



# San Francisco Sheriff's Department

## INTER-OFFICE CORRESPONDENCE

February 24, 2015  
Reference: 2015-014

To: All Sworn and Program Personnel

From: Sheriff Ross Mirkarimi

Re: **UPDATED** - Assisting Undocumented Victims of Human Trafficking, Domestic Violence, Sexual Assault, Felonious Assault and Other Qualifying Crimes

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000 enables the San Francisco Sheriff's Department (SFSD) to assist immigrant victims in detecting and reporting certain crimes and protecting them during the course of the investigation and prosecution. The U Visa, a nonimmigrant visa, is an immigration benefit that can be sought by victims of certain crimes who are currently assisting or have previously assisted law enforcement in the detection, investigation, or prosecution of a crime, or who are likely to be helpful in the detection, investigation, or prosecution of criminal activity.

The San Francisco Sheriff's Department, in accordance with the VTVPA, will follow the guideline of "qualifying crimes" in our effort to detect, investigate, and assist with the prosecution for crimes that occur within our jurisdiction. Once a victim who may qualify has been identified, whether they are in custody or out of custody, they will be referred to SFSD Survivor Restoration Program.

This important law enforcement tool assists victims in recovering from the trauma of criminal acts and in finding a safe and secure place to move forward with their lives. Over the years the SFSD Survivor Restoration Program has worked tirelessly to support vulnerable populations and has enabled them in developing the self-reliance and confidence to live independently. The U-Visa provides temporary legal status to these individuals.

Any time a staff member has been made aware of or suspects that a person within SFSD jurisdiction, in custody or out of custody, may be a victim of human trafficking, domestic violence, felonious assault, or other qualifying crimes on the attached list, the staff member is directed to refer that person to our Survivor Restoration Program. The Survivor Restoration Program will evaluate the individual's eligibility for the U Visa process. The Survivor Restoration Program will also forward any reported criminal activity to the Criminal Investigation's Unit for investigation or referral to the appropriate law enforcement agency for investigation.

I have authorized our Criminal Investigation's Unit Commander to be the certifying official to complete United States Citizenship and Immigration Services (USCIS) Form I-918 Supplement B (Form I-918B), as appropriate, as another tool to assist these immigrant crime victims and to detect, investigate, and prosecute these crimes. Form I-918B is a law enforcement certification that a qualifying crime has occurred and that the victim was helpful, or is likely to be helpful in the detection, investigation or prosecution of criminal activity. This certification is one step in the U Visa process.

T Visa, a nonimmigrant visa, may be available for those identified persons who were victims of severe forms of trafficking who comply with requests for assistance from law enforcement in the investigation or prosecution of human trafficking cases. I have authorized our Criminal Investigation's Unit Commander to complete USCIS Form I-914 Supplement B (Form I-914B), as appropriate, in these cases.

All questions regarding services provided to victims who may qualify for U Visa or T Visa relief should be directed to Delia Ginorio at (415) 734-2310. Questions regarding the department's role in U-Visa certification may be addressed to the Sheriff's Department Criminal Investigation Unit (415) 734-3111 or our Legal Counsel (415) 554-7225.

### **What Constitutes a Qualifying Crime?**

<ul style="list-style-type: none"> <li>• Abduction</li> <li>• Abusive Sexual Contact</li> <li>• Blackmail</li> <li>• Domestic Violence</li> <li>• Extortion</li> <li>• False Imprisonment</li> <li>• Felonious Assault</li> <li>• Fraud in Foreign Labor Contracting</li> <li>• Being Held Hostage</li> <li>• Incest</li> </ul>	<ul style="list-style-type: none"> <li>• Involuntary Servitude</li> <li>• Kidnapping</li> <li>• Manslaughter</li> <li>• Murder</li> <li>• Obstruction of Justice</li> <li>• Peonage</li> <li>• Perjury</li> <li>• Prostitution</li> <li>• Rape</li> </ul>	<ul style="list-style-type: none"> <li>• Sexual Assault</li> <li>• Sexual Exploitation</li> <li>• Slave Trade</li> <li>• Stalking</li> <li>• Torture</li> <li>• Trafficking</li> <li>• Witness Tampering</li> <li>• Unlawful Criminal Restraint</li> <li>• Other Related Crimes*†</li> </ul>
---	---	--

Please also check INA § 101(a)(15)(U); 8 USC § 1101(a)(15)(U) as the list of qualifying crimes may change or expand.

Reference: [http://www.dhs.gov/xlibrary/assets/dhs\\_u\\_visa\\_certification\\_guide.pdf](http://www.dhs.gov/xlibrary/assets/dhs_u_visa_certification_guide.pdf)

\*Includes any similar activity where the elements of the crime are substantially similar.  
 †Also includes attempt, conspiracy, or solicitation to commit any of the above, and other related, crimes.