

CHAPTER 258F
CERTIFICATION FOR VICTIMS OF
VIOLENT CRIME AND HUMAN
TRAFFICKING
2023 Report



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1. Legislative Authority

Section 2 of Chapter 258F of the General Laws requires certifying entities to adopt of a policy for completing and signing nonimmigrant status certification forms for: (i) victims of criminal activity who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(U); and (ii) victims of severe forms of trafficking in persons who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(T).

Section 1 of the same chapter defines a certifying entity as “a law enforcement agency, prosecutor or other state or local entity that has the authority to detect, investigate or prosecute severe forms of trafficking in persons or criminal activity.”

Section 3 establishes a timeline for the certifying entity’s response to the victim and Section 4(a) requires that each certifying entity report to the executive office of public safety and security: (i) the number of individuals that requested nonimmigrant status certification; (ii) the number of certification forms that were completed and signed; and (iii) the number of such requests that were denied.

Subsection (b) of Section 4 creates the authority for this report:

Annually, not later than April 1, the executive office of public safety and security shall file a report with the clerks of the house of representatives and the senate, the joint committee on the judiciary and the joint committee on public safety and homeland security on the information received under subsection (a). The report shall include, but not be limited to:

- (i) the number of individuals that requested nonimmigrant status certification, delineated by certifying entity;
- (ii) the number of certification forms that were completed and signed, delineated by certifying entity;
- (iii) the number of such requests that were denied, delineated by certifying entity; and
- (iv) total statewide statistics on nonimmigrant status certifications and denials. The report shall not include information that would allow the public to ascertain the identity of an individual requesting nonimmigrant status certification. The executive office shall also make the report publicly available on its website.

2. Data Gathering

In compliance with M.G.L. c. 258F, § 4(b), the Executive Office of Public Safety and Security (“EOPSS”) compiled the data submitted by the certifying entities pursuant to § 4(a). To streamline the data-gathering process, EOPSS issued an electronic survey to certifying entities¹ requesting aggregate numbers for the required data points. The survey was sent to:

- Massachusetts State Police;
- Massachusetts Chiefs of Police Association ;
- Massachusetts District Attorneys Association;
- Massachusetts Sheriffs’ Association;
- Department of Correction;

¹ The agencies that received the electronic survey do not represent the final list of certifying entities. The Steering Committee is working on developing the final list of certifying entities.

- Executive Office of Health and Human Services;
- Attorney General’s Office;
- Massachusetts Department of Children and Families;
- Massachusetts Commission Against Discrimination;
- Massachusetts Division of Industrial Accidents;
- Massachusetts Trial Court;
- Massachusetts Board of Bar Overseers;²
- Massachusetts Department of Criminal Justice Information Services;
- Massachusetts Department of Labor Standards;³
- Massachusetts Department of Mental Health; and
- Massachusetts Office of Elder Affairs

3. Calendar Year 2023 Data

The reporting requirements of M.G.L. c. 258F, § 4(b) came into effect at the beginning of the fiscal year 2022. Below sets forth the required data received by EOPSS delineated by certifying entities for the calendar year 2023 (January 1, 2023 -December 31, 2023).

		How many individuals, from January 1, 2023- December 31, 2023, requested nonimmigrant status certification?	How many certification forms were completed and signed from January 1, 2023- December 31, 2023?	How many requests were denied from January 1, 2023- December 31, 2023?
Number	Name of Entity	Open-Ended Response	Open-Ended Response	Open-Ended Response
1	Acton Police Department	0	0	0
2	Acushnet Police Department	0	0	0
3	Amherst Police Department	0	0	0
4	Aquinnah Police Department	0	0	0
5	Ashby Police Department	0	0	0
6	Ashland Police Department	0	0	0
7	Attleboro Police Department	0	0	0
8	Auburn Police Department	0	0	N/A
9	Ayer Police Department	0	0	0
10	Barnstable County Sheriff's Office	0	0	0
11	Bedford Police Department	0	0	0

² In response to the survey, the Massachusetts Bar Association responded that it is not a certifying entity pursuant to § 4(a).

³ In response to the survey, the Massachusetts Department of Labor Standards responded that it is not a certifying entity pursuant to § 4(a).

12	Belchertown Police Department	0	0	0
13	Bellingham Police Department	0	0	0
14	Berklee College of Music	0	0	0
15	Berkshire County Sheriff's Office	0	0	0
16	Berkshire County District Attorney's Office	5	3	0
17	Berlin Police Department	0	0	0
18	Bernardston Police Department	0	0	0
19	Beverly Police Department	3	2	1
20	Blackstone Police Department	0	0	0
21	Bolton Police Department	0	0	0
22	Boston Police Department	49	33	10
23	Boylston Police Department	0	0	0
24	Brewster Police Department	0	0	0
25	Brimfield Police Department	0	0	0
26	Bristol County District Attorney's Office	11	9	8
27	Bristol County Sheriff's Office	0	0	0
28	Brockton Police Department	8-12	8-12	1
29	Bunker Hill Community College Police	0	0	0
30	Canton Police Department	0	0	0
31	Cape and Island County Attorney's Office	11	6	5
32	Carver Police Department	0	0	N/A
33	Clarksburg Police Department	0	0	0
34	Dalton Police Department	0	0	0
35	Danvers Police Department	0	0	0
36	Dartmouth Police Department	3	2	One request was not denied, however was incomplete due to non response from attorney
37	Dedham Police Department	None that can be recalled.	None that can be recalled.	None that can be recalled.
38	Department of Children and Families	16	16	0
39	Dover Police Department	0	0	0
40	Dudley Police Department	0	0	0
41	Dukes County Sheriff's Office	0	0	0
42	Dunstable Police Department	0	0	0
43	East Bridgewater Police Department	1	0	0
44	East Longmeadow Police Department	0	0	0
45	Essex County District Attorney's Office	80	23	25
46	Essex County Sheriff's Department	0	0	0
47	Essex Police Department	0	0	0

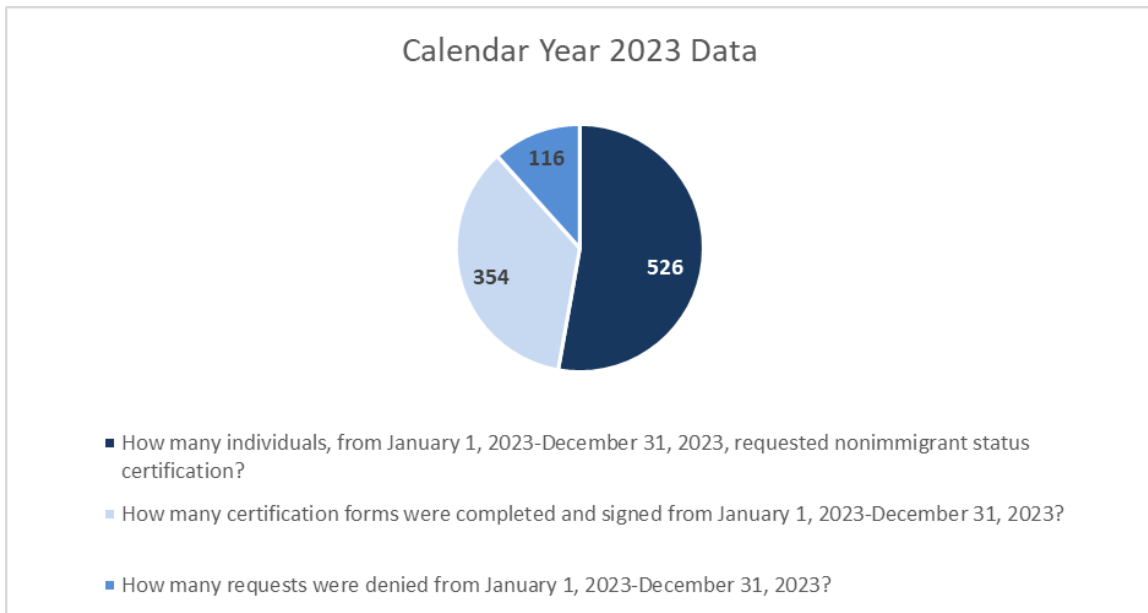
48	Fairhaven Police Department	1	0	1
49	Falmouth Police Department	0	0	0
50	Fitchburg Police Department	2	2	0
51	Framingham Police Department	4	4	0
52	Franklin County Sheriff's Office	0	0	0
53	Franklin Police Department	0	0	0
54	Grafton Police Department	0	0	0
55	Granby Police Department	0	0	0
56	Granville Police Department	0	0	0
57	Greenfield Police Department	0	0	0
58	Groveland Police Department	0	0	0
59	Hadley Police Department	0	0	0
60	Halifax Police Department	0	0	0
61	Hamilton Police Department	0	0	0
62	Hampden County District Attorney's Office	2	2	1
63	Hampden County Sheriff's Office	0	0	0
64	Hampden Police Department	0	0	0
65	Hampshire County Sheriff's Office	0	0	0
66	Hanover Police Department	0	0	0
67	Hanson Police Department	0	0	0
68	Hardwick/New Braintree Police Department	0	0	0
69	Haverhill Police Department	1	1	1
70	Hingham Police Department	2	2	0
71	Hinsdale Police Department	0	0	0
72	Holbrook Police Department	0	0	0
73	Hull Police Department	0	0	0
74	Kingston Police Department	0	0	0
75	Lee Police Department	0	0	0
76	Leicester Police Department	0	0	0
77	Leominster Police Department	4	4	1
78	Lincoln Police Department	0	0	0
79	Ludlow Police Department	0	0	0
80	Lunenburg Police Department	0	0	0
81	Lynn Police Department	The Essex County District Attorney's Office processes these requests	The Essex County District Attorney's Office processes these requests	The Essex County District Attorney's Office processes these requests
82	Manchester by-the Sea Police Department	0	0	0
83	Marion Police Department	0	0	0

84	Massachusetts Commission Against Discrimination	0	0	0
85	Massachusetts Department of Correction	0	0	0
86	Massachusetts State Police	0	0	0
87	Massachusetts Department of Criminal Justice Information Services	0	0	0
88	Mattapoissett Police Department	0	0	0
89	Maynard Police Department	0	0	0
90	Medway Police Department	0	0	0
91	Melrose Police Department	1	1	0
92	Merrimac Police Department	0	0	0
93	Middlesex County District Attorney's Office	123	97	26
94	Middlesex County Sheriff's Office	0	0	0
95	Middleton Police Department	0	0	0
96	Milford Police Department	9	6	3
97	Millbury Police Department	0	0	N/A
98	Milton Police Department	0	0	0
99	Mount Wachusett Community College Campus Police & Public Safety Department	0	0	0
100	Nantucket County Sheriff's Office	0	0	0
101	Nantucket Police Department	3	3	0
102	Natick Police Department	1	1	0
103	Needham Police Department	0	0	0
104	Newton Police Department	2	2	0
105	Norfolk County District Attorney's Office (Hard Copy)	26	8	5
106	Norfolk County Sheriff's Office	0	0	0
107	Norfolk Police Department	0	0	0
108	North Reading Police Department	0	0	0
109	Northborough Police Department	1	1	0
110	Northern Essex Community College Police Department	0	0	0
111	Northwestern County District Attorney's Office	4	3	1
112	Norton Police Department	0	0	0
113	Norwood Police Department	3	3	3
114	Office of the Attorney General	15	5	5
115	Orleans Police Department	0	0	0
116	Pelham Police Department	0	0	0
117	Plainville Police Department	0	0	0
118	Plymouth County District Attorney's Office	13	13	1
119	Plymouth County Sheriff's Office	2	0	2

120	Plymouth Police Department	0	0	0
121	Randolph Police Department	6	6	3
122	Raynham Police Department	1	1	0
123	Rehoboth Police Department	0	0	0
124	Rockland Police Department	0	0	0
125	Rockport Police Department	0	0	0
126	Rowley Police Department	0	0	0
127	Royalston Police Department	0	0	0
128	Salem Police Department	0	0	0
129	Saugus Police Department	0	0	0
130	Scituate Police Department	0	0	0
131	Sharon Police Department	0	0	0
132	Sherborn Police Department	0	0	0
133	Simmons University Police Department	0	0	0
134	Somerville Police Department	5	5	0
135	Southampton Police Department	0	0	N/A
136	Southborough Police Department	0	0	0
137	Southbridge Police Department	0	0	0
138	Spencer Police Department	0	0	0
139	Sterling Police Department	0	0	0
140	Stockbridge Police Department	0	0	0
141	Stoughton Police Department	0	0	0
142	Sturbridge Police Department	0	0	0
143	Sudbury Police Department	0	0	0
144	Suffolk County District Attorney's Office	75	53	12
145	Suffolk County Sheriff's Office	0	0	0
146	Sunderland Police Department	0	0	0
147	Swampscott Police Department	0	0	N/A
148	Taunton Police Department	1	0	0
149	Templeton Police Department	0	0	0
150	Tewksbury Police Department	0	0	N/A
151	UMass-Amherst Police Department	0	0	0
152	Uxbridge Police Department	0	0	0
153	Wakefield Police Department	0	0	0
154	Waltham Police Department	0	0	0
155	Warren Police Department	0	0	0
156	Wayland Police Department	0	0	0
157	Wellesley Police Department	0	0	0
158	West Brookfield Police Department	0	0	0
159	West Newbury Police Department	0	0	0
160	West Springfield Police Department	0 through the police department	0 through the police department	0

161	West Tisbury Police Department	0	0	0
162	Westborough Police Department	0	0	0
163	Westfield State University Police	0	0	0
164	Westhampton Police Department	0	0	0
165	Westwood Police Department	0	0	0
166	Weymouth Police Department	1	0	0
167	Whitman Police Department	1	0	0
168	Winchendon Police Department	0	0	N/A
169	Worcester County District Attorney's Office	37	36	1
170	Worcester County Sheriff's Office	0	0	0
171	Worthington Police Department	0	0	0
172	Worthington Police Department	0	0	0
173	Yarmouth Police Department	1	1	0

The total statewide statistics on data received by EOPSS on nonimmigrant status certifications and denials from January 1, 2023, to December 31, 2023, are illustrated below. Out of the 526 requests for nonimmigrant status certification, 354 forms were completed and signed, and 116 requests were denied.⁴



⁴ These final numbers do not include the range of 8-12 provided by Brockton Police Department.

4. Steering Committee

Section 133 of Chapter 24 of the Acts of 2021 created an interagency crime victim certification steering committee and gave EOPSS the authority to convene the committee. Currently, the committee is meeting bi-monthly to fulfill its requirements. The steering committee's activities will include:

- (i) developing training materials for employees of certifying entities and other individuals who may interact with victims of criminal activity or victims of severe forms of trafficking in persons, including, but not limited to, victim advocates, court personnel, or state agency personnel;
- (ii) creating sample policies to be utilized by certifying entities; providing technical assistance to certifying entities; and
- (iii) monitoring the implementation of the policies required under chapter 258F.

As required by Section 133 the steering committee shall file a report with the clerks of the senate and house of representatives, the joint committee on the judiciary, and the joint committee on public safety and homeland security. The report will include:

- (i) a description of the activities of the steering committee;
- (ii) an overview of issues implementing the requirements of said chapter 258F;
- (iii) any recommendations to improve compliance with said chapter 258F; and
- (iv) any other information the steering committee deems relevant.

The report will also be made available on the EOPSS website.

5. Conclusion

EOPSS looks forward to continuing its collaboration with its many committed stakeholders, including the Steering Committee in fulfilling the requirements of M.G.L chapter 258F and the Section 133 of Chapter 24 of the Acts of 2021.