

# Safety and Access for Immigrant Victims Act

Chapter 7.98 RCW



## What is the Safety and Access for Immigrant Victims Act and Why Was it Passed?

The goal of the Safety and Access for Immigrant Victims Act (Chapter 7.98 RCW) is to ensure that immigrant victims of crime are able to access the protections available to them under the law by supporting greater consistency across law enforcement, prosecution and the courts. Immigrants are frequently reluctant to contact or cooperate with law enforcement or governmental agencies when they are victims of crime out of fear. Immigration law contains protections for victims of crime and human trafficking to encourage collaboration with these agencies. Ensuring that **ALL** victims of crime are able to access the protections available to them under the law is in the best interest of victims, law enforcement and community safety.

## What Does the Safety and Access for Immigrant Victims Act Do?

- Forms a Crime Victim Certification Steering Committee to implement and monitor compliance of the law.
- Requires that certifying agencies have designated signing officials and respond to requests for U and T visa certifications in a timely manner.
- Requires the development and implementation of training to law enforcement, prosecutors, victim advocates, court personnel, state agency personnel and others on U and T nonimmigrant visas, other legal protections for immigrant survivors of crime and promising practices for working with immigrant crime victims.
- Requires outreach, education, and information for immigrant crime victims about the protections available to them.

## Who is Considered a Victim of Crime Under Chapter 7.98 RCW?

- Chapter 7.98 RCW, a victim of criminal activity is an individual who has:
- Reported criminal activity to a law enforcement or certifying agency; **OR**
- Participated in the detection, investigation, or prosecution of criminal activity; **AND**
- Suffered direct or proximate harm as a result of the criminal activity.
- See [U.S.C. Sec.8 1101\(a\)\(15\)\(U\)\(Iiii\)](https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status) for qualifying crimes or visit <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>.

## U AND T VISAS

Congress created U and T visas with the passage of the Victims of Trafficking and Violence Protection Act in 2000. These visas allow victims of crime and human trafficking to remain in the United States for up to four years and helps enforcement agencies better serve victims of crime.

Read the full Victims of Trafficking and Violence Protection Act:

<https://www.state.gov/j/tip/laws/61124.htm>

## PROGRAM CONTACT

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## LEARN MORE

Visit the Safety and Access for Immigrant Crime Victims program webpage on the Washington Department of Commerce website.

<https://www.commerce.wa.gov/serving-communities/crime-victims-public-safety/office-of-crime-victims-advocacy/safety-and-access-for-immigrant-victims/>