but with a signed Supp-B you might also be eligible for bond. Once you have a signed Supp-B ask for a bond hearing and let your judge know that you are applying for a U-Visa.

Step 2: Fill out the main form

To get a U-Visa, you need to complete and sign Form I-918. We have included a blank I-918 form at Appendix 3. You can also download the form on the internet by going to www.uscis.gov. Form I-918 is the main form for the U-Visa application. The form is 8 pages long and is divided into six sections: we'll explain how to fill out each one.

- *You must complete all forms in English.*
- *Use black ink. DO NOT use a pencil.*
- ***TIP**: If your handwriting is not easy to read USE CAPITAL LETTERS.*
- ***TIP**: For questions where you must check a box, write an "X" in the box.*

First fill out your name. If you have two family names—like "Fernandez Gonzalez"—write both under **Family Name (last name)**. For your **Given Name** give your full first name, do not use "nicknames." If you have used any other names—for example, a maiden name or a nickname—write them in **Other Names Used**.

If you are in detention: Under **Home Address**, write "ICE Custody," and then write the name of the jail in brackets.

If you have someone helping you with your U application and you want your mail to go to that person, then under **Safe Mailing Address**, write their address, city, state and ZIP code. Under **C/O (in care of)**, write the name of the person helping you. If you are in detention you should do everything possible to find a "safe" address, otherwise mail sent to you will likely get lost.

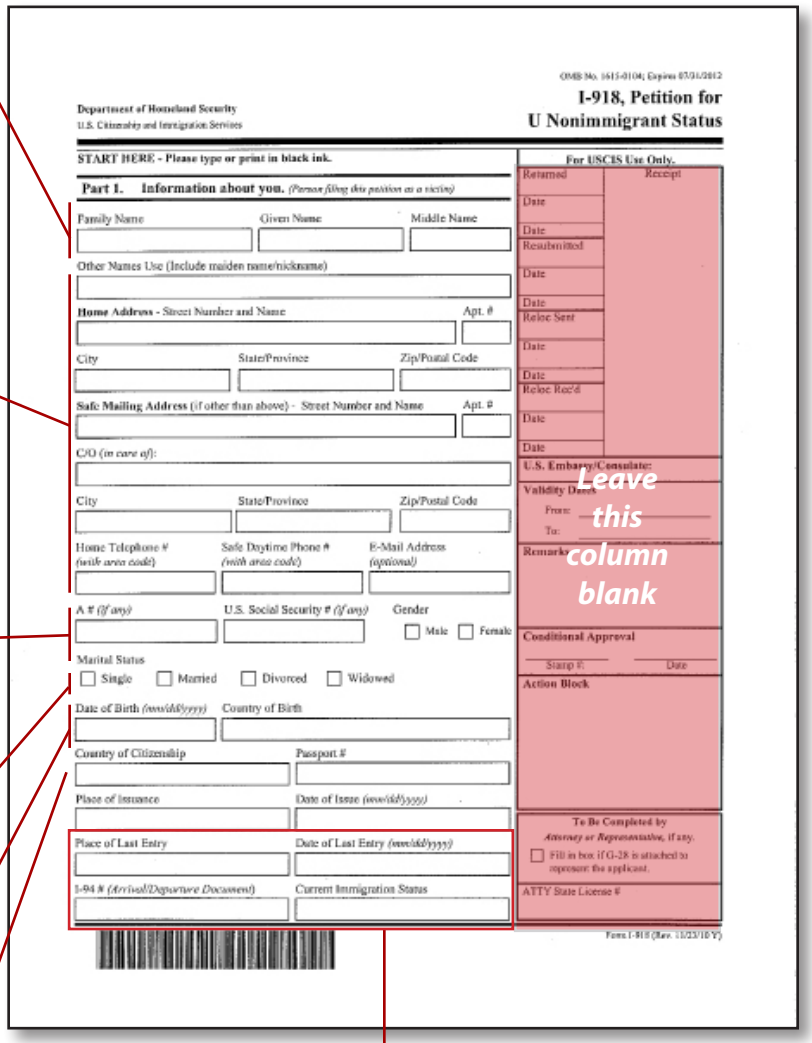
Under **A #**, write your ***alien number***. If you do not know your alien number, write "Unknown." Your ***alien number*** is a number which the government uses to identify you. If the government is trying to deport you, it will have sent you a ***Notice to Appear***. This document has your alien number printed on it.

Under **Social Security #**, if you have a *valid* social security number (obtained from the Social Security Administration), write it here if you know it. If not, write "None." If you have used a fake social security number or someone else's social security number, put "None."

The government only recognizes ***legal marriage*** and ***legal divorce***. And if you are legally married, but separated from your spouse, you should still check **Married** unless you are legally divorced.

Use eight numbers to show your **Date of Birth** (for example, May 1, 1978 should be written 05/01/1978). Give the name of the **Country** where you were born. Include the city, state, or province and country.

Under **County of Citizenship**, write the country where you are a citizen. Fill out **Passport #**, **Place of Issuance**, and **Date of Issue** using details from your passport. If you do not have a passport, write "None." If you have a passport but are in detention and do not have it with you, write "Passport not with me."



Department of Homeland Security
U.S. Citizenship and Immigration Services

I-918, Petition for U Nonimmigrant Status

START HERE - Please type or print in black ink.

Part 1. Information about you. *(Person filing this petition as a victim)*

Family Name | Given Name | Middle Name

Other Names Use (Include maiden name/nickname)

Home Address - Street Number and Name | Apt. #

City | State/Province | Zip/Postal Code

Safe Mailing Address (if other than above) - Street Number and Name | Apt. #

C/O (in care of):

City | State/Province | Zip/Postal Code

Home Telephone # (with area code) | Safe Daytime Phone # (with area code) | E-Mail Address (optional)

A # (if any) | U.S. Social Security # (if any) | Gender ☐ Male ☐ Female

Marital Status
☐ Single ☐ Married ☐ Divorced ☐ Widowed

Date of Birth (mm/dd/yyyy) | Country of Birth

Country of Citizenship | Passport #

Place of Issuance | Date of Issue (mm/dd/yyyy)

Place of Last Entry | Date of Last Entry (mm/dd/yyyy)

I-94 # (Arrival/Departure Document) | Current Immigration Status

For USCIS Use Only.
Returned | Receipt
Date
Date
Resubmitted
Date
Date
Relocated Sent
Date
Date
Relocated Rec'd
Date
Date
U.S. Embassy/Consulate:
Validity Dates From: To:
Remarks
Conditional Approval
Stamp H | Date
Action Block
To Be Completed by Attorney or Representative, if any.
☐ Fill in box if G-28 is attached to represent the applicant.
ATTY State License #

Form I-918 (Rev. 11/23/10) Y

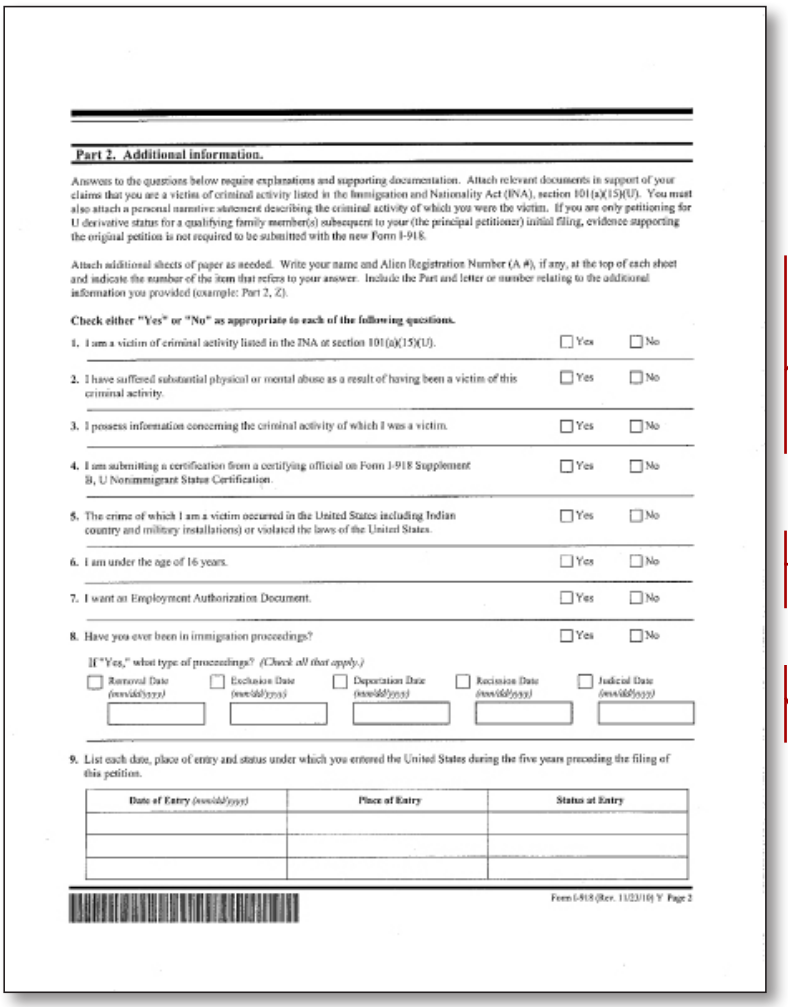
Leave this column blank

Under **Place and Date of Last Entry**, write where and when you last entered the United States. It does not matter if the entry was legal or illegal. Only including the month and year is fine. If you are unsure, include your best estimate.

If you entered legally, an immigration officer may have stapled a piece of paper known as the I-94 form into your passport. It has a number on it. If you still have this form, write the number under **I-94 #.** If you do not have it, or if you entered illegally, write "N/A."

Under **Current Immigration Status**, write "U Visa Applicant."

Part 2 of the form is where you tell the government that you meet all of the requirements for the U-Visa. You must answer all of the questions.



Part 2. Additional information.

Answers to the questions below require explanations and supporting documentation. Attach relevant documents in support of your claims that you are a victim of criminal activity listed in the Immigration and Nationality Act (INA), section 101(a)(15)(U). You must also attach a personal narrative statement describing the criminal activity of which you were the victim. If you are only petitioning for U derivative status for a qualifying family member(s) subsequent to your (the principal petitioner) initial filing, evidence supporting the original petition is not required to be submitted with the new Form I-918.

Attach additional sheets of paper as needed. Write your name and Alien Registration Number (A #), if any, at the top of each sheet and indicate the number of the item that refers to your answer. Include the Part and letter or number relating to the additional information you provided (example: Part 2, Z).

Check either "Yes" or "No" as appropriate to each of the following questions.

1. I am a victim of criminal activity listed in the INA at section 101(a)(15)(U). ☐ Yes ☐ No
2. I have suffered substantial physical or mental abuse as a result of having been a victim of this criminal activity. ☐ Yes ☐ No
3. I possess information concerning the criminal activity of which I was a victim. ☐ Yes ☐ No
4. I am submitting a certification from a certifying official on Form I-918 Supplement B, U Nonimmigrant Status Certification. ☐ Yes ☐ No
5. The crime of which I am a victim occurred in the United States including Indian country and military installations) or violated the laws of the United States. ☐ Yes ☐ No
6. I am under the age of 16 years. ☐ Yes ☐ No
7. I want an Employment Authorization Document. ☐ Yes ☐ No
8. Have you ever been in immigration proceedings? ☐ Yes ☐ No

If "Yes," what type of proceedings? *(Check all that apply.)*

☐ Removal Date *(mm/dd/yyyy)* ☐ Exclusion Date *(mm/dd/yyyy)* ☐ Deportation Date *(mm/dd/yyyy)* ☐ Recission Date *(mm/dd/yyyy)* ☐ Judicial Date *(mm/dd/yyyy)*

9. List each date, place of entry and status under which you entered the United States during the five years preceding the filing of this petition.

Date of Entry *(mm/dd/yyyy)*	Place of Entry	Status at Entry

Form I-918 (Rev. 11/23/10) Y Page 2

Questions 1, 2, 3, 4 and 5 ask you whether you meet the requirements for a U-Visa. If, after reading this Manual, you think you are eligible to get a U-Visa, check **Yes** next to all of them. If you think the answer to one of these questions is No, read Part I of this Manual again to make sure you are eligible to apply for a U-Visa.

Question 7: check **Yes**. By checking Yes, you will automatically get employment authorization if immigration approves your U-Visa application. You will not have to apply for it separately.

Question 8: If you are in immigration detention and if the government is trying to deport you, or if the government has ever tried to deport you, check **Yes**. You should check **Yes** if you have any prior orders of removal against you and/or if you are appealing a prior order of removal. You should contact a lawyer to help you if you have a prior order against you and the government is trying to reinstate it. If the government has never tried to deport you, check **No**.

If you have ever been deported, check **Removal Date** and write the date that you were deported, as close as you can remember.

If you are in removal (deportation) proceedings before an immigration judge, check **Removal Date** and write "pending."

Question 9: Make a list of all the times you have entered the United States over the past five years. It does not matter if you entered the country legally or illegally. If you cannot remember the exact dates, provide your best estimate.

Make sure that you include the date you last entered the country. This should be the same as the date you wrote under **Date of Last Entry** on page 1 of the form.

Under **Place of Entry**, write the location (city/town) where you entered into the U.S.

Under **Status at Entry**, if you came into the country illegally, write "Entry without inspection." If you came into the country legally, write the name of the visa you came on—for example, "Tourist," "Student," or "Worker."

Part 3 of the form asks you questions about things you have done in the past. These questions are necessary to determine whether you need to ask for a waiver, as we discuss on Page 14 of this Manual. Remember that the government is generous in granting these waivers, so you should be completely honest about all the reasons why you need a waiver. The government may ***not*** give you a U-Visa if it finds out that you lied or hid something when you applied for a waiver. If you do not know if you need a waiver, it is best to apply for a waiver anyway.

Many people in detention will answer "Yes" to one or more of the questions below. If you answer "Yes," you must say what crimes you committed. The best place to do this is in your personal statement (see Page 30). For now, write "See personal statement" next to the check box. As we explain later, you will want to say the crime you committed, the approximate date you committed the crime, and briefly describe the circumstances.

In **question 10**, unless you are applying from outside the United States, leave the boxes in Part 10 blank or write "N/A" in each of the boxes.

Question 1 asks about your criminal record. Read the questions carefully..

If you have ever committed a crime for which you were not arrested, check **Yes** next to 1a.

If you have ever been arrested or detained, or picked up by immigration, check **Yes** next to 1b. This question includes both criminal *and* immigration arrests so be sure to list in the box below all arrests, including immigration arrests.

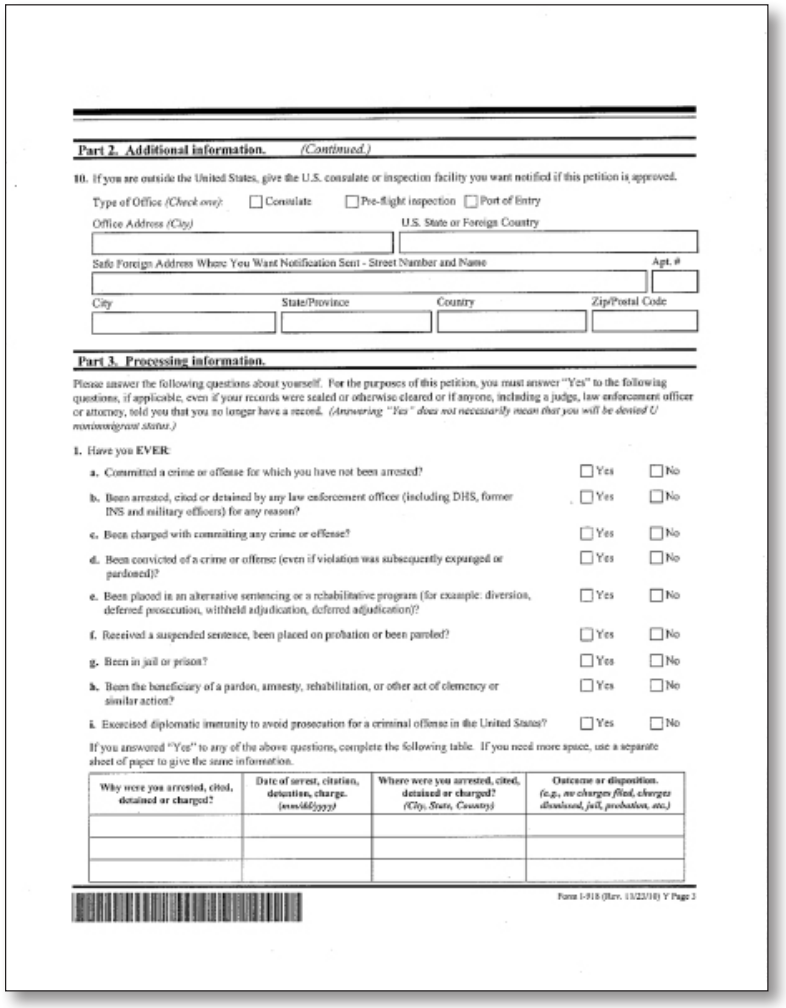
If you have ever been charged with a crime, check **Yes** next to 1c.

If you have ever been convicted of a crime, check **Yes** for 1d. You should check **Yes** even if the conviction has been wiped or expunged from your record.

If you were charged with a crime, and put in a special program, like drug diversion, check **Yes** next to 1e.

If you were put on probation or given a suspended sentence, check **Yes** next to 1f. If you have ever been on parole, you should also check **Yes** next to 1f.

If you have ever been in jail or prison, check **Yes** next to 1g. If you have ever been in immigration detention, you should also check **Yes** next to 1g.



Part 2. Additional information. *(Continued.)*

10. If you are outside the United States, give the U.S. consulate or inspection facility you want notified if this petition is approved.

Type of Office *(Check one)*: ☐ Consulate ☐ Pre-flight inspection ☐ Port of Entry

Office Address *(City)* | U.S. State or Foreign Country

Safe Foreign Address Where You Want Notification Sent - Street Number and Name | Apt. #

City | State/Province | Country | Zip/Postal Code

Part 3. Processing information.

Please answer the following questions about yourself. For the purposes of this petition, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer or attorney, told you that you no longer have a record. *(Answering "Yes" does not necessarily mean that you will be denied U nonimmigrant status.)*

1. Have you EVER

a. Committed a crime or offense for which you have not been arrested? ☐ Yes ☐ No

b. Been arrested, cited or detained by any law enforcement officer (including DHS, former INS and military officers) for any reason? ☐ Yes ☐ No

c. Been charged with committing any crime or offense? ☐ Yes ☐ No

d. Been convicted of a crime or offense (even if violation was subsequently expunged or pardoned)? ☐ Yes ☐ No

e. Been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? ☐ Yes ☐ No

f. Received a suspended sentence, been placed on probation or been paroled? ☐ Yes ☐ No

g. Been in jail or prison? ☐ Yes ☐ No

h. Been the beneficiary of a pardon, amnesty, rehabilitation, or other act of clemency or similar action? ☐ Yes ☐ No

i. Exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? ☐ Yes ☐ No

If you answered "Yes" to any of the above questions, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

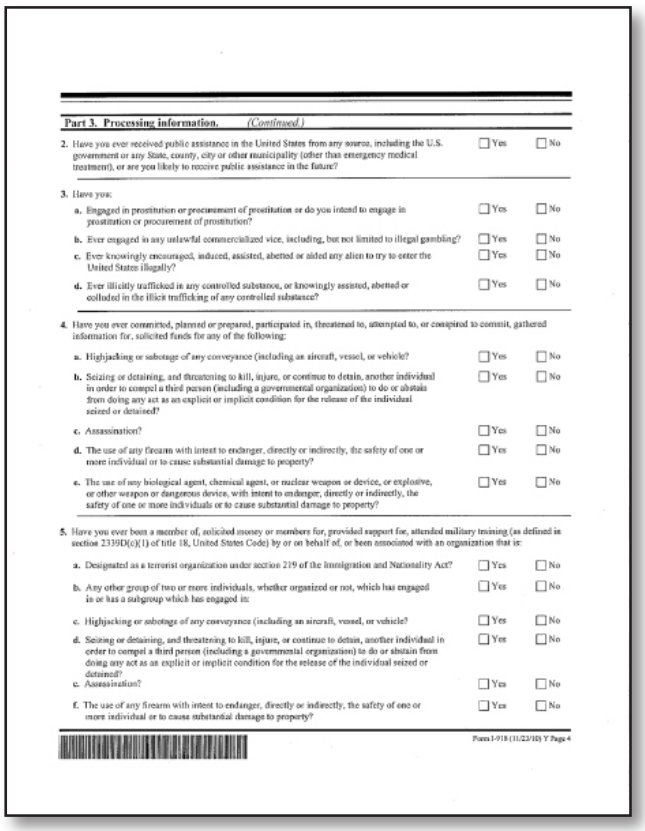
Why were you arrested, cited, detained or charged?	Date of arrest, citation, detention, charge. (mm/dd/yyyy)	Where were you arrested, cited, detained or charged? (City, State, Country)	Outcome or disposition. (e.g., no charges filed, charges dismissed, jail, probation, etc.)

Form I-918 (Rev. 11/23/10) Y Page 3

If you check **Yes** to any of the questions, fill out the table. Under **Why were you arrested...?**, write the crime the police suspected you of committing.

Under **Outcome or disposition**, write what happened. For example, if you were deported, write "Removed." If you paid a fine, write "Fine."

If you check **Yes** because you were picked up by immigration, under "Why were you arrested...?" write "Suspected immigration violation." If you are in immigration detention, under **Outcome or disposition**, write "In immigration detention."



Part 3. Processing information. (Continued.)

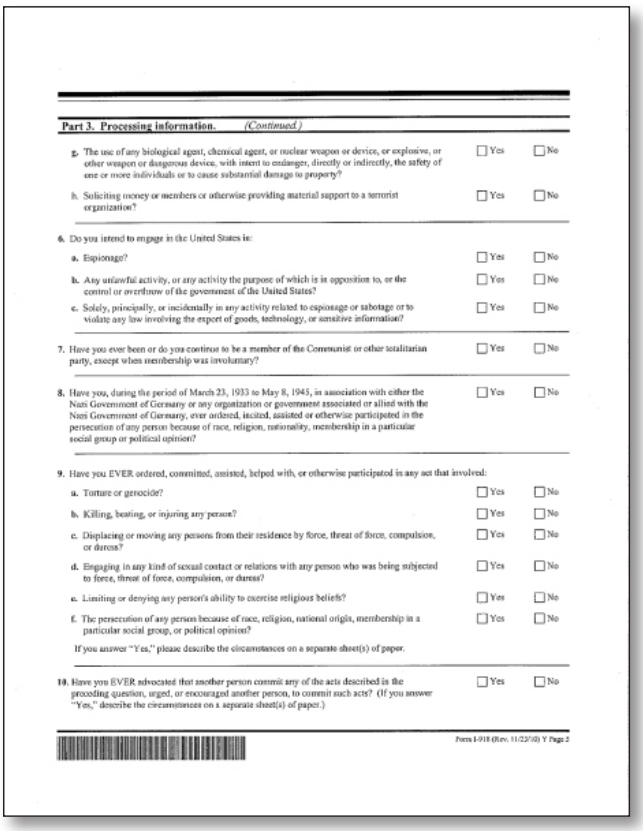
2. Have you ever received public assistance in the United States from any source, including the U.S. government or any State, county, city or other municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? ☐ Yes ☐ No

3. Have you:
   a. Engaged in prostitution or procurement of prostitution or do you intend to engage in prostitution or procurement of prostitution? ☐ Yes ☐ No
   b. Ever engaged in any unlawful commercialized vice, including, but not limited to illegal gambling? ☐ Yes ☐ No
   c. Ever knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally? ☐ Yes ☐ No
   d. Ever illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance? ☐ Yes ☐ No

4. Have you ever committed, planned or prepared, participated in, threatened to, attempted to, or conspired to commit, gathered information for, solicited funds for any of the following:
   a. Highjacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle)? ☐ Yes ☐ No
   b. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained? ☐ Yes ☐ No
   c. Assassination? ☐ Yes ☐ No
   d. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property? ☐ Yes ☐ No
   e. The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property? ☐ Yes ☐ No

5. Have you ever been a member of, solicited money or members for, provided support for, attended military training (as defined in section 2339D(c)(1) of title 18, United States Code) by or on behalf of, or been associated with an organization that is:
   a. Designated as a terrorist organization under section 219 of the Immigration and Nationality Act? ☐ Yes ☐ No
   b. Any other group of two or more individuals, whether organized or not, which has engaged in or has a subgroup which has engaged in: ☐ Yes ☐ No
   c. Highjacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle? ☐ Yes ☐ No
   d. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained? ☐ Yes ☐ No
   e. Assassination? ☐ Yes ☐ No
   f. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property? ☐ Yes ☐ No

Form I-918 (11/22/10) Y Page 4



Part 3. Processing information. (Continued.)

g. The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property? ☐ Yes ☐ No
h. Soliciting money or members or otherwise providing material support to a terrorist organization? ☐ Yes ☐ No

6. Do you intend to engage in the United States in:
   a. Espionage? ☐ Yes ☐ No
   b. Any unlawful activity, or any activity the purpose of which is in opposition to, or the control or overthrow of the government of the United States? ☐ Yes ☐ No
   c. Solely, principally, or incidentally in any activity related to espionage or sabotage or to violate any law involving the export of goods, technology, or sensitive information? ☐ Yes ☐ No

7. Have you ever been or do you continue to be a member of the Communist or other totalitarian party, except when membership was involuntary? ☐ Yes ☐ No

8. Have you, during the period of March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, nationality, membership in a particular social group or political opinion? ☐ Yes ☐ No

9. Have you EVER ordered, committed, assisted, helped with, or otherwise participated in any act that involved:
   a. Torture or genocide? ☐ Yes ☐ No
   b. Killing, beating, or injuring any person? ☐ Yes ☐ No
   c. Displacing or moving any persons from their residence by force, threat of force, compulsion, or duress? ☐ Yes ☐ No
   d. Engaging in any kind of sexual contact or relations with any person who was being subjected to force, threat of force, compulsion, or duress? ☐ Yes ☐ No
   e. Limiting or denying any person's ability to exercise religious beliefs? ☐ Yes ☐ No
   f. The persecution of any person because of race, religion, national origin, membership in a particular social group, or political opinion? ☐ Yes ☐ No

   If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

10. Have you EVER advocated that another person commit any of the acts described in the preceding question, urged, or encouraged another person, to commit such acts? (If you answer "Yes," describe the circumstances on a separate sheet(s) of paper.) ☐ Yes ☐ No

Form I-918 (Rev. 11/22/10) Y Page 2

Question 2 asks you if you have ever received public assistance. If you have ever received Medicaid, unemployment, or food stamps in the United States, or any other kind of help from the government, check **Yes**. If you check Yes, you should attach a piece of paper to this main application listing any benefits you have received from the government. NOTE: if you were getting food stamps for your U.S. citizen children only, then the answer is "No." This question is only about benefits directly for YOU.

Question 3 asks you if you have ever committed certain crimes, or if you intend to commit them. Many people in detention will answer Yes to this question. If you answer Yes, you must say what crimes you committed. The best place to do this is in your personal statement (see Page 30). For now, write "See personal statement" next to the check box. As we explain later, you will want to say the crime you committed, when (approximately) you committed the crime, and briefly describe what happened.

Question 3c asks you if you have ever helped or encouraged anyone to enter the United States illegally. For example, if you sent money to your family to help them cross the Mexican border, check **Yes**. In your personal statement (see Page 30) you should explain what you did to help someone enter the U.S. illegally and why you did it. For example, if you helped your wife enter the U.S. illegally you should say so and then briefly say why. Also, if you paid or made arrangements for your child to come across the border illegally before or after you, you must answer **Yes**. You can then simply explain in your personal statement that you wanted your child to be with you.

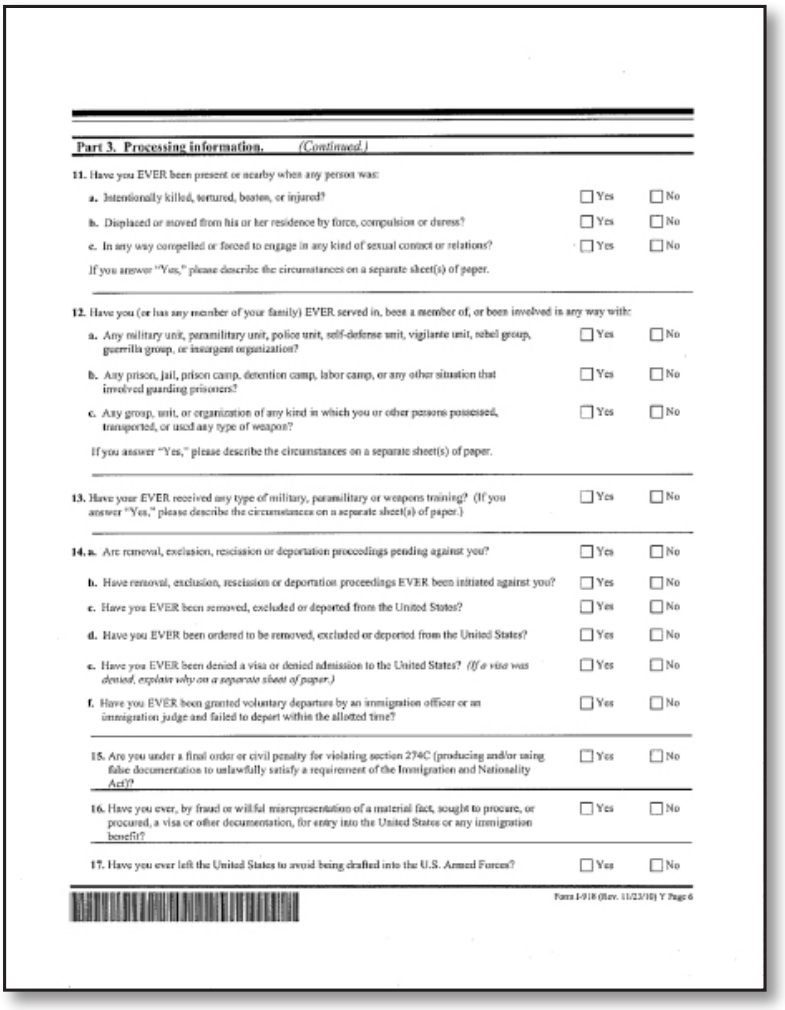
Questions 9 and 10 ask you if you have ever committed certain violent acts, or told other people to commit those acts. **Question 9b** asks if if you have ever killed, beaten or injured someone. For example, if you were in a fight where you beat someone, even if they started it, check **Yes**. If you answer any of these questions Yes, you should explain what happened in your personal statement. We will help you write the statement later. For now, write "See personal statement" next to the check box.

Question 11 asks if you were present when someone did a violent act. If you have ever been present when someone else was tortured, beaten or injured, check **Yes** next to 11a. If you have been present when someone else was raped or forced to do a sexual act, check **Yes** next to 11c. If you check "Yes" you should explain what the situation was in your personal statement (see Page 30).

Question 12 asks you if you have ever been in the military or a paramilitary group, or been a prison guard. If you answer **Yes** to any question, you should explain why in your personal statement (see Page 30).

Question 14 asks you if you are in immigration proceedings.

Many people are in removal (deportation) proceedings and will answer **Yes** to one or more of these questions. If you answer **Yes** to any of these questions, you should explain why in your personal statement (see Page 30). For now, write "See personal statment" next to the check box. As we explain later, you will want to explain briefly why you are in deportation proceedings.



Part 3. Processing information. *(Continued.)*

11. Have you EVER been present or nearby when any person was:
    a. Intentionally killed, tortured, beaten, or injured? ☐ Yes ☐ No
    b. Displaced or moved from his or her residence by force, compulsion or duress? ☐ Yes ☐ No
    c. In any way compelled or forced to engage in any kind of sexual contact or relations? ☐ Yes ☐ No
    If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

12. Have you (or has any member of your family) EVER served in, been a member of, or been involved in any way with:
    a. Any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, or insurgent organization? ☐ Yes ☐ No
    b. Any prison, jail, prison camp, detention camp, labor camp, or any other situation that involved guarding prisoners? ☐ Yes ☐ No
    c. Any group, unit, or organization of any kind in which you or other persons possessed, transported, or used any type of weapon? ☐ Yes ☐ No
    If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

13. Have your EVER received any type of military, paramilitary or weapons training? (If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.) ☐ Yes ☐ No

14. a. Are removal, exclusion, rescission or deportation proceedings pending against you? ☐ Yes ☐ No
    b. Have removal, exclusion, rescission or deportation proceedings EVER been initiated against you? ☐ Yes ☐ No
    c. Have you EVER been removed, excluded or deported from the United States? ☐ Yes ☐ No
    d. Have you EVER been ordered to be removed, excluded or deported from the United States? ☐ Yes ☐ No
    e. Have you EVER been denied a visa or denied admission to the United States? *(If a visa was denied, explain why on a separate sheet of paper.)* ☐ Yes ☐ No
    f. Have you EVER been granted voluntary departure by an immigration officer or an immigration judge and failed to depart within the allotted time? ☐ Yes ☐ No

15. Are you under a final order or civil penalty for violating section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act)? ☐ Yes ☐ No

16. Have you ever, by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa or other documentation, for entry into the United States or any immigration benefit? ☐ Yes ☐ No

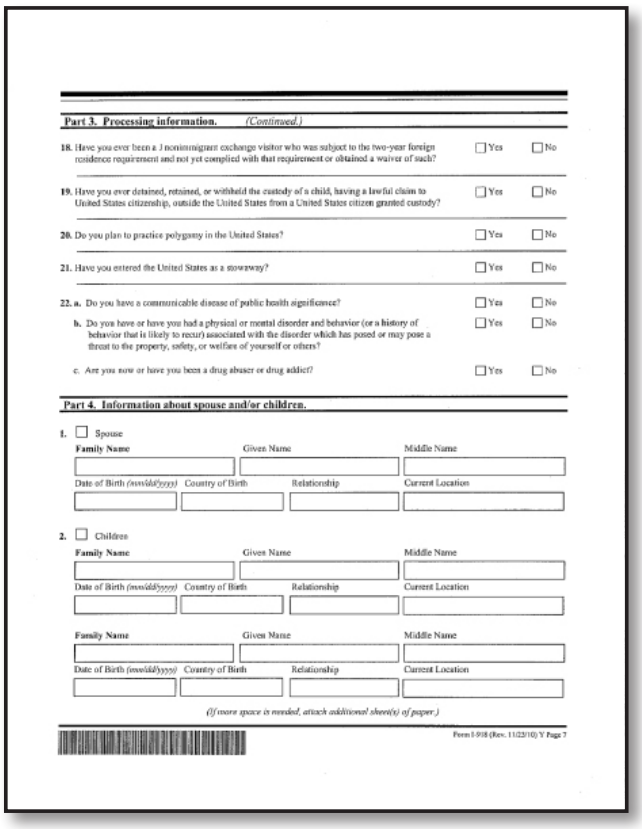
17. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☐ No

Form I-918 (Rev. 11/23/10) Y Page 6

Question 15 asks if the government has punished you for using false documents for immigration. If you check **Yes** you should explain why in your personal statement (see Page 30).

You should answer **No** if you used false documents to enter the country but were not punished. This question asks only if you were caught and specifically punished for using false documents.

Question 16 asks if you have ever used someone else's documents or used fake documents or told a lie to get a visa, or to enter or stay in the United States. If you check **Yes** you should explain why in your personal statement (see Page 30).



Part 3. Processing information. (Continued.)

18. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and not yet complied with that requirement or obtained a waiver of such? ☐ Yes ☐ No

19. Have you ever detained, retained, or withheld the custody of a child, having a lawful claim to United States citizenship, outside the United States from a United States citizen granted custody? ☐ Yes ☐ No

20. Do you plan to practice polygamy in the United States? ☐ Yes ☐ No

21. Have you entered the United States as a stowaway? ☐ Yes ☐ No

22. a. Do you have a communicable disease of public health significance? ☐ Yes ☐ No

b. Do you have or have you had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others? ☐ Yes ☐ No

c. Are you now or have you been a drug abuser or drug addict? ☐ Yes ☐ No

Part 4. Information about spouse and/or children.

1. ☐ Spouse

Family Name | Given Name | Middle Name

Date of Birth (mm/dd/yyyy) | Country of Birth | Relationship | Current Location

2. ☐ Children

Family Name | Given Name | Middle Name

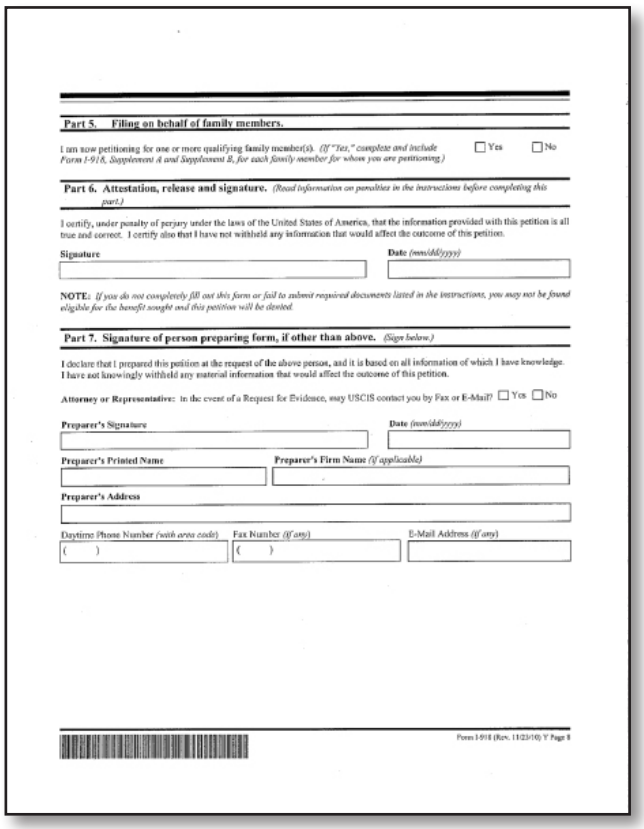
Date of Birth (mm/dd/yyyy) | Country of Birth | Relationship | Current Location

Family Name | Given Name | Middle Name

Date of Birth (mm/dd/yyyy) | Country of Birth | Relationship | Current Location

(If more space is needed, attach additional sheet(s) of paper.)

Form I-918 (Rev. 11/23/10) Y Page 7



Part 5. Filing on behalf of family members.

I am now petitioning for one or more qualifying family member(s). (If "Yes," complete and include Form I-918, Supplement A and Supplement B, for each family member for whom you are petitioning.) ☐ Yes ☐ No

Part 6. Attestation, release and signature. (Read information on penalties in the instructions before completing this part.)

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this petition is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this petition.

Signature | Date (mm/dd/yyyy)

NOTE: If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the benefit sought and this petition will be denied.

Part 7. Signature of person preparing form, if other than above. (Sign below.)

I declare that I prepared this petition at the request of the above person, and it is based on all information of which I have knowledge. I have not knowingly withheld any material information that would affect the outcome of this petition.

Attorney or Representative: In the event of a Request for Evidence, may USCIS contact you by Fax or E-Mail? ☐ Yes ☐ No

Preparer's Signature | Date (mm/dd/yyyy)

Preparer's Printed Name | Preparer's Firm Name (If applicable)

Preparer's Address

Daytime Phone Number (with area code) | Fax Number (If any) | E-Mail Address (If any)

( ) | ( )

Form I-918 (Rev. 11/23/10) Y Page 8

Question 18 only applies to people who have or once had a J visa. If you have never had a J visa, check **No**.

Question 22a asks if you have a "communicable disease of public health significance": a dangerous infectious disease. For example, do you have syphilis, gonorrhea, tuberculosis and leprosy. If you have a dangerous infectious disease other than HIV/AIDS, check **Yes**.

Question 22b asks if you have a physical or mental disease that means you might hurt yourself or others.

Part 4 asks you about your family.

Even if you are not applying to bring your family members to the U.S., you must provide the requested information about your spouse and all of your children, if any. Attach a separate sheet of paper if you do not have enough room on the form to list of all your children. Remember only to include your spouse if you have been legally married. If you are no longer living with your spouse but have not been legally divorced, you still need to include your spouse here.

Part 5 of the form asks you if you are filing on behalf of family members.

You can apply for your spouse and children to join you in the United States by filling out a form called ***Supplement A***. You can apply for your family members after you get out of detention—you do not have to do it now. If you have filled out Supplement A yourself, check **Yes**. Otherwise, check **No**.

Part 6: Check the form for mistakes and then SIGN and DATE the form using a PEN (not a pencil). Use eight numbers to show the date (for example, February 1, 2012 should be written 02/01/2012).

Part 7: leave blank.

Once you have completed the form, you should review your application very carefully to ensure there are no mistakes.

Step 3: Fill out the waiver form (if applicable)

The next step in your application is asking for a ***waiver*** by filling out Form I-192. There are a few reasons why people might not be allowed to stay in the United States: for example, they might have committed a crime, or they might have entered the country illegally. Read Requirement 4 in Part I of this guide for more advice. If you think one of these reasons applies to you, you need to ask the government for a waiver, which gives you a second chance to stay here.

What if you are not sure whether you need a waiver? In that case, it is best to apply for one. If it turns out that you do not need one, it will not hurt to have asked. You should apply for a waiver unless you are certain you do not need one.

Now we will help you fill in form I-192. Appendix 4 provides a blank Form I-192. The form is also available at www.uscis.gov.

Under **File No**, write your ***alien number***, if you know it. If you do not know it, write "Unknown."

Questions 1–6 ask you your name, date of birth, citizenship, and any addresses you have lived at over the past five years. If you have more than one family name, write them all.

Question 7–10 are for people who are outside the United States. If you are currenty in the U.S. write "N/A" for each of questions 7, 8, 9 and 10.

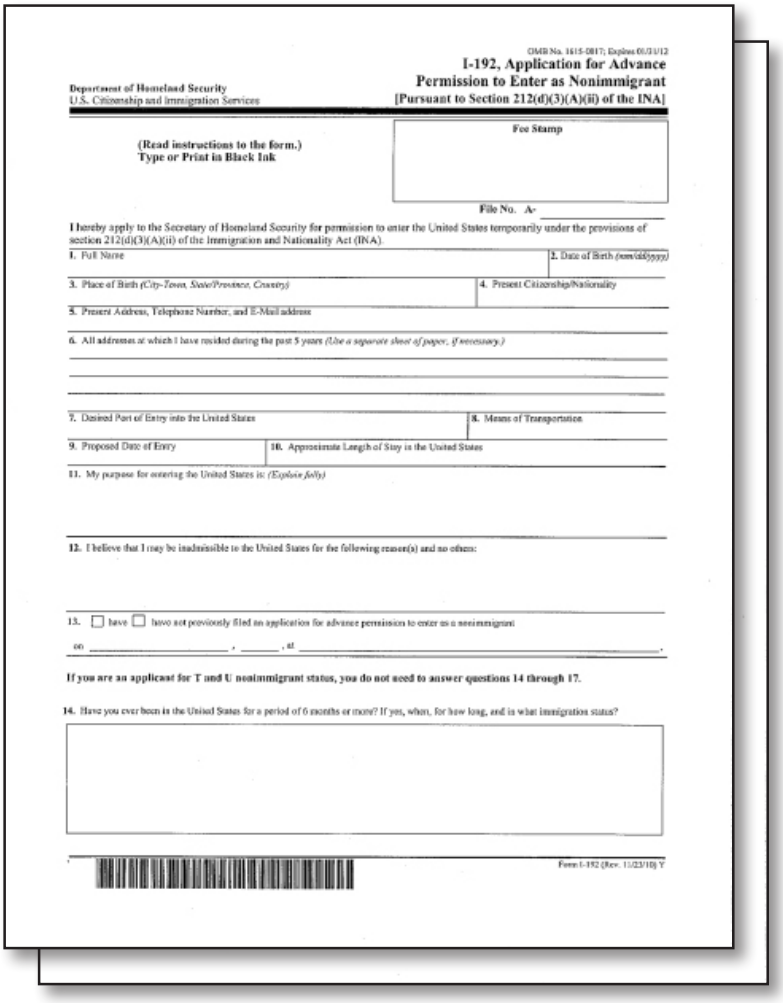
Question 11 asks you why you want to stay in the United States. Write the main reasons you want to be here. Emphasize any family, work and/or community ties here.

Question 12 asks you why you might not be allowed to be in the United States. Read Requirement 4 of Part 1 again to find out what those reasons are.

Make sure you give all the reasons you might not be allowed to stay in the United States.

You should look back at part 3 of Form I-918. Each question you answered **Yes** is a reason that you might need a waiver. So, for each question you answered **Yes**, explain what happened here.

If you have entered the United States illegally, you should mention your illegal entry here.



OMB No. 1615-0017; Expires 01/31/12

I-192, Application for Advance Permission to Enter as Nonimmigrant
[Pursuant to Section 212(d)(3)(A)(ii) of the INA]

Department of Homeland Security
U.S. Citizenship and Immigration Services

(Read instructions to the form.)
Type or Print in Black Ink

Fee Stamp

File No. A-

I hereby apply to the Secretary of Homeland Security for permission to enter the United States temporarily under the provisions of section 212(d)(3)(A)(ii) of the Immigration and Nationality Act (INA).

1. Full Name
2. Date of Birth (mm/dd/yyyy)
3. Place of Birth (City-Town, State/Province, Country)
4. Present Citizenship/Nationality
5. Present Address, Telephone Number, and E-Mail address
6. All addresses at which I have resided during the past 5 years (Use a separate sheet of paper, if necessary.)
7. Desired Port of Entry into the United States
8. Means of Transportation
9. Proposed Date of Entry
10. Approximate Length of Stay in the United States
11. My purpose for entering the United States is: (Explain fully)
12. I believe that I may be inadmissible to the United States for the following reason(s) and no others:
13. ☐ have ☐ have not previously filed an application for advance permission to enter as a nonimmigrant
on _____, _____, at _____.

If you are an applicant for T and U nonimmigrant status, you do not need to answer questions 14 through 17.

14. Have you ever been in the United States for a period of 6 months or more? If yes, when, for how long, and in what immigration status?

Form I-192 (Rev. 11/23/10) Y

Question 13 asks you whether you have ever asked for a waiver before. If you have ever filled out form I-192 before, check **have**, and write the last time you filled it out, and where you filled it out. If you have not filled out form I-192 before, check **have not**.

You do not need to answer questions 14, 15, 16 and 17: just write "N/A" for each question. In question 18, sign and date the form. Leave question 19 blank.

Next, we'll help you fill out the form that lets you ask for a waiver without paying any fee.

Ask the government to let you apply for free

Applying for a waiver costs hundreds of dollars (currently $585) but most people in detention will qualify to apply for free because they do not have any income. At Appendix 5, we included a blank fee waiver form (Form I-912). The form is also available at www.uscis.gov. We recommend you use the Form I-912 to ask the government to let you apply for free. However, if it is too difficult for you to complete this form, you can also write on a separate piece of paper the reasons why you need to apply for the waiver for free (for example, you are in detention and have no job and no income).

The government may let you apply for free if you answer "Yes" to one of the three questions below:

Are you on a public benefit?

If you, your spouse or your children are receiving food stamps or Medicaid, or another public benefit, then the government may let you apply for free.

Do you have a low income?

If you do not earn much money, the government may let you apply for free. In order to decide, the government will add up the money that everyone in your household makes.

Is there another reason you cannot pay?

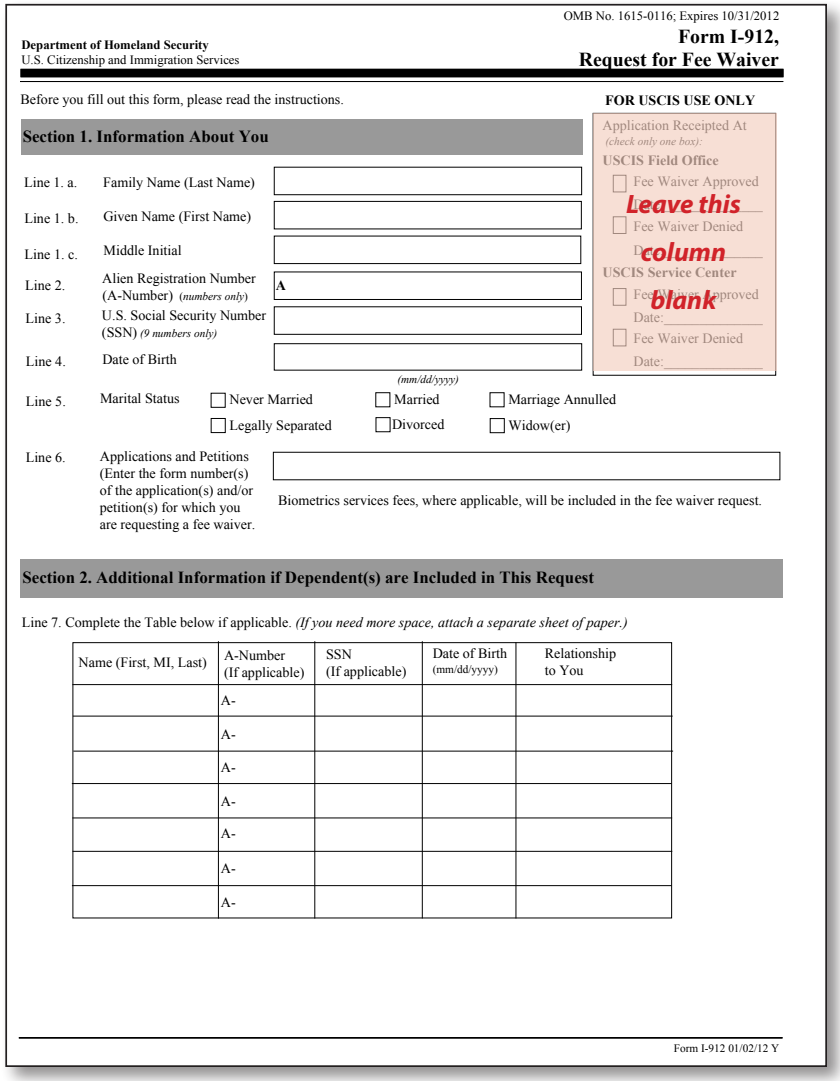
If you show the government you cannot pay—for example, if you have been fired because you were detained by ICE—then it may let you apply for free.

In **line 1**, fill out your name. If you have two family names, write them both. In **line 2**, write your ***alien number***, if you know it; otherwise, write "Unknown." In **line 3**, write your *valid* social security number, if you have one; otherwise, write "N/A." In **line 4**, write your date of birth.

In **line 5**, check the box next to your marital status.

In **line 6**, write "I-192."

If you are applying on behalf of your spouse and children, and they need waivers as well, this is where you fill out their names. You should leave this section blank unless you have already filled out a I-918 Supplement A for your children.



OMB No. 1615-0116; Expires 10/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-912,
Request for Fee Waiver

Before you fill out this form, please read the instructions.

FOR USCIS USE ONLY

Application Receipted At *(check only one box):*
USCIS Field Office
☐ Fee Waiver Approved
Leave this
☐ Fee Waiver Denied
column
USCIS Service Center
☐ Fee Waiver Approved
blank
Date:
☐ Fee Waiver Denied
Date:

Section 1. Information About You

Line 1. a.	Family Name (Last Name)	
Line 1. b.	Given Name (First Name)	
Line 1. c.	Middle Initial	
Line 2.	Alien Registration Number (A-Number) *(numbers only)*	A
Line 3.	U.S. Social Security Number (SSN) *(9 numbers only)*	
Line 4.	Date of Birth *(mm/dd/yyyy)*	

Line 5. Marital Status ☐ Never Married ☐ Married ☐ Marriage Annulled ☐ Legally Separated ☐ Divorced ☐ Widow(er)

Line 6. Applications and Petitions (Enter the form number(s) of the application(s) and/or petition(s) for which you are requesting a fee waiver.

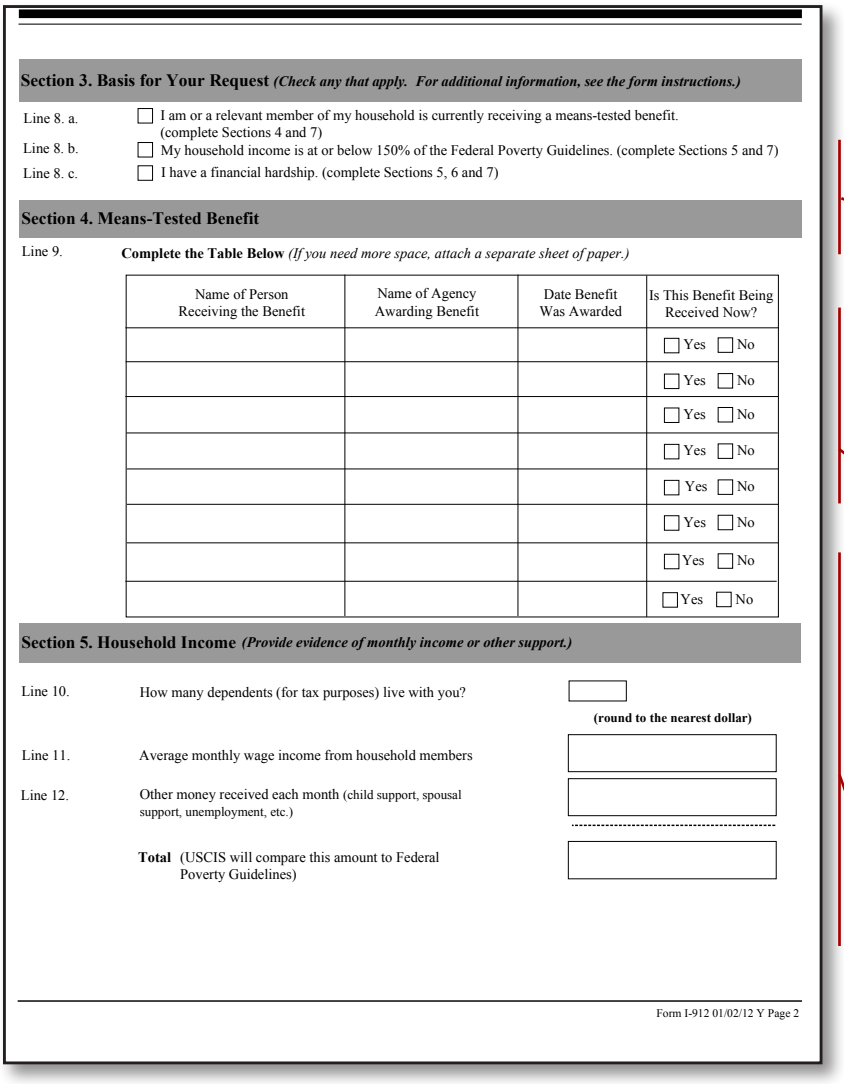
Biometrics services fees, where applicable, will be included in the fee waiver request.

Section 2. Additional Information if Dependent(s) are Included in This Request

Line 7. Complete the Table below if applicable. *(If you need more space, attach a separate sheet of paper.)*

Name (First, MI, Last)	A-Number (If applicable)	SSN (If applicable)	Date of Birth (mm/dd/yyyy)	Relationship to You
	A-			
	A-			
	A-			
	A-			
	A-			
	A-			
	A-			

Form I-912 01/02/12 Y



Section 3. Basis for Your Request *(Check any that apply. For additional information, see the form instructions.)*

Line 8. a. ☐ I am or a relevant member of my household is currently receiving a means-tested benefit. (complete Sections 4 and 7)

Line 8. b. ☐ My household income is at or below 150% of the Federal Poverty Guidelines. (complete Sections 5 and 7)

Line 8. c. ☐ I have a financial hardship. (complete Sections 5, 6 and 7)

Section 4. Means-Tested Benefit

Line 9. **Complete the Table Below** *(If you need more space, attach a separate sheet of paper.)*

Name of Person Receiving the Benefit	Name of Agency Awarding Benefit	Date Benefit Was Awarded	Is This Benefit Being Received Now?
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

Section 5. Household Income *(Provide evidence of monthly income or other support.)*

Line 10. How many dependents (for tax purposes) live with you? ☐

(round to the nearest dollar)

Line 11. Average monthly wage income from household members ☐

Line 12. Other money received each month (child support, spousal support, unemployment, etc.) ☐

Total (USCIS will compare this amount to Federal Poverty Guidelines) ☐

Form I-912 01/02/12 Y Page 2

The box on page 27 tells you the three reasons the government may let you apply for free. This is where you say which reasons apply to you. You can check more than one box if more than one reason applies to you.

If you, your spouse or your children are receiving a public benefit, check **line 8a** and fill out section 4, as described below.

If your household income is low, check **line 8b** and fill out section 5, as described below.

If you cannot pay for some other reason, check **line 8c** and fill out section 6, as described below.

Fill out this section if you checked line 8a.

If you checked line 8a, list the public benefits in **line 9**. In the first column, if you are receiving the benefit, write your name; if your child is receiving the benefit, write the name of your child and then write "(child)." In the second column, write what kind of benefit it is: for example, "Food Stamps." In the third column, write when the benefit started as best you can remember. In the fourth column, check "Yes" if the benefit is still being received.

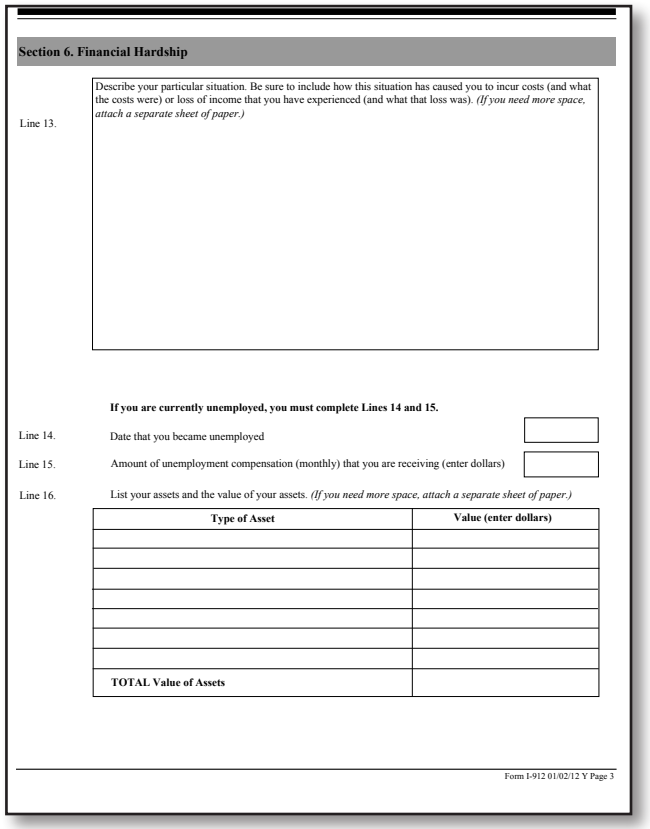
Fill out this section if you checked line 8b.

In **line 10**, fill out the number of people in your household. Include yourself, your spouse, your parents if they live with you, and any unmarried children under 21 who live with you.

In **line 11**, write how much money the people in the household earn in an average month.

In **line 12**, write how much other money comes into the household in an average month, such as child support or disability.

Then add lines 11 and 12 together, and write the sum next to **Total**.



Section 6. Financial Hardship

Line 13. Describe your particular situation. Be sure to include how this situation has caused you to incur costs (and what the costs were) or loss of income that you have experienced (and what that loss was). *(If you need more space, attach a separate sheet of paper.)*

If you are currently unemployed, you must complete Lines 14 and 15.

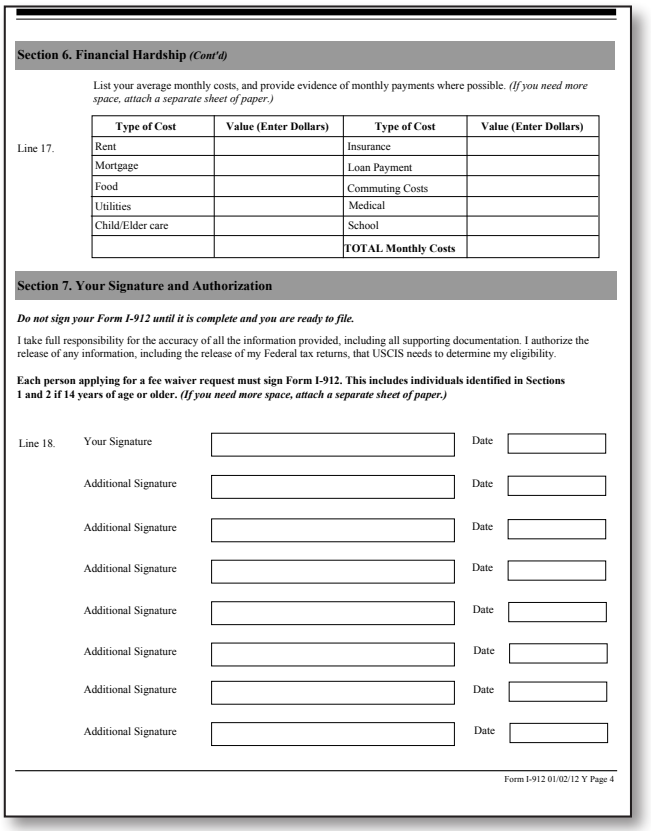
Line 14. Date that you became unemployed

Line 15. Amount of unemployment compensation (monthly) that you are receiving (enter dollars)

Line 16. List your assets and the value of your assets. *(If you need more space, attach a separate sheet of paper.)*

Type of Asset	Value (enter dollars)
TOTAL Value of Assets	

Form I-912 01/02/12 Y Page 3



Section 6. Financial Hardship *(Cont'd)*

Line 17. List your average monthly costs, and provide evidence of monthly payments where possible. *(If you need more space, attach a separate sheet of paper.)*

Type of Cost	Value (Enter Dollars)	Type of Cost	Value (Enter Dollars)
Rent		Insurance	
Mortgage		Loan Payment	
Food		Commuting Costs	
Utilities		Medical	
Child/Elder care		School	
		TOTAL Monthly Costs	

Section 7. Your Signature and Authorization

Do not sign your Form I-912 until it is complete and you are ready to file.

I take full responsibility for the accuracy of all the information provided, including all supporting documentation. I authorize the release of any information, including the release of my Federal tax returns, that USCIS needs to determine my eligibility.

Each person applying for a fee waiver request must sign Form I-912. This includes individuals identified in Sections 1 and 2 if 14 years of age or older. ***(If you need more space, attach a separate sheet of paper.)***

Line 18. Your Signature — Date

Additional Signature — Date

Additional Signature — Date

Additional Signature — Date

Additional Signature — Date

Additional Signature — Date

Additional Signature — Date

Additional Signature — Date

Form I-912 01/02/12 Y Page 4

Fill out this section if you checked line 8c.

Line 13 asks you to describe your situation in your own words, and explain why you cannot pay. For example, if you are in detention, you should say so, and say that being detained has made it harder to pay the fee because you have no income.

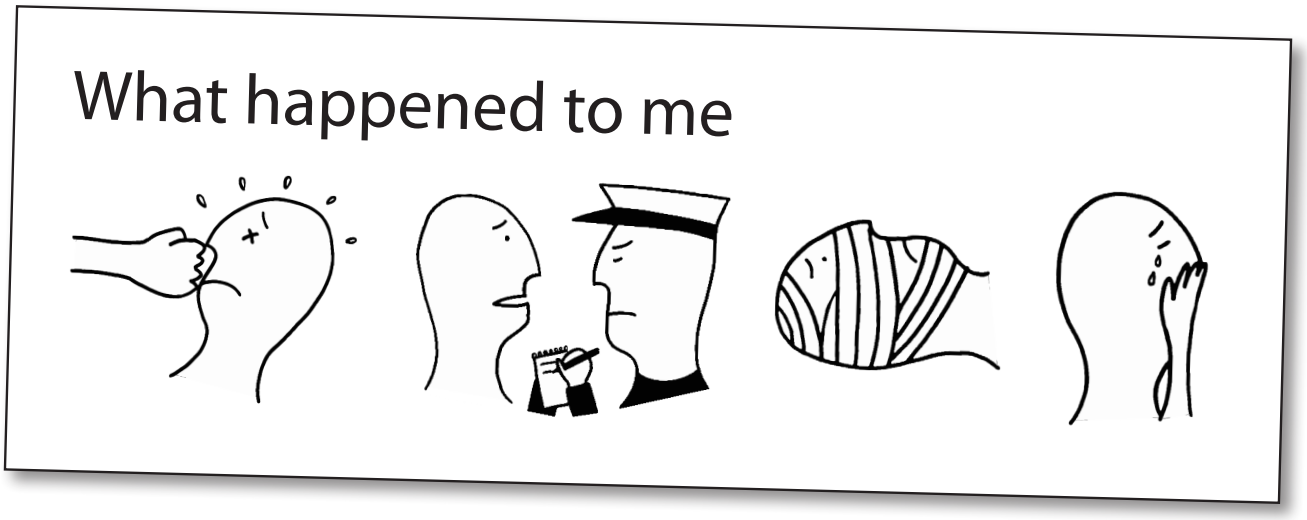
If you have been fired or laid off, or if you quit your job, write the date this happened in **line 14**.

The government also wants to know if you have ***assets***—things with significant value, like a car or a computer you own. Try to think of all the assets you own. Then list them in **line 16**. Add up their total value, and write this next to **TOTAL Value of Assets**.

In **line 17**, write roughly how much you spend every month on each item. If you have any other monthly costs, add them on an extra sheet of paper. This also includes any family expenses. Then add up all your monthly spending and write it next to **TOTAL Monthly Costs**.

Sign and date the form next to **Your Signature**. Leave the other signature spaces blank.

Step 4: Write a personal statement about what happened to you



Tell Your Story

You must include a personal statement about what happened to you with your U-Visa application. This statement is your opportunity to tell the government why you should get a U-Visa. Remember there is no court hearing or interview - the statement is your only opportunity to explain everything that happened to you. So you should tell the government how you meet all the requirements: ***crime***, ***helpfulness***, and ***harm***. Read Part I of this Manual again to remind yourself of what these requirements are. You should also say why you deserve foregiveness for any crimes you have committed or for any immigration violations.

The statement also helps you explain any gaps in your story or anything that might seem strange to the government. For example, if you did not seek medical help after being injured, you can explain that you could not afford to, or that you were afraid to because you did not have papers. You can also use your statement to explain any answers to questions on the other U-Visa forms you filled out.

Your personal statement must be in English so if you do not speak English you will need to find someone to help you translate it into English. But, be sure to include your original statement in your native language because the government likes to get written statements in your own language, as long as you have it translated.

At Appendix 6, we have included blank paper for you to write your personal statement.

Content of Your Personal Statement

Below is a list of questions you should answer in your statement. There is no form so these questions are a way to get you started. The first box asks some basic questions about you. The middle three boxes ask questions about the three U-Visa requirements. The last box asks questions about why you should get a waiver, if you need one. Try to write a statement that has answers to all of these questions.

Questions you should answer in your statement

About you

- What is your full name?
- What is your date of birth?
- Where were you born?
- When did you come to the U.S.?
- How did you come to the U.S?
- Why did you come to the U.S.?

The crime

- What crime were you the victim of?
- Who did the crime?
- Did they do it once, or many times?
- When did it happen?
- Where did it happen?
- How did it happen?
- Did anyone see it happen?

How you were hurt?

- How did the crime hurt you?
- Were you hurt physically?
- Were you hurt mentally?
- How badly were you hurt?
- If you were already sick, did the crime make you worse?
- Did you recover?
- Did you take any medicine?
- Did you see a doctor or a therapist?
- If you didn't get help, why not?
- Did anyone else know you were hurt?
- If you suffered domestic abuse, did you suffer harm over a period of time? If so, explain.

How you helped police?

- Did the police come?
- Did you call the police?
- If you didn't call the police, why not?
- Were you afraid to call the police?
- Did you make a statement to police?
- Was the person charged with a crime?
- Did you tell the police who did the crime?
- Did you help the police in any other ways?
- Did they make any arrests?
- Was there a trial?
- Did you testify at the trial?
- Was the person convicted?

Why you should get a waiver

You only need to answer these questions if you are applying for a waiver. See Part I, Requirement 4.

- Why do you need a waiver?
- Did you commit a crime or break immigration laws?
- Why did you break the law?
- Do you regret doing it?
- Have you changed your life since then?
- Did you use drugs as a way of coping with the daily abuse you suffered?
- How will you avoid breaking the law in the future?
- Were you in jail or on probation?
- Did you attend all the meetings and classes you had to go to?
- Do you have family in the United States? How will it affect them if you leave?

How do I write my statement?

Look at the template below. It shows you what the beginning of your statement should look like. The shaded parts at the beginning show where you should put your own name, your place and date of birth, the date when you came to the United States, and so on. The shaded parts further down the statement show where you should describe in your own words the crime you suffered, how it hurt you, how you helped police, and why you need a waiver. The government wants to hear what happened to you in your words. Do not worry about spelling or grammar mistakes.

Break your statement into sections and number each paragraph. This will help your statement look neat and organized.

The template below is not a whole statement. We have left gaps where you should put in your own words.

IMPORTANT NOTE: refer back to the Chart on Page 31 to see what questions you must answer in your statement.

IMPORTANT NOTE: You must include that you sign the statement under the penalty of perjury and that everything is true and correct to the best of your knowledge.

You MUST sign and date the statement in pen.

Declaration of (Full Name) in Support of U-Visa Application

1. My name is (full name).
2. I was born in (place of birth) on (date of birth).
3. I first came to the United States on (date).
4. (Explain how you came to the United States.)
5. (. . .)

8. On (date), I was the victim of (crime).
9. (Say who did the crime.)
10. (Explain what happened to you.)
11. (Give more details about the crime.)
12. (. . .)

(Keep going. Write about how you were hurt, how you helped the police, and why you need a waiver.

31. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Signature

Full name

Today's date

Read over your draft

When you have finished your draft, you should look back through it. Make sure you have explained how you meet all the requirements for a U-Visa, and that you have included every piece of information that could help your application. Again, refer to the Chart on Page 31 to make sure you include all of the necessary information that applies to you.

Remember to always tell the truth: **if you are caught lying, you may not get a U-Visa.**

Questions

1. "How long should my statement be?"

It does not have to be long. All you need to do is explain what happened to you, the harm you suffered, how you helped the police, and why you should get a waiver.

2. "Does the statement have to be in English?"

Yes, the statement must be in English. If you cannot write in English, write it in your native language and ask someone to translate it for you. See Page 38 for more information on translation.

You have now done everything you need to do to get a U-Visa. Next, at Step 5, we talk about how you can make your application stronger, by gathering extra documents.

Step Five: Try to Obtain Additional Documents to Support your Case

You can help your case by sending the government extra documents, like the police report from the crime you suffered, or a letter from a doctor. In this section, we will help you collect these documents. Although these documents are not necessary (you can still apply for a U-Visa without them) they help strengthen your case. You should do everything possible to obtain at least some of these additional documents.

Get your police report and court records

It is useful to have a copy of your police report and court records when you apply for a U-Visa. But first, we will explain what these documents are.

What's in the police report?

When the police investigated the crime of which you were a victim, they made a ***police report***. This report will contain your name, the names of any suspects or witnesses, a description of what the police saw happening, and a record of what people told the police. It is kept on file at the police department. It will be useful for you to have a copy. It will show:

- *that a crime was committed*
- *what the police saw and heard*
- *whether you helped the police*
- *whether you suffered harm*
- the ***police report number***, which will help other people identify the crime

IMPORTANT NOTE: although not required, it is very helpful and beneficial to your application to include a copy of the police report. Fortunately, as a victim of a crime, it is typically easy to obtain a copy of the police report.

You can also try to get court records. If the police charged someone for the crime you were a victim of, there will be ***court records*** of the case. These records will include the charges, and they will say what happened at each court hearing. It will be useful to have these records. They will show:

- *that you were the victim of a crime*
- *who was charged*
- *what the charges were*
- *whether they pleaded guilty*
- *whether they were tried and found guilty*
- *the case number, which will help other people identify the case*

These documents are useful because they prove that a crime happened and that you helped the police. They may also prove that you were harmed. This is why it is important to try to get these documents. But they are not essential, so do not worry if you find it impossible to get them.

Get a copy of your police report

To get a copy of your police report, you need to ask the police who investigated the crime. This is the same police department that signed the Supp-B.

Most police departments ask you to fill out a form to get a copy of your police report. You might ask someone outside of detention to check the website of the police department. It will explain how to get the form and fill it out, and where to send it. Or, you or someone helping you can call the police department and find out how to get a form for requesting a police report.

Some police departments make you send a stamped envelope, so they can send the form back to you. Some also charge a small fee.

If you are unable to get the police department's form for requesting records, then write a letter. In the letter say that you were the victim of a crime which they investigated. Explain that you cannot send them the form because you are in immigration detention. **Give the police this information:**

- *your full name, sex, and date of birth*
- *the time and place that the crime happened*
- *the names of any witnesses*
- *the names of any suspects*
- *the police report number, if you know it*
- *anything else you think will help find the report*

Attached at Appendix 7 is a sample letter to the police. You can use this letter to try to get your police report.

Finding phone numbers and addresses

In detention, it can be hard to find phone numbers and addresses. You could try asking a deputy if there is a telephone directory you could use. But often, the easiest way is to get help from outside.

Make a list of phone numbers you want: these might include police departments, courts, and doctors. Then think of a friend or relative who could look them up for you. Or ask someone else in detention if they could phone a friend and find them out for you.

When you have the phone numbers, call and ask for the address yourself. That way, you can be sure your letter will be sent to the right place.

Get a copy of the court records

If the police charged someone with a crime against you, you can ask the court for records of the case.

The ***clerk of the court*** handles the court records. But different clerks have different rules. Sometimes they ask you to fill out a form. Sometimes they ask for a fee. If you have someone helping you, get them to visit the court's website and find out how to ask for records.

Often, a first step in getting the court records is finding the ***case number***. Once you have this number, it is much easier to ask for copies of the court records. Some court websites let you search for the case number using the name of the person who harmed you—called the ***defendant***. Otherwise, see if you can get help from someone outside of detention to visit the court to ask how to find the case number and get a copy of the court records. They should be ready to tell the clerk the name of the defendant (if you know it), and around when the charges were filed. They should ask for a copy of all the court records, including the *complaint*, the *plea*, the *disposition*, the *judgment*, and all the *minute orders*.

If you do not have anyone to help you, you can write to the clerk of the court to ask for a copy of the records. Explain that you were the victim of the crime. Say that you are in immigration detention.

Tell the clerk:

- *the defendant's name and date of birth, if you know it*
- *the case number, if you know it*
- *the date that charges were filed, as nearly as you can remember*
- *your detention address*
- *that you would like a copy of the complaint, the disposition, and any minute orders that show a conviction.*

Call the court to find out the address to send your letter. Tell the clerk what you have written, and make sure it is enough for them to help you.

Often, court records are destroyed after a certain time. Do not worry if you cannot get a copy of the records: they are very useful, but they are not essential.

Get letters from doctors and mental health professionals

When the government looks at your application, it is very interested in seeing evidence that you suffered harm. So it helps to have ***letters from doctors and/or mental health professionals*** (therapists, counselors, psychologists, psychiatrists, etc.), which prove that you suffered emotional and/or physical injuries. It is also useful to have copies of your ***medical records***. In this step, we will explain how to get these papers.

Remember that these documents are not necessary but are helpful if you have them or can get them.

Obtain medical records from hospitals/ clinics

Contact the clinic or hospital that treated you for your injuries and ask for a complete copy of your medical records. If you have someone helping you obtain your medical records, that person will need to sign a "medical release" in order for the hospital to release your records to someone other than you. To obtain the "medical release" ask the person helping you to contact the hospital or clinic to get a copy of their release. You will then need to sign the release and the signed release must be given to the hospital or clinic before they will release the records.

Obtain letters from doctors and/or mental health professionals

These letters are not the same as medical records. They are written specially to describe what harm you suffered and what treatment you have received. If a doctor treated you for the injuries you suffered as a victim of a crime, you can ask your doctor for a letter explaining your injuries and any treatment you received. Similarly, if a mental health professional helped you deal with the mental harm you faced, ask them for a letter explaining what you suffered (for example, depression, post traumatic stress disorder, etc.).

Call the doctor and/or mental health professional and explain that you would like a letter which says:

- what harm you suffered, and how serious it is
- how it has affected you and your life
- whether it made any other conditions worse
- what treatment you received
- how you responded to treatment

Does the evidence match your statement?

When you collect documents, you should look again at the statement you wrote in Step 4.

Make sure what you have said about the crime you suffered matches up to the evidence. For example, does the medical report match the injury you say you suffered in your personal statement? If it does not match up, you should either change your personal statement or talk about why the medical report is different.

Get letters from friends, family and community members

Letters from people who saw or heard what happened to you are a good way of showing you suffered harm because of the crime. You can also get letters from people who saw what effects the crime had on you mentally and/or physically. Also, letters can help if you need a waiver because of crimes or immigration violations you committed in the past. Letters from friends, family, and/or community members can help show that you have strong ties in the United States and that you deserve to stay here. These letters should be detailed. For example, if a family member witnessed that you were sad after the crime, they should not only say in their letter that you were sad. They should also say why they think you were sad - for example, that you cried a lot, or you had a hard time sleeping.

These letters can be in a foreign language, but they have to be translated into English when you send them to the government. We explain later how to get them translated.

Think carefully about who to ask. The more letters you get, the better. Other than family and friends, you might also see about getting letters from the following people (if applicable):

- Teachers
- Leaders in churches, mosques, synagogues, temples or other religious institutions
- Teammates, if you played sports
- Co-workers

Once you get the letters, you can send them with the rest of your application.

Other Evidence

Think about whether there are other documents that might help show what happened to you. Below is a list of other documents to try to get.

Other Evidence of the Crime and your Helpfulness to the Police:

- Pictures of your injuries
- Restraining order(s) sometimes called protection orders
- Record of any 911 calls
- Newspaper articles describing the crime

Other Evidence to Show that you are a Good Person and Deserve to be Forgiven for Crimes and/or Immigration Violations:

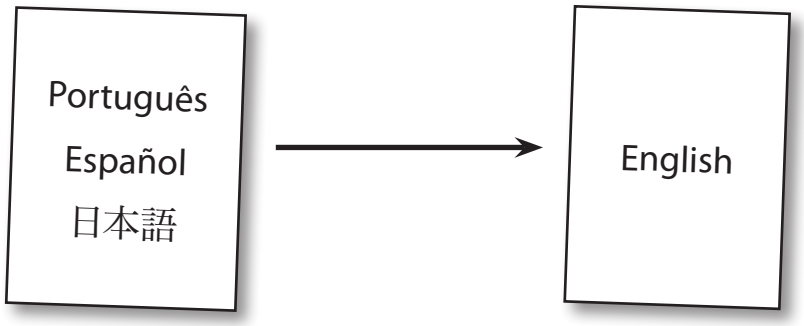
- Evidence to show your community ties (volunteer work, awards received, work history, etc.)
- Evidence of rehabilitation (for example, if you used to abuse drugs or alcohol, evidence that you have taken classes and are rehabilitated)
- Copies of birth certificates of U.S. citizen children
- Letters from work supervisors, church clergy, your child's teacher(s), neighbors and friends talking about what a good person and/or parent you are
- Letters from family or friends in your home country describing how difficult your life would be if you had to return.

Step Six: Put together your application

Congratulations!

You have gathered all the documents you need to apply for a U-Visa. Below are the remaining steps you must take to finish your application.

Get documents translated



If any of the documents that you will send with your application is in a language other than English, you will need to get them translated. If you have a friend or family member help you with the translation, be sure they are fluent in both languages. It does not have to be the same person who translates all of your documents. You should always send the government both the original document and the translation.

Anyone who translates a document for you must write this at the end of the document and sign it:

I certify that I am competent to translate from (Spanish/Chinese/...) into English. I certify that this translation is complete and accurate.

Signature
(Name of translator)

Get the cover letter ready

At Appendix 8, we have attached a cover letter for you to use. It is important that you send the cover letter at the front of your U-Visa application. It makes your application look more professional, and it helps the government understand what you are applying for.

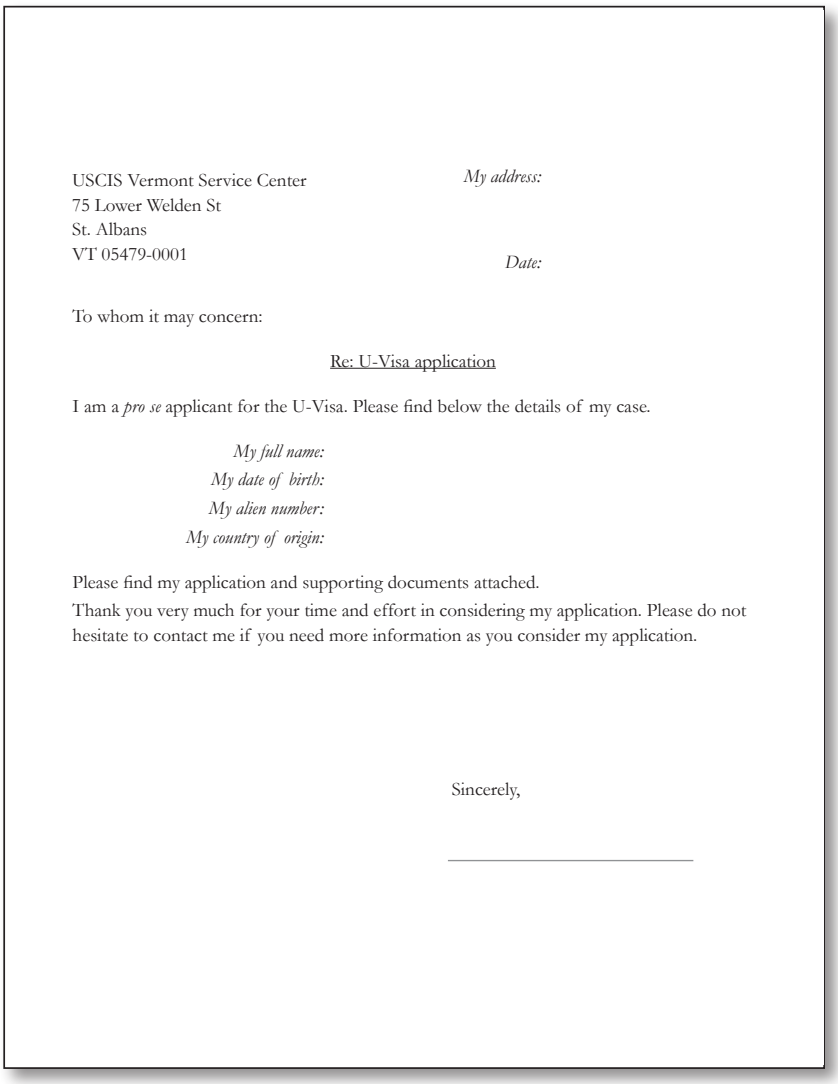
Most of the cover letter is written for you. You only need to fill in the blank spaces that we have left, such as your name, date of birth, and country of origin.

Make sure you do not confuse the cover letter for your whole application with the cover letter you use to get a Supp-B from police. *See Part II, Step 1.*

In the top right of the letter, you should write the address where you want to receive mail (ideally a friend or family member's address) and today's date. You should do everything possible to find a "safe" address where you can receive mail. That way, if you move, your mail will not get lost. If you do not have another address, write "ICE Custody", and then the address of your detention facility.

In this section, fill out your name, date of birth, country of origin, and alien number. If you do not know your alien number, write "Unknown."

Under "Sincerely," sign the letter.



USCIS Vermont Service Center
75 Lower Welden St
St. Albans
VT 05479-0001

My address:

Date:

To whom it may concern:

Re: U-Visa application

I am a *pro se* applicant for the U-Visa. Please find below the details of my case.

My full name:
My date of birth:
My alien number:
My country of origin:

Please find my application and supporting documents attached.
Thank you very much for your time and effort in considering my application. Please do not hesitate to contact me if you need more information as you consider my application.

Sincerely,

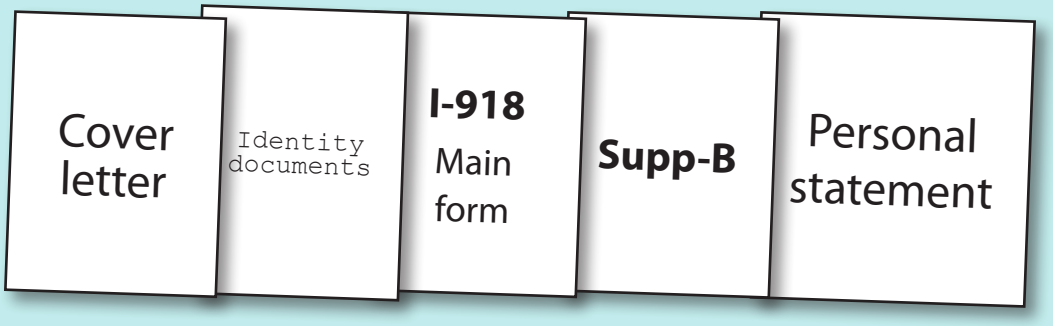
_____

Obtain a copy of your identity document

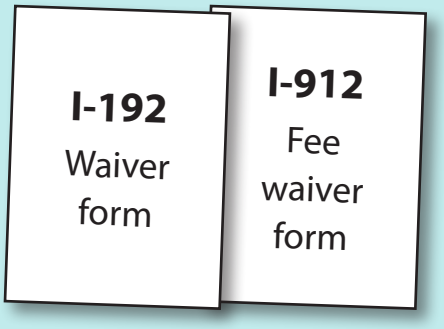
You should include a copy of one of your identity documents with your U-Visa application. If you have a passport, you should include a copy of the biographic page of your passport (this is the page with your picture on it). If you do not have a valid passport, you must say specifically in your cover letter that you do not have a pasport and that you are unable to get one because you are currently detained. Other forms of ID might include your birth certificate, your drivers license, and your ID card. If you do not have an ID, you will be asked to submit one at a later date to immigration.

Gather everything together

Necessary



Necessary for a waiver



Optional but highly recommended

Gather together all the documents you have, in the order we have shown above. Make sure you have everything. Check the Checklist on Page 6 of this Manual to confirm.

Now is a good time to read through your application one last time to ensure everything is correct. Look through Part II again, and see whether you have filled in all the forms correctly. Read your personal statement, and make sure that what you say matches what is in the rest of your application.

Once you are sure everything is finished, it is time to send your application.

Step Seven: Send your application

Once your application is complete, you must mail your application to the government to the address on the envelope below. The government agency that will decide whether to approve your application is called U.S. Citizenship and Immigration Services, the Vermont Service Center.

What to do when the government asks for your more information

Sometimes the government will want you to give them more information before they can make a decision on your application. If that happens, they will send you a letter called a ***Request for Evidence***, or ***RFE***. The government will tell you the deadline.

If you are in detention, though, you may not get the RFE until a long time after they send it, and you may not be able to send them the information by the date that they want. If that happens to you, do not lose hope. The government often considers information that they get later than the deadline if there was a good reason why you could not send the information earlier. Just send the information as soon as possible, and send a note with it that explains that you could not send it sooner because you are in detention.

Getting fingerprinted

One piece of information that the government will need from you is your fingerprints. Usually, they will send you a letter after they get your application in which they ask for your fingerprints. This letter also will tell you when and where you should go to get your fingerprints taken. If ICE agents come regularly to your detention center, you should show them the request for fingerprints and ask them to arrange transportation for you to have the fingerprints taken on that date. Do not worry if ICE agents do not come regularly, or if they will not come until after you need to have your fingerprints taken. If that happens, you can ask the sheriff's deputies or ICE official at your facility to put you in touch with someone who can arrange transportation for you to have your fingerprints taken.

If you miss your appointment or cannot get your fingerprints taken on the day that they assign to you, just get your fingerprints taken at the same place on a different day. Often, the government does not mind if you have to get your fingerprints taken on a different day.

If it is completely impossible to go and get your fingerprints taken, you can write a letter to the government to explain the situation and ask them to let you do paper fingerprints. Before you get to that point, though, you should try all of the suggestions above to get your fingerprints taken in the way that the government prefers.

Now you know everything that you need to know to decide whether you are eligible for a U-Visa, and to put your application together. We hope that these materials have been helpful to you as you try to find ways to stay in this country.

REMEMBER: The information contained in this U-Visa Manual is specifically for individuals in detention in Northern California who are representing themselves in filing their U-Visa applications. This Manual is intended as an informative and practical resource for *pro se* applicants (those without lawyers), and is not a substitute for legal advice from an experienced lawyer. Immigration law is complex and ever-changing and for these reasons, it is always best, if possible, to get advice on a particular case from a lawyer or victim advocate familiar with U-Visas.

APPENDIX 1

I-918 Supplement B Form

OMB No. 1615-0104: Expires 07/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-918 Supplement B, U Nonimmigrant Status Certification

START HERE - Please type or print in black ink.

For USCIS Use Only.

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	

Remarks

Part 1. Victim information.

Family Name | Given Name | Middle Name

Other Names Used *(Include maiden name/nickname)*

Date of Birth *(mm/dd/yyyy)* | Gender ☐ Male ☐ Female

Part 2. Agency information.

Name of Certifying Agency

Name of Certifying Official | Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

Agency Address - Street Number and Name | Suite #

City | State/Province | Zip/Postal Code

Daytime Phone # *(with area code and/or extension)* | Fax # *(with area code)*

Agency Type
☐ Federal ☐ State ☐ Local

Case Status
☐ On-going ☐ Completed ☐ Other: _____

Certifying Agency Category
☐ Judge ☐ Law Enforcement ☐ Prosecutor ☐ Other: _____

Case Number | FBI # or SID # *(if applicable)*

Part 3. Criminal acts.

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. *(Check all that apply.)*

☐ Abduction	☐ Female Genital Mutilation	☐ Obstruction of Justice	☐ Slave Trade
☐ Abusive Sexual Contact	☐ Hostage	☐ Peonage	☐ Torture
☐ Blackmail	☐ Incest	☐ Perjury	☐ Trafficking
☐ Domestic Violence	☐ Involuntary Servitude	☐ Prostitution	☐ Unlawful Criminal Restraint
☐ Extortion	☐ Kidnapping	☐ Rape	☐ Witness Tampering
☐ False Imprisonment	☐ Manslaughter	☐ Sexual Assault	☐ Related Crime(s)
☐ Felonious Assault	☐ Murder	☐ Sexual Exploitation	☐ Other: *(If more space needed, attach seperate sheet of paper.)*
☐ Attempt to commit any of the named crimes	☐ Conspiracy to commit any of the named crimes	☐ Solicitation to commit any of the named crimes	

Part 3. Criminal acts. *(Continued.)*

2. Provide the date(s) on which the criminal activity occurred.

Date *(mm/dd/yyyy)*	Date *(mm/dd/yyyy)*	Date *(mm/dd/yyyy)*	Date *(mm/dd/yyyy)*

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States? ☐ Yes ☐ No

   a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute? ☐ Yes ☐ No

   b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

   c. Where did the criminal activity occur?

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Part 4. Helpfulness of the victim.

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in **Part 3.**	☐ Yes	☐ No
2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. *(Attach an explanation briefly detailing the assistance the victim has provided.)*	☐ Yes	☐ No
3. Has not been requested to provide further assistance in the investigation and/or prosecution. *(Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)*	☐ Yes	☐ No
4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. *(Attach an explanation.)*	☐ Yes	☐ No

Part 4. Helpfulness of the victim. *(Continued.)*

5. Other, please specify.

Part 5. Family members implicated in criminal activity.

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☐ No

2. If "Yes," list relative(s) and criminal involvement. *(Attach extra reports or extra sheet(s) of paper if necessary.)*

Full Name	Relationship	Involvement

Part 6. Certification.

I am the head of the agency listed in **Part 2** or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in **Part 1** is or has been a victim of one or more of the crimes listed in **Part 3**. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2. **Date** *(mm/dd/yyyy)*

APPENDIX 2

Supp-B Cover Letter

My address:

Date:

To whom it may concern:

Re: Supp-B for U-Visa application

I was the victim of a crime which your department investigated. I am applying for a U-Visa *pro se*. Please find below the details of my case.

My full name:
My date of birth:
The crime of which I was the victim:
Where the crime took place:
When the crime took place:
How I was helpful to police:

I respectfully ask you to complete and sign the copy of Form I-918 Supplement B that I have attached. If you are not the appropriate person to complete the attached form, please accept my apologies and pass the form to the certifying official.

Thank you very much for your time and effort. Please do not hesitate to contact me by mail if you need more information as you consider my request.

Sincerely,

_____

Prepared based on *pro se* materials produced by the Immigrants' Rights Clinic of Stanford Law School on behalf of Centro Legal de la Raza in Oakland, California.

APPENDIX 3

I-918 U-Visa Application Form

OMB No. 1615-0104; Expires 07/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-918, Petition for U Nonimmigrant Status

START HERE - Please type or print in black ink.

Part 1. Information about you. *(Person filing this petition as a victim)*

Family Name | Given Name | Middle Name

Other Names Use (Include maiden name/nickname)

Home Address - Street Number and Name | Apt. #

City | State/Province | Zip/Postal Code

Safe Mailing Address (if other than above) - Street Number and Name | Apt. #

C/O (*in care of*):

City | State/Province | Zip/Postal Code

Home Telephone # *(with area code)* | Safe Daytime Phone # *(with area code)* | E-Mail Address *(optional)*

A # *(if any)* | U.S. Social Security # *(if any)* | Gender ☐ Male ☐ Female

Marital Status
☐ Single ☐ Married ☐ Divorced ☐ Widowed

Date of Birth *(mm/dd/yyyy)* | Country of Birth

Country of Citizenship | Passport #

Place of Issuance | Date of Issue *(mm/dd/yyyy)*

Place of Last Entry | Date of Last Entry *(mm/dd/yyyy)*

I-94 # *(Arrival/Departure Document)* | Current Immigration Status

For USCIS Use Only.

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	

U.S. Embassy/Consulate:

Validity Dates
From: _____
To: _____

Remarks

Conditional Approval
Stamp #: | Date

Action Block

To Be Completed by
Attorney or Representative, if any.
☐ Fill in box if G-28 is attached to represent the applicant.

ATTY State License #

Part 2. Additional information.

Answers to the questions below require explanations and supporting documentation. Attach relevant documents in support of your claims that you are a victim of criminal activity listed in the Immigration and Nationality Act (INA), section 101(a)(15)(U). You must also attach a personal narrative statement describing the criminal activity of which you were the victim. If you are only petitioning for U derivative status for a qualifying family member(s) subsequent to your (the principal petitioner) initial filing, evidence supporting the original petition is not required to be submitted with the new Form I-918.

Attach additional sheets of paper as needed. Write your name and Alien Registration Number (A #), if any, at the top of each sheet and indicate the number of the item that refers to your answer. Include the Part and letter or number relating to the additional information you provided (example: Part 2, Z).

Check either "Yes" or "No" as appropriate to each of the following questions.

1. I am a victim of criminal activity listed in the INA at section 101(a)(15)(U). ☐ Yes ☐ No

2. I have suffered substantial physical or mental abuse as a result of having been a victim of this criminal activity. ☐ Yes ☐ No

3. I possess information concerning the criminal activity of which I was a victim. ☐ Yes ☐ No

4. I am submitting a certification from a certifying official on Form I-918 Supplement B, U Nonimmigrant Status Certification. ☐ Yes ☐ No

5. The crime of which I am a victim occurred in the United States including Indian country and military installations) or violated the laws of the United States. ☐ Yes ☐ No

6. I am under the age of 16 years. ☐ Yes ☐ No

7. I want an Employment Authorization Document. ☐ Yes ☐ No

8. Have you ever been in immigration proceedings? ☐ Yes ☐ No

If "Yes," what type of proceedings? *(Check all that apply.)*

☐ Removal Date *(mm/dd/yyyy)*	☐ Exclusion Date *(mm/dd/yyyy)*	☐ Deportation Date *(mm/dd/yyyy)*	☐ Recission Date *(mm/dd/yyyy)*	☐ Judicial Date *(mm/dd/yyyy)*

9. List each date, place of entry and status under which you entered the United States during the five years preceding the filing of this petition.

Date of Entry *(mm/dd/yyyy)*	**Place of Entry**	**Status at Entry**

Part 2. Additional information. *(Continued.)*

10. If you are outside the United States, give the U.S. consulate or inspection facility you want notified if this petition is approved.

Type of Office *(Check one)*: ☐ Consulate ☐ Pre-flight inspection ☐ Port of Entry

Office Address *(City)* | U.S. State or Foreign Country

Safe Foreign Address Where You Want Notification Sent - Street Number and Name | Apt. #

City | State/Province | Country | Zip/Postal Code

Part 3. Processing information.

Please answer the following questions about yourself. For the purposes of this petition, you must answer "Yes" to the following questions, if applicable, even if your records were sealed or otherwise cleared or if anyone, including a judge, law enforcement officer or attorney, told you that you no longer have a record. *(Answering "Yes" does not necessarily mean that you will be denied U nonimmigrant status.)*

1. Have you **EVER:**

a. Committed a crime or offense for which you have not been arrested? ☐ Yes ☐ No

b. Been arrested, cited or detained by any law enforcement officer (including DHS, former INS and military officers) for any reason? ☐ Yes ☐ No

c. Been charged with committing any crime or offense? ☐ Yes ☐ No

d. Been convicted of a crime or offense (even if violation was subsequently expunged or pardoned)? ☐ Yes ☐ No

e. Been placed in an alternative sentencing or a rehabilitative program (for example: diversion, deferred prosecution, withheld adjudication, deferred adjudication)? ☐ Yes ☐ No

f. Received a suspended sentence, been placed on probation or been paroled? ☐ Yes ☐ No

g. Been in jail or prison? ☐ Yes ☐ No

h. Been the beneficiary of a pardon, amnesty, rehabilitation, or other act of clemency or similar action? ☐ Yes ☐ No

i. Exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? ☐ Yes ☐ No

If you answered "Yes" to any of the above questions, complete the following table. If you need more space, use a separate sheet of paper to give the same information.

Why were you arrested, cited, detained or charged?	**Date of arrest, citation, detention, charge.** *(mm/dd/yyyy)*	**Where were you arrested, cited, detained or charged?** *(City, State, Country)*	**Outcome or disposition.** *(e.g., no charges filed, charges dismissed, jail, probation, etc.)*

Part 3. Processing information. *(Continued.)*

2. Have you ever received public assistance in the United States from any source, including the U.S. government or any State, county, city or other municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? ☐ Yes ☐ No

3. Have you:

   a. Engaged in prostitution or procurement of prostitution or do you intend to engage in prostitution or procurement of prostitution? ☐ Yes ☐ No

   b. Ever engaged in any unlawful commercialized vice, including, but not limited to illegal gambling? ☐ Yes ☐ No

   c. Ever knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally? ☐ Yes ☐ No

   d. Ever illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance? ☐ Yes ☐ No

4. Have you ever committed, planned or prepared, participated in, threatened to, attempted to, or conspired to commit, gathered information for, solicited funds for any of the following:

   a. Highjacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle? ☐ Yes ☐ No

   b. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained? ☐ Yes ☐ No

   c. Assassination? ☐ Yes ☐ No

   d. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property? ☐ Yes ☐ No

   e. The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property? ☐ Yes ☐ No

5. Have you ever been a member of, solicited money or members for, provided support for, attended military training (as defined in section 2339D(c)(1) of title 18, United States Code) by or on behalf of, or been associated with an organization that is:

   a. Designated as a terrorist organization under section 219 of the Immigration and Nationality Act? ☐ Yes ☐ No

   b. Any other group of two or more individuals, whether organized or not, which has engaged in or has a subgroup which has engaged in: ☐ Yes ☐ No

   c. Highjacking or sabotage of any conveyance (including an aircraft, vessel, or vehicle? ☐ Yes ☐ No

   d. Seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained? ☐ Yes ☐ No

   e. Assassination? ☐ Yes ☐ No

   f. The use of any firearm with intent to endanger, directly or indirectly, the safety of one or more individual or to cause substantial damage to property? ☐ Yes ☐ No

Part 3. Processing information. *(Continued.)*

g. The use of any biological agent, chemical agent, or nuclear weapon or device, or explosive, or other weapon or dangerous device, with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property? ☐ Yes ☐ No

h. Soliciting money or members or otherwise providing material support to a terrorist organization? ☐ Yes ☐ No

6. Do you intend to engage in the United States in:

a. Espionage? ☐ Yes ☐ No

b. Any unlawful activity, or any activity the purpose of which is in opposition to, or the control or overthrow of the government of the United States? ☐ Yes ☐ No

c. Solely, principally, or incidentally in any activity related to espionage or sabotage or to violate any law involving the export of goods, technology, or sensitive information? ☐ Yes ☐ No

7. Have you ever been or do you continue to be a member of the Communist or other totalitarian party, except when membership was involuntary? ☐ Yes ☐ No

8. Have you, during the period of March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, nationality, membership in a particular social group or political opinion? ☐ Yes ☐ No

9. Have you EVER ordered, committed, assisted, helped with, or otherwise participated in any act that involved:

a. Torture or genocide? ☐ Yes ☐ No

b. Killing, beating, or injuring any person? ☐ Yes ☐ No

c. Displacing or moving any persons from their residence by force, threat of force, compulsion, or duress? ☐ Yes ☐ No

d. Engaging in any kind of sexual contact or relations with any person who was being subjected to force, threat of force, compulsion, or duress? ☐ Yes ☐ No

e. Limiting or denying any person's ability to exercise religious beliefs? ☐ Yes ☐ No

f. The persecution of any person because of race, religion, national origin, membership in a particular social group, or political opinion? ☐ Yes ☐ No

If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

10. Have you EVER advocated that another person commit any of the acts described in the preceding question, urged, or encouraged another person, to commit such acts? (If you answer "Yes," describe the circumstances on a separate sheet(s) of paper.) ☐ Yes ☐ No

Part 3. Processing information. *(Continued.)*

11. Have you EVER been present or nearby when any person was:

a. Intentionally killed, tortured, beaten, or injured? ☐ Yes ☐ No

b. Displaced or moved from his or her residence by force, compulsion or duress? ☐ Yes ☐ No

c. In any way compelled or forced to engage in any kind of sexual contact or relations? ☐ Yes ☐ No

If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

12. Have you (or has any member of your family) EVER served in, been a member of, or been involved in any way with:

a. Any military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, or insurgent organization? ☐ Yes ☐ No

b. Any prison, jail, prison camp, detention camp, labor camp, or any other situation that involved guarding prisoners? ☐ Yes ☐ No

c. Any group, unit, or organization of any kind in which you or other persons possessed, transported, or used any type of weapon? ☐ Yes ☐ No

If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.

13. Have your EVER received any type of military, paramilitary or weapons training? (If you answer "Yes," please describe the circumstances on a separate sheet(s) of paper.) ☐ Yes ☐ No

14. a. Are removal, exclusion, rescission or deportation proceedings pending against you? ☐ Yes ☐ No

b. Have removal, exclusion, rescission or deportation proceedings EVER been initiated against you? ☐ Yes ☐ No

c. Have you EVER been removed, excluded or deported from the United States? ☐ Yes ☐ No

d. Have you EVER been ordered to be removed, excluded or deported from the United States? ☐ Yes ☐ No

e. Have you EVER been denied a visa or denied admission to the United States? *(If a visa was denied, explain why on a separate sheet of paper.)* ☐ Yes ☐ No

f. Have you EVER been granted voluntary departure by an immigration officer or an immigration judge and failed to depart within the allotted time? ☐ Yes ☐ No

15. Are you under a final order or civil penalty for violating section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act)? ☐ Yes ☐ No

16. Have you ever, by fraud or willful misrepresentation of a material fact, sought to procure, or procured, a visa or other documentation, for entry into the United States or any immigration benefit? ☐ Yes ☐ No

17. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☐ No

Part 3. Processing information. *(Continued.)*

18. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and not yet complied with that requirement or obtained a waiver of such? ☐ Yes ☐ No

19. Have you ever detained, retained, or withheld the custody of a child, having a lawful claim to United States citizenship, outside the United States from a United States citizen granted custody? ☐ Yes ☐ No

20. Do you plan to practice polygamy in the United States? ☐ Yes ☐ No

21. Have you entered the United States as a stowaway? ☐ Yes ☐ No

22. a. Do you have a communicable disease of public health significance? ☐ Yes ☐ No

b. Do you have or have you had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety, or welfare of yourself or others? ☐ Yes ☐ No

c. Are you now or have you been a drug abuser or drug addict? ☐ Yes ☐ No

Part 4. Information about spouse and/or children.

1. ☐ Spouse

Family Name	Given Name	Middle Name

Date of Birth *(mm/dd/yyyy)*	Country of Birth	Relationship	Current Location

2. ☐ Children

Family Name	Given Name	Middle Name

Date of Birth *(mm/dd/yyyy)*	Country of Birth	Relationship	Current Location

Family Name	Given Name	Middle Name

Date of Birth *(mm/dd/yyyy)*	Country of Birth	Relationship	Current Location

(If more space is needed, attach additional sheet(s) of paper.)

Part 5. Filing on behalf of family members.

I am now petitioning for one or more qualifying family member(s). *(If "Yes," complete and include Form I-918, Supplement A and Supplement B, for each family member for whom you are petitioning.)* ☐ Yes ☐ No

Part 6. Attestation, release and signature. *(Read information on penalties in the instructions before completing this part.)*

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this petition is all true and correct. I certify also that I have not withheld any information that would affect the outcome of this petition.

Signature **Date** *(mm/dd/yyyy)*

NOTE: *If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the benefit sought and this petition will be denied.*

Part 7. Signature of person preparing form, if other than above. *(Sign below.)*

I declare that I prepared this petition at the request of the above person, and it is based on all information of which I have knowledge. I have not knowingly withheld any material information that would affect the outcome of this petition.

Attorney or Representative: In the event of a Request for Evidence, may USCIS contact you by Fax or E-Mail? ☐ Yes ☐ No

Preparer's Signature **Date** *(mm/dd/yyyy)*

Preparer's Printed Name **Preparer's Firm Name** *(if applicable)*

Preparer's Address

Daytime Phone Number *(with area code)* Fax Number *(if any)* E-Mail Address *(if any)*

( ) ( )

APPENDIX 4

I-192 Waiver Form

OMB No. 1615-0017; Expires 01/31/12

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-192, Application for Advance Permission to Enter as Nonimmigrant
[Pursuant to Section 212(d)(3)(A)(ii) of the INA]

(Read instructions to the form.)
Type or Print in Black Ink

Fee Stamp

File No. A- _____

I hereby apply to the Secretary of Homeland Security for permission to enter the United States temporarily under the provisions of section 212(d)(3)(A)(ii) of the Immigration and Nationality Act (INA).

1. Full Name

2. Date of Birth *(mm/dd/yyyy)*

3. Place of Birth *(City-Town, State/Province, Country)*

4. Present Citizenship/Nationality

5. Present Address, Telephone Number, and E-Mail address

6. All addresses at which I have resided during the past 5 years *(Use a separate sheet of paper, if necessary.)*

7. Desired Port of Entry into the United States

8. Means of Transportation

9. Proposed Date of Entry

10. Approximate Length of Stay in the United States

11. My purpose for entering the United States is: *(Explain fully)*

12. I believe that I may be inadmissible to the United States for the following reason(s) and no others:

13. ☐ have ☐ have not previously filed an application for advance permission to enter as a nonimmigrant

on _____ , _____ , at _____.

If you are an applicant for T and U nonimmigrant status, you do not need to answer questions 14 through 17.

14. Have you ever been in the United States for a period of 6 months or more? If yes, when, for how long, and in what immigration status?

15. Have you ever filed an application or petition for immigration benefits with the U.S. Government, or has one ever been filed on your behalf? If yes, list the applications and/or petitions, the filing locations, and describe the outcome of each application/petition (for example: denied, approved, pending).

16. Have you ever been denied or refused an immigration benefit by the U.S. Government, or had a benefit revoked or terminated (including but not limited to visas)? Describe in detail.

17. Have you ever, in or outside the United States, been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding minor traffic violations? Describe in detail. Include all offenses where impaired driving may have been an issue.

18. Applicant's Signature and Certification

I understand that the information herein contained may be used in any proceedings (including civil, criminal, immigration, or any other judicial proceeding) hereafter instituted against me.

I certify that the statements above and all attachments hereto are true and correct to the best of my knowledge and belief.

(Signature of Applicant) (Date)

Signature of the Applicant/Signature of Guardian or Family Member (if Applicant is unable to sign)

19. Preparer's Signature and Certification

I declare that this document was prepared by me at the request of the applicant or qualified relative/legal guardian of the applicant, and it is based on all information of which I have knowledge and/or was provided to me by the above named person in response to the exact questions contained on this form. I have not knowingly withheld any information.

(Signature) (Address) (Date)

RECEIVED	TRANS. IN	RET'D TRANS. OUT	COMPLETED

APPENDIX 5

I-912 Fee Waiver Form

OMB No. 1615-0116; Expires 10/31/2012

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-912, Request for Fee Waiver

Before you fill out this form, please read the instructions.

FOR USCIS USE ONLY

Application Receipted At *(check only one box):*

USCIS Field Office

☐ Fee Waiver Approved
Date:_____

☐ Fee Waiver Denied
Date:_____

USCIS Service Center

☐ Fee Waiver Approved
Date:_____

☐ Fee Waiver Denied
Date:_____

Section 1. Information About You

Line 1. a.	Family Name (Last Name)	
Line 1. b.	Given Name (First Name)	
Line 1. c.	Middle Initial	
Line 2.	Alien Registration Number (A-Number) *(numbers only)*	A
Line 3.	U.S. Social Security Number (SSN) *(9 numbers only)*	
Line 4.	Date of Birth *(mm/dd/yyyy)*	

Line 5. Marital Status ☐ Never Married ☐ Married ☐ Marriage Annulled ☐ Legally Separated ☐ Divorced ☐ Widow(er)

Line 6. Applications and Petitions (Enter the form number(s) of the application(s) and/or petition(s) for which you are requesting a fee waiver.

Biometrics services fees, where applicable, will be included in the fee waiver request.

Section 2. Additional Information if Dependent(s) are Included in This Request

Line 7. Complete the Table below if applicable. *(If you need more space, attach a separate sheet of paper.)*

Name (First, MI, Last)	A-Number (If applicable)	SSN (If applicable)	Date of Birth (mm/dd/yyyy)	Relationship to You
	A-			
	A-			
	A-			
	A-			
	A-			
	A-			
	A-			

Section 3. Basis for Your Request *(Check any that apply. For additional information, see the form instructions.)*

Line 8. a. ☐ I am or a relevant member of my household is currently receiving a means-tested benefit. (complete Sections 4 and 7)

Line 8. b. ☐ My household income is at or below 150% of the Federal Poverty Guidelines. (complete Sections 5 and 7)

Line 8. c. ☐ I have a financial hardship. (complete Sections 5, 6 and 7)

Section 4. Means-Tested Benefit

Line 9. **Complete the Table Below** *(If you need more space, attach a separate sheet of paper.)*

Name of Person Receiving the Benefit	Name of Agency Awarding Benefit	Date Benefit Was Awarded	Is This Benefit Being Received Now?
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

Section 5. Household Income *(Provide evidence of monthly income or other support.)*

Line 10. How many dependents (for tax purposes) live with you? ☐

(round to the nearest dollar)

Line 11. Average monthly wage income from household members

Line 12. Other money received each month (child support, spousal support, unemployment, etc.)

Total (USCIS will compare this amount to Federal Poverty Guidelines)

Section 6. Financial Hardship

Line 13. Describe your particular situation. Be sure to include how this situation has caused you to incur costs (and what the costs were) or loss of income that you have experienced (and what that loss was). *(If you need more space, attach a separate sheet of paper.)*

If you are currently unemployed, you must complete Lines 14 and 15.

Line 14. Date that you became unemployed

Line 15. Amount of unemployment compensation (monthly) that you are receiving (enter dollars)

Line 16. List your assets and the value of your assets. *(If you need more space, attach a separate sheet of paper.)*

Type of Asset	Value (enter dollars)
TOTAL Value of Assets	

Section 6. Financial Hardship *(Cont'd)*

List your average monthly costs, and provide evidence of monthly payments where possible. *(If you need more space, attach a separate sheet of paper.)*

Line 17.

Type of Cost	Value (Enter Dollars)	Type of Cost	Value (Enter Dollars)
Rent		Insurance	
Mortgage		Loan Payment	
Food		Commuting Costs	
Utilities		Medical	
Child/Elder care		School	
		TOTAL Monthly Costs	

Section 7. Your Signature and Authorization

Do not sign your Form I-912 until it is complete and you are ready to file.

I take full responsibility for the accuracy of all the information provided, including all supporting documentation. I authorize the release of any information, including the release of my Federal tax returns, that USCIS needs to determine my eligibility.

Each person applying for a fee waiver request must sign Form I-912. This includes individuals identified in Sections 1 and 2 if 14 years of age or older. ***(If you need more space, attach a separate sheet of paper.)***

Line 18.

Your Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

Additional Signature _____ Date _____

APPENDIX 6

Blank paper for personal statement

PERSONAL STATEMENT OF _____

IN SUPPORT OF U-VISA APPLICATION

APPENDIX 7

Sample records request letter

Date:

Address:

RE: Request for Copy of Criminal Records for: _____

Dear Sir or Madam:

I was a victim of a crime and am writing to request a complete copy of the criminal file related to the crime committed against me. In support of this request, please find the following case information:

1. Defendant's Name: _____
2. Victim's Name [my full name]: _____
3. **Case Number**: _____
4. Timeframe: _____

Please send me a copy of the police report and any other records for this case.

Please send the documents to the following address:

_____

I appreciate your prompt attention to this matter.

Thank you,

_____

APPENDIX 8

Sample U-Visa application cover letter

USCIS Vermont Service Center
75 Lower Welden St
St. Albans
VT 05479-0001

My address:

Date:

To whom it may concern:

Re: U-Visa application

I am a *pro se* applicant for the U-Visa. Please find below the details of my case.

My full name:
My date of birth:
My alien number:
My country of origin:

Please find my application and supporting documents attached.

Thank you very much for your time and effort in considering my application. Please do not hesitate to contact me if you need more information as you consider my application.

Sincerely,

_____

Prepared based on *pro se* materials produced by the Immigrants' Rights Clinic of Stanford Law School on behalf of Centro Legal de la Raza in Oakland, California.