
STANDARD OPERATING PROCEDURES – 508.006
VICTIM SERVICES UNIT
LAW ENFORCEMENT CERTIFICATION OF U-VISA

EFFECTIVE DATE: December 29, 2020
AFFECTS: Victim Services Unit Personnel

REVISION DATE: December 29, 2020

I. PURPOSE

The purpose of this policy is to establish procedures for processing petitions for law enforcement certification of U-visa Form 918, Supplement B Petition for Nonimmigrant Status by the Plano Police Department.

II. PROCEDURES

A. Applicant Eligibility

1. All applicants must meet the following four statutory eligibility requirements and have:
 - a. Suffered substantial physical or mental abuse as a result of having been a victim of a qualifying criminal activity, and
 - b. Valid information concerning the criminal activity, and
 - c. Assisted or continuing to assist in providing useful information to the investigation or prosecution of the crime, and
 - d. Been a victim of a criminal activity that violated the laws of the United States and occurred within the jurisdiction of the Plano Police Department.
2. Qualifying criminal activity is defined by statute in section 101(a)(15)(U) of the Immigration and Nationality Act (the Act). Such activity is defined as being the victim of one or more of the following or any similar activity in violation of federal, state, or local criminal law:
 - a. Abduction, abusive sexual contact, blackmail, domestic violence, extortion, false imprisonment, felonious assault, female genital mutilation, being held hostage, incest, involuntary servitude, kidnapping, manslaughter, murder, obstruction of justice, peonage, perjury, prostitution, rape, sexual assault, sexual exploitation, slave trade, torture, trafficking, witness tampering, unlawful criminal restraint, or other related crimes.
3. The victim must submit a U Nonimmigrant Status Certification (Form I-918, Supplement B) that is certified by a law enforcement agency to the U.S. Citizenship and Immigration Services.

B. Department Responsibilities

1. The Plano Police Department may act as a certifying agency for a petitioner of an I-918B Supplement B, U Nonimmigrant Status Certification if the following criteria are met:
 - a. Petitioner is a victim of a qualifying crime and the qualifying criminal activity is classified as a felony, which was reported to the Plano Police Department. The chief of police may consider class A misdemeanor cases on an individual basis. The petitioner must establish they possess information concerning the criminal activity which they have been a victim of and is being, or is likely to be helpful to an investigation or prosecution of the qualifying crime.
 - b. The offense must still be under the jurisdiction of the Plano Police Department, and the request for a U-Visa Form I-918, Supplement B must be received within 12 months from the day of the occurrence of the qualifying criminal activity.
 - c. If the case has been filed with the District Attorney's Office, the petitioner will be referred to the District Attorney's Office for certification.
 - d. Indirect victims of offenses with deceased victims or offenses with a victim younger than 21 years of age that has become incompetent or incapacitated as a direct result of the offense committed against the victim, where the applicant (indirect) victim was not a

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witness to the offense, and/or is unable to provide assistance to the investigation that will assist with identifying and prosecuting involved suspects will be denied.

2. Processing Requests

- a. All U Visa petitioners will be directed to the Plano Police Department's Victim Services Unit.
- b. The U Visa petitioner must contact the Victim Services Unit and make an appointment for assistance in completing the necessary USCIS form and Plano PD U-Visa Request Summary Form.
- c. It is the petitioner's responsibility to bring the proper U Visa Supplement Form and any other documentation needed to assist in the completion of the supplement form to the victim advocate at the time of the appointment.
- d. The victim advocate will then notify the victim or attorney of the department's decision, and return certifications to the requestor.

3. Department Approval Process

- a. The victim advocate will review the case involving the U Visa petitioner. The advocate will ensure the request summary form is completed.
- b. The victim advocate will consult with the detective or CID supervisor to verify if the victim is cooperative with the investigation. If the victim is/was cooperative, the detective or CID supervisor will sign off on the victim's cooperation on the summary sheet.
- c. The victim advocate will then pass along the completed department request summary sheet and U-visa Form 918, Supplement B to the chief of police for them to determine whether to sign the certification.
- d. The chief of police retains the discretion to assist or not assist in any petitioner's U Visa request.

4. Retention of Records

The Victim Services Unit will be responsible for uploading copies of each signed Form I-918, Supplement B into the VAU file in RMS. The Victim Services Unit will also upload the U-Visa request summary sheet into the VAU file in RMS regardless of whether form I-918 Supplement B was signed by the department.