

**U Visa Sample Cover Letter – DV - Alternate Format**

*Via Priority and Return Receipt Mail*

DATE

United States Citizenship and Immigration Services  
Vermont Service Center  
75 Lower Welden Street  
**Form I-918/Crime Victims Unit**  
St. Albans, VT 05479-0001

*Re: I-918 Petition for U Non-Immigrant Status & I-192 Application for  
Advance Permission to Enter as Non-Immigrant, **DOE, Jane***

Dear Officer:

This office represents Jane DOE, with respect to her immigration status in the United States of America. Please find attached a G-28 evidencing such representation. Ms. Doe is filing a petition for U Non-Immigrant Status pursuant to INA §101(a) (15) (U). She has been the victim of a crime of violence by definition under the Maryland Criminal Code and she meets the statutory requirements for relief as a victim under U Non-Immigrant Status. Ms. Doe has suffered substantial physical and mental abuse as a result of having been a victim of Domestic Violence, perpetrated by John Smith, her former intimate partner and father of her children. Moreover, Ms. Doe was instrumental to local authorities and prosecutors in the investigation and prosecution of Mr. Smith for the crimes perpetrated against her.

Enclosed please find said forms and supporting documents:

- Form G-28
- Form I-912, Fee Waiver for Form I-192
- Form I-918, for Petitioner Jane DOE
- Form I-192, for Petitioner
- Attached Exhibits and Declarations

**Ms. DOE Qualifies for U Non-Immigrant Status**

There are five requirements for a non-citizen to qualify for the U Non-immigrant status. First, the applicant must be a victim of one of the enumerated criminal activities listed in INA Section 101 (a) (15) (U) (iii), which includes Domestic Violence. Second, the applicant/victim must have suffered “substantial physical or mental abuse” as a result of one of the enumerated criminal activities. Third, the applicant/victim must possess information concerning the crime. Fourth, the applicant/victim must provide certification by a designated official that the applicant/victim “has been helpful, is being helpful, or is likely to be helpful” to

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the investigation or prosecution of the criminal activity. Finally, the criminal activity must have violated the laws of the United States or occurred in the United States or its territories. Ms. Doe (hereinafter “Petitioner”) meets all five requirements and is thus eligible for the granting of U Non-Immigrant Status.

First, the enumerated crimes listed in INA Section 101 (a) (15) (U) (iii) include Domestic Violence. Petitioner is a victim of Domestic Violence because she has suffered repeated verbal and physical assaults at the hands of her intimate partner, John Smith. Petitioner was the primary victim of those crimes. Petitioner first met John Smith in Baltimore, Maryland in 2004; shortly thereafter, they began dating, moved in together and eventually had two daughters together. (See Exhibits 4 at ¶¶4-8; 14) Immediately upon dating, Mr. Smith became abusive. Over the course of their seven year relationship, Mr. Smith physically assaulted Petitioner on a monthly basis, repeatedly threatened to kill her and constantly verbally abused her. (See Exhibit 4 *generally*). Petitioner suffered this abuse until a final assault was perpetrated against her in July 2011.

On July 21, 2011, an argument ensued between Petitioner and Mr. Smith at their shared residence located at XXX in Baltimore, Maryland. Angered by her refusal to obey his orders, Mr. Smith grabbed Petitioner and threw her against the wall (*Id at ¶26*). Mr. Smith then hit her in the arm, grabbed her by the hair and banged her head against the wall. (*Id at ¶27*). Next, Mr. Smith put both hands around Petitioner’s neck and squeezed until she could not breathe. (*Id; See Exhibit 5, p.4*). Petitioner thought she might die in that moment. (See Exhibit 4 at ¶27). The struggle briefly stopped when Mr. Smith’s sister came in the room and intervened. When Petitioner told Mr. Smith that she was going to call the police, he grabbed her phone and threw it onto the floor, breaking it into pieces. (*Id at ¶28*). Mr. Smith then continued to assault Petitioner by violently grabbing and squeezing her hand (*Id at ¶29*). Petitioner was able to escape and fled to her neighbor’s house where she called the Baltimore County police. (*Id.*)

Second, Petitioner has suffered substantial physical and mental abuse as a result of the domestic violence she endured from Mr. John Smith. Over the course of their seven year relationship, Petitioner was subjected to dozens of physical assaults and death threats. (See Exhibit 4 *generally*). Immediately after they began dating in July 2004, Mr. Smith began to verbally and emotionally abuse Petitioner. (*Id at ¶19*). Mr. Smith would monitor her phone calls, make her feel bad about going out with friends and verbally abuse her when she did not have dinner ready when he got home from work. (*Id at ¶19*). Consistent with classic cases of domestic violence, Mr. Smith’s behavior isolated Petitioner from her family and friends. *Id.* Mr. Smith would pressure Petitioner not to work because “he was one of those men who like to keep their women at home and don’t like their women to improve”. (*Id at ¶¶8,11*).

The first incident of physical abuse occurred two months after they began dating when Mr. Smith violently grabbed Petitioner by the wrists, threw her on the couch and made threatening statements because she had received a phone call from a male friend. *Id at ¶10*. Mr. Smith would degrade and humiliate Petitioner by telling her that she was “stupid” or an “idiot”, as well as acting in ways to put her in fear of physical harm (*Id at ¶¶13, 16*). The abuse again

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escalated to physical assault in December 2005 when Mr. Smith slapped Petitioner in the face after she protested his criticism of her domestic work. (*Id* at ¶15). After this assault, Mr. Smith would physically abuse Petitioner on a monthly basis, generally slamming her against a wall and making threatening gestures as if he was going to punch or slap her. (*Id* at ¶17). Mr. Smith coupled this physical abuse with frequent verbal threats to kill Petitioner. (*Id* at ¶¶18, 19). Her fear of him incapacitated her from reporting the abuse. (*Id*).

However, the abuse escalated in severity in July XXX when Mr. Smith grabbed Petitioner, slammed her into a wall and then began strangling her. (*Id.* at ¶18; Exhibit 13, p.1). While he was strangling her, Petitioner believed he might actually kill her in front of their two year old daughter. (*See* Exhibit 4 at ¶18.) Over time, the violence also worsened in frequency to three to four times per month. (*Id* at ¶20). On July 4, XXXX, Mr. Smith grabbed Petitioner, slammed her into a wall and strangled her while she was six months pregnant, in the presence of their daughter. (*Id* at ¶21). Petitioner suffered pain and bruises for several days after, however she never reported the abuse out of fear and shame. (*Id* at ¶22). The couple ceased an intimate relationship in October XXXX, but continued to live together out of financial necessity. (*Id* at ¶¶23). Even so, as detailed above, Mr. Smith assaulted Petitioner again on July 21, XXXX in one more final incident.

As a result of the assault that occurred on July 21, XXXX, Petitioner suffered pain and developed visible bruising on her arm (*See* *Id* at ¶33 and Exhibit 6). Although she did not require medical treatment, Petitioner also sustained an injury to one of her fingers, which remained swollen and bruised for a week and continued to hurt for about a month. (*Id* at ¶29).

Petitioner struggled to break free from this abusive relationship. During her residency with Mr. Smith, Petitioner lived in a constant state of fear and depression (*Id* at ¶15, 20). She often suffered from nightmares and nervousness; imagining that Mr. Smith would shoot or strangle her. (*Id* at ¶20). The domestic violence made Petitioner feel “that (her) self-esteem was on the floor and (she) was a weak person”. (*Id* at ¶15).

After the July XXXX assault, Petitioner sought help to cope with the trauma caused by this abusive relationship from Adelante Familia, a specialized domestic violence program of the House of Ruth of Maryland that serves Latina victims of domestic violence in Baltimore City (*See* Exhibit 4 ¶38, 50). In order to treat the damage caused by the abuse, Petitioner has participated in individual therapy there (*See* Exhibits 13; 4¶50). In therapy, Petitioner reported “sadness, hopelessness, irritability, loss of interest and joy in activities that she used to enjoy, guiltiness, feeling like she was being punished, feeling disappointed in herself, indecisiveness, lack of energy, insomnia, decreased appetite, and tiredness” as well as symptoms of anxiety (*See* Exhibit 13, p.3). She has also reported physical symptoms relating to the trauma including “numbness, legs and hands shakiness, sweats, fear of dying, difficulty relaxing and breathing, heart pounding, fear of losing control, unsteadiness, digestive problems, fear of worst happening, dizziness, and feeling terrified and nervous” (*Id*).

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At initial intake, Petitioner was assessed as having been a victim of *severe* physical abuse and *severe* emotional and psychological abuse (See Exhibit 13, pp.1-2). Petitioner has successfully completed her treatment and has “exhibited a strong resilience to overcome the severe psychological symptoms that she experienced during the abusive relationship”. (*Id* at p.2).

Third, Petitioner possesses information about the domestic violence as she was the primary victim of the crime that occurred on July 21, XXXX, perpetrated against her by John Smith, her former intimate partner (See Exhibits 4-12).

Fourth, Ms. Doe is submitting an executed Form I-918, Supplement B, the certification from a state official in charge of the investigation and prosecution of the domestic violence assault that occurred in Baltimore County, Maryland (See Exhibit 1). The Certification verifies that Petitioner is a victim that possesses information that was helpful to the investigation and prosecution of an enumerated crime and that she has been cooperative with the state agency. (*Id*). Petitioner’s helpfulness in this case began with her calling the police immediately after the assault on July 21, XXXX. (See Exhibits 1; 4¶30-32; 5). Two officers from the Baltimore County Police Department arrived to her home and questioned her and Mr. Smith. (See Exhibit 5, p.1). Petitioner attempted to report the assault to the officers in Spanish, the only language that she speaks and understands fluently. (See Exhibit 4¶31). Due to language barriers, the police officers reported the incident as a domestic dispute rather than as a domestic assault and took no action at that time. (See Exhibit 5, p.1).

However with the assistance of Adelante Familia of the House of Ruth of Maryland, Petitioner filed an Application for Statement of Charges on September 27, XXXX. (See Exhibits 4¶36-43; 7). As a result, Mr. Smith was subsequently arrested and charged with second-degree assault. (See Exhibits 8-10). In the course of filing the criminal charges, Petitioner was contacted by Baltimore County Police Officer XXXX and was re-interviewed on October 6, XXXX (See Exhibits 1 & 5, p.4). Officer XXXX speaks fluent Spanish and thus Petitioner was able to successfully report the assault to him and show him pictures of her bruises. (See Exhibit 5, p.4) This incident was upgraded to domestic abuse by Officer XXXX who submitted a supplement police report. (*Id*). Petitioner also filed a Petition for Protection from Domestic Violence with the District Court of Maryland for Baltimore County on September 27, XXXX and was ultimately able to obtain a Final Protective Order against Mr. Smith. (See Exhibits 11-12).

Petitioner was subpoenaed and appeared as the complainant for the criminal trial against Mr. Smith on December 8, XXXX at the Baltimore County District Court. (See Exhibits 4 at ¶44; 9). Upon her arrival, Petitioner spoke with the Assistant State’s Attorney and was ready to testify. (See Exhibit 4 at ¶44). Ultimately, Petitioner’s testimony was not requested because the Office of the State’s Attorney offered, and Mr. Smith accepted, a conditional stet. (See *Id* at ¶45, 47; Exhibits 1 & 10). As a result, Mr. Smith’ case was put on the STET docket under the conditions that he complete an anger management program and that he have no contact with Ms. Doe. (See Exhibits, 1, 4 at ¶47 & 10).

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And finally, the criminal activity occurred in the State of Maryland, United States (See Exhibits 1, 4-12). It is clear that Jane Doe is eligible for U Non-Immigrant Status, therefore she is requesting that she be granted appropriate relief.

### **Ms. Doe seeks to Waive Inadmissibility under INA 212(a)(6)(A) for Entering Without Inspection**

To the best of her knowledge, Petitioner believes she may be inadmissible due to her single entry into the United States without inspection, permission or parole on or about May XXXX at the Arizona/Mexico Border. (*Please see the attached Declaration in Support of Forms I-918& I-192 at Exhibit 4 at ¶¶1-3*). If there are any additional grounds that we have failed to identify, please communicate with us so that we can address those issues and file an amended I-192 form.

Ms. Doe requests a waiver of this ground of inadmissibility. She is a person of good moral character, a hardworking mother dedicated to supporting her two minor United States Citizen children. (*See Exhibit 4 at ¶¶3, 51-53*). Ms. Doe has never committed any crimes nor has any criminal convictions (*See Id at ¶3*).

It is in the public interest to permit individuals who assist law enforcement in the investigation and prosecution of perpetrators of violent crimes to remain in the United States. Allowing Ms. Doe, a victim of domestic violence who assisted law enforcement, to remain in the United States is in the national and public interest. Were it not for Ms. Doe's reporting to and subsequent cooperation with law enforcement, Mr. Smith likely would have continued to perpetrate acts of violence against not only her, but other members of the public as well. Ms. Doe's helpfulness to law enforcement therefore promotes the public and national interest of maintaining safer communities.

Family unity is also in the public and national interest. Ms. Doe has two minor daughters, ages 2 and 7, who are United States Citizens (*See Exhibit 14*). Both children reside with Ms. Doe and she is their main financial support and primary caregiver. (*See Exhibit 4 at ¶52*). Ms. Doe wants to remain here in order to raise her children in the United States because they would have far better opportunities for education and financial success than they would have in El Salvador. (*Id at ¶¶52-53*). Ms. Doe has worked hard to overcome the trauma she has suffered and create a life for herself in the United States.

If you need further information or documentation to support this application, kindly contact this office at (410) 999-1210 or at the address listed on the cover page. Thank you for your prompt examination of this case and for your time.

Best Regards,

ATTORNEY

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### List of Exhibits for Forms I-918 & I-192 for Jane Doe

Ms. Doe meets all statutory requirements under INA 101(a)(15)(U) and is thus eligible for the granting of U Non-Immigrant Status. Enclosed are the following documents:

- Exhibit 1** Original Form I-918, Supplement B, U Visa Certification signed by XXXX, Deputy State's Attorney for Baltimore County, Maryland, executed on XXXX
- Exhibit 2** A Copy of Petitioner's XXXX Passport
- Exhibit 3** A Copy of Petitioner's Birth Certificate and attached translation
- Exhibit 4** Original and Signed Personal Declaration of Petitioner Ms. Doe in Support of her Petition for U Non-Immigrant Status, Form I-918, and Application for Advance Permission to Enter as a Non-Immigrant, Form I-192
- Exhibit 5** Copy of Baltimore Copy Police Report detailing the initial investigation of a domestic assault perpetrated against Ms. Doe on DATE by her intimate partner Mr. Smith, which was determined to be a domestic assault after subsequent investigation on DATE; includes Petitioner's oral statement reporting the assault and results of a lethality screen assessment conducted by Officer Brown
- Exhibit 6** Copies of two photographs taken on or about DATE of Petitioner's bruised arm resulting from a domestic assault perpetrated against her on Date
- Exhibit 7** Copy of the Application for Statement of Charges filed by Petitioner herself on Date in the District Court of Maryland for Baltimore County against Mr. Smith for the domestic assault perpetrated against her on DATE
- Exhibit 8** Copy of letter to Petitioner from the Office of the State's Attorney for Baltimore County in connection with a criminal case No. XXX pending against Mr. Smith arising out of her Application for Statement of Charges
- Exhibit 9** Copy of Summons for Petitioner to appear as the State's Witness on DATE in the criminal case of State of Maryland v. Mr. Smith, in the District Court for Baltimore County, Maryland
- Exhibit 10** Online Record from Maryland Judiciary Case Search for case No. XXXXX, State of Maryland v. Mr. Smith, indicating an entry of "other plea" with a disposition of

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“stet” entered in the District Court of Baltimore County on Date in connection with the domestic violence assault perpetrated against Petitioner

**Exhibit 11** Copy of Temporary Protective Order, including her written petition reporting a threat made by Mr. Smith against her on DATE

**Exhibit 12** Copy of the Final Protective Order granted to Petitioner on DATE, valid for one year, against Mr. Smith, ordering him, amongst other things, not to abuse, nor contact nor enter her residence

**Exhibit 13** Original letter from Ms. Counselor, Ms. Bilingual Counselor, and Ms. Caseworker, LCSW-C, Program Manager of Clinical Services at the House of Ruth of Maryland, a comprehensive domestic violence program for Latina victims in Baltimore, MD, detailing the substantial mental and physical abuse endured by Petitioner

**Exhibit 14** Copy of birth certificates for Petitioner’s two minor daughters who are United States Citizens