

U Visa Report

Trends in U Visa Law Enforcement Certifications, Qualifying Crimes, and Evidence of Helpfulness

July 2020

Analysis of Data through FY 2018



U.S. Citizenship and
Immigration Services



Executive Summary

The U visa was established through the passage of the Victims of Trafficking and Violence Protection Act in 2000, as a key tool for law enforcement in the detection, investigation, or prosecution of certain serious criminal activities. The U visa offers protections to victims of qualifying criminal activities (“QCA”) in keeping with the humanitarian interests of the United States. In order to better understand demographic and filing trends for U visa principal petitioners and derivatives, and respond to concerns raised about potential fraud and integrity issues within the U visa program, USCIS systematically collected and analyzed data from both USCIS electronic systems and physical records on U visa principal petitioners and derivatives who filed between Fiscal Years (FY) 2012 and 2018.

This report focuses on the law enforcement certification, Form I-918 Supplement B. Law enforcement agencies use this document to certify that a petitioner seeking U nonimmigrant status is a victim of a qualifying crime and was helpful, is being helpful, or is likely to be helpful in the detection, investigation or prosecution of criminal activity.

Key Findings

- From FY 2012 to 2018, police certified 65% of all Form I-918Bs, and prosecutorial / judicial agencies certified 32%. Local agencies certified the majority (84%) of all Form I-918Bs, while state and federal agencies certified 12% and 2%, respectively.
- Officials in the following states certified the highest proportions of Form I-918Bs: California (35%); Texas (7%); and Florida, New York, and Washington (each 5%).
- From 2012 to 2018, the most frequently certified crimes were felonious assault (46%), domestic violence (41%), and sexual assault (15%).¹
- Proportions of certified crimes have shifted over time. In 2012, the top two were domestic violence (54%) and felonious assault (33%). In 2018, these each accounted for 42% of all certified Form I-918Bs.²
- From FY 2012 to 2018, 53% of principal petitions were filed within 3 years of the date of the QCA. About 15% of petitions were filed 10 years or more after the QCA.
- 59% of cases resulted in an arrest, 41% in indictment or prosecution, and 27% in a conviction.³

Conclusion

This comprehensive research on key demographic and filing trends will support USCIS in developing data-driven regulatory and policy changes in order to improve the integrity of the U visa program, ensure that the program is following congressional intent, and increase efficiency in processing U visa petitions. By considering these findings when developing policy and regulatory changes, USCIS can reduce frivolous filings, rectify program vulnerabilities, and increase benefit integrity – key components of USCIS’s mission.

¹ This includes related crimes. The percentages do not sum to 100 because about 10.6 % of all certified Form I-918Bs included more than one crime checked on the form.

² This includes related crimes.

³ This includes perpetrators who accepted plea bargains.

Introduction

Through the passage of the Victims of Trafficking and Violence Protection Act in 2000, Congress created the U nonimmigrant status (also called the “U visa”). The U visa was established as a key tool for law enforcement in the detection, investigation, or prosecution of certain serious criminal activity, and offers protections to victims of qualifying criminal activities (“QCA”) in keeping with the humanitarian interests of the United States. By statute, the number of individuals issued principal U-1 visas or provided principal U-1 nonimmigrant status in any fiscal year cannot exceed 10,000; certain qualifying family members are eligible for a derivative U visa but do not count against the annual cap.

In response to concerns raised about potential fraud and integrity issues within the U visa program, USCIS undertook a research study to systematically collect data from both USCIS electronic systems and physical records for U visa principal petitioners and derivatives. This report is based on the U visa study that USCIS conducted in 2018 and 2019.⁴

Ultimately, this research will inform targeted policy and regulatory changes to improve the integrity of the program by deterring frivolous or fraudulent petitions, as well as strengthening public safety and national security.

U Visa Overview

In order to be eligible for a U visa, a person must meet certain eligibility requirements. To apply for U nonimmigrant status, petitioners (known as “principal petitioners”) submit Form I-918, Petition for U Nonimmigrant Status (“Form I-918”), along with supporting evidence and petitions for derivative family members, to USCIS. Through the information provided on the Form I-918 and supporting evidence, the petitioner must establish that he or she: (1) is a victim of a QCA;⁵ (2) has suffered substantial physical or mental abuse as a result of having been a victim of the QCA; (3) is able to provide credible and reliable information about the QCA; (4) is being, was, or is likely to be helpful to law enforcement, as reasonably requested, in the detection, investigation or prosecution of the QCA; and (5) is admissible to the United States. Petitioners who are not admissible and are not exempt from the requirement may apply for a waiver by submitting a Form I-192, Application for Advance Permission to Enter as a Nonimmigrant.

As part of the petition process, the principal petitioner must also file a Form I-918, Supplement B, U Nonimmigrant Status Certification (“Form I-918B”). The Form I-918B (also referred to as the “law enforcement certification”) must be completed by an authorized official of a certifying agency.

⁴ This report is part of a series on the U visa program. This series highlights demographic and filing trends, including trends in qualifying criminal activities (QCA), law enforcement certification, and arrest histories of petitioners and derivatives. This report and the related Technical Appendix can be located at uscis.gov/data.

⁵ Congress established categories of QCA. These include: abduction, abusive sexual contact, blackmail, domestic violence, extortion, false imprisonment, felonious assault, female genital mutilation, fraud in foreign labor contracting, hostage, incest, involuntary servitude, kidnapping, manslaughter, murder, obstruction of justice, peonage, perjury, prostitution, rape, sexual assault, sexual exploitation, slave trade, stalking, torture, trafficking, witness tampering, and unlawful criminal restraint. Aside from fraud in foreign labor contracting, these are categories of crime and not specific crimes or citations to a criminal code. Various federal, state, and local statutes could fall into these general categories of crime. In addition, a QCA may include an attempt, conspiracy, or solicitation to commit any of the above or substantially similar crimes.

This official confirms details of the QCA and indicates whether the principal petitioner was helpful, is currently being helpful, or will likely be helpful in the detection, investigation, or prosecution of the case (in some cases, a petitioner may be exempt from this requirement). The certifying official also indicates whether the principal petitioner possesses information regarding the QCA(s) and provides a description of any known or documented injury to the victim. Although submission of a certified Form I-918B is required, submission of this form does not guarantee that USCIS will find the principal petitioner eligible, as USCIS determines the evidentiary value of all evidence submitted, including the Form I-918B.

Research Methods

USCIS researchers analyzed data housed in the CLAIMS 3 electronic database for all U visa petitioners (including both principals and derivatives) who filed petitions from FY 2012 through 2018. Additionally, USCIS drew a statistically valid and representative sample of U visa principal petitions submitted between FY 2012 and 2018. USCIS conducted a manual file review and collected data from the U visa petition, the law enforcement certification, and the supplemental evidence submitted by the petitioner. Using these data, USCIS was able to estimate the occurrence of specific petition or petitioner characteristics among all filings between FY 2012 and 2018. Lastly, USCIS researchers also conducted semi-structured interviews with more than 20 subject matter experts. For more information on the research methodology and the limits of this analysis, please see the Technical Appendix.

Findings

Types of Certifying Agencies

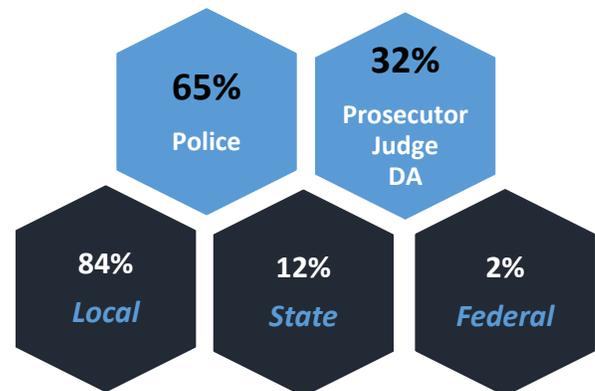
From 2012-2018, police agencies certified 65% of all Form I-918B, and prosecutorial / judicial agencies certified 32%.

The police category includes Form I-918Bs certified by all police officers, e.g., state police, town police, and university or campus police. The prosecutorial / judicial category includes Form I-918Bs certified by judges, district attorneys, and prosecutors.

From 2012-2018, about 84% of all Form I-918Bs were certified by local agencies, while 12% were certified by state agencies, and 2% were certified by federal agencies.

The “local” category consists of Form I-918Bs certified by officials not affiliated with state, federal, tribal or military agencies or organizations. This includes town and county police, prosecutors, and child protective services agencies among others. The “state” category includes state police, judges and other state-wide agencies. The “federal” category includes agencies within the executive and judicial branches, for example, federal judges and the FBI. Within the sample, USCIS reviewed certifications from the Department of Labor, ICE’s Homeland Security Investigations (HSI), and tribal authorities. The random sample did not include certifications from territorial or military agencies; therefore, USCIS is unable to provide any estimates for this population.

Figure 1: Types of Certifying Agencies (2012-2018)

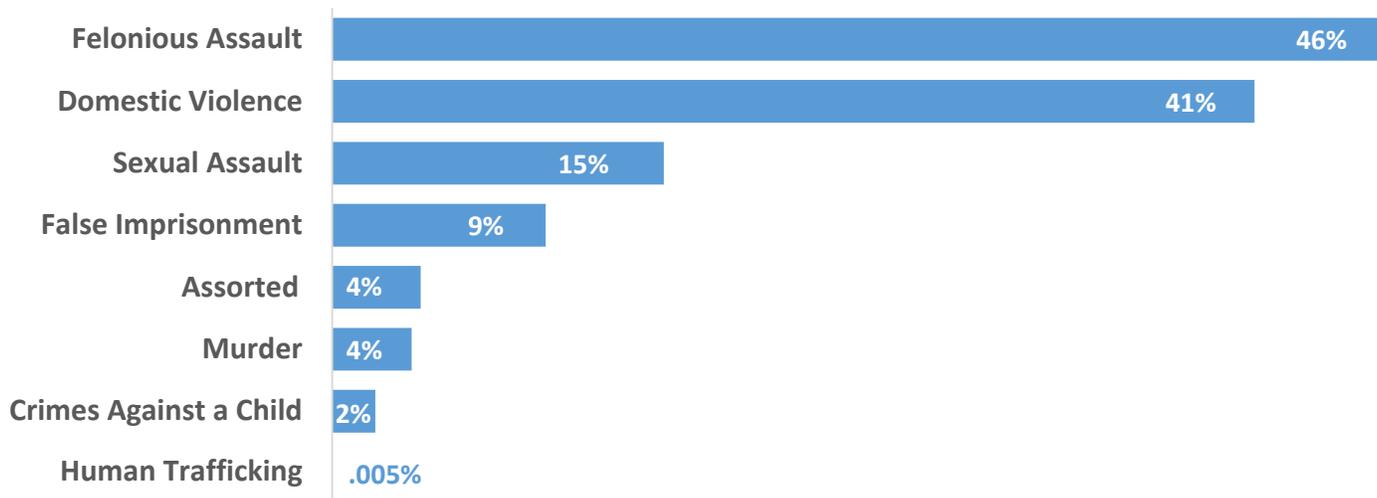


Source: USCIS, Analysis of Alien Files (manual file review).

Types of Crimes Certified

Felonious assault, domestic violence, and sexual assault comprised the vast majority of the certified QCAs (also known as crime “categories”). False imprisonment, murder, and crimes against a child were also among the most common crimes certified by law enforcement officials.⁶

Figure 2: QCAs Certified on Form I-918B, 2012-2018 (All Years)⁷



Source: USCIS, Analysis of Alien Files (manual file review).

Percentages will not sum to 100% because some Form I-918Bs were certified with more than one crime. In those cases, if two distinct crimes were certified, USCIS counted the petition in each of those crime categories. This report does not assess whether the criminal activity would meet the statutory requirements needed to qualify for the U visa. Rather, USCIS reviewed pending, approved, and denied petitions and this report simply describes the crimes certified on the Form I-918B.

The certified crimes may have occurred during a single event, or during an extended period of victimization. For example, a victim may have been sexually assaulted and experienced unlawful criminal restraint. Another victim may have experienced multiple crimes over an extended time period, as often occurs within cycles of domestic violence. Due to this, certifying agencies may have noted one or more of these QCAs on a single certification. Additionally, many of the QCAs were certified only a few times, but clearly overlapped with other certified QCAs. In order to provide an accurate assessment of the program, and estimates of QCAs over time, USCIS sorted certifying QCAs into sets of QCA with input

⁶ USCIS conducts a comprehensive and case-specific adjudication of each U visa filing. The information provided within this report is intended to provide stakeholders with visibility on the wide variety of filings that USCIS receives. USCIS determines whether a crime is qualifying under the applicable law after reviewing the petition and supporting evidence provided in each specific filing. This report is not making predictive statements regarding the eligibility of specific filings or fact patterns. Additionally, this report is not an assertion of adjudicative processes or policies.

⁷ See the next page for a description of how researchers categorized QCAs from the sample of petitions.

from subject matter experts. Many individual/unique crimes were also certified in the files USCIS manually reviewed.⁸

These crimes are not intended to be a comprehensive list; this report only includes what was certified in the sample of petitions. The QCAs from the sample of petitions were categorized in the following manner:

- *Assorted* includes: witness tampering, obstruction of justice, criminal threats, fraud in foreign labor certification, felony possession and use of a firearm, blackmail, extortion, involuntary servitude, interference with a judicial order, torture, burglary of building, disorderly conduct, and witness tampering;⁹
- *Crimes against a Child* include: assault to a minor, child abuse, child molestation, crimes against a child, custodial interference, indecency with a child, injury to a child, and molestation;
- *Domestic Violence* includes: harassment, violation of a protection order, and stalking;
- *False Imprisonment* includes: abduction, false imprisonment, hostages, kidnapping, and unlawful criminal restraint;
- *Felonious Assault*¹⁰ includes: aggravated assault, assault with a deadly weapon, battery, aggravated battery, burglary, aggravated burglary, car-jacking, drive-by-shooting, grand larceny, hit and run, robbery, aggravated robbery, armed robbery, robbery with a firearm, and strong arm robbery;
- *Human Trafficking* includes both sex and labor trafficking.
- *Murder*¹¹ includes: attempted murder, manslaughter, murder, and strangulation.
- *Sexual Assault* includes: abusive sexual contact, criminal sexual contact, incest, rape, sexual assault, sexual battery, sexual exploitation, and sodomy; and

On the Form I-918B, certifying officials annotate every crime for which the petitioner was a victim. As such, petitions will be counted in multiple categories of crimes if more than one category of crime was selected (i.e., sexual assault and felonious assault). However, where two crimes were listed of the same category (i.e., rape and sexual assault), this was only counted once in the category in order to avoid over-representation of petitions with multiple crimes certified. Note some of the variance in these data may be attributed to differences within state laws. For example, if a state does not have a dedicated domestic violence statute, the certifying official may have marked this as felonious assault, or “other.”

One versus Multiple Crime Categories Certified

Of all certified Form I-918Bs, USCIS estimates that certifying officials checked only one crime category 69% of the time and provided more than one crime category on 31% of the forms. Where only one crime was certified, it was most frequently domestic violence, felonious assault, or sexual assault. These three crime categories account for 29%, 26%, and 7% of petitions where only one crime is certified, respectively. Certifying officials did not select any crime categories on an estimated 1.4% of Form I-918Bs.

⁸ Although the Form I-918B has a space for the certifying official to list the criminal statute for the crimes detected, investigated and/or prosecuted, these statutes may not always be directly comparable to the marks within the QCA checkbox on the Form I-918B.

⁹ Crimes included in the “assorted” category were grouped because there were relatively few.

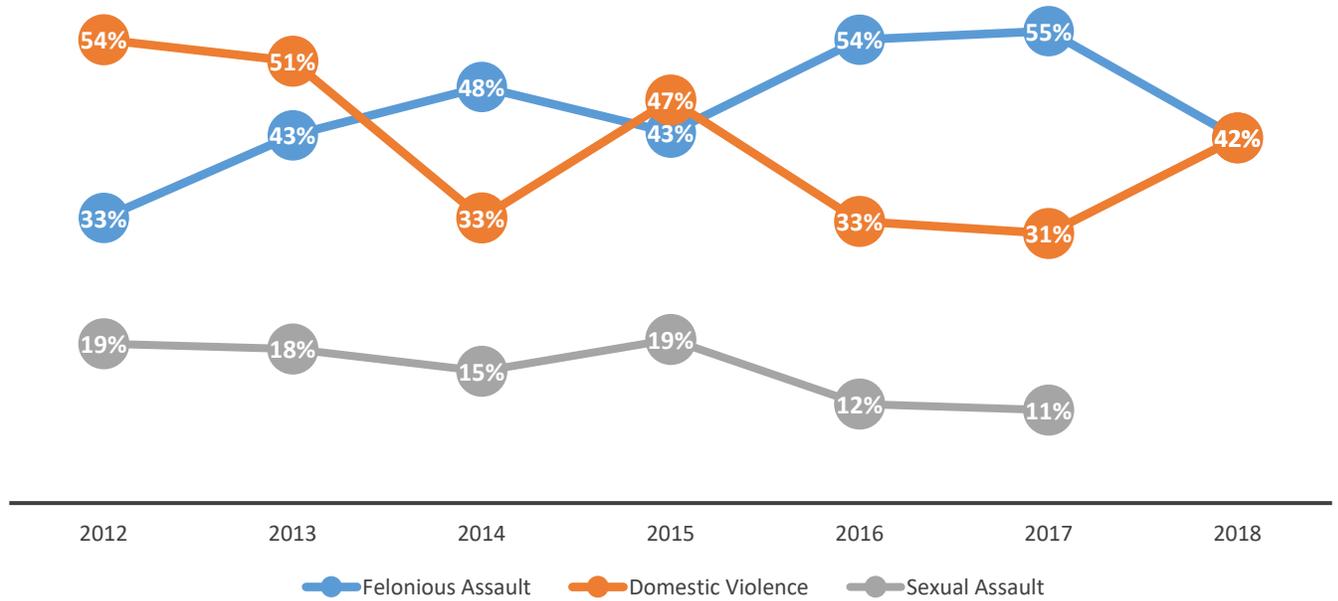
¹⁰ USCIS included crimes in the felonious assault category that researchers determined would likely be adjudicated as felonious assault. See footnote 6 on page 4 for more information.

¹¹ None of the certifications in this analysis listed “homicide” as a QCA.

Top QCAs Certified Over Time

Notably, the proportion of crimes certified by category has shifted over time. In 2012, 33% of all petitions had a certified crime of felonious assault and related crimes and 54% of petitions had a certified crime of domestic violence; in 2018, domestic violence and felonious assault each accounted for 42% of petitions certified. The percentages do not sum to 100 because about 31% of all Form I-918Bs certified had more than one crime checked on the form.

Figure 3: Top Three QCAs Certified on Form I-918B, 2012-2018 (Difference over Time)

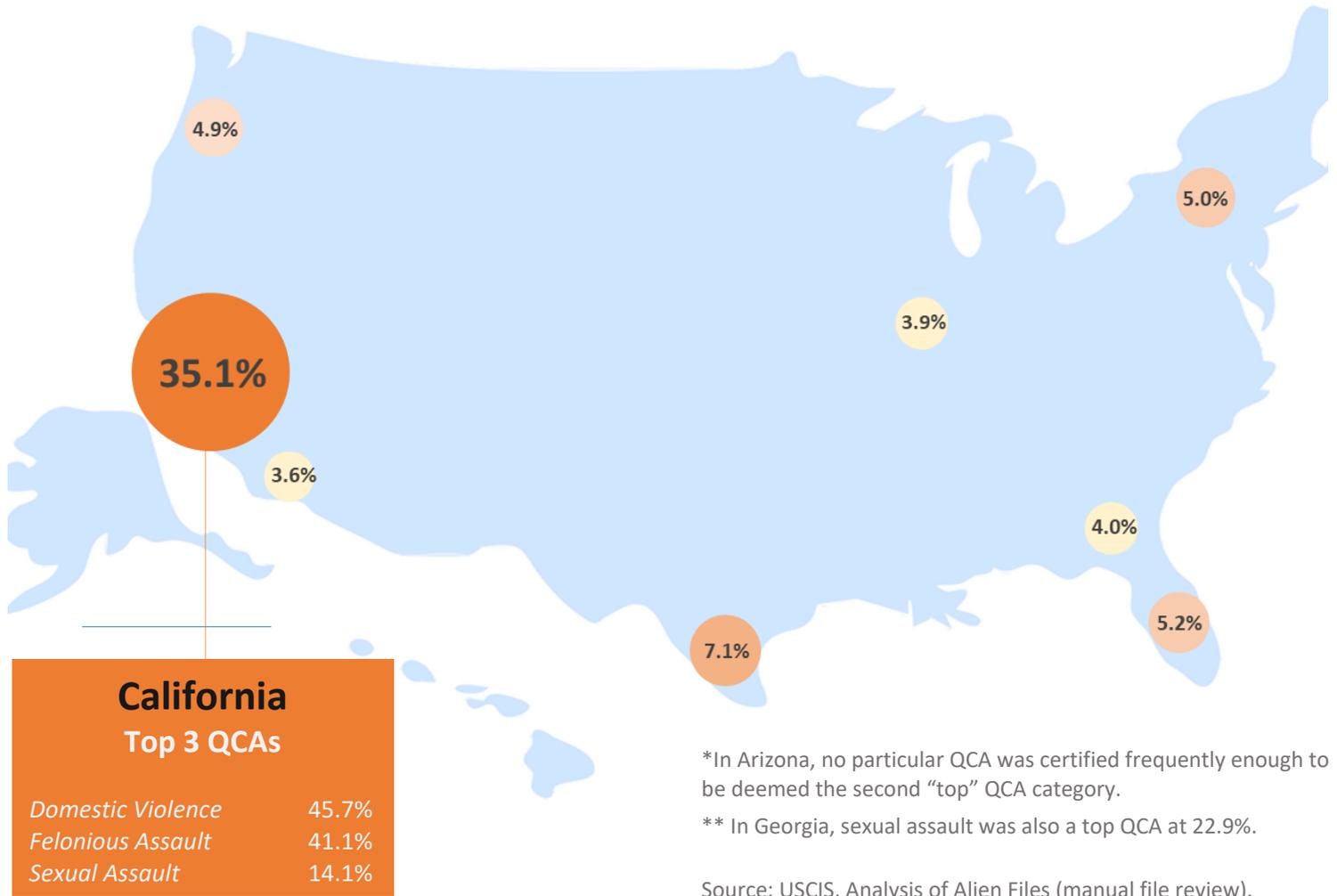


Source: USCIS, Analysis of Alien Files (manual file review).

Notes: These are percentages of petitions, and since some petitions may include multiple QCAs, the percentages do not sum to 100.

Location of Certifying Agency Officials

Figure 4: States Where Officials Certified the Most Form I-918Bs and the Most Common QCAs Certified by Officials in these States, 2012-2018



Arizona
Top QCAs

<i>Domestic Violence</i>	64.5%
<i>Assorted*</i>	32.3%

Florida
Top QCAs

<i>Felonious Assault</i>	57.8%
<i>Domestic Violence</i>	31.1%

Georgia
Top QCAs**

<i>Domestic Violence</i>	51.4%
<i>Felonious Assault</i>	22.9%

Illinois
Top QCAs

<i>Domestic Violence</i>	57.8%
<i>Felonious Assault</i>	41.1%

New York
Top QCAs

<i>Domestic Violence</i>	51.2%
<i>Felonious Assault</i>	37.2%

Texas
Top QCAs

<i>Felonious Assault</i>	47.5%
<i>Domestic Violence</i>	41.0%

Washington
Top QCAs

<i>Domestic Violence</i>	47.6%
<i>Felonious Assault</i>	35.7%

As shown in Figure 4, officials in California certified 35% of all Form I-918Bs. Officials in Texas certified about 7%, officials in Florida, New York, and Washington each certified about 5%, and officials in Arizona, Georgia, Illinois each certified roughly 4% of all Form I-918Bs.

Felonious Assault and Substantially Similar Crimes

To qualify for U-1 classification, a victim must have suffered one or more of the offenses listed in the statute or "any similar activity" in violation of federal, state, tribal, territorial, or local law. The term "any similar activity" means criminal offenses in which the nature and elements are substantially similar to the statutory list of qualifying criminal activities.¹² In the felonious assault context, USCIS must assess whether the certified criminal activity involved felonious assault, or whether the nature and elements of the certified criminal activity are substantially similar to the nature and elements of felonious assault.

Felonious assault is a broad category and is not federally defined. State laws vary considerably and often are not explicitly titled "felonious assault." Some states categorize felonious assault as an assault requiring physical injury whereas other states categorize an assault as felonious if a weapon was used even if no physical injury occurred. While there are many certified crimes which clearly qualify as felonious assault, USCIS adjudicates other petitions where it is much harder to determine if the crime qualifies under this category, e.g., if the evidence does not demonstrate that a weapon was involved in the commission of the crime.

Overall, felonious assault accounted for 46% of all QCAs certified on Form I-918Bs. As officials are proportionally certifying more felonious assault in recent years and concerns have been raised that this category includes a high concentration of fraudulent filings, USCIS considered this category in more depth. Additionally, researchers noted that certifying officials provided a wide range of crimes on the form after checking the "Other" box. After considering the specific crimes provided, it appeared that many within the "Other" box would be adjudicated under the felonious assault category. Some certifying officials appeared to use the "Other" box when they were not sure whether the crime is substantially similar to felonious assault.

To better understand the types of crimes certified under the felonious assault category, USCIS analyzed three distinct sub-categories of Form I-918Bs - those in which officials:

- Selected the "Felonious Assault" box (first sub-category);
- Selected the "Other" box, and provided crimes likely to be considered a QCA (e.g., assault with a deadly weapon) and likely to be considered under felonious assault during adjudication (second sub-category); and
- Selected the "Other" box, and provided crimes not likely to be considered a QCA (e.g., burglary) without a unique fact pattern which makes the case qualify and appropriate for consideration under felonious assault during adjudication (third sub-category).

Among all filings reviewed, USCIS estimates that approximately 34% of petitions considered during the manual file review were classified into the first sub-category. That is, the certifying official specifically selected the "Felonious Assault" box on the Form I-918B.

¹² 8 C.F.R. 214.14(a)(9).

Crimes provided via the “Other” box that researchers determined would likely be considered under the QCA category of felonious assault during adjudication were designated under the second sub-category. USCIS estimates that 9% (of the 46% within the felonious assault category) are in this sub-category. For the purposes of this report, USCIS determined that the following crimes would likely be considered under the QCA category of felonious assault during adjudication and likely qualify, depending on the circumstances of the petition: assault, aggravated assault, assault with a deadly weapon, battery, aggravated battery, aggravated burglary, drive-by-shooting, aggravated robbery, armed robbery, robbery with a firearm, and strong arm robbery.

Further, USCIS estimates that 13% (of the total 46% within the felonious assault category) fall within a third sub-category of crimes. This third sub-category consists of crimes provided via the “Other” box – crimes that researchers determined were likely to be adjudicated under the QCA category of felonious assault but would likely not be considered to qualify as a QCA during adjudication. For the purposes of this report, USCIS determined that the following crimes would likely not be considered under the QCA category felonious assault during adjudication and would likely not qualify as a QCA (depending on the specific circumstances and evidence submitted): burglary, car-jacking, grand larceny, hit and run, and robbery.¹³

Over the past six years, this third sub-category has risen markedly, from approximately 9% to almost 21% (of the total 46% within the felonious assault category). As felonious assault is one of the two most certified QCA categories within the U visa program, this large portion of likely ineligible filings may contribute to resource constraints due to the time it takes to prepare requests for evidence, notices of intent to deny, and denials. Additionally, as certifying officials are certifying seemingly ineligible crimes, this may be an indication that the public and law enforcement could benefit from additional policy and outreach clarifying eligibility under this category.

Note: In the previously provided QCA data, a petition would only be counted once in a crime category if all the crimes certified fell into that category. Some crimes from the same petition could be certified in each of the three sub-categories. Thus, this information, totaled across all years, will not sum to 46% (the estimate for all felonious assault QCAs from FY 2012 through 2018).

Examples of Crimes Attempting to Qualify as Involving or Substantially Similar to Felonious Assault

Here are some examples of cases that have been submitted to USCIS that illustrate this challenge:¹⁴

- **Shooting:** After hearing gunfire from the roof of a nearby apartment building, the principal petitioner called the police to report the incident. No injuries were reported.
- **Shooting:** After a drive-by shooting at a nearby house, the petitioner contacted law enforcement authorities to report the incident.

¹³ USCIS acknowledges that QCAs may occur during non-QCAs and conducts detailed case-specific review to determine whether a QCA was detected as occurring during an offense which otherwise may not constitute felonious assault.

¹⁴ The case examples are included to provide stakeholders with a glimpse into some of the crimes and circumstances that petitioners have claimed qualify. The individual cases may have included additional facts and evidence.

- **Robbery:** A married couple was returning from a concert. Stopped on the freeway, the young man saw an argument and stepped out of his car to break it up. As he returned to his car, one of the participants in the argument followed him, yelling, and stole his wife’s cell phone. The couple filed a police report, cooperated in the investigation, and a Form I-918B was certified by the local police. The wife filed a U visa petition with her husband as a derivative. In the filing, the principal petitioner submitted a therapist report noting anxiety from the robbery.
- **Assault by Auto:** A man was being driven to his apartment by a drunk driver when the driver crashed the vehicle. The man’s hip was dislocated in the crash. He answered law enforcement’s questions about the driver and the crash and received a signed Form I-918B.

Trafficking and Victimization by Employers

USCIS was unable to derive an estimate of trafficking among all QCAs from FY 2012 through 2018. Although only a few cases within the random sample included trafficking as a certified QCA, both labor and sex trafficking were present in the cases. The relatively few trafficking cases may be due to victims utilizing the Form I-914, Application for T Nonimmigrant Status (T visa program), rather than the U visa program.

USCIS also reviewed a case, certified by the Department of Labor, involving victimization by an employer. Due to the crimes detected and investigated, this human trafficking case was certified under “witness tampering” and “obstruction of justice.”

Time from QCA to Receipt of Principal Petition

USCIS examined the length of time between the date(s) that the QCA occurred, as listed on the Form I-918B, and the date that USCIS received the petition. USCIS estimates that about 25% of principal petitions received between FY 2012 and 2018 were filed within one year of the QCA, about 28% of petitions were filed between 1 to 3 years, 15% were filed between 3 to 6 years, 16% between 6 to 10 years, and about 15% of petitions were filed 10 years or more after the QCA. See Table 1 below.

Table 1: Length of Time between QCA(s) and Receipt of U Visa Principal Petition (FY 2012-2018)

Time Between QCA and Filing	Percent of Petitions
< 1 Year	24.9%
> 1 to ≤ 3 Years	27.6%
> 3 to ≤ 6 years	14.7%
> 6 to ≤ 10 Years	16.0%
> 10 Years+	14.8%
Unknown/Missing ^a	2.0%

Source: USCIS, Analysis of Alien Files (manual file review).

^a Unknown or missing indicates that the date of the QCA could not be determined (usually because a Form I-918B was not submitted or was not fully complete).

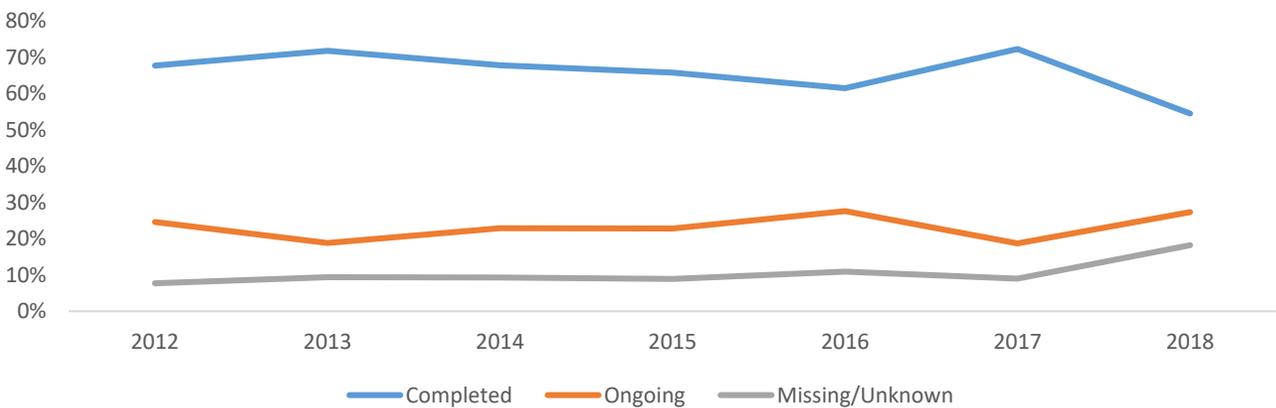
Status of Investigation or Prosecution of QCA at Certification

Stakeholders often inquire whether the QCAs certified are linked to active cases where it is presumably critical for the victim to be present in the United States to provide assistance. The Form I-918B includes a field for the certifying official to mark the case status as “Ongoing,” “Completed,” or “Other” but does not directly request whether the case is active. To better understand whether officials were actively investigating or prosecuting cases marked as “Ongoing” or “Other,” USCIS assessed the petition and

supplemental evidence to determine whether cases appeared “Active” or “Inactive” during the manual file review. When it was impossible for the research team to ascertain this with certainty, the team marked the status as “Unknown.”

Officials reported that 66% of cases were “Completed” and 23% were “Ongoing.” Of particular interest, there has been a notable increase in certifying officials checking the “Other” box and either stating that the status of the case was “Unknown” or leaving this question on the form blank (thus, the analysis includes missing data). For Fiscal Year 2012, this occurred in nearly 8% of the certifications received that year; for 2018, this increased to 18%.

Figure 5: Status of the Case as Indicated by Certifying Officials on Form I-918B, FY 2012-2018



Source: USCIS, Analysis of Alien Files (manual file review).

USCIS estimates that 10% of cases were “Active,” while 64% were “Inactive.” When considered together, the “Completed” and “Inactive” cases account for a majority of all petitions. This may be, in part, due to the tendency of some certifying officials to only certify Form I-918B after the agency determines that it does not need further help from the petitioner.

Further, USCIS examined the petition and supporting evidence to determine the outcome of the criminal case associated with the QCA. Note: If more than one outcome applied (such as an arrest was made and the perpetrator was convicted), USCIS selected both outcomes. As such, the estimates below will not sum to 100 percent.

Arrests, Convictions

- Law enforcement made an arrest in 59% of petitions, and 41% indicated the perpetrator of the QCA was indicted or prosecuted.
- The perpetrator of the QCA was convicted in 27% of the petitions. This includes perpetrators who accepted plea bargains.
- A court issued a protection order in support of the victim in 30% of the petitions.
- 6.5% of petitions contained evidence indicating that the perpetrator had been deported, and in an additional 5% of cases, the perpetrator was no longer in the U.S. (unrelated to immigration proceedings).

Other Outcomes

- USCIS was unable to determine the case outcome in 15% of petitions.
- In 12% of filings, law enforcement could not locate the perpetrator despite the victim's affirmative identification of the perpetrator.
- 10% of petitions contained evidence that law enforcement was unable to identify the perpetrator of the QCA.
- In some cases, the perpetrators of QCAs were required to register as a sex offender or were fined as a result of the crime. Due to the low number of petitions with these outcomes, USCIS was unable to derive estimates to the broader population of petitions for these outcomes.

Demonstrated Helpfulness of the Victim

As noted above, the outcome of the criminal cases varied, and USCIS also found that the helpfulness of the victims varied by case. A few petitioners only reported the crime, while others provided physical evidence such as DNA evidence or a rape kit, assisted in identifying perpetrators, or testified in court. USCIS found that most principal petitioners (79%) demonstrated helpfulness in more than one way (i.e., reporting the QCA and providing evidence related to the QCA). From 2012 through 2018, 10% of petitioners only reported the QCA. The number of principal petitioners whose helpfulness consisted of solely reporting the crime increased over time, while the number of principal petitioners demonstrating more than one category of helpfulness declined by almost 20% over time.

Fraud and Benefit Integrity Concerns

In some cases, the certifying officials did not appear to have completed or sufficiently reviewed the Form I-918B before signing. This can, and does, lead to inaccurate and misleading information included on Form I-918B. For example, there were instances where the information listed on Form I-918B did not appear to correspond to the supporting documents provided by law enforcement (e.g., arrest reports).

Additionally, in some filings, although the Form I-918B appeared to be complete, USCIS noted that the certification or other supporting evidence may have been altered before it was submitted to USCIS.

Some certifications include minimal information which limited USCIS's ability to comprehensively assess the QCA and other eligibility requirements. For example, some officials did not respond to every question, only responded to closed (checkbox) questions, or provided incomplete responses. It appeared that some certifying officials may not be aware that they can refuse to certify if a petitioner was not helpful, or that they can later request a withdrawal of a certified Form I-918B should circumstances change or new information becomes available.

Conclusion

This comprehensive research on key demographic and filing trends will support USCIS in developing data-driven regulatory and policy changes in order to improve the integrity of the U visa program, ensure that the program is following congressional intent, and increase efficiency in processing U visa petitions. By considering these findings when developing policy and regulatory changes, USCIS can reduce frivolous filings, rectify program vulnerabilities, and increase benefit integrity – key components of the USCIS mission.