

**LITTLE ROCK POLICE DEPARTMENT  
GENERAL ORDER**

**G. O. 326 CERTIFICATION OF U VISA-  
NON-IMMIGRANT STATUS (FORM I-918, SUPPLEMENT B)**

<b>DATE:</b> 01/21/2015	<b>DISTRIBUTION:</b> DEPARTMENTAL	<b>REPLACES:</b> NEW	<b>NUMBER:</b> G. O. 326
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**I. Purpose and Policy**

- A. The purpose of this General Order is to establish guidelines and procedures for officers who receive requests for a U Visa Certification (Form I-918, Supplement B). This General Order also specifies the certifying officials designated by the Chief of Police who will sign Form I-918, Supplement B.
- B. It is the policy of this police department that the Assistant Chief of the Executive Bureau, the Assistant Chief of the Investigative Bureau and the Captain of the Major Crimes Division are designated to issue U Visa Certification on behalf of the Chief of Police by completing Form I-918, Supplement B.
- C. It is also the policy of the Little Rock Police Department to assist immigrant crime victims with their U Visa applications if they cooperate with agency officials.

**II. Definitions**

- A. "Qualifying criminal activity" is defined by statute to be "activity involving one or more of the following or any similar activity in violation of Federal, State, or local criminal law." The statute also includes the attempt, conspiracy, or solicitation to commit any of the crimes listed below:

<u>Abduction</u>	<u>Abusive Sexual Contact</u>	<u>Rape</u>
<u>Blackmail</u>	<u>Domestic Violence</u>	<u>Extortion</u>
<u>False Imprisonment</u>	<u>Felonious Assault</u>	<u>Unlawful Criminal Restraint</u>
<u>Incest</u>	<u>Involuntary Servitude</u>	<u>Kidnapping</u>
<u>Manslaughter</u>	<u>Murder</u>	<u>Obstruction of Justice</u>
<u>Peonage</u>	<u>Female Genital Mutilation</u>	<u>Witness Tampering</u>
<u>Prostitution</u>	<u>Sexual Assault</u>	<u>Sexual Exploitation</u>
<u>Slave Trade</u>	<u>Torture</u>	<u>Trafficking</u>
<u>Perjury</u>	<u>Being Held Hostage</u>	<u>Other Related Crimes</u>

- B. "Any Similar Activity" refers to other criminal activity when the similarities are substantial and the nature and elements of the criminal activity are comparable.
- C. U non immigrant status Certification (Form I-918, Supplement B) is commonly referred to as U Visa.

**III. Procedures**

Upon request for a U Visa certification and before completing a Form I-918, Supplement B (a request for a U Visa certification), the certifying official shall have verified the following:

- A. The noncitizen was or is:
1. A victim of a criminal activity (listed in Part II-A above) that took place in the United States or its territories or occurred outside the United States but violates U.S. extraterritorial law; or
  2. The spouse or under-21-year-old child of a victim who is deceased because of murder or manslaughter, or who is incompetent or incapacitated; or
  3. The parents and unmarried under-18-year-old siblings of an under-21-year-old victim who is deceased because of murder or manslaughter, or who is incompetent or incapacitated.
- B. The noncitizen has been, is being, or is likely to be helpful to the investigation. This department's policy describes the victim as being helpful when he/she:
1. Possesses information about a qualifying criminal activity; and
  2. Demonstrates cooperation during the detection or investigation of that criminal activity, even if the investigation is not completed.
- C. When a certification is based on a prior investigation or a criminal case that has been closed or suspended, or when a statute of limitations has passed, the certification shall be completed after the above verification has been conducted.
- D. No request for certification will be accepted unless it is made on the proper U.S. Citizenship and Immigration Services form (Form I-918, Supplement B) and has been completed by the referring legal entity (such as a private attorney, nonprofit organization, or victim).
- E. The request for certification shall be completed within 30 days from the time it was presented to this department.
- F. All requests for Form I-918, Supplement B certifications presented to this Department shall be forwarded to the designated certifying officials.
- G. The certifying official may contact the VAWA Unit of the U.S. Citizenship and Immigration Services to report the U Visa applicant's failure to continue cooperating with the Department only when the failure to cooperate is considered unreasonable. To determine whether failure to cooperate is unreasonable, officials should review and consider the victim's history of abuse and victimization, and any threats the victim has experienced or is experiencing.

#### **IV. Additional Considerations**

Department policy authorizes its members to distribute to any crime victim who may be a noncitizen an informational flyer describing immigration relief and services available to immigrant crime victims.

Revisions will be underlined and italicized.