

<b>CLARK POLICE DEPARTMENT POLICIES &amp; PROCEDURES</b>			
<b>VOLUME: 3</b>	<b>CHAPTER: 46</b>	<b># OF PAGES: 2</b>	
<b>SUBJECT : U and T Visa Certifications</b>			
<b>BY THE ORDER OF:</b> Issued: Capt. Christian Lott #321 Approved: O.I.C. Harvey Barnwell		<b>ACCREDITATION STANDARDS:</b>	
<b>Effective Date: 08/15/2022</b>	<b>SUPERSEDES ORDER #:</b>		

## PURPOSE

The purpose of this policy is to establish the procedure for complying with Section IV (Requests for T and U Non-Immigrant Status Certifications) of Attorney General Directive 2018-6 (The Immigrant Trust Directive). By doing so, the Clark Township Police Department will strengthen its bond with the immigrant communities in the State of New Jersey. This procedure will also help to increase the likelihood that members of immigrant communities feel comfortable coming forward and reporting crimes to local law enforcement.

## POLICY

### I. General

- A. Within the United States, there are two types of visas available for victims of certain crimes, U non-immigrant visas and T non-immigrant visas. These two visas were developed as part of the Victims of Trafficking and Violence Protection Act of 2000.
  1. U Visas: This visa can provide legal status to victims of qualified offenses who have suffered physical or mental abuse. Applicants must possess information concerning the crime and have been or are helpful to law enforcement or government officials.
  2. T Visas: This visa can provide legal status to victims of human trafficking. Like a U visa, applicants must assist law enforcement agencies in the investigation or prosecution of crimes related to human trafficking.
- B. The Clark Township Police Department shall post on its website information regarding these types of visas and a synopsis of the procedure for applying for one.

## II. Procedures for Handling U and T Visa Requests and Applications

- A. Qualifying victims who are seeking either a U Visa or T Visa shall contact the detective investigating their case to request that they complete the certification form. The detective will then work with the appropriate prosecutorial authority (either the Union County Prosecutor's Office or the Clark Municipal Prosecutor) to determine if the applicant meets the standards set forth in federal law and by the United States Customs and Immigration Service and to complete the appropriate certification paperwork. The Union County Prosecutor's Office is the sole authorized entity for certifying crime victim cooperation for an indictable crime.
  
- B. In the event that a victim, who is also an immigrant, applies for a T or U Visa Certification, the detective will forward the application, the request and/or I-918, Supplement B Certification to the Union County Prosecutor's Office at the following email address: [unionvw@ucnj.org](mailto:unionvw@ucnj.org). This is the email of the Union County Victim Witness Unit. The email will be acknowledged in one business day.

The email will indicate the following:

- 1. The Clark Police Case Number or Promis Gavel Number.
  - 2. A copy of the victim's sworn statement (if provided).
  - 3. Information as to whether the case is pending or closed.
- C. In the event that the underlying crime is a Disorderly Persons Offense or Petty Disorderly Persons Offense connected to a Domestic Violence Offense, please reach out to the Clark Township Municipal Prosecutor to discuss and certify victim cooperation.
    - 1. Any questions regarding this process should be directed to First Assistant Prosecutor Doreen Yanik at [dyanik@ucnj.org](mailto:dyanik@ucnj.org).