

Immigration & 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 document 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-campus medical and counseling resources, as well as available accommodations, may be found at:

<https://www.smc.edu/student-support/health-wellbeing/health-services/index.php>

and

<https://www.smc.edu/student-support/sexual-violence-response-prevention/get-help-support/>

Information about the student conduct process may be found at:

<https://www.smc.edu/student-support/student-judicial-affairs/index.php>

The College will not retaliate against you or treat you differently on the basis of reporting a 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.smc.edu/administration/police/annual-security-report.php>

Specific questions about filing charges may be addressed to :

Johnnie Adams, Chief of Police, Santa Monica College Police Department
1718 Pearl Street , Santa Monica, California 90405
310 434 4302

[https://www.smc.edu/administration/police/
adams_johnnie@smc.edu](https://www.smc.edu/administration/police/adams_johnnie@smc.edu)

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 see:

<http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>

<http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>

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

Pressman Nicolov, Dean International Students Center
International Education Center (IEC) Student Services Center (SSC) 3rd Floor 1900 Pico Blvd.,
Santa Monica, California 90405
310 434 4768

<https://www.smc.edu/student-support/international-education/index.php>

Nicolov_Pressman@smc.edu

The International Student and Scholar Services Office 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.

Visa Options

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](#)

[USCIS: Find Legal Services Webpage](#)

[The Board of Immigration Appeals \(BIA\) provides a listing of attorneys by state who provide immigration services either for free or for little cost.](#)

[The American Immigration Lawyers Association \(AILA\) offers an online Immigration Lawyer Referral Service that can help a student or scholar find an immigration lawyer.](#)

[The American Bar Association also provides information on finding legal services by state.](#)