

# All Things U Visa

Open Forum – Frequently Asked Questions

## Roundtable 4

August 25, 2016

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# Introduction

- Sergeant Inspector Tony Flores
  - Inspector San Francisco, CA- PD
- Officer Michael LaRiviere
  - Salem, MA Police Department

# Upcoming Events

- **In-Person Training**
  - September 29, 2016 – Nampa, Idaho
- **Next Roundtable**
  - October 27, 2016 at 2pm Eastern
- **Conference for OVW Grantees**
  - “Addressing Culture: Systematic Responses to the Underserved Immigrant Populations” New Orleans, Louisiana - December 12-13, 2016 and December 15-16, 2016

# Brief Review: U Visa Eligibility

# U Visa Requirements

- Victim of a qualifying criminal activity
- Has been, is being, or is likely to be helpful in:
  - Detection, investigation, prosecution, conviction or sentencing
- Suffered substantial physical or mental abuse as a result of the victimization
- Possesses information about the crime
- Crime occurred in the U.S. or violated U.S. law

# Questions from Participants



What are my options when  
I have a victim of crime  
who doesn't speak  
English?



Should we certify when a victim reports a crime to police much later after the crime occurred?



If a victim recants how should you assess whether non-cooperation was not unreasonable for purposes of contacting DHS to withdraw certification?



Can civil routes taken by the victim (I.e a protection order from the judge) and no other reporting to LE constitute helpfulness?



I've been working with an undocumented victim of sexual assault and the prosecutor said they won't sign until the case is over and victim testifies at trial.  
What should I do?



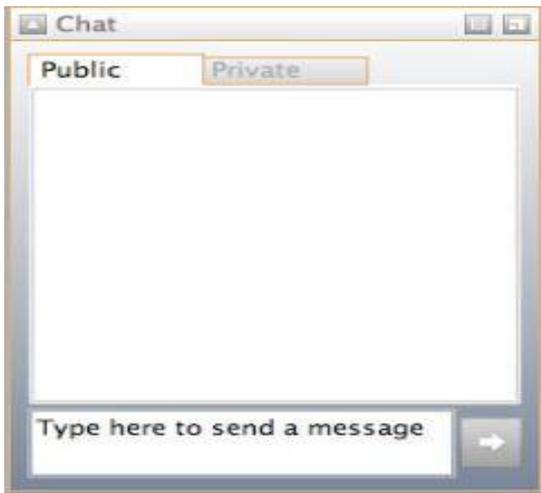
What if a victim asks both the police department for a certification and the district attorney ? Should we still certify ?



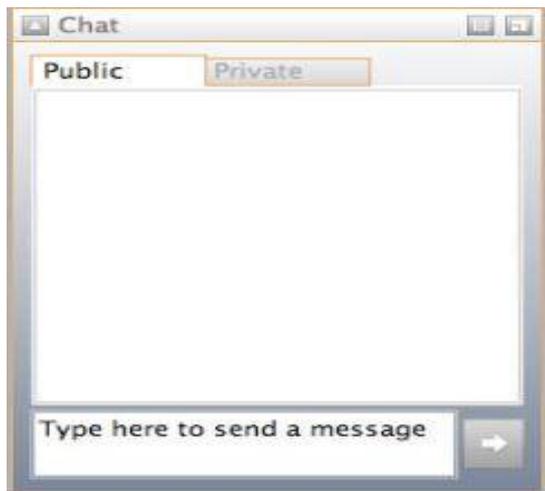
Has any one on this call signed a certification for any “similar criminal activity” from the ones listed as the U visa crimes?



If an investigation or case is closed, can law enforcement still complete Form I-918B?



Will I or my department be held liable if I sign the U visa certification and the person commits a crime?



# Questions from Participant



# Next Roundtable

**October 27, 2016 at  
2pm Eastern**