

T & U Visas

It is the policy of the Kearny Police Department to interact with the immigrant community in compliance with [New Jersey Attorney General Directive 2018-6](#). Victims of qualifying crimes or human trafficking may be able eligible for a T visa or U visa.

Aliens or their representatives seeking certification for a U visa or T visa will be referred to the Detective Bureau sergeant. The Detective Bureau sergeant will initiate an inquiry into the matter to determine if the alien has been:

1. A victim of a qualifying crime under the jurisdiction of this department;
2. Has specific knowledge and details of a qualifying crime; and
3. Has been, is being, or is likely to be helpful to law enforcement in the detection, investigation, or prosecution of the qualifying crime

Aliens or their representatives seeking certification for crimes occurring outside the jurisdiction of Kearny will be referred to the local jurisdiction or the county prosecutor's office in which the crime occurred.

Upon determining that the alien has satisfied the above requirements, an assigned detective will execute [Form I-918, Supplement B, U Nonimmigrant Status Certification](#) or [Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons](#)

The Chief of Police or his/her designee may withdraw or disavow a Form I-918B or Form I-914B at any time if a victim stops cooperating.

T Visa

T nonimmigrant status is a temporary immigration benefit that enables certain victims of a severe form of 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. T nonimmigrant status is also available for certain qualifying family members of trafficking victims. T nonimmigrants are eligible for employment authorization and [certain federal and state benefits and services](#). T nonimmigrants who qualify may also be able to adjust their status and become lawful permanent residents (obtain a Green Card).

Congress created this status (commonly referred to as a T visa) in October 2000 as part of the *Victims of Trafficking and Violence Protection Act*. Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers use force, fraud, or coercion to compel individuals to provide labor or services, including commercial sex. Traffickers often take advantage of vulnerable individuals, including those lacking lawful immigration status. T visas

offer protection to victims and strengthen the ability of law enforcement agencies to investigate and prosecute human trafficking.

Under federal law, a “severe form of trafficking” is:

Sex trafficking: When someone recruits, harbors, transports, provides, solicits, patronizes, or obtains a person for the purpose of a commercial sex act, where the commercial sex act is induced by force, fraud, or coercion, or the person being induced to perform such act is under 18 years of age; or

Labor trafficking: When someone recruits, harbors, transports, provides, or obtains a person for labor or services through the use of force, fraud, or coercion for the purpose of involuntary servitude, peonage, debt bondage, or slavery.

For additional information click on the link below: <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-human-trafficking-t-nonimmigrant-status>

U Visa

The U nonimmigrant status (U visa) is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. Congress created the U nonimmigrant visa with the passage of the *Victims of Trafficking and Violence Protection Act* (including the *Battered Immigrant Women’s Protection Act*) in October 2000. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of aliens and other crimes, while also protecting victims of crimes who have suffered substantial mental or physical abuse due to the crime and are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity. The legislation also helps law enforcement agencies to better serve victims of crimes.

For additional information click on the link below: <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>