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# Lake County State's Attorney's Office

## U and T Visa Certification Policy

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Effective: 5/25/2021

### **Purpose:**

This order outlines the responsibilities, duties, and job tasks related to the State's Attorney's Office management of Certification process for Form I-918 Supplement B, U visa Nonimmigrant Status Certification and Form I-914 Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons.

### **Policy:**

It is the policy of the Lake County State's Attorney's Office to follow the Certification guidelines set forth by Federal Regulation 8 CFR 214.14 "Alien Victims of Certifying Criminal Activity" and 8 CFR 214.11 "Alien Victims of Severe Forms of Trafficking in Persons," the United States Citizenship and Immigration Services (USCIS), and 5 ILCS 825 The State of Illinois Voices of Immigrant Communities Empowering Survivors (VOICES) Act.

### **Certifications Request Process:**

- A. U-Visa or T-Visa certification request may be initiated by **victims** of qualifying criminal activity as defined under Federal Regulation 8 CFR 214.14 "Alien Victims of Certifying Criminal Activity" and 8 CFR 214.11 "Alien Victims of Severe Forms of Trafficking in Persons."
- B. Attorneys representing the victim, or a reputable non-profit legal service agency may also submit a request for certification but **must** include their completed Form G-28, Notice of Entry of Appearance or Accredited Representative.
- C. All certification request shall be submitted on United States Citizen and Immigration Services most updated version forms. (Form I-918 supplement B, U nonimmigrant Status Certification and Form I-914 supplement B, Declaration of Law Enforcement Office for Victim of Trafficking in Persons)
- D. Certification request USCIS forms should be completed by the requesting party. Our office will review the information on the request and may modified to reflect the information contained in our records.
- E. A self-addressed and stamped envelope **must** be included for the return of the signed certification.
- F. The following information does **not** have to be included with the application: Copies of police reports, USCIS guidelines, nor the VOICES act. Please include: Cover letter with agency name and contact person, the Defendant's name reflecting the criminal case and the case number.
- G. Certification request must be made with Certifying Official, Jacqueline Herrera Giron, Chief of Victim Services of the Lake County State's Attorney's Office – either by mail: 18 N. County Street 4<sup>th</sup> Floor, Waukegan Il, 60085 (OR) emailed to [LCSAOImmCert@lakecountyil.gov](mailto:LCSAOImmCert@lakecountyil.gov)

**Decision Procedure:**

1. Approved certification request will be mailed to the sender in the self-addressed and stamped envelope provided by the requestor.
2. A reason(s) for denial of certification will be provided to the requestor.

**Local Law Enforcement agencies:**

We ask that if you decide not to certify the request made to your police department that you notify the applicant or agency that they have the option to submit a specific request directly to the Lake County State's Attorney's Office if there is a criminal prosecution.