



City of Chicago



F2023-90

Office of the City Clerk

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Sponsor(s):

Lightfoot (Mayor)

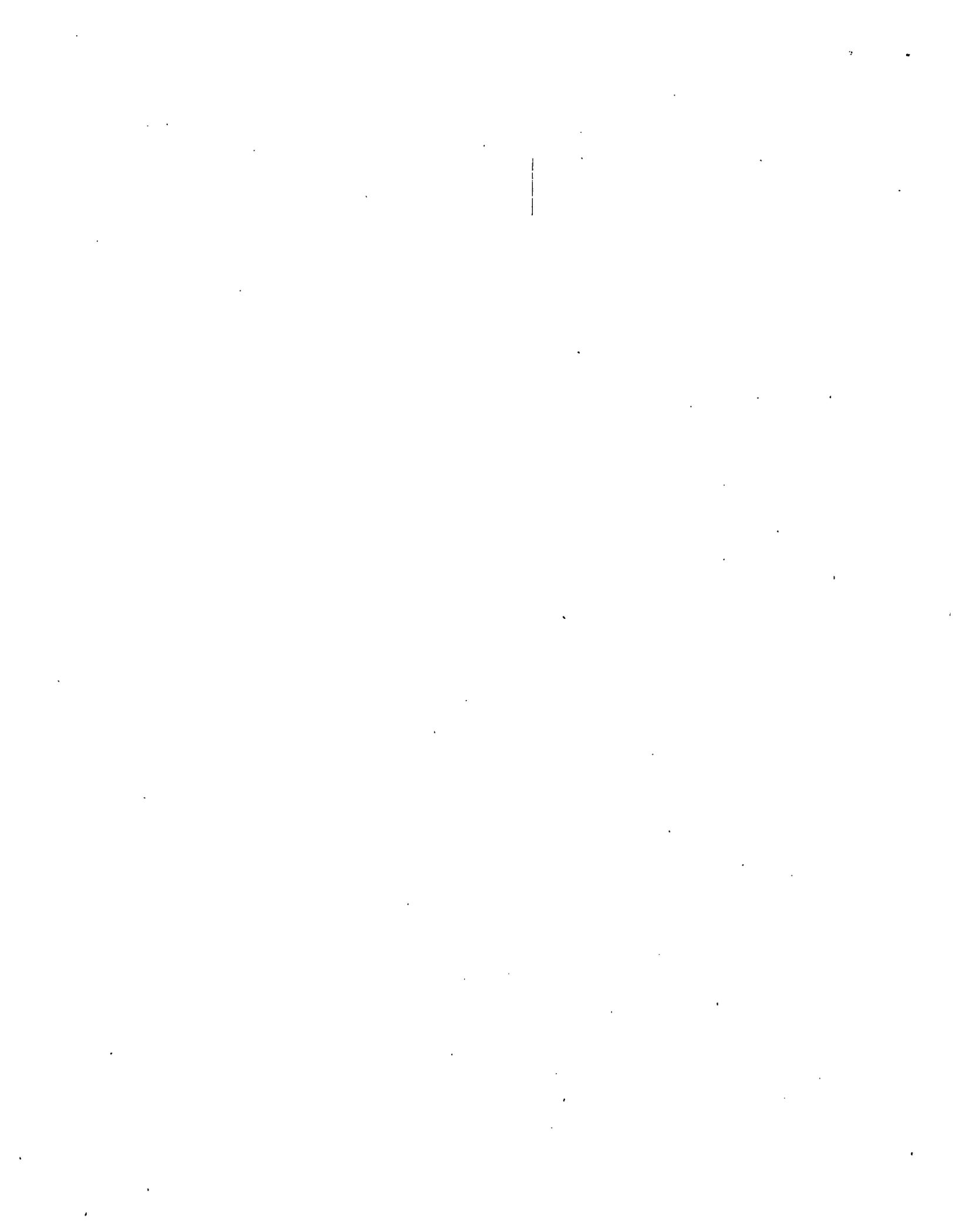
Type:

Communication

Title:

Executive Order No. 2023-8 (U Visa and T Visa
Certifications)

Committee(s) Assignment:





**OFFICE OF THE MAYOR
CITY OF CHICAGO**

LORI E. LIGHTFOOT
MAYOR

EXECUTIVE ORDER NO. 2023-8

WHEREAS, Chicago is home to nearly 170,000 undocumented immigrants, many of whom unfortunately have become, or are vulnerable to becoming, victims of crime; and

WHEREAS, Survivors of certain criminal activity can file a petition for U Nonimmigrant Status (U visa) with the United States Citizens and Immigration Services (USCIS) if they cooperate in the detection, investigation, prosecution, or sentencing of a qualifying criminal activity; and

WHEREAS, Survivors of human trafficking can file a petition for a T Nonimmigrant Status (T Visa) with the United States Citizens and Immigration Services (USCIS) if they cooperate in the detection, investigation, prosecution or sentencing of human trafficking;

WHEREAS, In order to be eligible for a U visa, a law enforcement agency confirms cooperation by signing a form known as a I-918 Supplement B (U visa certification) that must be provided to USCIS; and

WHEREAS, Despite facing no liability if a certification is issued incorrectly, currently in Chicago only the Chicago Police Department, the Commission on Human Relations, and the Office of Labor Standards sign certifications; and

WHEREAS, If approved, U visa recipients are granted work authorization, social security numbers, protection against deportation, and may be eligible to apply for Lawful Permanent Residence after three years of maintaining U visa status; and

WHEREAS, The City remains committed to the needs of its communities through the development of a system of policies that increase fairness, effectiveness, and inclusion for a particularly marginalized population; and

WHEREAS, Expanding access to the U visa could benefit the City in multiple ways, including by empowering residents to file good-faith criminal reports or civil complaints while increasing forms of legal relief outside of the criminal justice system, thereby improving and advancing policing in the City; and

WHEREAS, There are three additional City departments that detect, investigate, prosecute, or sentence qualifying criminal activities who could sign U visa certifications and



establish U visa protocols for crime survivors, furthering the City's commitment to justice and inclusion of undocumented immigrants; now, therefore,

I, LORI E. LIGHTFOOT, Mayor of the City of Chicago, do hereby order as follows:

A. The Chicago Department of Business Affairs and Consumer Protection, Department of Administrative Hearings, and Civilian Office of Police Accountability shall:

1. Establish protocols to sign U visa certifications and T visa certifications when relevant and legally appropriate, which shall include:

- a. designating an official or officials in supervisory roles to be certifying officials;
- b. having certifying officials accept requests for completion of the U visa or T visa certification forms from individuals seeking a U visa or T visa or their representatives;
- c. determining whether U visa applicants have been reasonably helpful to the detection or investigation or prosecution of qualifying criminal activity;
- d. if the department cannot positively determine that the requester is a victim of a qualifying criminal activity, providing written notice to the individual or the individual's representative, explaining why the available evidence does not support a finding that the individual is a victim of a qualifying criminal activity;

2. Ensure that U visa or T visa certifications are completed, signed, and returned to the requester within 90 business days of receiving the request, unless the requester is in federal immigration removal proceedings or detained, in which case the certifying official shall complete and provide the certification form to the requester no later than 21 business days after the request is received by the certifying agency;

3. Submit annual reports to the State Attorney General, including all reporting information listed in 5 ILCS 825/20, and provide those reports to the Mayor's Office upon request;

4. Arrange for regular training for certifying officials about U visa and T visa certification requirements.

B. The City encourages the Chicago Public Schools, the City Colleges of Chicago, and other sister agencies that deal with victims of qualifying criminal activity to create protocols to assist with signing U visa and T visa certifications.

This Executive Order shall take effect upon its execution and filing with the City Clerk.

Luis E. Suarez
Mayor

Received and filed May 12, 2023

Andrea M. Valencia
City Clerk

Chicago City Clerk-Council Div.
2023 MAY 12 AM 9:45

Handwritten signature or scribble in black ink, located in the upper left quadrant of the page.