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**Immigration and Visa Information for Victims of Sexual & Interpersonal Violence**

**Immigration and Visa Information for Victims of Sexual & Interpersonal Violence**

International students and scholars with questions about their immigration and visa status are advised to seek the assistance of an immigration attorney.  This section is a resource to explain certain aspects of the law but is not a replacement for legal advice.

**I’ve been a victim of assault, does my immigration status affect my ability to access on-campus resources?**

No.  Under the law, students and staff who are victims or survivors of sexual and interpersonal violence receive the same rights under Title IX of the 1972 Education Amendments (Title IX) and the Violence Against Women Act (VAWA), regardless of immigration and visa status.

Information about on and off-campus medical, counseling, and advocacy resources, as well as available supportive measures, may be found at <https://www.usi.edu/institutional-equity/supportive-measures-and-resources>.

As a member of the USI community, it is your responsibility to be aware of institutional policies. For information about policies, prevention education programs, and resolution options for any type of unlawful discrimination or harassment may be found at <https://www.usi.edu/institutional-equity/policies-and-laws>.

For specific questions about filing a report or complaint under USI policies and procedures, please contact:

Chelsea Givens

Title IX Coordinator & Affirmative Action Officer

Institutional Equity

Wright Administration Building, Suite 171

812-464-1703

<ccgivens@usi.edu>

USI will not retaliate against you or treat you differently on the basis of reporting an incident of crime.

#### ****Can I press criminal charges as a documented or undocumented immigrant?****

Yes. Information about your state’s criminal definitions of sexual assault, domestic violence, dating violence and stalking may be found in the Annual Security Report:

<https://www.usi.edu/public-safety/reports-and-forms>

#### **Specific questions about filing charges may be addressed to:**

**Vanderburgh County Sheriff’s Department**

**3500 N. Harlan Avenue**

**Evansville, Indiana 47711**

**812-421-6200**

<https://vanderburghsheriff.org/>

#### ****Are there specific visa and immigration statuses for victims of crimes?****

Yes.  For victims of sexual assault, domestic violence, dating violence and stalking, there may be other visa options, including U and T Visas.  For specifics, talk to an immigration attorney.

U Visa - For victims of substantial physical or mental abuse as the result of certain criminal activity, including sexual abuse, domestic violence, rape, assault, or other related crimes.

* Victim/applicant must be a victim of qualifying criminal activity and likely to be helpful to the investigation and/or prosecution of that criminal activity.
* Generally valid for four years
* For more information, consult an immigration attorney, and see: T Visa - For victims of human trafficking.
* Must comply with reasonable requests from law enforcement for cooperation in investigation or prosecution of trafficking act(s) (unless unable to cooperate because of physical or psychological trauma), and must be able to demonstrate that the victim/applicant would suffer extreme hardship if removed from the United States
* Generally valid for four years
* For more information, consult an immigration attorney, and visit https://www.usi.edu/international/student-services/immigration-regulations

T Visa - For victims of human trafficking

* Must comply with reasonable requests from law enforcement for cooperation in investigation or prosecution of trafficking act(s) (unless unable to cooperate because of physical or psychological trauma), and must be able to demonstrate that the victim/applicant would suffer extreme hardship if removed from the United States]
* Generally valid for four years
* For more information, consult an immigration attorney, and see: [USI’s International Programs](https://www.usi.edu/international)

#### ****Is there an office on campus that can provide me additional information?****

The Center for International Programs can provide useful information regarding immigration status.  Note that for questions regarding changes to other visa statuses, or legal options that fall outside of standard F-1 and J-1 student visas, or employer-sponsored work visas, consult a qualified immigration attorney.

Dr. Emilija Zlatkovaska

Director of Center for International Programs

University Center East, Room 1235

812-465-1248

<https://www.usi.edu/international/student-services>

#### ****Visa Options to review when considering supportive measures available.****

F-1 and J-1 status students

* Options for reduced course-load approval due to medical conditions certified by a licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist
* Options for, and consequences to, withdrawing from your academic program
* Information about returning to the academic program at a later date, if the student chooses to withdraw
* Options and consequences for accompanying spouses
* General information on options for changing visa status.
* General information on U and T visas. (Referral to a qualified immigration attorney)
* Referral to a qualified attorney

H-1B, O-1, E-3, or TN employees

* Options for a work leave of absence, and consequences to your immigration status
* Options and consequences for accompanying spouses
* General information on options for changing visa status. Referral to a qualified immigration attorney
* General information on U and T visas. (Referral to a qualified immigration attorney)
* Referral to a qualified immigration attorney
* Pending U.S. permanent residents (green card not yet approved)
* Impact of leaving your employment on your pending employer-sponsored permanent resident application;
* Referral to a qualified attorney

#### ****What is an immigration lawyer and what do they do?****

Immigration lawyers are licensed attorneys who specialize in the field of immigration law. They function as the client’s advocate, and can represent them before immigration agencies, both in immigration court as well as in filing applications for immigration benefits. The lawyer can give general advice and can discuss immigration options. Like all lawyers, immigration lawyers are bound by professional ethical and legal requirements and keep client discussions confidential.

#### ****Where can I find a local immigration attorney?****

U.S. Citizenship and Immigration Services (USCIS), a bureau of the Department of Homeland Security (DHS), offers two sites to help individuals find free or low-cost legal representation:

USCIS: Find Help in your Community Webpage: [https://www.uscis.gov/citizenship/apply-for-citizenship/find-help-in-your-community](https://www.uscis.gov/citizenship/apply-for-citizenship/find-help-in-your-community%20)

The Board of Immigration Appeals (BIA) provides a [listing of attorneys by state](https://www.justice.gov/eoir/list-pro-bono-legal-service-providers-map) who provide immigration services either for free or for little cost: <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>

The American Immigration Lawyers Association (AILA) offers an [online Immigration Lawyer Referral Service](http://www.ailalawyer.org/) that can help a student or scholar find an immigration lawyer:

<https://www.aila.org/>

The American Bar Association also provides information: [https://www.americanbar.org/about\_the\_aba/aba\_public\_resources/](https://www.americanbar.org/about_the_aba/aba_public_resources/%20)