

Chapter 7.98

RCW Fact Sheet

Overview of the 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 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.



"The legislature finds that 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 the entire community."

-RCW 7.98.005

Agency contact

Melissa A. Krouse
PROGRAM MANAGER

Office of Crime Victims Advocacy

Melissa.krouse@commerce.wa.gov

Phone: 360.725.2896



Washington State
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Commerce

We strengthen communities

- Requires outreach, education, and information for immigrant crime victims about the protections available to them.

Who is considered a victim 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\(a\)\(15\)\(U\)\(liii\)](#) 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>.

What are a U and T visa? 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, obtain work authorization, 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>

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/>