

SECTION: 840.02**SUBJECT: U & T Visa Program Participation****POLICY**

The Dane County Sheriff's Office is committed to protecting victims of crime, regardless of their immigration status. The US Citizenship and Immigration Services offers two types of Visas which provide protection for immigrant victims and strengthens our ability to detect, investigate, and prosecute crimes.

Victims of certain crimes may apply for U nonimmigrant status (U Visa) if they are currently assisting or have previously assisted law enforcement in the investigation or prosecution of a crime, or are likely to be helpful in the investigation or prosecution of criminal activity. The U Visa allows eligible victims without immigration status to remain in the United States while assisting law enforcement without the immediate risk of being removed from the country.

In addition, victims (and qualifying family members of victims) of severe forms of human trafficking may apply for T nonimmigration status (T Visa) if they have complied with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking. The T Visa allows eligible victims without immigration status to remain in the United States without the immediate risk of being removed from the country.

The Dane County Sheriff's Office will participate in the process to certify U and T Visas if a qualifying crime was committed and the victim was or continues to be cooperative with the investigative and prosecutorial processes.

DEFINITIONS**Form I-918, Supplement B: U Nonimmigrant Status Certification**

This supplemental form should be utilized to certify that the applicant is a victim of certain qualifying criminal activity and was, or is likely to be, helpful in the investigation or prosecution of that activity.

Form I-914, Supplement B: Declaration of Law Enforcement Officer for Victim of Trafficking in Persons

This supplemental form should be utilized to declare that the applicant is a victim of a severe form of trafficking in persons and has cooperated with your reasonable requests for

assistance in an investigation or prosecution of a crime where trafficking is at least one central reason for the commission of that crime.

PROCEDURE

Initial review of the U or T Visa will occur upon receipt.

- All certification requests must be sent or dropped off by the applicant's immigration attorney to the Dane County Sheriff's Office.
 - Forms can be dropped off at the 2nd floor lobby window or can be mailed or sent electronically.
 - Parts 1, 2, 4 and 5 of form I-918, Supplemental B must be completed before submission for certification by the applicant's immigration attorney.
- After receiving a U or T Visa request, the DCSO employee who accepted the application will determine if the U or T Visa request was specific to an investigation conducted by the Dane County Sheriff's Office.
- If the investigation was not conducted by the Dane County Sheriff's Office, the requestor should be referred to the proper agency.
- If the U or T Visa request is related to a Dane County Sheriff's Office case, the application should be forwarded to the respective DCSO Division Captain of where the crime occurred. It should then be determined if a charge was referred to the District Attorney's Office for prosecution and if a criminal case was initiated.
- If the Dane County District Attorney's Office has proceeded with charges, or will be proceeding with a prosecution, the application should be referred to the District Attorney's Office Bilingual Victim Witness Case Manager for processing the U or T Visa.

Routing of the U or T Visa to the appropriate area of the Sheriff's Office:

- If the case was either not referred for charges or if the Dane County District Attorney's Office declined to prosecute, the division which investigated the initial incident will be provided either the I-918, Supplemental B form or the I-914, Supplemental B form based on the specific type of Visa request.
- The Division Captain should review the submitted I-918, Supplemental B form (U Visa) application as well as any applicable reports and Records Management System entries to determine who in the division may be best suited to review and verify the

86 details of the application. This may be the investigating deputy, a detective, or a
87 supervisor within the division.

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- 89 • For T Visa (I-914, Supplemental B) applications, the Field Services Captain will
90 assign the designated Human Trafficking detective (or designee) to review and
91 verify the details of the submitted application.

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93 Verification and approval of U and T Visa will include:

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- 95 • The assigned staff will compare the case details against the completed I-914,
96 Supplemental B form or the I-918, Supplemental B form for accuracy.
 - 97 ○ Parts 1-5 should be checked for accuracy against the police report.
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 - 100 ○ The law enforcement review is to affirm the petitioner (applicant) is a victim
101 of a qualifying crime, and whether that individual was, is, or is likely to be
102 helpful to law enforcement's detection, investigation or prosecution of the
103 crime.
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- 105 • Once the form has been verified as complete and accurate, the request, along with
106 any pertinent reports, should be submitted to the Sheriff, or a designee of the
107 Sheriff, for a final approval and signature. Any signature should be completed in
108 blue ink.

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110 Documentation of U & T petitions

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- 112 • The final signed copy of the U or T Visa form will be uploaded and attached as a
113 document in the Records Management System (Spillman), under the original case
114 number.
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- 116 • The original signed forms shall be returned to the petitioner or their attorney so
117 they can be submitted to the United States Citizenship and Immigration Services
118 (USCIS) for final approval determination.
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- 120 • The Dane County Sheriff's Office will respond to requests within 60 days. Requests
121 that are not certified will be accompanied by a brief explanation as to why the
122 request did not qualify.

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124 SUPERVISION

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126 Supervisors shall routinely observe the U and T Visa Program participation to verify
127 procedures are conducted in accordance with Sheriff's Office Policy & Procedure.

HISTORY

Date	By	Note
2025.01.28	Support Administration	Created as a new policy.