

CHAPTER 258F

**CERTIFICATION FOR VICTIMS OF
VIOLENT CRIME AND HUMAN
TRAFFICKING**

2022 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 Corrections;

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 and will present it in its 2023 report.

- 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;
- Massachusetts Department of Criminal Justice Information Services;
- Massachusetts Department of Labor Standards;
- Massachusetts Department of Mental Health; and
- Massachusetts Office of Elder Affairs

3. Calendar Year 2022 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 2022 (January 1, 2022 -December 31, 2022).

	Name of Entity	How many individuals, from January 1, 2022-December 31, 2022, requested nonimmigrant status certification?	How many certification forms were completed and signed from January 1, 2022-December 31, 2022?	How many requests were denied from January 1, 2022-December 31, 2022?
1	Acushnet Police Department	0	0	N/A
2	Amesbury Police Department	0	0	0
3	Aquinnah Police Department	0	0	0
4	Attleboro Police Department	0	0	0
5	Auburn Police Department	0	0	0
6	Avon Police Department	0	0	0
7	Ayer Police Department	0	0	0
8	Barnstable County Sheriff's Office	0	0	0
9	Barnstable Police Department	8	7	1
10	Becket Police Department	0	0	0
11	Bedford Police Department	0	0	0
12	Bellingham Police Department	0	0	0
13	Berklee College of Music Police Department	0	0	0
14	Berkshire County Sheriff's Office	0	0	0

15	Berlin Police Department	0	0	0
16	Beverly Police Department	0	0	0
17	Blackstone Police Department	0	0	0
18	Bolton Police Department	0	0	0
19	Boston Police Department	68 One additional request was received but determined to not be within BPD jurisdiction.	52	11 Please note 5 requests were still pending a of 12/31/22.
20	Boston University Police Department	0	0	0
21	Bourne Police Department	0	0	0
22	Boxford Police Department	0	0	0
23	Brandeis University Police Department	0	0	0
24	Brewster Police Department	0	0	0
25	Bristol County Sheriff's Office	0	0	0
26	Bristol County District Attorney's Office	16 (One was received 12/19/22 and has not been decided)	5	10
27	Brockton Police Department	unknown	unknown, but all that were sent in were completed and signed	0
28	Cape & Islands District Attorney's Office	5	5	0
29	Carver Police Department	0	0	N/A
30	Charlton Police Department	0	0	N/A
31	Chelsea Police Department	35 As of 11.01.22, U-Visa Certification requests are referred to the Suffolk County District Attorney's Office to	29	6

		ensure that there are no conflicts created involving pending investigations or charged court cases.		
32	Cheshire Police Department	0	0	0
33	Chester-Blandford Police Department	0	0	0
34	Chilmark Police Department	0	0	0
35	Concord Police Department	0	0	0
36	Conway Police Department	0	0	0
37	Dartmouth Police Department	0	0	0
38	Department of Criminal Justice Information Services	0	0	0
39	Dedham Police Department	0	0	0
40	Deerfield Police Department	2	2	0
41	Department of Children and Families	8	9	0
42	Department of Correction	0	0	0
43	Department of Industrial Accidents	0	0	0
44	Department of Labor Standards	0	0	0
45	Douglas Police Department	0	0	0
46	Dracut Police Department	0	0	0
47	Dudley Police Department	0	0	0
48	Dukes County Sheriff's Office	0	0	0
49	Dunstable Police Department	0	0	0
50	East Brookfield Police Department	0	0	0
51	East Longmeadow Police Department	0	0	0
52	Easthampton Police Department	0	0	0
53	Easton Police Department	0	0	0
54	Edgartown Police Department	0	0	0
55	Egremont Police Department	0	0	0
56	Essex County District Attorney's Office	81	47	34
57	Essex County Sheriff's Office	0	0	0
58	Essex Police Department	0	0	0
59	Fairhaven Police Department	0	0	0
60	Framingham Police Department	10	10	0
61	Framingham State University Police Department	0	0	0
62	Franklin County Sheriff's Office	0	0	0
63	Franklin Police Department	0	0	0
64	Freetown Police Department	0	0	0
65	Gill Police Department	0	0	0

66	Goshen Police Department	0	0	0
67	Grafton Police Department	0	0	0
68	Granby Police Department	0	0	0
69	Granville Police Department	0	0	0
70	Great Barrington Police	1	1	pending
71	Greenfield Police Department	0	0	0
72	Groveland Police Department	0	0	0
73	Hadley Police Department	0	0	0
74	Halifax Police Department	0	0	0
75	Hamilton Police Department	0	0	N/A
76	Hampden Police Department	0	0	0
77	Hampden County Sheriff's Office	0	0	0
78	Hampden County District Attorney's Office	0	0	0
79	Hampshire County Sheriff's Office	0	0	0
80	Hanson Police Department	0	0	0
81	Hardwick/New Braintree Police Department	0	0	0
82	Harvard Police Department	0	0	0
83	Harwich Police Department	0	0	0
84	Haverhill Police Department	0	0	0
85	Hingham Police Department	0	0	0
86	Hinsdale Police Department	0	0	0
87	Holbrook Police Department	0	0	0
88	Holland Police Department	0	0	0
89	Holyoke Police Department	2	1	1
90	Hopedale Police Department	0	0	0
91	Hopkinton Police Department	0	0	0
92	Hull Police Department	0	0	0
93	Ipswich Police Department	0	0	0
94	Kingston Police Department	0	0	0
95	Lancaster Police Department	0	0	0
96	Lawrence Police Department	1 The application was forwarded to the District Attorney's Office	0 The application was forwarded to The DA's Office	0 The application was forwarded to The DA's Office
97	Lee Police Department	0	0	0
98	Leicester Police Department	0	0	0
99	Lenox Police Department	0	0	0
100	Leominster Police Department	4	4	0
101	Lincoln Police Department	0	0	0

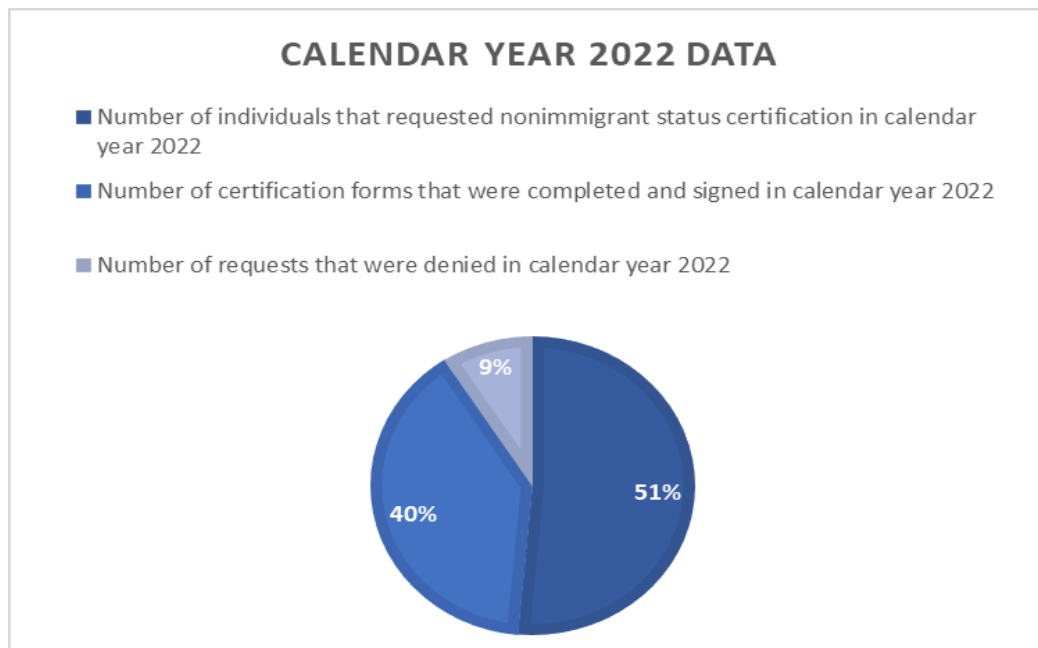
102	Ludlow Police Department	0	0	0
103	Lunenburg Police Department	0	0	0
104	Lynn Police Department	9	0 All Requests forwarded to Essex County DA's Office per their requested protocols.	0 All Requests forwarded to Essex County DA's Office per their requested protocols.
105	Marion Police Department	0	0	0
106	Marlborough Police Department	unknown	unknown	unknown
107	Massachusetts Commission Against Discrimination	0	0	0
108	Massachusetts State Police	0	0	0
109	Massasoit Community College Police Department	0	0	0
110	Mattapoissett Police Department	0	0	0
111	Maynard Police Department	0	0	0
112	Medfield Police Department	0	0	0
113	Medford Police Department	3	3	0
114	Medway Police Department	0	N/A	N/A
115	Melrose Police Department	0	0	0
116	Middleborough Police Department	0	0	0
117	Middlesex County District Attorney's Office	107	82	12
118	Middlesex County Sheriff's Office	0	0	0
119	Middleton Police Department	0	0	0
120	Milford Police Department	7	7	0
121	Millbury Police Department	0	0	N/A
122	Millis Police Department	0	0	0
123	Milton Police Department	0	0	0
124	Montague Police Department	0	0	0
125	Monterey Police Department	0	0	0
126	Mount Wachusett Community College Police Department	0	0	0
127	Nantucket Police Department	2	2	0
128	Nantucket Sheriff's Office	0	0	0
129	Natick Police Department	1	1	0
130	Needham Police Department	0	0	0
131	New Salem Police Department	0	0	0
132	Newbury Police Department	0	0	N/A
133	Newton Police Department	1	1	0
134	Norfolk County Sheriff's Office	0	0	0

135	Norfolk County District Attorney's Office	12	7 requests in 2022	3
136	Norfolk Police Department	0	0	0
137	North Andover Police Department	0	0	0
138	Northampton Police Department	0	0	0
139	Northborough Police Department	0	0	0
140	Northwestern District Attorney's Office	4	1	3
141	Norwood Police Department	1	1	0
142	Office of the Attorney General	18	18	3
143	Oxford Police Department	0	0	0
144	Palmer Police Department	0	0	0
145	Pelham Police Department	0	0	0
146	Pembroke Police Department	0	0	0
147	Pepperell Police Department	0	0	0
148	Petersham Police Department	0	0	0
149	Pittsfield Police Department	1	1	0
150	Plainville Police Department	0	0	0
151	Plainville Police Department	0	0	0
152	Plymouth County District Attorney's Office	10	9	0
153	Plymouth County Sheriff's Office	0	0	0
154	Plymouth Police Department	1	1	0
155	Provincetown Police Department	0	0	0
156	Randolph Police Department	1	0	0
157	Raynham Police Department	0	0	0
158	Rockport Police Department	0	0	0
159	Russell-Montgomery Police Department	0	0	0
160	Rutland Police Department	0	0	0
161	Salem Police Department	0	0	0
162	Scituate Police Department	0	0	0
163	Sherborn Police Department	0	0	0
164	Shirley Police Department	0	0	0
165	Smith College Police Department	0	0	0
166	Somerset Police Department	1	1	0
167	Southampton Police Department	0	0	0
168	Sterling Police Department	0	0	0
169	Stockbridge Police Department	0	0	0
170	Stoneham Police Department	0	0	0
171	Stow Police Department	0	0	0
172	Sturbridge Police Department	0	0	0

173	Sudbury Police Department	0	0	0
174	Suffolk County District Attorney's Office	55	35	5
175	Suffolk County Sheriff's Office	0	0	0
176	Sunderland Police Department	1	1	0
177	Swansea Police Department	1	1	0
178	Taunton Police Department	0	0	0
179	Templeton Police Department	0	0	0
180	Tewksbury Police Department	1	1	0
181	Tolland Police Department	0	0	0
182	Truro Police Department	0	0	0
183	UMass-Amherst Police Department	0	0	0
184	Upton Police Department	0	0	0
185	Wakefield Police Department	0	0	0
186	Wales Police Department	0	0	0
187	Waltham Police Department	9	9	0
188	Warren Police Department	0	0	0
189	Wayland Police Department	0	0	0
190	Wellesley Police Department	0	0	0
191	Wellfleet Police Department	0	0	0
192	Wenham Police Department	0	0	0
193	West Boylston Police Department	0	0	0
194	West Bridgewater Police Department	0	0	0
195	West Newbury Police Department	0	0	0
196	West Springfield Police Department	0	0	0
197	West Stockbridge Police Department	0	0	0
198	Western New England University Police Department	0	0	0
199	Westfield Police Department	0	0	0
200	Westfield State University Police Department	0	0	0
201	Westhampton Police Department	0	0	0
202	Weston Police Department	0	0	0
203	Westport Police Department	0	0	0
204	Westwood Police Department	0	0	0
205	Weymouth Police Department	0	0	0
206	Whitman Police Department	0	0	0
207	Winchendon Police Department	0	0	0
208	Winchester Police Department	0	0	0
209	Woburn Police Department	2	2	2
210	Worcester County District Attorney's Office	24	24	0
211	Worcester County Sheriff's Office	0	0	0
212	Worcester Polytechnic Institute Police Department	0	0	0
213	Worthington Police Department	0	0	0

214	Yarmouth Police Department	0	0	0
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The total statewide statistics on data received by EOPSS on nonimmigrant status certifications and denials from January 1, 2022, to December 31, 2022, are illustrated below. Out of the 515 requests for nonimmigrant status certification, 395 forms were completed and signed, and 91 requests were denied.



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 by December 31, 2023. 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.