

.09 Abused or Battered Noncitizen

Documented noncitizens may become qualified noncitizens when they have suffered abuse from a parent or a spouse.

Documented noncitizens may become qualified noncitizens when they have suffered abuse from any of the following:

- Parent
- Spouse
- A family member of the parent or spouse who resides in the same home

Inform the noncitizen of the following:

- They must contact USCIS to obtain a Petition for Abused Aliens.
- The abuse must have occurred in the U.S. and the abusive person must be a U.S. citizen or a Lawful Permanent Resident Noncitizen.
- They must currently reside in the U.S.
- They must provide any and all documentation verifying continuous residency in the U.S. for the prior five years. (For MA applicants or participants, see [MA continuously residing](#) for types of documents the participant must provide)

NOTE All periods of time that are not accounted for must be addressed by participant statement.

When a noncitizen provides a petition from USCIS and, when applicable, documentation that indicates they have been continuously residing in the U.S., the supervisor must complete the following:

- Contact the [Policy Support Team](#) (PST) via e-mail to request an eligibility determination of the battered noncitizen.
- Immediately FAX copies of the petition and supporting continuous residence, to the PST.

The PST determines the battered noncitizen's eligibility and notifies the supervisor via e-mail.

In order for the noncitizen to be potentially eligible, they must meet ALL of the following:

- Possess appropriate USCIS status.
- Be battered or subject to extreme cruelty.
- Have a substantial connection between battery and the need for benefits.
- No longer residing with the batterer.