



# KNOW YOUR RIGHTS

## IMMIGRATION REMEDIES FOR FAMILY MEMBERS OF CRIME VICTIMS

*If you are the spouse, parent, child or sibling of a victim of a crime that cooperated with law enforcement in reporting the crime, you may be eligible for immigration relief even if you do not reside in the United States. Read below to see if you qualify.*

The law protects some people who are undocumented are the victim of a crime. This helps undocumented people feel safe reporting a crime to the police. You might qualify for immigration status if:

- you are
  - the victim of a crime or
  - the spouse, parent, child or sibling of the crime victim
- and you cooperate with law enforcement (police) investigation

### **CHILDREN – UNDER 21 AND UNMARRIED**

If your parent was the victim of a crime, has no lawful status, and cooperated with law enforcement or sought assistance from the family court, they may be eligible for U Nonimmigrant Status (“U Visa”). They can include you as a derivative on Form I-918 Supplement A. You must remain unmarried while the u visa is pending, but you remain eligible even after you turn 21 so long as your parent applied before you turned 21.





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### PARENTS

If your child is under 21, has no lawful status, and was a victim of a crime, they may be eligible for a U Visa if they cooperate with law enforcement or seek assistance from family court. Children under 21 can include a parent on the U Visa application as a derivative on Form I-918 Supplement A.

If the child was a victim of the crime, but was unable to cooperate on its own due to young age or injury, a parent who cooperates with law enforcement can be eligible for a U Visa as an indirect victim so long as the parent also suffered emotional or physical abuse as a result of the crime.

### SPOUSES

If you are legally married, and your spouse was the victim of a crime, they may be eligible for a U Visa if they cooperate with law enforcement or seek assistance from family court. Your spouse may include you on the U Visa application as a derivative on Form I-918 Supplement A so long as there has been no final decision on the U Visa, and is not based on abuse you caused for seeking the U Visa.

### SIBLINGS

If you are under 18 years old, and your sibling is the victim of a crime and is helpful in reporting the crime, they may include you as a derivative on Form I-918 Supplement A. If you turn 18 while the application is being processed, you remain eligible even after you turn 18 so long as your sibling applied before you turned 18.

Legal Services of the Hudson Valley

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