

Appendix III: Best Practices¹

| | |
|---|---|
| 1 | <p>We have an established relationship with the domestic violence unit of the Manchester Police Department. When we receive a client who requires a certification from them, I can contact the Sergeant in charge of the unit by email with the name of the client and other identifying information for the case, and request the certification. The Sergeant will let me know by email whether they are willing to sign off on the certification and if signing will mail me the completed signed certification, sometimes with copies of police reports attached (if requested). This relationship has continued through changes in personnel at the police department. There have been 4 different Sergeants in charge of the unit, I have worked with, and the process has been smooth even with transitions.</p> |
| 2 | <p>Cook County State's Attorney's Office allow for certifications in virtually all situations in which the case went to prosecution. They employ the broadest possible definition of helpfulness and allow USCIS to determine visa eligibility. For example, where a victim of DV failed to go to court and the case was nolle pros, the SAO will still sign since they work in the area of DV/sex offenses and are familiar with the hardships to victims and the plethora of reasons why an individual who was helpful in the detection and investigation of DC may not want to go forward with the prosecution.</p> |
| 3 | <p>Hands down, I believe that the Queens District Attorney's Office has the best certifying practices in the nation. The Queens DA's office will certify any case with a cooperating victim of a qualifying criminal activity as soon as the criminal defendant has been arraigned - generally within 24 hour of arrest. In order to obtain a U certification, all that one has to do is email the crime victim's name and dob and the criminal defendant's name to the designated Assistant District Attorney (ADA) in charge of handling requests and he along with his incredible assistant will prepare and sign a U certification, often within hours of the request being submitted. The Queens DA is in a position to be so responsive for a number of reasons. The Queens DA, unlike every other DA's office in NYC, prosecutes all domestic violence crimes where there has been an arrest. Once victims realize that the case will go forward with or without their cooperation, well over 99% of victims cooperate. Further, if cases go to trial (and they rarely do), the Queens DA's office is not afraid to respond directly at trial to accusations of criminal defense attorneys that the complaining witnesses are making up their reports of domestic violence to get immigration status. (The Queens DA's office, like every DA in NYC, believes that federal Brady and New York State Rosario federal/state constitutional cases requiring prosecuting authorities to turn over potentially exculpatory evidence requires providing copies of the U certification to criminal defense attorneys prior to trial if the cases go to trial.) In addition to feeling confident enough at arraignment to certify victim helpfulness, as non-cooperation is not really an option in Queens, the Queens DA's office has well organized computer records (unlike other boroughs' DA offices where relevant information is all in paper files that are routinely lost) and staff not overly burdened with other work responsibilities who are designated to respond to U certification requests. I would be delighted to speak further about the incredible work of the Queens District Attorney's Office with respect to U certifications and other matter aspects of domestic violence prosecution.</p> |

| | |
|----|---|
| 4 | <p>NYPD now certifies but is very reluctant especially where there are prior arrests. The DA's offices here in NYC are generally very good on certifying. Advocates here spent a long time with DAs, ACS (child services), US Atty and now we are advocating with the courts to set up certification policies. If this work is done in advance without specific requests in mind I think that is the best way. Advocates should try to do this in their locations. Other ideas is to bring in other folks from other areas to help local law enforcement set up policies. Sometimes they just don't want to hear from their locals for various reasons.</p> |
| 5 | <p>Denton County District Attorney's office in Denton, TX provided a U visa certification for a young man who has been completely disabled and now cannot walk, talk or feed himself because of a violent assault by his caregiver at the Denton State School. Although the client is an adult, his mother has been an outspoken advocate on his behalf and is his legal guardian. The DA's office provided a very nice certification and eventually USCIS approved the U visa application despite the inability of the client himself to provide assistance to law enforcement and the lack of provision in the statute for a guardian for a mentally incompetent adult to provide that assistance on his behalf.</p> |
| 6 | <p>The Queens County District Attorney's Office has a designated signer who responds to requests almost immediately. The request is sent via email with the basics of the case - Docket # if available but also just defendant's name and date of birth if no other information is available. The signer will respond right away to let you know whether certification will be signed or whether there is some circumstance in the case that prohibits signing. If any information is needed about the case, the signer will respond to emails right away with that information. Hard copies of the approved certifications arrive in the mail within the week. This is compared with other agencies that make us wait several months to a year at times for certifications. Queens DA is amazing!</p> |
| 7 | <p>Invalidated Response- respondent did not answer the survey question.</p> |
| 8 | <p>Invalidated Response- respondent did not answer the survey question.</p> |
| 9 | <p>The Queens DA is very responsive to U visa certification requests. They immediately respond to requests and call if there are issues. If there are no problems, the certification is issued in a matter of days.</p> |
| 10 | <p>I forgot to indicate -- the Davis, CA police dept. NEVER provides "U" certifications to anyone! The Yolo County D.A. refuses to provide certifications for cases no longer "open", claiming that that is a correct interpretation of the statute, and based upon a memo from the San Diego County D.A.'s office. Yolo County D.A. has refused in cases of domestic violence, as well as in other situations, where prosecution is over and perp is off probation -- even when perp was convicted.. Yolo County sheriff is very helpful, however, and has certified for reports of crimes even though the perpetrators were never caught (e.g. in an armed robbery/assault situation -- three undocumented men working on a levee were robbed and assault at gunpoint, perps took their company truck, later abandoned it, but were never caught. All three were certified for "U"s by the sheriff.</p> |

| | |
|----|---|
| 11 | The DA's office in Nashville accepts requests by e-mail and one designated person reviews each request. She lets me know one way or the other right away, even if afterwards it takes a while to get the signed Supplement B. The big problem, even with this agency, is getting review when the designated person declines. |
| 12 | Invalidated Response- respondent did not answer the survey question. |
| 13 | The Chicago Police Department will, at times, when given additional information from the victim, revise a Form I-918B to clarify the information about the victim's helpfulness. However, the CPD's willingness to do this has seemed to decrease in 2012. The Baraboo Police Department in Wisconsin signed a new Form I-918B expanding on the qualifying crimes and Wisconsin statute violations investigated, after the Vermont Service Center issued an RFE questioning whether the victim was a victim of a qualifying crime. |
| 14 | We are usually able to obtain certification for recent cases (within last 2 years) and victim testified in court. Sometimes the agency refuses to sign for older crimes and if the victim did not testify (although may have been helpful) |
| 15 | Invalidated Response- respondent did not answer the survey question. |
| 16 | While the Racine County District Attorney's Office previously signed off on U visa certifications, the elected district attorney in Racine, WI has stopped this trend. He will not delegate the position to anyone else, and he will not respond to phone or written messages requesting that he sign a certification. My understanding is that he has also set up a process so that the police in Racine County refer all U visa requests to him. The Walworth District Attorney's Office has delegated the signing of U visa certifications to Attorney Diane Donohoo. She has historically denied requests, giving little reason for the denial, but the deputy district attorney in that office said that he would sign a certification for me. We'll see if that actually happens. The Milwaukee Police Department is currently refusing to sign a certification for a client of mine who was extremely helpful after being the victim of a robbery by force. The MPD first said that the client wasn't a victim of a qualifying crime, and when challenged, later said that the victim wasn't helpful because he was not positive when making an identification of the perpetrator and because the DA didn't charge the case. I have sent back another request with an explanation that helpfulness does not require a positive identification or charges being filed, and I have not heard back yet. |
| 17 | Invalidated Response- respondent did not answer the survey question. |
| 18 | Invalidated Response- respondent did not answer the survey question. |
| 19 | LEAs that are the most helpful allow practitioners to contact them directly with initiated certs ready for review and signature and typically have a contact person or contacts persons for this. They are also available to the victims themselves and allow the vic to request the cert himself/herself with reasonable turn around times (2 weeks or less). When determining whether or not to certify they do not go beyond the specified role of the LEC in that they limit their determination and comments to the crime/helpfulness. |

| | |
|----|--|
| 20 | <p>re: refusal to sign Tulare Police Department - in December 2012, the signer told me that they were in the process of adopting a policy to no longer sign U Visas bc it was an unfunded activity. Also, the signer was unhappy that people were asking for signatures for closed cases. ("Once they case is closed, we don't need them here anymore.") I don't know if the policy of no longer signing is in place yet, but it is VERY difficult to get a signature from them.</p> <p>Visalia Police Department - they sent my first few requests to their attorney, who told me that "we aren't going to do your work for you." However, they have signed certs since that letter, so I don't know that that is still their policy.</p> |
| 21 | <p>Sonoma Co. DA has often reconsidered after I spoke with them. Same with Santa Rosa Police. Had horrible problems with the Sonoma Co. Sheriff -- no certs from them for more than a year -- but after heavy lobbying of the sheriff they set someone up who actually gets it done.</p> |
| 22 | <p>A client from eastern NC was approved for U-1 based on abuse suffered by her 19 year old daughter when the daughter was only 2 years old. Certifying official remember the victim and the mother.</p> |
| 23 | <p>In my geographic area, the only successful U certifications are those that are dealt with first by the DA. My practice is seen as a service-provider for the DA's Victims' Advocates office. Walk-ins who are merely informed of the U visa and perhaps were helpful, do not stand a chance at certification if the case was not referred to the DA's and charges filed first.</p> |
| 24 | <p>The Cook County State's Attorney's Office is an excellent example of an ally for victims. They have developed a policy for signing certifications, have a system for clients to request certs on their own when appropriate, have an efficient process and understand the dynamics of domestic violence and challenges associated with sexual assault.</p> |
| 25 | <p>Generally I obtain as much documentation on the crime as possible and fill out the I-918B preemptively. I then call the certifying agency, ask if they have someone designated for certification, and send The I-918B, all the documentation, and a letter of explanation to that person. If they do not have a designated person or claim not to do certification, I send it to the head of the agency along with copies of materials for how to set up such a program (there are several good guides available for this) and references to other agencies that do it, and a request to have the head sign this one and encourage them to enter this type of advocacy because it will help strengthen their community and lessen crime. Unfortunately, not everyone wants to lessen crime, as that would put them out of a job, I guess.</p> |
| 26 | <p>dedicated personnel in victim/witness unit, training in u visas and working with victims of violence, polite and empathetic, prompt and responsive</p> |
| 27 | <p>Colorado Springs DA (El Paso County CO): Certified victim even though she did not testify at trial when asked, because the reason she did not testify was that she had fled the state and could not afford to travel back to CO to attend the trial. She asked for travel expenses from DA and they said they could not cover her expenses. Queens and Brooklyn DA certify criminal cases even if the case is not concluded, as long as the victim has been helpful so far (which sometimes just means calling the police and signing the Complaint).</p> |
| 28 | <p>I meet every two months with the Chief District Attorney at the Family Unit at the Philadelphia District Attorney's Office. During these meetings he signs U-visa certifications that I email to him a week before the meeting. We also talk about problems that his agency has communicating with victims who do not speak English, witness intimidation and other issues arisen from cases were client's were not able to attend hearings, etc. The designated person will sign certifications for cases that are still open as long as the victim appeared at</p> |

| | |
|----|--|
| | <p>least twice in court, he will also sign certifications in emergency cases that cannot wait until our meeting. He is open to trainings and to learn more about immigrant victims and their barriers seeking safety.</p> |
| 29 | <p>Presidio Police department will assist in the U visa certification process in a very efficient manner. It is great to work with them as they usually have a response for us in one or two weeks. The Sheriff's Office in El Paso will contact our office as soon as a potential U visa case is identified. Once it is confirmed the client might qualify, we send them a U Visa request. This must be done asap while the case is still under the Sheriff's office jurisdiction. We almost always get a response within 2 to 3 weeks.</p> |
| 30 | <p>Phoenix City Prosecutor has an excellent process where you send the certification request to the victim advocate, who then passes the request to the City Attorney. The victim advocates at the city are extraordinarily sympathetic and always recommend signature. Mesa City Prosecutor has a point person who you send the request to and they will sign after reviewing. I've had good success with them as well, as the prosecutor is also sympathetic. Phoenix PD did have a decent process in place for about 6 months, but recently changed it again. The process was to send the cert request to a Sergeant in the Asst. Chief's office, who would then consult with the case officer as to whether cert should be signed. However, Asst Chief with signatory authority would make ultimate decision and was generally very knowledgeable and good on signing certs, although they seemed to sometimes refuse to sign where they felt like someone was "abusing the process" and requesting a cert for something that happened long ago.</p> |
| 31 | <p>Orange County District Attorney's Office in Santa Ana, CA has specified the name and contact information for the certifying official (a paralegal). The certifier has given out his email address so that attorneys can email a draft Supp B and a copy of the police report to him. The certifier normally returns the signed Supp B to the attorney via mail within less than a week. If there is a problem (for example, the case was not actually prosecuted) a letter is attached explaining this. Applicants without an attorney can drop off a request in person with the DA's office.</p> |
| 32 | <p>I send a letter that is 1-2 pages explaining why my client qualifies, and briefly why they should sign as a way to encourage cooperation and trust. I include a declaration and any supporting information like perhaps a medical record. I was worried recently the Lodi, CA police dept would not certify a victim of an assault over 10 years ago, and they did sign it after I followed up on the letter multiple times, faxed it, called, and emailed it along with info and links to govt websites quoting law enforcement officers lauding the U Visa program for promoting trust in immigrant communities.</p> |
| 33 | <p>Tarrant County DA's office - they have a victim's assistance unit that is the liaison for the DA's office. They gather all the information, file, certification and pass it to the DA. One must follow up with the victim assistance unit and they follow up with the DA's office. The DA's office is pretty good about certifying so long as the person has been helpful and it is a qualifying crime.</p> |
| 34 | <p>Queens DA will promptly certify based on an arrest for a qualifying crime before disposition of the arrest.</p> |

| | |
|----|---|
| 35 | <p>Immigrants need to know that it's not important if the suspect is convicted, but rather that the immigrant assists as best she can in the investigation or prosecution or both. Reason being, it's not fair to expect everyone to cooperate without any actual ability to tell them that the U cert will be signed. When a sheriff or DA says the signature is out-come dependent, then why would anyone call? I have had suspects escape, kill themselves, and get acquitted due to technicalities. Why should the victim be left without a U visa option when such factors were totally out of their control. Durham police are the worst offenders. They totally ignore Hispanic victims and then won't sign a U cert when a Hispanic person is victimized, saying the suspect "wasn't caught." If Durham would do their job, more suspects would be caught. Shame on Chief Juan Lopez, who seems to think that his last name gives him the right to discriminate without recourse.</p> |
| 36 | <p>Travis County District Attorney's office provides certifications for cooperative victims of qualifying crimes regardless of the age of the case. In addition, if the crime charged was a lesser crime than could have been charged, based on the facts of the case, they will certify the victim and provide explanation.</p> |
| 37 | <p>The best practice is having one or more designated people who are familiar with the certification requirements and process and who are responsive and have sufficient time to review cert requests. Several agencies do this including Raleigh police and Wake County DA's office. The Wake DA's office has refused to sign certain certs, but they do sign the vast majority that I send them and I send them a lot.</p> |
| 38 | <p>We are assisting (client), who was a victim of domestic violence in an immigration case. The suspect in this case is (Defendant). I have enclosed a signed Authorization/Release of Information signed by (Client). We believe that (Client) qualifies for a U Visa. This visa was created by Congress to provide immigration relief to victims of certain violent crimes. Congress found that Immigrant population can be fearful of reporting crimes to law enforcement. Many of these individuals are afraid of what could happen about their status in the country if they talk to police. By providing relief to victims of violent crime, the Visa was designed to help law enforcement and prosecutors investigate crimes. It also helps law enforcement by ensuring that victims are not removed from the country before the investigation or prosecution of crimes is complete. We are basing (Client) application for a U Visa on a report of domestic violence reported on or about (date of incident). In order to file the U Visa case, we need a U Visa certification signed by your office saying that (Client) was helpful with the police investigation. Even though the incident occurred several months ago, our client is still eligible to apply for the U Visa, but she must have the certification completed and signed by either law enforcement, the county attorney or the judge who presided over the case. With this letter I have included an I-918 Supplement B U Nonimmigrant Status certification form that needs to be completed and signed by you, along with the instructions on filling out the form. I would appreciate it if you could look it over and see if this is something you would be able to help with. In our conversation today, you stated that you would be willing to sign this certification. Please fill out the form and return to our office along with any other reports you may have pertaining to our client.</p> |
| 39 | <p>Once I determine who the appropriate person is for a given jurisdiction, I usually try to find out from them their criteria for certification. I then determine whether the facts that I have will fit and, if so (even with some "tinkering" as in getting the client to cooperate more &/or into therapy, etc.) I submit a drafted certification application for the agency's use.</p> |

| | |
|----|--|
| 40 | The majority of the cases I handle involve domestic violence. That said, it is usually easiest to obtain certifications for cases involving domestic violence and sexual assault. |
| 41 | For a while the OKCPD had a blanket refusal policy. We now have a submission procedure where we send the I-918B with a copy of the police report and any other evidence to a particular person. That person then gathers the necessary personnel for a conference about whether to sign the cert. They have their own evaluating factors that they discuss at the conference. They will then mail back the cert signed or, if not signed, with a brief explanation of why not. I think it works very well. By tracking the approvals and denials we have a good feel for what kinds of cases will likely get approved and denied, which saves everyone time and effort. |
| 42 | Best practices for the U cert include educating law enforcement officials on what they are signing and why it is important, helping the officers by partially filling out the I-918B form, providing law enforcement with a copy of the USCIS Law Enforcement Certification guide, and being patient. It is also important to understand prosecutorial discovery rules before requesting a cert from the DAs office so as not to put your client in danger and to avoid subpoenas. |
| 43 | I obtain police reports and any court orders and draft the certification. I UPS a cover letter introducing myself with my G-28, briefly describe the U visa process and client's case. I enclose the draft certification with a stamped, self-addressed envelope and I receive the cert. in the mail. |
| 44 | The San Francisco Police Department, to me, is the best jurisdiction, and I am very lucky that most of my cases are there. They fully understand that a liberal certification policy helps everyone. They certified a case of mine where the person reported a stranger rape 10 years after it happened - meaning she did not have that much relevant information for them to open an investigation. They understand that being willing to completely describe your injury is helpful, even if you didn't see who did it. They provided a declaration in response to an RFE explaining that even though the victim said that she didn't want to press charges, she doesn't make that decision, the investigating officer does, and they would prosecute a case even without the victim's consent, therefore, that does not make her not helpful - they decided not to do a further investigation, and that is why she was never contacted again. They also provided a declaration saying that providing information about the crime was helpful, even though the perpetrator was not in the local area, because that way they have the information if he is ever arrested in their jurisdiction. They truly understand that the point of the U visa is to make immigrant communities not afraid of the police. |
| 45 | We have had great cooperation with the St. Paul, Minnesota Police Department. We submit our cover letter, a completed I-918B and a blank I0918B and always get a response within three months. I do pro bono work and if the client is unable to gather all the documents needed to file, St. Paul will issue at new certification if the 6 months has expired on the old one. Minneapolis has been wonderful until recently. They have assigned a new person as the certifier who has said that it will not certify crimes of over 2 years old and generally no certification will be issued in abuse cases until the investigation is complete. |
| 46 | Our local District Attorney's office is very open to certifications. There is an assistant DA who is a strong supporter of DV victims, and is willing to take prepared I-918Bs to the DA for signature readily. |

| | |
|----|--|
| 47 | <p>The Lexington Police Department has been a pleasure to work with regarding U visa certifications. In most cases, if the victim makes an effort to be involved in the investigation, the Police Department will certify. LPD does not generally refuse to sign certifications, though I did have to provide a little education for one case in which the certifying official was worried about the presence of documentable injury. I educated him regarding exactly what his agency would certify to, and what elements I would have to prove as the victim's attorney. He signed the certification immediately after our conversation. The LPD seems extremely committed to protecting its community, and has even signed a certification when they suspect that a particular victim is undocumented--without being sent a request. They have provided referrals to the local domestic violence/sexual assault agency and immigration legal service providers when they suspect that someone who has been victimized is undocumented.</p> |
| 48 | <p>When we are dealing with a crime committed in our local area, we typically contact one of the officers designated to sign by the Chief of Police by phone or email. These officers are familiar with the U visa program so it is less necessary to provide detail about the purpose and requirements of the program. We provide whatever information we have about the crime, our client's involvement as a victim and the client's cooperation/assistance, case #'s, outcomes, etc. We ask if the officer would be willing to sign a certification. If the officer says yes, we forward to them a 918B with Parts 1 and 2 completed, along with a cover letter again describing the client's victimization and assistance and any injury, and a stamped self-addressed envelope to return the signed form. When we are dealing with an agency that is less familiar with U visas, we usually begin by sending a detailed written request to the head of the certifying agency describing the purpose and requirements of the U visa program, the certification requirement, and our client's involvement, and asking for an opportunity to meet with/speak to the head of the agency or a designated officer within the agency. We provide whatever documentation or details of the crime and prosecution that we have. We then follow up pretty quickly by phone. Depending on the agency, this could require some persistent advocacy. Once we have an agreement by the agency to certify, we forward the certification as outlined above.</p> |
| 49 | <p>I practice in North Dakota. I along with other immigration attorneys have conducted training to the North Dakota Counsel of Abused Women, the umbrella organization for most of the DV shelters in the state. We have provided information on both VAWA and U-visa eligibility.</p> |
| 50 | <p>The Webb & Zapata Counties District Attorney's Office in Laredo, Texas will certify any crime for which the victim agreed to press charges, and has not dropped them. They are very generous about crimes which occurred many years ago.</p> |
| 51 | <p>Detective Keith Bickford with the Multnomah County Sheriff's Department has the best understanding and grasp on how to certify U visa and T visa request. His protocol is not to judge the case itself, but to review the legal requirement to certify and sign off on them. We have had refusals with cases with client's with criminal background from the Sheriff, however the majority of the cases have improved. MSCO Bickford has been the go to person for most of our AILA chapter members. Multnomah County DA has also been wonderful in their process however with all the litigation from defense attorneys in Oregon claiming that victims</p> |

| | |
|----|---|
| | are doing this just to get a vise, they are currently refusing to certify on open cases. This makes it really difficult on cases that need certification immediate due to immigration issues like removal. |
| 52 | At the Douglas County Attorney's Office (Omaha, NE), there is a designated person who we send our u-visa requests to if they are misdemeanor crimes. If they victim suffered from a felony, the particular prosecutor who handled the case is the one we request the u-visa cert from. They also have a very helpful victims' assistance advocate which is always responsive and acts as a liaison. The usually sign off on the certs and do so expeditiously. |
| 53 | I have learned that if the attorney prepares the Cert and then submits it with a letter explaining how the person qualifies the agencies are more likely to sign. |
| 54 | Marion County DA in Salem, OR has a designated U visa person. She is very accessible by phone and very helpful. |
| 55 | Invalidated response- respondent did not answer the survey question. |
| 56 | We have two issues here: 1) We usually get our certifications from the Prosecutors Offices across the State. The Police Departments have deferred to the Prosecutors to sign the certifications. We've had conversations with them about cases that might not reach the Prosecutors but have not reached a conclusion on that issue. 2) Also the Prosecutors Offices here may deny certification if the client has been convicted of a crime. Their decision to sign is not solely based on whether the victim has been cooperative or not. I am working with a Prosecutors Office on a U certification for a client who has two prior shoplifting convictions. In deciding whether to sign, they have asked a) whether the client has paid off her outstanding judgment for a hospital bill (she is not authorized to work so it is difficult) and when we had asked to rush the certification given the urgent nature of her child's medical condition, b) whether the child is a U.S. citizen; and c) the name of the child's medical condition and the most recent prognosis. |
| 57 | Each law enforcement jurisdiction would have a particular officer or official that was trained and available to review and certify U visa cases. The certifying officer's contact information would be published, either in a central location (ideal) or on their local law enforcement website (better than current practice). The officer would respond to inquiries in a timely manner, and give a detailed explanation of any U visa certification denial. |
| 58 | Canyon County Prosecutor is by far, the best structured for U Certs, very liberally interprets who was helpful. Rural counties in Idaho are notoriously difficult for not understanding what a U Visa is, when they are told, some counties are hostile including Jerome County and Owyhee County as examples. |
| 59 | Central Falls Police Department has a designee. We simply email him with a request listing all of the relevant case information and a draft of the I-918 Supp B attached with the basic information pre-filled for his convenience. He edits/adds any details necessary, prints, signs and mails it back. I recently got one back from him within a week. |

| | |
|----|---|
| 60 | Boise Police Department is very efficient. You can always count on getting a response, in writing, from them. They are prompt and willing to listen to argument. They have always signed my requested certifications, but I know there are examples of certifications they haven't signed. I had a crime from 1996, and they wanted information on whether U visas could be applied for retroactively. I forgot to add the Teton County Prosecutor's office as an agency that has always signed the U certifications for me (I've only requested 2). Canyon County Prosecutor is great because the person in charge of U visa certifications is a former immigration attorney who is sympathetic to immigrants, in general. |
| 61 | Please email me so I can send you a chart we've developed re U certification policies of Montgomery County Police Department and State's Attorney's Office, both in Rockville, MD. |
| 62 | The Intelligence Unit of the Cleveland Police Department has been designated as in charge of I-918B certifications. If the sergeant of the Intelligence Unit questions a particular certification (ex: the victim's helpfulness, etc.) he calls me and we discuss the person's circumstances. In my experience he has been very reasonable and accessible. |
| 63 | My best practice is to e-mail or mail a short letter with case facts and request a telephone conversation with the police chief or certifying official. |
| 64 | We have established a strong working relationship with some of the local District Attorney's offices around Portland. In those offices U Visa cert requests are sent to a designated individual who then passes them along to the DDA on the corresponding case for evaluation and certification. Someone from our office is able to follow up with the designated contact person, who promptly checks the status of the request with the DDA and responds to our inquiry. The key to a successful U Cert relationship has been reliable communication. |
| 65 | My office maintains a list of agencies that always or almost always certify U visa applications. When we come across a new agency, I personally call the agency to determine if they have a person or department that is charged with U visa certification. I then mail or fax a brief explanation of what the U visa is, its benefits, and the purpose it serves, along with a copy of the completed application for certification. I follow up within 2 weeks. If we receive no response, I will send the client, sometimes with a staff member, to the agency for follow up. Most agencies are willing to cooperate when they fully understand the application and process. |
| 66 | The best practices would reflect really focusing on what helpfulness means. |
| 67 | The Raleigh Police Department has always been good in regards to issuing U Visa Certifications. They understand what the law requires for someone to be eligible for a U Visa. They do not make up random and arbitrary policies that contradict the INA in regards to U Visas. |
| 68 | -Be sure you hunt down the right person to sign the cert. If it's signed by the wrong person, the VSC won't accept it. -Educate law enforcement on what the cert is, in those cases where they are unfamiliar with it. Emphasize that signing the cert *does not* confer an immigration benefit, as this can only be decided by USCIS. -I have never done this, but know of advocates who have worked with local law enforcement to get U cert procedures in place for their local jurisdiction. Such advocacy can help many people. |
| 69 | Invalidated Response- respondent did not answer the survey question. |
| 70 | The best practice is where the agency has a designated official who is trained and understands the U-visa certification process. The attorney or the applicant submits their request for a U- |

| | |
|----|--|
| | visa certification to the certifying official for review. |
| 71 | I send a letter requesting a U cert to the police dept. with a copy of the police report. I send it to the U visa contact if I have one and if not I contact the agency and request the name of the police chief. I fully complete the I-918 Supplement B and request a signature. In some of my jurisdictions, if the case has been prosecuted the police dept forwards my request to the city/county attorney and they sign and return it. If I am not successful obtaining the U cert, I follow up with a phone call to discuss the case. I have met personally with police dept. along with a DV advocate from the area to discuss U visas and following that meeting the dept. agreed to review and sign U certs if they felt they client was cooperative in the investigation. |
| 72 | Marin County California certifies through the Victim's Witness Program in the DA's office. The certifying official is already an advocate for victims and has access to court, police and CPS records. She has gone to trainings with USCIS and understands the many different ways victims can qualify and the benefit it can have for the DA's office during prosecution to work with the victims. The local police departments will still certify if you track down the specific detectives, but I've found it's easiest to work with a designated official who understands the U visa process and will certify no matter what stage of the case you are in. Whereas some DAs will certify only when charges were filed and there are two or three different possible certifying officials for each city/county, which can delay the process as your Supp B gets sent from one office to another. |
| 73 | The Wyandotte County DA regularly certifies. Once a case is arraigned and had a prelim, if the victim appears and is generally cooperative, they will sign if it's a qualifying criminal activity. The Victim-Witness Assistance office receives the requests, reviews the file, and then gives the request to the DA to sign. Local victim advocates usually just walk over with a case number and request, but the agency will also accept requests via e-mail or by mail. |

¹ This data is based on information provided by attorneys and advocacy agencies seeking certifications and not from the certifiers themselves. The data was gathered during the Spring of 2013. Certification policies are sometimes *ad hoc* and subject to change. Given these disclaimers, the survey respondents have provided first-hand information about certification practices.

Appendix III:

<http://www.law.unc.edu/documents/clinicalprograms/uvisa/appendix3.pdf>