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Lawsuit Demands Visa for Immigrant Victims

By LAURA WIDES

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LOS ANGELES -- Lawyers for undocumented immigrants who've been victims of violent crimes sued the Department of Homeland Security on Tuesday for failing to issue protective visas that Congress created five years ago.

The 2000 law approved visas for victims of violent crimes who cooperate with law enforcement investigations or prosecutors. The visas would allow them to remain in the United States and apply for permanent residency after three years. But regulations detailing how to apply for the special U-visa were never published, and none have been issued.

Immigrants who have been victims of a violent crimes: brothers Jorge and Euleuterio Rodriguez Ruiz; Juana, and Carmen, both of whom only revealed their first names, from left, join a coalition of civil rights organizations as they announce their federal lawsuit Tuesday, Oct. 18, 2005, during a news conference in Los Angeles, against the Department of Homeland Security for failing to issue special visas that the U.S. Congress approved in 2000.

"Congress enacted the law with the dual goal of making communities safer ... and as a humane gesture to those immigrants who cooperate with law enforcement agents," said Peter Schey of the Los Angeles! - based Center for Human Rights and Constitutional Law, one of three groups that filed the federal suit.

The suit was filed on behalf of nine immigrants from California, Texas and Arizona, including several children. Attorneys are seeking class action status.

Homeland Security's Citizenship and Immigration Services, which issues visas, declined to comment on the suit.

"We're looking at taking our time to ensure that the final regulations we put out are concise and clear and complete," said USCIS spokesman Chris Bentley.

Regulations for a similar visa created under the same law, which allows victims of human trafficking to remain in the United States, were issued in 2002.

Jorge Rodriguez Ruiz, 20, of Oaxaca, Mexico, is among the plaintiffs. He and six others say they were attacked by a man in April who held them at gunpoint for half an hour at a rest stop in Maricopa County, Ariz., before authorities intervened.

Rodriguez and the others gave sworn statements to police and received! department certificates confirming their cooperation, though the man was never prosecuted. Rodriguez is now facing deportation.