



# BEDMINSTER TOWNSHIP POLICE DEPARTMENT

S.O.P. 2-15	DATE ISSUED February 25, 2019	EFFECTIVE DATE Immediately	Revised	
			Date	Date
SUBJECT: Processing U and T Visa Certifications				
REFERENCES: NJ AG Directive 2018-6 SCPO General Order V8Ch5 January 1, 2019				
ISSUED BY CHIEF: KARL ROCK				

**PURPOSE:** To set forth the process by which the Bedminster Township Police Department will review and process requests for U and T Visa Certifications from victims of qualifying crimes.

## Policy

The Bedminster Township Police Department will review requests for certifications initiated by the crime victim when the qualifying crime occurred within Bedminster Township and was investigated by Bedminster Township personnel.

By signing the petition the Bedminster Township Police Department affirms that the petitioner is a victim of a crime and is currently assisting or has previously assisted law enforcement in the investigation or prosecution of a crime or who is likely to be helpful in the investigation or prosecution of criminal activity.

This procedure will be posted on the Police Department’s website.

## Procedure

### I. Definitions

- A. U Visa: The U Visa is an immigration benefit that can be sought by victims of certain crimes who are currently assisting or have previously assisted law enforcement in the investigation or prosecution of a crime, or who are likely to be helpful in the investigation or prosecution of criminal activity.
- B. T Visa: The T Visa is an immigration benefit for victims of a severe form of trafficking in persons (which may include sex or labor trafficking) who meet certain eligibility requirements.

### II. Intake

- A. Upon receipt of a request for a U Visa or T Visa Nonimmigrant Status Certification, the employee receiving such a request shall forward it to the Chief of Police.
- B. The Chief of Police will assign an officer or detective who was involved in the underlying matter to review the petition.

### III. Screening Process

- A. The officer will make a determination if the petitioner qualifies.

1. For T-Visa certification requests, the officer shall determine whether, pursuant to the standards set forth in federal law and instructions to USCIS Form I-914 Supplement B, the requester:
  - a. Is or has been a victim of a severe form of trafficking in persons; and
  - b. Has complied with requests for assistance in an investigation or prosecution of the crime of trafficking.
    - 1) The officer should consult with the prosecutor of the case to make this determination.
2. For U-Visa certification requests, the officer shall determine whether, pursuant to the standards set forth in federal law and instructions to USCIS Form I-918 Supplement B, the applicant:
  - a. Is a victim of a qualifying criminal activity; and
  - b. Was helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of that crime.
    - 1) The officer should consult with the prosecutor of the case to make this determination.

**B. The officer shall complete the appropriate forms:**

1. For T-Visa certification requests, the USCIS Form I-914 Supplement B shall be completed.
2. For U-Visa certification requests, the USCIS Form I-918 Supplement B shall be completed.

- C. The officer shall forward the completed I-914 Supplement B or I-918 Supplement B and a copy of all of the incident reports to the Chief of Police for final review and certification, if appropriate.
- D. The completed and signed Form I-914B or I-918B shall be made available at the Records Division. The police secretary shall notify the requestor or requestor's representative when the documents are ready.
- E. In those cases where the Chief of Police has determined that the requestor has not met the requirements for certification, the requestor shall be advised of the same in writing.

**IV. Time Frame**

- A. The intake, processing and review process should be completed within 60 days of the receipt of a request for a U or T Visa certification and the documents provided to the requestor.

**V. Resources**

- A. The following resources are located on the department's shared drive:
  1. U and T Visa Law Enforcement Resource Guide – Department of Homeland Security.
  2. Form I-918, Supplement B, U Nonimmigrant Status Certification.

- a. Instructions for Supplement B, U Nonimmigrant Status Certification.
- 3. Form I-914B, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons.
  - a. Instructions for Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons.