

Ferry County Prosecutor's Office U- and T-Visa Policy

COVID-19 UPDATE: Although our office is currently closed to the public due to the COVID-19 (Coronavirus) Health Emergency, we will still be available via phone or email to answer any questions about the U- or T-Visa Process. We will also still accept requests for certification and will do our utmost to process them in a timely manner

****This purpose of this policy is to comply with the requirements of HB 1022: The Safety and Access for Immigrant Victims Act, codified at RCW 7.98.005 et seq. and to set forth the procedures for petitioning for Nonimmigrant Status Certification (U-Visa I-918) or for obtaining a Declaration of Law Enforcement Officer for Victim of Trafficking in Persons (T-Visa I-914).****

A U-Visa is a temporary visa (up to four years) which provides immigration protection for victims of crimes and family members who have been helpful to law enforcement in the investigation or prosecution of qualifying crimes. A T-Visa is a temporary visa which allows certain victims of severe human trafficking to remain in the United States for up to four years if they have assisted law enforcement in an investigation or prosecution of human trafficking.

Per RCW 9.98.020, "a certifying agency shall" (a) make a determination on United States Citizenship and Immigrations Services form I-918 Supplement B or relevant successor certification form, whether the victim was a victim of criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that criminal activity; or (b) make a determination on United States Citizenship and Immigration Services form I-914 supplement B or relevant successor certification form, whether the victim is or has been a victim of trafficking and, unless the victim is under the age of eighteen, whether he or she has complied with and reasonable requests from law enforcement in any related investigation or prosecution of the acts of trafficking in which he or she was the victim."

Completed I-918 and I-914 applications should include evidence (such as police reports) of the applicant's cooperation with law enforcement or of the applicant having been a victim of human trafficking.

Requests for certification should be mailed to:

Ferry County Prosecuting Attorney's Office
350 E. Delaware Ave, #11
Republic, WA 99166

As a certifying agency, the Ferry County Prosecuting Attorney's Office's responsibilities include:

1. Responding to requests for certification.
2. Providing outreach to victims of criminal activity and trafficking to inform them of our office's certification process.
3. Keeping written documentation regarding the number of victims who requested certification, the number of certifications signed, the number of certifications denied, and the number of certifications that were withdrawn. This documentation will be reported to the Office of Crime Victim Advocacy on an annual basis.

Received requests will be forwarded to Kelly Liles, Victim/Witness Coordinator, for research and processing. The request will then be forwarded to the certifying official for the Ferry County Prosecuting Attorney's Office, Prosecuting Attorney Kathryn Burke (or her designee), for review and final decision on eligibility for certification. The application shall be processed within 90 (or 14) days of receipt of request, as required by statute.

[Per RCW 7.98.020, *"a certifying agency shall process the certification within ninety days of request, unless the victim is in federal immigration removal proceedings, in which case the certifying agency shall execute the certification no later than fourteen days after the request is received by the agency."*]

Ms. Liles will keep the written documentation and provide outreach on the certification process as required by statute. Should any known victims of trafficking or qualifying crimes, or any applicant, require materials and/or communication in another language, this agency will obtain the services of a language translator and/or interpreter to provide such materials and/or communications.

Any public records requests for information about the certification process should be forwarded to the Prosecuting Attorney Kathryn Burke. Information about U- or T-Visa requests shall be timely provided to defense counsel as potential Brady information.

For more information and forms required, please visit <http://www.uscis.gov/i-918>.

For more questions regarding the certification process, please call our office at (509) 775-5225 x 2506.