

ITEM 8

PROPOSED STATEWIDE COST ESTIMATE

\$2,350,494 - \$3,312,418¹

(for the Initial Claiming Period of 2016-2017 through 2017-2018)

**(Estimated Annual Cost for Fiscal Year 2018-2019 and Following Is
\$610,702 - \$1,332,717, Plus the Implicit Price Deflator)**

Penal Code Section 679.10, Statutes 2015, Chapter 721 (SB 674)

U Visa 918 Form, Victims of Crime: Nonimmigrant Status

17-TC-01

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April 11, 2019

Ms. Annette Chinn
Cost Recovery Systems, Inc.
705-2 East Bidwell Street, #294
Folsom, CA 95630

Ms. Natalie Sidarous
Local Government Programs and
Services Division
State Controller's Office
3301 C Street, Suite 740
Sacramento, CA 95816

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Corrected Decision and Parameters and Guidelines
U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01
Penal Code Section 679.10; Statutes 2015, Chapter 721 (SB 674)
City of Claremont, Claimant

Dear Ms. Chinn and Ms. Sidarous:

On January 25, 2019 the Commission on State Mandates adopted the Decision and Parameters and Guidelines on the above-entitled matter.

This Decision has been corrected to reflect that *Corrected* Proposed Decision issued on January 16, 2019 was in fact the Decision adopted by the Commission on January 25, 2019 and not the original Proposed Decision issued January 14, 2019 which was inadvertently issued as the adopted decision.

The Corrected Decision and Parameters and Guidelines can be found on the Commission's website at <https://www.csm.ca.gov/decisions.php#localagency>.

Sincerely,

Heather Halsey
Executive Director

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE PARAMETERS AND GUIDELINES
FOR:

Penal Code Section 679.10

Statutes 2015, Chapter 721 (SB 674)

The period of reimbursement begins
July 1, 2016.

Case No.: 17-TC-01

*U Visa 918 Form, Victims of Crime:
Nonimmigrant Status*

DECISION PURSUANT TO
GOVERNMENT CODE SECTION 17500
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7.

(Adopted January 25, 2019)

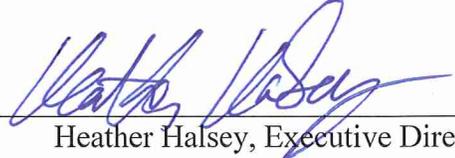
(Served January 29, 2019)

(Corrected and Served April 11, 2019)

PARAMETERS AND GUIDELINES

The Commission on State Mandates adopted the attached Decision and Parameters and Guidelines on January 25, 2019.

This Decision has been corrected to reflect that *Corrected* Proposed Decision issued on January 16, 2019 was in fact the Decision adopted by the Commission on January 25, 2019 and not the original Proposed Decision issued January 14, 2019 which was inadvertently issued as the adopted decision.



Heather Halsey, Executive Director

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE PARAMETERS AND GUIDELINES
FOR:

Penal Code Section 679.10;
Statutes 2015, Chapter 721 (SB 674)
The period of reimbursement begins
July 1, 2016.

Case No.: 17-TC-01

*U Visa 918 Form, Victims of Crime:
Nonimmigrant Status*

DECISION PURSUANT TO
GOVERNMENT CODE SECTION 17500 ET
SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7.

(Adopted January 25, 2019)

(Served January 29, 2019)

(Corrected and Served April 11, 2019)

DECISION

This Decision has been corrected to reflect that *Corrected* Proposed Decision issued on January 16, 2019 was in fact the Decision adopted by the Commission on January 25, 2019 and not the original Proposed Decision issued January 14, 2019 which was inadvertently issued as the adopted decision.

The Commission on State Mandates (Commission) heard and decided the Decision and Parameters and Guidelines during a regularly scheduled hearing on January 25, 2019. Annette Chinn appeared on behalf of the claimant. Donna Ferebee appeared on behalf of the Department of Finance.

The law applicable to the Commission’s determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code sections 17500 et seq., and related case law.

The Commission adopted the Decision and Parameters and Guidelines by a vote of 5-0, as follows:

Member	Vote
Lee Adams, County Supervisor	Yes
Mark Hariri, Representative of the State Treasurer	Yes
Jeannie Lee, Representative of the Director of the Office of Planning and Research	Yes
Sarah Olsen, Public Member	Absent
Carmen Ramirez, City Council Member	Absent
Yvette Stowers, Representative of the State Controller, Vice Chairperson	Yes

Jacqueline Wong-Hernandez, Representative of the Director of the Department of Finance, Chairperson	Yes
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I. Summary of the Mandate

These Parameters and Guidelines address the mandated activities arising from Penal Code section 679.10, added by Statutes 2015, chapter 721 (SB 674) (test claim statute). The test claim statute requires local agencies, upon request of a victim of qualifying criminal activity seeking temporary immigration benefits under the federal U Visa program and willing to assist law enforcement with investigation or prosecution of the criminal activity, to complete and certify the federal Form I-918 Supplement B (U Nonimmigrant Status Certification) within specified deadlines, and to submit annual reports about the certifications to the Legislature.

On September 28, 2018, the Commission on State Mandates (Commission) adopted the Decision partially approving the Test Claim, finding that the test claim statute imposes a reimbursable state-mandated program on local agencies within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514 beginning July 1, 2016, for “certifying officials” from the “certifying entities” of local agencies (i.e., district attorney offices, sheriff’s departments, police departments, child protective services, and any other local agency authority that has the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity within the meaning of the Penal Code section 679.10(a), with the *exception* of the police/security departments of school districts and special districts, and judges who are not eligible to claim mandate reimbursement in this case), to perform the following reimbursable state-mandated activities:

- For the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim’s family member, and “include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity” within 90 days of the request or 14 days of the request if the victim is in removal proceedings, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. (Pen. Code, § 679.10(a)-(j).)
- For a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(l).)

II. Procedural History

On September 28, 2018, the Commission adopted the Decision partially approving the Test Claim.¹ On October 3, 2018, Commission staff issued the Draft Expedited Parameters and Guidelines.² On October 23, 2018, the City of Claremont (claimant) filed comments on the

¹ Exhibit A, Test Claim Decision.

² Exhibit B, Draft Expedited Parameters and Guidelines.

Draft Expedited Parameters and Guidelines, proposing activities which it asserts are reasonably necessary to implement the mandate.³ On October 24, 2018, the State Controller's Office (Controller) filed comments concurring with the Draft Expedited Parameters and Guidelines.⁴ On November 19, 2018, Commission staff issued the Draft Proposed Decision and Proposed Parameters and Guidelines.⁵ On December 5, 2018, the claimant filed comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, proposing clarifications and additional activities which it asserts are reasonably necessary.⁶ On December 10, 2018, the Controller filed comments recommending no changes to the Draft Proposed Decision and Proposed Parameters and Guidelines.⁷

III. Positions of the Parties

A. City of Claremont

On October 23, 2018, the City of Claremont (claimant) filed comments on the Draft Expedited Parameters and Guidelines proposing a number of changes.⁸ First, the claimant is requesting that the following one-time costs be approved as reasonably necessary to comply with the mandate:

One-time costs:

- 1) Update Department Policies and Procedures to incorporate new statutory requirements of (Pen. Code, § 679.10(a)-(j).)
- 2) Train new staff assigned to work on mandated program on requirements of Penal Code, § 679.10(a)-(j). This may include reading State statutes, instruction forms, and State or Federal Bulletins or Guidelines.⁹

Second, the claimant is requesting approval of the following on-going activities, which it asserts are reasonably necessary, "for a certifying entity that receives a request for a Form 1-918 Supplement B certification from the victim or the victim's family member:"

³ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines.

⁴ Exhibit D, Controller's Comments on the Draft Expedited Parameters and Guidelines.

⁵ Exhibit E, Draft Proposed Decision and Proposed Parameters and Guidelines.

⁶ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

⁷ Exhibit G, Controller's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

⁸ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, pages 1-3.

⁹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2, italics and underline in the original.

On-going activities:

For a certifying entity that receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities are eligible for reimbursement:

- 1) Receive, review and log the request
- 2) Research the original crime(s) the victim was involved to determine whether the requirements of Penal Code, § 679.10(a)-(j) are met and certification can be granted and to determine "victims' helpfulness". This includes obtaining prior criminal records, reports, and history, determining helpfulness and potential helpfulness of the victim; determining if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.

[¶] . . . [¶]

- 3) Supervisor edit, review, approval, and certification (signatures) of forms
- 4) Transmit results to involved parties and legal representatives
- 5) File, log, and close case.

[¶] . . . [¶]¹⁰

Third, for the activities approved for the certifying official to fully complete and sign the federal form, the claimant proposes the following changes: “For the certifying official (or their designee) to fully complete and sign the Form I-918 Supplement B certification ~~upon the request of the victim or the victim's family member . . .~~”¹¹

Finally, the claimant recommends changes to the activity of reporting the U Visa requests to the Legislature as follows: ~~For a certifying entity that receives a request for a Form I-918 Supplement B certification to~~ Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.”¹²

On December 5, 2018, the claimant filed comments generally concurring with the Draft Proposed Decision and Proposed Parameters and Guidelines.¹³ The claimant, however, proposes the following additional changes to the text of the Proposed Parameters and Guidelines for the on-going activities performed upon receipt of a request for a Form I-918 Supplement B certification from the victim or the victim's family member:

¹⁰ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2, italics and underline in the original.

¹¹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

¹² Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 3.

¹³ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

On-Going Activity B. 1. b. (paragraph 2): "If the crime alleged is based on past criminal activity previously reported and investigated or prosecuted by the certifying entity and the case is closed, reimbursement for this activity includes time to determine what relevant records exist (research), locate, obtain, and review of any record of the alleged crime ..."¹⁴

On-Going Activity B. 1. c. (paragraph 1): "When it is determined that the ~~victim~~ requesting party was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity, the certifying official shall fully complete (including attaching all relevant reports and findings if they exist) and sign the Form I-918 Supplement B certification upon the request of the victim or the victim's family member, and "include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity" within 90 days of the request or 14 days of the request if the victim is in removal proceedings."¹⁵

On-Going Activity B. 1. c. (paragraph 2): "To the extent that the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's ~~law enforcement~~ duties, reimbursement for this activity includes time to determine what relevant records exist (research), locate, obtain, and review of any record to complete the Form I-918 Supplement B certification."¹⁶

In addition, the claimant is requesting approval of an additional on-going activity which it asserts is reasonably necessary "for 'Police Chief/Certifying Official to review, approve, and authorize the release of the U Visa forms.'"¹⁷

B. State Controller's Office

On October 24, 2018, the Controller filed comments on the Draft Expedited Parameters and Guidelines recommending "no changes."¹⁸ On December 10, 2018, the Controller filed

¹⁴ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 1.

¹⁵ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

¹⁶ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

¹⁷ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

¹⁸ Exhibit D, Controller's Comments on the Draft Expedited Parameters and Guidelines, page 1.

comments on the Draft Proposed Decision and Proposed Parameters and Guidelines recommending “no changes.”¹⁹

IV. Discussion

The Proposed Parameters and Guidelines authorize reimbursement, beginning July 1, 2016, for the state-mandated activities identified in the Test Claim Decision. The claimant has filed comments requesting that a number of activities be approved in Section IV. of the Parameters and Guidelines (Reimbursable Activities) as “reasonably necessary for the performance of the state-mandated program,” pursuant to Government Code section 17557(a) and section 1183.7(d) of the Commission’s regulations. “Reasonably necessary activities” are defined in the Commission’s regulations as follows:

“Reasonably necessary activities” are those activities necessary to comply with the statutes, regulations and other executive orders found to impose a state-mandated program. Activities required by statutes, regulations and other executive orders that were not pled in the test claim may only be used to define reasonably necessary activities to the extent that compliance with the approved state-mandated activities would not otherwise be possible. Whether an activity is reasonably necessary is a mixed question of law and fact. All representations of fact to support any proposed reasonably necessary activities shall be supported by documentary evidence submitted in accordance with section 1187.5 of these regulations.²⁰

The following analysis addresses the scope of the mandated activities, the claimant’s proposals to Section IV., Reimbursable Activities, and the remaining sections of the Parameters and Guidelines.

A. Reimbursable Activities (Section IV. of the Parameters and Guidelines)

The Test Claim Decision approved the following reimbursable state-mandated activities:

- A. For the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim’s family member, and “include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity” within 90 days of the request or 14 days of the request if the victim is in removal proceedings, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. (Pen. Code, § 679.10(a)-(j).)
- B. For a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency,

¹⁹ Exhibit G, Controller’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

²⁰ California Code of Regulations, title 2, section 1183.7(d).

the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(l).)

The claimant has proposed a number of additional activities, which it asserts are reasonably necessary, and other changes to the Parameters and Guidelines, as discussed below.²¹

1. The proposed one-time activities to update policies and procedures and to train staff assigned to perform the ongoing reimbursable activities are supported by the law and the record and are, therefore, reasonably necessary to comply with the mandate (Section IV.A. of the Parameters and Guidelines).

The claimant requests that the Commission approve the following one-time activities, which are quoted below, as reasonably necessary to comply with the mandate:

- 1) Update Department Policies and Procedures to incorporate new statutory requirements of (Pen. Code, § 679.10(a)-(j).)
- 2) Train new staff assigned to work on mandated program on requirements of Penal Code, § 679.10(a)-(j). This may include reading State statutes, instruction forms, and State or Federal Bulletins or Guidelines.²²

The Commission finds that the one-time activity of updating policies and procedures to incorporate the requirements of the test claim statute is reasonably necessary to comply with the mandate. As indicated in the Test Claim Decision, the California Department of Justice (DOJ) issued an Information Bulletin to all California State and Local Law Enforcement Agencies on “New and Existing State and Federal Laws Protecting Immigrant Victims of Crime,” which “encourages all agencies and officials subject to California’s new law to immediately establish and implement a U visa certification policy and protocol that is consistent with California law and the guidance provided in this law enforcement bulletin.”²³ In addition, the Department of Homeland Security (DHS) has published a Resource Guide on the U Visa program, which states that “DHS encourages certifying agencies to implement policies that accurately reflect and conform with the statute, regulations and DHS policies and with the information contained in this and other publications issued by USCIS and DHS on the U visa . . . programs.”²⁴ The claimant has also filed a declaration signed under penalty of perjury by Lieutenant Cizek, who has been employed in this capacity by the city of Claremont since 2009 and directly involved

²¹ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, pages 1-3; Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

²² Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2, italics and underline omitted.

²³ Exhibit A, Test Claim Decision, page 18; Exhibit H, California Department of Justice Information Bulletin No. DLE-2015-14, “New and Existing State and Federal Laws Protecting Immigrant Victims of Crime,” October 28, 2015, page 4.

²⁴ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 14.

with the U Visa program, stating that “[i]t is standard practice of law enforcement agencies to update their written "Policies and Procedures" when additions or changes to the Penal Codes are made and in my opinion are a reasonably necessary activity of implementing the new subject State statutes.”²⁵

The Commission further finds that one-time training for each employee assigned to perform the reimbursable activities is reasonably necessary to comply with the mandate. Both the information bulletin on the test claim statute published by DOJ and the U Visa Resource Guide published by DHS support the use of their documents for training. DOJ’s information bulletin states that the bulletin provides guidance on the new state law, “summarizes existing federal law governing U visas, answers relevant questions regarding U visa eligibility, and encourages state and local law enforcement agencies and officials to be vigilant in identifying and supporting immigrant crime victims who may be eligible for U visas.”²⁶ The Resource Guide published by DHS specifically encourages training and includes a list of frequently asked questions in their documents for that purpose.²⁷ In addition, the claimant submitted the declaration of Lieutenant Ciszek, which states as follows:

One-Time Training of staff on the requirement of the new Statutes is necessary to ensure the complex and lengthy rules dictating this program are met and that the employee is completing the forms properly. This may include reading subject State Statutes, U VISA instructions and forms, State Department of Justice Information Bulletins, and Federal Homeland Security Guides (U and T Visa Law Enforcement Recourse [sic] Guide”).²⁸

And the City of Costa Mesa, an interested party, submitted comments on the Draft Proposed Decision, stating that “[l]aw enforcement agencies that certify U VISA . . . are compelled to educate staff on the process and use U VISA certification.”²⁹

Accordingly, the Commission finds that the one-time activities to update policies and procedures and to provide training for each employee performing the reimbursable activities are reasonably

²⁵ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 4 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018).

²⁶ Exhibit H, California Department of Justice Information Bulletin No. DLE-2015-14, “New and Existing State and Federal Laws Protecting Immigrant Victims of Crime,” October 28, 2015, page 1.

²⁷ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, <https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide%201.4.16.pdf>, accessed July 10, 2018, pages 15-26 (see also page 15, which states: “For several years, DHS has been providing training and holding external stakeholder events and outreach, as well as working with law enforcement, judges, and other officials on U visa certifications . . .”).

²⁸ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 4 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018, page 1).

²⁹ Exhibit H, Interested Party’s (City of Costa Mesa’s) Comments on the Draft Proposed Decision, page 2.

necessary to comply with the mandate and are eligible for reimbursement. Section IV. of the Parameters and Guidelines identify these activities as follows:

A. One-time activities:

1. Updating policies and procedures to incorporate the requirements of the test claim statute.
2. Train staff assigned to perform the reimbursable activities listed in Section IV. B. of these Parameters and Guidelines (one-time for each employee).
2. **Some of the proposed additional ongoing activities are consistent with the law and evidence in the record and are, therefore, reasonably necessary to comply with the mandate, but those proposed additional activities which are inconsistent with the law and not supported by the evidence in the record are denied (Section IV.B.1. of the Parameters and Guidelines).**

The Commission's Test Claim Decision approved the following ongoing activity:

For the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim's family member, and "include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity" within 90 days of the request or 14 days of the request if the victim is in removal proceedings, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. (Pen. Code, § 679.10(a)-(j).)

The claimant has proposed a number of on-going activities, which it asserts are reasonably necessary to implement the mandate, as discussed below.³⁰

- a. The proposed administrative activities to receive and log the request; transmit the results to the victim or the victim's legal representative; and file, log, and close the case are supported by the law and the record and are, therefore, reasonably necessary to comply with the mandate.

The claimant requests reimbursement for the following activities alleged to be reasonably necessary to comply with the mandate when a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member:

- Receive and log the request;
- Transmit results to involved parties and legal representatives; and

³⁰ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, pages 1-3; Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines.

- File, log, and close case.³¹

The Commission finds that activities to receive and log the request; transmit the results to the victim or the victim's legal representative; and file, log, and close the case, constitute administrative activities required to process U Visa requests, and are reasonably necessary to comply with the mandate for the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim, the victim's family member or representative, and to maintain records to prepare the annual report to the Legislature regarding the number of requests received, approved, and denied.

To support its request for reimbursement for these activities, the claimant submitted a declaration from Lieutenant Ciszek, which states that he has personal knowledge of the U Visa program, process, and activities performed by the City of Claremont that are required by Penal Code 679.10, and asserts a belief that all activities listed in the Claimant's Comments on the Draft Expedited Parameters and Guidelines "directly result from the mandate and are reasonably necessary to implement the subject statutes of the U VISA program."³² It should be noted that these activities were first described in the claimant's Test Claim to demonstrate procedures employed by the claimant to process U Visa applications,³³ and were similarly supported by general assertions in Lieutenant Ciszek's declaration in support of the Test Claim.³⁴

Moreover, these activities are consistent with the requirements of the test claim statute, the instructions to the U Visa form, and the Resource Guide prepared by DHS. Penal Code section 679.10(e) states that "*Upon the request* of the victim or victim's family member, a certifying official from a certifying entity shall certify victim helpfulness on the Form I-918 Supplement B certification, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity." The request must first be received by the certifying entity from the victim or the victim's family or representative.

The Resource Guide issued by the DHS further clarifies that: "Once the certifying official completes and signs the Form I-918 B . . . , the original should be given to the victim or the victim's legal representative or advocate, so that it can be added to the original U visa petition . . . application packet before submission to USCIS [U.S. Citizenship and Immigration Services]."³⁵ The instructions for Form I-918 Supplement B further requires the victim to submit the Supplement B to the USCIS within six months of the date it was signed by the certifying official

³¹ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2, italics omitted.

³² Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 4 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018, page 1).

³³ Exhibit H, Test Claim, pages 4-5.

³⁴ Exhibit H, Test Claim, page 13 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, March 1, 2018, page 1).

³⁵ Exhibit H, "U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, <https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide%201.4.16.pdf>, accessed July 10, 2018, page 25.

in order to be eligible for U nonimmigrant status.³⁶ In addition, the test claim statute requires that Form I-918 Supplement B certification be processed within 90 days of the request or 14 days of the request if the victim is in removal proceedings. This requirement is intended to timely assist the victim with his or her U Visa application, which must be filed with USCIS. Thus, to comply with this mandate, it is not enough for the certifying official to timely complete and sign Form I-918 Supplement B certification, but it is also necessary for the certifying agency to provide the Form I-918 Supplement B so that the victim can complete and file the petition for U Nonimmigrant Status with USCIS. Finally, requested activity 5 (to file, log, and close the case) is reasonably necessary to show compliance with the certification and processing requirements of the test claim statute, and to create a record for future reporting to the Legislature.

Accordingly, the Commission finds that the activities to receive and log the request; transmit the results to the victim or the victim's legal representative; and file, log, and close the case, are eligible for reimbursement.

- b. The proposed activity to review a request for U Visa certification, including all documentation provided by the victim, is reasonably necessary to determine whether the certifying entity is required to complete a U Visa certification. However, the proposed activities to determine what relevant records exist (research), and to locate, obtain, and copy records for the purpose of reviewing them to determine if a qualifying criminal activity exists and whether the victim has been helpful, go beyond the scope of the mandate and are, therefore, denied.

The Test Claim Decision approved reimbursement for "certifying officials" from the "certifying entities" of local agencies to complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim's family member. . . *when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity.*³⁷

The claimant has requested a number of activities to determine whether it is required to complete a U Visa certification following receipt of a request.

In comments on the Draft Expedited Parameters and Guidelines, the claimant requests reimbursement to review the victim's request.³⁸

The claimant also requests reimbursement to research the original crime to determine if the conditions of the test claim statute are met, including obtaining prior criminal records and reports as follows:

Research the original crime(s) the victim was involved [sic] to determine whether the requirements of Penal Code, § 679.10(a)-(j) are met and certification can be granted and to determine "victims' helpfulness". This includes obtaining prior criminal records, reports, and history, determining helpfulness and potential

³⁶ Exhibit H, Test Claim, pages 81-82 (Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification, pages 1-2).

³⁷ Exhibit A, Test Claim Decision, page 36, emphasis added.

³⁸ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2,

helpfulness of the victim; determining if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.³⁹

In support of this request the claimant submitted a declaration of Lieutenant Ciszek stating that this and all other activities proposed by the claimant are “reasonably necessary to implement the subject statutes of the UVISA program.”⁴⁰ The claimant, however, provides no explanation as to why this activity is necessary to comply with the mandate. The activity was requested by the claimant in the Test Claim as follows:

For all requests, research the original crime(s) the victim was involved to determine whether new law criteria are met and certification can be granted and to determine “victim’s helpfulness”. This includes obtaining prior criminal records, reports, and history, determining helpfulness and potential helpfulness of the victim; determining if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.

(Detailed research and review of crime history/reports is now required for each case to determine the victim's helpfulness and potential helpfulness.

Before this law was added, the city would only have to determine the status of the case: if the case was found to be adjudicated, closed or is outside the statute of limitations, the City would find the victim's assistance was no longer needed and the UVISA application would be denied. Almost all requests could be denied just by determining whether the case was being or likely to be adjudicated which would typically take 5-10 minutes.

Because of the new requirements, estimate additional time to research each per case would usually take an extra 20-30 mins per case)⁴¹

The claimant has also requested reimbursement for the “time to determine what relevant records exist (research), locate, [and] obtain” the record in order to review the records to determine if the crime alleged is a qualifying crime and whether the victim was helpful.⁴² In support of this request, the claimant filed a Declaration from Lieutenant Ciszek, which states that “to determine what relevant records exist, then search for, locate, copy and provide the records to the certifying

³⁹ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2, italics and underline omitted.

⁴⁰ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 4 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, page 1).

⁴¹ Exhibit H, Test Claim, page 4, original emphasis. Exhibit A, Test Claim Decision, page 19 (discussing claimant’s position).

⁴² Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 1.

official to make the determinations” is a “necessary and sometimes time-consuming step for law enforcement to comply with this mandate.”⁴³

The claimant further states the following:

As pointed out in the staff analysis, there is no statute of limitations on how long a victim has to make the request and sometimes the case is quite old and the records not readily accessible.

Often a local agency will have to not only look for and pull the old reports, but may also have to locate audio and/or video recordings of the interviews conducted with victim(s) during the investigation to determine their helpfulness. This duty to locate pertinent existing records is often delegated to other employees of the department, such as records or evidence staff, who then provide the material to the certifying official to make the determination as required.

Because a record cannot be reviewed until it is identified, located, and obtained, we request this wording be added to the Parameters [and Guidelines] to provide greater clarity to all parties.⁴⁴

The proposed activities to research the original crime, and to research, locate, obtain, and copy records for the purpose of reviewing them to determine if a qualifying criminal activity exists and whether the victim has been helpful, go beyond the scope of the mandate and are, therefore, denied.

Penal Code section 679.10(e) makes it clear that certifying officials shall provide a victim with the Form I-918 Supplement B certification “*when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity.*”⁴⁵ Victim helpfulness is presumed under California law, and can be rebutted only “if the victim has refused or failed to provide information and assistance reasonably requested by law enforcement.”⁴⁶ A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.⁴⁷

⁴³ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 3 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, December 4, 2018, page 1).

⁴⁴ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 1.

⁴⁵ Penal Code section 679.10(e), emphasis added.

⁴⁶ Penal Code section 679.1(f).

⁴⁷ Penal Code section 679.10(i), which provides that “[a] current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.”

Thus, the test claim statute mandates the certifying entity to complete a U Visa certification when it has determined in the normal course of existing law enforcement duties that the qualifying criminal activity occurred, regardless of the status of the criminal case, and that the victim of that criminal activity has not refused or failed to provide information and assistance reasonably requested by the certifying entity.⁴⁸ As stated in the Resource Guide for U Visa certifications: “*If, in the normal course of duties, a certifying official or agency has determined that a qualifying criminal activity has taken place, the victim possessed information related to the criminal activity, and the victim has been helpful . . .*” the U Visa certification is authorized under federal law.⁴⁹ The test claim statute does *not* mandate a local agency to detect, investigate, or prosecute the crime, or to research the original crime, to determine if a U Visa certification is required.

Moreover, the U Visa applicant has the burden to *demonstrate eligibility* for a U Visa, not the certifying entity or official.⁵⁰ The applicant is required by federal law to prove that the victim (i) has suffered substantial physical or mental abuse as a result of having been a victim of the qualifying criminal activity; (ii) possesses information concerning that criminal activity; (iii) has been helpful, is being helpful, or is likely to be helpful to authorities investigating or prosecuting qualifying criminal activity; (iv) that qualifying criminal activity violated the laws of the United States or occurred in the United States.⁵¹ The non-exhaustive list of suggested forms of evidence to help the applicant establish these eligibility requirements includes the Form I-918 Supplement B certification, and trial transcripts, court documents, police reports, affidavits of other witnesses or officials, orders of protection and related legal documents.⁵² The applicant is also required to provide a personal written statement describing the nature of the qualifying criminal activity; when the criminal activity occurred; who was responsible; the events surrounding the criminal activity; how the criminal activity came to be investigated or prosecuted; and what substantial physical and/or mental abuse suffered as a result of having been the victim of the criminal

⁴⁸ As discussed above, Penal Code section 679.10(f) established a rebuttable presumption that “a victim is helpful, has been helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.”

⁴⁹ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 26.

⁵⁰ 8 Code of Federal Regulations, section 214.14 (c)(4) (“The burden shall be on the petitioner to demonstrate eligibility for U-1 nonimmigrant status.”).

⁵¹ 8 United State Code section 1101(a)(15)(U); 8 Code of Federal Regulations, section 214.14(b); 8 Code of Federal Regulations, section 214.14 (c)(4); Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 4.

⁵² Exhibit H, Test Claim, pages 59-70 (Form I-918, Petition and Supplement A Instructions, pages 1-12).

activity.⁵³ The victim must also “provide evidence that he or she has been, is being, or is likely to be helpful to a certifying official in the investigation or prosecution of the qualifying criminal activity.”⁵⁴

In this respect, a victim requesting U Visa certification may already possess records from the certifying entity, received with a public records request, that shows that the victim was a victim of a qualifying criminal activity and was helpful to the detection, investigation, and prosecution of that criminal activity. Under the Public Records Act, Government Code section 6254(f) requires local law enforcement agencies to make public, upon receipt of a public records request, information surrounding an arrest and all complaints or requests for assistance received by the agency. Government Code section 6254(f) states in relevant part the following:

. . . Notwithstanding any other provision of this subdivision, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

(1) The full name and occupation of every individual arrested by the agency, the individual’s physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

(2) (A) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved. The name of a victim of any crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code may be withheld at the victim’s request, or at the request of the victim’s parent or guardian if the victim is a minor. When a person is the victim of more than one crime, information disclosing that the person is a victim of a crime defined in any of the sections of the Penal Code set forth in this subdivision may be deleted at the request of the victim, or the victim’s parent or guardian if the victim is a

⁵³ Exhibit H, Test Claim, page 71 (Form I-918, Petition and Supplement A Instructions, page 13).

⁵⁴ Exhibit H, Test Claim, page 82 (Form I-918, Supplement B Instructions, page 2).

minor, in making the report of the crime, or of any crime or incident accompanying the crime, available to the public in compliance with the requirements of this paragraph.

(B) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the names and images of a victim of human trafficking, as defined in Section 236.1 of the Penal Code, and of that victim's immediate family, other than a family member who is charged with a criminal offense arising from the same incident, may be withheld at the victim's request until the investigation or any subsequent prosecution is complete. For purposes of this subdivision, "immediate family" shall have the same meaning as that provided in paragraph (3) of subdivision (b) of Section 422.4 of the Penal Code.

(3) Subject to the restrictions of Section 841.5 of the Penal Code and this subdivision, the current address of every individual arrested by the agency and the current address of the victim of a crime, if the requester declares under penalty of perjury that the request is made for a scholarly, journalistic, political, or governmental purpose, or that the request is made for investigation purposes by a licensed private investigator as described in Chapter 11.3 (commencing with Section 7512) of Division 3 of the Business and Professions Code. However, the address of the victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code shall remain confidential. Address information obtained pursuant to this paragraph shall not be used directly or indirectly, or furnished to another, to sell a product or service to any individual or group of individuals, and the requester shall execute a declaration to that effect under penalty of perjury. This paragraph shall not be construed to prohibit or limit a scholarly, journalistic, political, or government use of address information obtained pursuant to this paragraph.

In addition, the victim may also have received documentation of the alleged crime from the certifying entity pursuant to Family Code section 6228, which requires local agencies to provide one copy of all incident report face sheets, one copy of all incident reports, or both, to a victim of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or a dependent adult within specified times.⁵⁵

Even if a U Visa request is based on past criminal activity previously reported, investigated, and documented by the certifying entity in a closed law enforcement case, and a victim requesting a U Visa certification does not have records, or sufficient records that show that the victim was a victim of a qualifying criminal activity and was helpful to the detection, investigation, and prosecution of that criminal activity by that certifying entity, then the victim can request any

⁵⁵ Family Code section 6228 was pled in *Crime Victims' Domestic Violence Incident Reports* (99-TC-08) and was denied by the Commission on the ground that the statute's requirements to provide, retrieve, and copy information relating to a domestic violence incident has long been required by the Public Records Act.

additional existing records under the Public Records Act or Family Code first, before making the U Visa request with the certifying entity.

Thus, it is the Public Records Act and Family Code section 6228, and *not* the test claim statute, that require the certifying entity to research, search for, locate, or produce any documents, such as police reports or witness/victim statements, evidencing the qualifying criminal activity, that the victim was a victim of that activity, and that the victim was helpful, upon request of the victim and these requirements are not new. Again, the burden to demonstrate eligibility for a U Visa certification is on the victim, and not on the certifying entity or certifying official. Therefore, the certifying entity or certifying official can simply review the records included with the victim's request for U Visa certification to confirm that U Visa certification is required to be completed.

Accordingly, the Commission finds that the activity to review the request for U Visa certification, including all documentation provided by the victim, is reasonably necessary to confirm that the victim was a victim of a qualifying criminal activity, as defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity, thus triggering the requirement to complete the certification. However, the activities to research the original crime, and to research, locate, obtain, and copy records for the purpose of determining whether the certifying entity is required to complete U Visa certification upon the victim's request go beyond the scope of the mandate and are not eligible for reimbursement.

- c. The proposed activities to locate and review any records of the qualifying criminal activity identified by the victim that were prepared in the normal course of the certifying entity's law enforcement duties in order to complete the Form I-918 Supplement B certification, and to attach those records to the Form I-918 Supplement B certification, are supported by the law and the record and, are therefore, reasonably necessary to comply with the mandate. However, the cost incurred to copy any reports to attach to the Form I-918 Supplement B certification is required by prior law, and not the test claim statute, and is, therefore, denied.

Once the certifying entity is required to complete a U Visa certification, the test claim statute requires the certifying official to fully complete and sign the Form I-918 Supplement B certification as follows:

The certifying official shall fully complete and sign the Form I-918 Supplement B certification and, regarding victim helpfulness, include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.⁵⁶

⁵⁶ Penal Code section 679.10(g).

The claimant requests reimbursement for the time to determine what relevant records exist (research), locate, obtain, copy, and review records to complete the form.⁵⁷ The claimant relies on the Declaration from Lieutenant Cizek, which states that “to determine what relevant records exist, then search for, locate, copy and provide the records to the certifying official to make the determinations” is a “necessary and sometimes time-consuming step for law enforcement to comply with this mandate.”⁵⁸ The claimant also requests reimbursement to attach all relevant reports and findings to the Form I-918 Supplement B certification if they exist.⁵⁹

The Commission finds that the time to locate the certifying entity’s records necessary to complete the form is reasonably necessary to comply with the mandate. Although the U Visa applicant may have copies of police reports and other public documents to support the request for U Visa certification, Form I-918 Supplement B certification expressly requires the certifying official to declare under penalty of perjury that the “detailed information” on the form is “complete, true, and correct” based on the certifying official’s independent review of the facts as follows:

I am the head of the agency listed in Part 2. or I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual identified in Part 1. is or was a victim of one or more of the crimes listed in Part 3. I certify that the above information is complete, true, and correct to the best of my knowledge , and that I have made and will make no promises regarding the above victim's ability to obtain a visa from U.S. Citizenship and Immigration Services (USCIS), based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, I will notify USCIS.

Thus, it is not reasonable to rely solely on the documentation provided by the victim to complete the form. Accordingly, to the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or the victim’s family member, which was prepared in the normal course of the certifying entity’s law enforcement duties, reimbursement is authorized to locate those records to complete the form.

The Commission also finds that it is reasonably necessary to review those records to complete the mandated form. Penal Code section 679.10(g) and the Form I-918 Supplement B certification require “detailed information” about the criminal acts, including the dates on which the criminal activity occurred; the statutory citations for the criminal activity being investigated

⁵⁷ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

⁵⁸ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 3 (Declaration of Michael Cizek, Lieutenant for the City of Claremont, December 4, 2018, page 1).

⁵⁹ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

or prosecuted or that was investigated or prosecuted; a description of any known or documented injury to the victim; and asks that all relevant reports and findings be attached if they exist.⁶⁰ The form also asks the following three yes or no questions regarding victim helpfulness, and then asks for an explanation if the questions were answered “yes”:

1. Does the victim possess information concerning the criminal activity listed in Part 3?
2. Has the victim been helpful, is the victim being helpful, or is the victim likely to be helpful in the investigation or prosecution of the criminal activity detailed above?
3. Since the initiation of cooperation, has the victim refused or failed to provide assistance reasonably requested in the investigation or prosecution of the criminal activity detailed above?

If you answer “yes” to Item Numbers 1-3, provide an explanation in the space below.⁶¹

The Form I-918 Supplement B instructions make clear that “[i]f a question does not apply to you type or print ‘N/A,’ unless otherwise directed.”⁶²

The Form I-918 Supplement B certification further requires the certifying official to declare under penalty of perjury that the “detailed information” on the form is “complete, true, and correct.”⁶³

Finally, the claimant requests reimbursement to attach all relevant reports and findings to the Form I-918 Supplement B certification. Page 2 of the U Visa Form I-918 Supplement B certification expressly asks that the certifying official “attach copies of all relevant reports and findings” with respect to the qualifying criminal activity and any injury to the victim, as specified below:

6. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the petitioner named in **Part 1**. Attach copies of all relevant reports and findings.
7. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.⁶⁴

Thus, the Commission finds that it is reasonably necessary to comply with the mandate to fully complete the Form I-918 Supplement B certification, to attach all relevant reports prepared in the

⁶⁰ Exhibit H, Test Claim, page 77 (Form I-918 Supplement B certification).

⁶¹ Exhibit H, Test Claim, page 78 (Form I-918 Supplement B certification).

⁶² Exhibit H, Test Claim, page 82 (Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification, page 2).

⁶³ Exhibit H, Test Claim, page 79 (Form I-918 Supplement B, U Nonimmigrant Status Certification, page 4).

⁶⁴ Exhibit H, Test Claim, page 77 (Form I-918 Supplement B certification, page 2).

normal course of the certifying entity's law enforcement duties expressly requested by the Form I-918 Supplement B certification, if they exist.

However, the cost of copying or duplicating any attached reports prepared in the normal course of the certifying entity's law enforcement duties is required by prior law and, thus, goes beyond the scope of the mandate here. As indicated in the section above, the U Visa applicant has the burden to demonstrate eligibility for a U Visa, and can obtain copies of relevant reports with a public records request or request under Family Code section 6228. The Public Records Act is very broad and already requires local law enforcement agencies, in Government Code section 6254(f), to provide copies of information surrounding an incident, an arrest and all complaints or requests for assistance received by the agency, including "the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved." And Family Code section 6228 requires local agencies to provide a copy of all incident report face sheets, a copy of all incident reports, or both, to a victim of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or a dependent adult. The records and reports required to be provided under existing law satisfies the requirements of the Form I-918 Supplement B certification, and the cost incurred to copy those records is not new. Thus, reimbursement for the cost of copying any attached report to the Form I-918 Supplement B certification is not required by the mandate, nor reasonably necessary to comply with the mandate, and thus is not eligible for reimbursement.

- d. The claimant's request to strike the words "law enforcement" in Section IV.B.1.c. of the Parameters and Guidelines, relating to the review of records prepared in the normal course of the certifying entities "law enforcement" duties to complete the form, is not consistent with the mandate and is, therefore, denied.

The claimant requests that the Commission strike the words "law enforcement" in Section IV.B.1.c. of the Parameters and Guidelines relating to the review of records prepared in the normal course of the certifying entity's "law enforcement" duties to complete the U Visa form.⁶⁵

The Commission denies this request. The proposal to strike "law enforcement" essentially requests reimbursement for the review of any record, beyond those records prepared in the normal course of the certifying entity's "law enforcement duties," in order to complete the U Visa form. The claimant argues that it recommends this change because "there are other types of certifying [sic] who may have to review their own types of records - such as court documents."⁶⁶ The claimant provides no evidentiary or legal support for this proposition, and the proposal is not consistent with the law or the Commission's Test Claim Decision.

The Resouce Guide issued by DHS refers to all certifying agencies and officials as law enforcement, noting that they are in the best position to determine if a qualifying crime has taken

⁶⁵ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

⁶⁶ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

place.⁶⁷ Thus, the Resource Guide states that “[i]f, in the normal course of duties, a certifying official or agency has determined that a qualifying criminal activity has taken place, the victim possessed information related to the criminal activity, and the victim has been helpful, *law enforcement* may sign the U visa certification.”⁶⁸ In this respect, the mandate is expressly limited to certifying officials from certifying entities of local agencies that have the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity (including district attorney offices, sheriff’s departments, police departments, child protective services, and any other local agency authority that has the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity) to complete the U Visa form.

Thus, the only records that are relevant to complete the U Visa form are those prepared in the normal course of a certifying entity’s law enforcement duties.

Accordingly, the Commission denies this request.

- e. The claimant’s proposal to substitute the term “requesting party” for the term “victim” in Section IV.B.1.c. of the Parameters and Guidelines is not consistent with the test claim statute and is, therefore, denied.

The claimant also requests that the first paragraph in Section IV.B.1.c. of Parameters and Guidelines be modified as follows:

When it is determined that the ~~victim~~ requesting party was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity, the certifying official shall fully complete . . . and sign the Form I-918 Supplement B certification upon the request of the victim or the victim's family member”⁶⁹

The claimant’s request to substitute the term “requesting party” for the term “victim” is not consistent with the test claim statute and is, therefore, denied.

The activity approved by the Commission tracks the statutory language in Penal Code sections 679.10(e) and 679.10(g), which reads:

(e) Upon the request of the victim or victim’s family member, a certifying official from a certifying entity shall certify victim helpfulness on the Form I-918 Supplement B certification, when the victim was a victim of a qualifying criminal

⁶⁷ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 26.

⁶⁸ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 26.

⁶⁹ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity.

(g) The certifying official shall fully complete and sign the Form I-918 Supplement B certification and, regarding victim helpfulness, include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.

This language provides that the activity to certify victim helpfulness on the Form I-918 Supplement B certification is triggered upon the request of the victim or victim's family member, but only when the *victim* was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. If the *victim* is determined not to be a victim of a qualifying criminal activity or to be not helpful, as defined in the test claim statute, then a local agency is not mandated by the state to certify victim helpfulness on the Form I-918 Supplement B.

Thus, the Commission denies this request.

- f. The proposed activity to allow a "designee," other than the certifying official, to fully complete and sign the Form I-918 Supplement B certification and the proposed deletion of the conditional language "upon the request of the victim or the victims's family member" are not consistent with the law and are, therefore, denied.

The claimant requests to add "*or their designee*" to the approved activity "for the certifying official to fully complete and sign the Form I-918 Supplement B certification. . ." The claimant also proposes to delete the conditional language "upon the request of the victim or the victims's family member".⁷⁰

The Commission denies these requests because they are not consistent with the law. Both the test claim statute and federal law require that the certifying official "fully complete and sign the Form I-918 Supplement B certification," and specifically defines certifying official as the head of the certifying entity or a person in a supervisory role who has been specifically designated by the head of the certifying entity to issue Form I-918 Supplement B certifications on behalf of that agency.⁷¹ The instructions to Form I-918 Supplement B also explain that:

A certifying official is:

1. The head of the certifying agency or any person in a supervisory role, who was specifically designated by the head of the certifying agency to issue a U Nonimmigrant Status Certification on behalf of that agency; or
2. A Federal, state, or local judge.

⁷⁰ Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, page 2.

⁷¹ Penal Code section 679.1(b); Code of Federal Regulations, title 8, section 214.14(a)(3).

If the certification is not signed by the head of the certifying agency, attach evidence of the agency head's written designation of the certifying official for this specific purpose.⁷²

Form I-918 Supplement B itself requires the certifying official to certify that:

I am the head of the agency listed in Part 2. or I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency.⁷³

The DHS Resource Guide specifically provides that: “only a law enforcement official, prosecutor, judge, or other government official authorized to sign certifications/declarations may complete and sign the Form I-918B.”⁷⁴

Accordingly, the claimant’s proposal to add the activity for a “designee” other than the certifying official to fully complete and sign the form is denied. Additionally, the requirement for the certifying official to “fully complete and sign the Form I-918 Supplement B certification,” is conditioned “upon the request of the victim or the victims’s family member”⁷⁵ and therefore deletion of this conditional language is inconsistent with the law and also denied.

- g. The proposed activity for the “supervisor [to] edit, review, approve, and certify (signatures) forms,” is not consistent with the law or supported by evidence in the record and is, therefore, denied.

The claimant requests reimbursement for the following activities it alleges are reasonably necessary to comply with the mandate: “Supervisor edit, review, approval, and certification (signatures) of forms.”⁷⁶

The Commission denies this request. Apart from general assertion made by Lieutenant Ciszek in his declaration stating that “it is my belief that the activities listed [in the claimant’s comments on the Draft Expedited Parameters and Guidelines] directly result from the mandate and are reasonably necessary to implement the subject statutes of the U VISA program,”⁷⁷ the claimant provides no support for this proposal and does not explain what it encompasses and why this

⁷² Exhibit H, Test Claim, page 83 (Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification, page 3).

⁷³ Exhibit H, Test Claim, page 9 (Form I-918, Supplement B, page 4).

⁷⁴ Exhibit H, “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 25.

⁷⁵ Penal Code section 679.10(a).

⁷⁶ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2, italics and underline omitted.

⁷⁷ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 4 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018, page 1).

activity should be reimbursable. The claimant provided a more detailed explanation of the request in the Test Claim, as follows:

Supervisor review and approval of the detailed description of victim's helpfulness narrative. *(Estimated additional time at 5-10 minutes per case)*

[¶]...[¶]

Supervisor review and approval of the "complete" U VISA paperwork *(Estimated additional 5-10 minutes per case.) In the past, denied cases did not require completion of all the forms, therefore additional time is required to review these additional requests and completed forms.*⁷⁸

It appears that by using the word “supervisor,” the claimant might have meant for the “certifying official” to edit, review, approve, and certify Form I-918 Supplement B completed by another employee of the local agency who is not defined as a “certifying official.” However, as discussed above, only certifying officials (either the head of the agency or a person in a supervisory role who has been specifically designated by the head of the agency to issue Form I-918 Supplement B certifications on behalf of the agency) are authorized to complete Form I-918 Supplement B, and therefore supervisory review, edit, and approval of Form I-918 Supplement B by the certifying official when the form is completed by another employee is not consistent with the law. While it might be necessary for the certifying official to review information identified by an employee of the certifying agency in relation to the U Visa request in order to determine whether U Visa certification is required and to fully complete and sign Form I-918 Supplement B certification, when required in accordance with the test claim statute and federal regulations, that is not what is being proposed by the claimant.

Accordingly, the Commission denies this request.

- h. The proposed activity for the “Police Chief/Certifying Official to review, approve, and authorize the release of the U Visa forms,” is not consistent with the law or supported by evidence in the record and is, therefore, denied.

In comments on the Draft Proposed Decision, the claimant requests reimbursement “for ‘Police Chief/Certifying Official to review, approve, and authorize the release of the U Visa forms.’”⁷⁹ To support this request, the claimant submitted a declaration from Lieutenant Ciszek stating that it is necessary for a head of the certifying agency, such as the police chief, to review and approve the release of U Visa certifications, as follows:

[T]hough the Police Chief is the "certifying official", the Detective Bureau Lieutenant was the supervisor designated by the Chief to complete the City's U Visa requests. However, before the completed forms are released, the Police Chief

⁷⁸ Exhibit H, Test Claim, page 5, emphasis in the original.

⁷⁹ Exhibit F, Claimant’s Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 2.

is informed of the Lieutenant's determination. On occasion, the Chief has requested to review and inspect those forms for a final review and approval.⁸⁰

This request goes beyond the scope of the mandate. The test claim statute requires the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim's family member. The test claim statute defines "certifying official" to include both (1) "The head of the certifying entity," *or* (2) "A person in a supervisory role who has been specifically designated by the head of the certifying entity to issue Form I-918 Supplement B certifications on behalf of that agency."⁸¹

The instructions to Form I-918 Supplement B also explain that a certifying official is:

The head of the certifying agency *or* any person in a supervisory role, who was specifically designated by the head of the certifying agency to issue a U Nonimmigrant Status Certification on behalf of that agency.⁸²

The Form I-918 Supplement B itself states that:

I am the head of the agency listed in Part 2. *or* I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency.⁸³

Finally, Form I-918 Supplement B instructions further instruct that "[i]f the certification is not signed by the head of the certifying agency," the certifying official must "attach evidence of the agency head's written designation of the certifying official for this specific purpose."⁸⁴

Therefore, the law allows the head of the agency to designate a supervisory employee to complete, sign, and issue U Visa forms, but does not require the head of the agency to review each individual completed form once the supervisory employee is designated as the certifying official. If an agency decides to comply with the law in the manner suggested by the claimant, that is within the discretion of the agency, but is not required or necessary to comply with the mandate.

Accordingly, the Commission denies this request.

3. The claimant's request to amend the language to report to the Legislature is not consistent with the mandate and is, therefore, denied (Section IV.B.2. of the Parameters and Guidelines).

The Commission approved reimbursement for the following state-mandated activity:

⁸⁰ Exhibit F, Claimant's Comments on the Draft Proposed Decision and Proposed Parameters and Guidelines, page 3 (Declaration of Michael Cizek, Lieutenant for the City of Claremont, December 4, 2018, page 1).

⁸¹ Penal Code, section 679.10(b), emphasis added.

⁸² Exhibit H, Test Claim, page 83 (Form I-918, Supplement B Instructions, page 3).

⁸³ Exhibit H, Test Claim, page 9 (Form I-918, Supplement B, page 4).

⁸⁴ Exhibit H, Test Claim, page 83 (Form I-918, Supplement B Instructions, page 3).

For a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(10).)

The claimant requests that the language be changed as follows:

~~For a certifying entity that receives a request for a Form I-918 Supplement B certification to~~ [sic-r] Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(1).)⁸⁵

The Commission denies this request. The language approved by the Commission tracks the statutory language in Penal Code section 679.10(1), and makes it clear that the activity to report to the Legislature is triggered only when the certifying entity receives a request for a Form I-918 Supplement B certification. If a request has not been made, then a local agency is not mandated by the state to prepare or provide a report to the Legislature. As described in the next section, however, minor changes to the language are included in the Parameters and Guidelines for readability.

4. Summary of Section IV., Reimbursable Activities

Based on the above analysis and findings, Section IV. of the Parameters and Guidelines now states in relevant part the following:

For each eligible claimant that incurs increased costs, the following activities are reimbursable:

A. One-time activities:

1. Updating policies and procedures to incorporate the requirements of the test claim statute.⁸⁶
2. Train staff assigned to perform the reimbursable activities listed in Section IV.B. of these Parameters and Guidelines (one-time for each employee).⁸⁷

⁸⁵ Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, page 2.

⁸⁶ Penal Code section 679.10(a)-(j); Exhibit H, California Department of Justice Information Bulletin No. DLE-2015-14, “New and Existing State and Federal Laws Protecting Immigrant Victims of Crime,” October 28, 2015, page 4; “U and T Visa Law Enforcement Resource Guide,” Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 14; and Exhibit C, Claimant’s Comments on the Draft Expedited Parameters and Guidelines, filed October 23, 2018 (Declaration of Michael Cizek, Lieutenant for the City of Claremont, dated October 17, 2018).

⁸⁷ Penal Code section 679.10(a)-(j); California Department of Justice Information Bulletin No. DLE-2015-14, “New and Existing State and Federal Laws Protecting Immigrant Victims of

B. Ongoing activities:

1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities, which must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings, are eligible for reimbursement:
 - a. Receive and log the request.
 - b. Review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. Victim helpfulness is presumed and is rebutted only if the victim refuses or fails to provide information and assistance reasonably requested by law enforcement.⁸⁸
 - c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity.

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being investigated or prosecuted and the involvement of the victim, and relevant reports containing a

Crime," October 28, 2015, page 1; U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, pages 15-26; Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018.

⁸⁸ Penal Code section 679.10(f); Penal Code section 679.10(i) ("A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.").

description of any known or documented injury to the victim.
However, reimbursement is not required for the cost of copying the attached reports.

- d. Transmit the results to the victim or the victim's legal representative.
- e. File, log, and close the case.⁸⁹

Reimbursement is not required for the following activities: detection of a crime; investigation of a crime; prosecution of a crime; research; review of records that are not identified in section IV.B.1.b. or c. of these Parameters and Guidelines; and locating, obtaining, and copying records for the purpose of determining whether a certifying entity is required to issue a U Visa certification pursuant to Section IV.B.1.b. of these Parameters and Guidelines.

- 2. A certifying entity that receives a request for a Form I-918 Supplement B certification shall report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.⁹⁰

5. The Remaining Sections of the Parameters and Guidelines

Section V. of the Parameters and Guidelines (Claim Preparation and Submission) identifies the following direct costs that are eligible for reimbursement: salaries and benefits, materials and supplies, contracted services, training and fixed assets. However, travel costs are not included in the Parameters and Guidelines because those activities were not approved in the Test Claim Decision and the claimant did not request these costs as reasonably necessary to perform the mandated activities or submit evidence to support such a request.

The remaining sections of the Parameters and Guidelines contain standard boilerplate language.

V. Conclusion

Based on the foregoing, the Commission hereby adopts the Decision and Parameters and Guidelines.

⁸⁹ Penal Code section 679.10(a)-(j); Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification.

⁹⁰ Penal Code section 679.10(1).

PARAMETERS AND GUIDELINES

Penal Code Section 679.10

Statutes 2015, Chapter 721 (SB 674)

U Visa 918 Form, Victims of Crime: Nonimmigrant Status

17-TC-01

Period of reimbursement begins July 1, 2016.

I. SUMMARY OF THE MANDATE

These Parameters and Guidelines address the mandated activities arising from Penal Code section 679.10, added by Statutes 2015, chapter 721 (SB 674) (test claim statute). The test claim statute requires local agencies, upon request of a victim of qualifying criminal activity seeking temporary immigration benefits under the federal U Visa program and willing to assist law enforcement with investigation or prosecution of the criminal activity, to complete and certify the federal Form I-918 Supplement B (U Nonimmigrant Status Certification) and to submit annual reports about the certifications to the Legislature.

On September 28, 2018, the Commission on State Mandates (Commission) adopted the Decision partially approving the Test Claim finding that the test claim statute imposes a reimbursable state-mandated program on local agencies within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. The Commission partially approved the Test Claim for “certifying officials” from the “certifying entities” of local agencies (i.e., district attorney offices, sheriff’s departments, police departments, child protective services, and any other local agency authority that has the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity within the meaning of the Penal Code section 679.10(a), with the *exception* of the police/security departments of school districts and special districts, and judges who are not eligible to claim mandate reimbursement in this case), finding only the following activities to be mandated by the plain language of the statute:

- For the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim’s family member, and “include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity” within 90 days of the request or 14 days of the request if the victim is in removal proceedings, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. (Pen. Code, § 679.10(a)-(j).)
- For a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(l).)

II. ELIGIBLE CLAIMANTS

Any city, county, city and county that incurs increased costs as a result of this mandate is eligible to claim reimbursement. School districts and special districts are not eligible to claim reimbursement for this program.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The claimant filed the Test Claim on March 6, 2018, establishing eligibility for reimbursement for the 2016-2017 fiscal year. Therefore, costs incurred on or after July 1, 2016 are reimbursable.

Reimbursement for state-mandated costs may be claimed as follows:

1. Actual costs for one fiscal year shall be included in each claim.
2. Pursuant to Government Code section 17561(d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller (Controller) within 120 days of the issuance date for the claiming instructions.
3. Pursuant to Government Code section 17560(a), a local agency may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
4. If revised claiming instructions are issued by the Controller pursuant to Government Code section 17558(c), between November 15 and February 15, a local agency filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim. (Gov. Code §17560(b).)
5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564(a).
6. There shall be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event, or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant that incurs increased costs, the following activities are reimbursable:

A. One-time activities:

1. Updating policies and procedures to incorporate the requirements of the test claim statute.¹
2. Train staff assigned to perform the reimbursable activities listed in Section IV.B. of these Parameters and Guidelines (one-time for each employee).²

B. Ongoing activities:

1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities, which must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings, are eligible for reimbursement:
 - a. Receive and log the request.
 - b. Review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. Victim helpfulness is presumed

¹ Penal Code section 679.10(a)-(j); Exhibit H, California Department of Justice Information Bulletin No. DLE-2015-14, "New and Existing State and Federal Laws Protecting Immigrant Victims of Crime," October 28, 2015, page 4; "U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 14; and, Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, filed October 23, 2018 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, dated October 17, 2018).

² Penal Code section 679.10(a)-(j); California Department of Justice Information Bulletin No. DLE-2015-14, "New and Existing State and Federal Laws Protecting Immigrant Victims of Crime," October 28, 2015, page 1; U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, pages 15-26; Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018.

and is rebutted only if the victim refuses or fails to provide information and assistance reasonably requested by law enforcement.³

- c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity.

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being investigated or prosecuted and the involvement of the victim, and relevant reports containing a description of any known or documented injury to the victim.

However, reimbursement is not required for the cost of copying the attached reports.

- d. Transmit the results to the victim or the victim's legal representative.
- e. File, log, and close the case.⁴

Reimbursement is not required for the following activities: detection of a crime; investigation of a crime; prosecution of a crime; research; review of records that are not identified in section IV.B.1.b. or c. of these Parameters and Guidelines; and locating, obtaining, and copying records for the purpose of determining whether a certifying entity is required to issue a U Visa certification pursuant to Section IV.B.1.b. of these Parameters and Guidelines.

³ Penal Code section 679.10(f); Penal Code section 679.10(i) (“A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.”).

⁴ Penal Code section 679.10(a)-(j); Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification.

2. A certifying entity that receives a request for a Form I-918 Supplement B certification shall report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.⁵

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV., Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the services that were performed during the period covered by the reimbursement claim. If the contract services are also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can be claimed. Submit contract consultant and attorney invoices with the claim and a description of the contract scope of services.

4. Fixed Assets

Report the purchase price paid for fixed assets (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset is also used for purposes other than the

⁵ Penal Code section 679.10(1).

reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that are incurred for a common or joint purpose, benefiting more than one program, and are not directly assignable to a particular department or program without efforts disproportionate to the result achieved. Indirect costs may include both: (1) overhead costs of the unit performing the mandate; and (2) the costs of the central government services distributed to the other departments based on a systematic and rational basis through a cost allocation plan.

Compensation for indirect costs is eligible for reimbursement utilizing the procedure provided in 2 Code of Federal Regulations (CFR) part 225 (Office of Management and Budget (OMB) Circular A-87). Claimants have the option of using 10 percent of direct labor, excluding fringe benefits, or preparing an Indirect Cost Rate Proposal (ICRP) if the indirect cost rate claimed exceeds 10 percent.

If the claimant chooses to prepare an ICRP, both the direct costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B) and the indirect costs shall exclude capital expenditures and unallowable costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B)). However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.

The distribution base may be: (1) total direct costs (excluding capital expenditures and other distorting items, such as pass-through funds, major subcontracts, etc.); (2) direct salaries and wages; or (3) another base which results in an equitable distribution.

In calculating an ICRP, the claimant shall have the choice of one of the following methodologies:

1. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) classifying a department's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to mandates. The rate should be expressed as a percentage that the total amount of allowable indirect costs bears to the base selected; or

2. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) separating a department into groups, such as divisions or sections, and then classifying the division's or section's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate that is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5(a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter⁶ is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV., must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsetting revenue the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including but not limited to, service fees collected, federal funds, and other applicable state funds, shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558(b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 90 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from these parameters and guidelines and the decisions on the test claim and parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561(d)(1), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency, the Commission shall review the claiming instructions issued by the Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming

⁶ This refers to title 2, division 4, part 7, chapter 4 of the Government Code.

instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557(d), and California Code of Regulations, title 2, section 1183.17.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The decisions adopted for the Test Claim and Parameters and Guidelines are legally binding on all parties and provide the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record. The administrative record is on file with the Commission.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

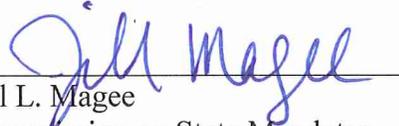
On April 11, 2019, I served the:

- **Corrected Decision and Parameters and Guidelines issued April 11, 2019**

U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01
Penal Code Section 679.10; Statutes 2015, Chapter 721 (SB 674)
City of Claremont, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 11, 2019, at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/22/19

Claim Number: 17-TC-01

Matter: U Visa 918 Form, Victims of Crime: Nonimmigrant Status

Claimant: City of Claremont

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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Office of the State Controller
State-Mandated Costs Claiming Instructions No. 2019-01
U Visa 918 Form, Victims of Crime: Nonimmigrant Status – Program No. 372

April 29, 2019

In accordance with Government Code (GC) sections 17560 and 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state-mandated cost programs. This document contains claiming instructions and forms that eligible claimants must use for filing claims for the U Visa 918 Form, Victims of Crime: Nonimmigrant Status program. SCO issues these claiming instructions subsequent to the Commission on State Mandates (CSM) adopting the program's Parameters and Guidelines (Ps & Gs). The Ps & Gs are included as an integral part of the claiming instructions.

On January 25, 2019, CSM adopted a Statement of Decision finding that the test claim legislation imposes a reimbursable state-mandated program upon local agencies within the meaning of article XIII B, section 6 of the California Constitution and GC section 17514.

Exception

There will be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

Eligible Claimants

Any city, county, city and county, as defined in GC sections 17511 and 17515, that incurs increased costs as a result of this mandate is eligible to claim for reimbursement.

Reimbursement Claim Deadline

- **Initial Reimbursement Claims**

Initial reimbursement claims must be filed within 120 days from the issuance date of the claiming instructions. Costs incurred for compliance with this mandate are reimbursable for the period beginning July 1, 2016, through June 30, 2017, for fiscal year 2016-17, and the period July 1, 2017, through June 30, 2018, for fiscal year 2017-18, must be filed with the SCO by the initial filing deadline of **August 27, 2019**.

- **Annual Reimbursement Claims**

Annual reimbursement claims for subsequent fiscal years may be filed by **February 15** following the fiscal year in which costs were incurred. If the deadline falls on a weekend or holiday, claims are due the following business day.

Late claims filed after the deadline must be reduced by a 10% penalty. **Claims filed more than one year after the specified deadline will not be accepted.**

Penalty

- **Initial Reimbursement Claims**

When filed within one year of the initial filing deadline, claims are assessed a late penalty of 10% of the total amount of the initial claim without limitation pursuant to GC section 17561(d)(3).

- **Annual Reimbursement Claims**

When filed within one year of the annual filing deadline, claims are assessed a late penalty of 10% of the claim amount; not to exceed \$10,000, pursuant to GC section 17568.

Minimum Claim Cost

GC section 17564(a), states that no claim may be filed pursuant to section 17551 and 17561, unless such a claim exceeds one thousand dollars (**\$1,000**).

Reimbursement of Claims

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. These costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification or declaration stating: "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5.

Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, these documents cannot be substituted for source documents.

Audit of Costs

All claims submitted to SCO are subject to review to determine if costs are related to the mandate, are reasonable and not excessive, and if the claim was prepared in accordance with the SCO's claiming instructions and the Ps & Gs adopted by CSM. If any adjustments are made to a claim, the claimant will be notified of the amount adjusted, and the reason for the adjustment.

On-site audits will be conducted by SCO as deemed necessary. Pursuant to GC section 17558.5(a), a reimbursement claim for actual costs filed by a claimant is subject to audit by SCO no later than three years after the date the actual reimbursement claim was filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for SCO to initiate an audit will commence to run from the date of initial payment of the claim.

Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, these documents cannot be substituted for source documents.

Record Retention

All documentation to support actual costs claimed must be retained and made available to the State Controller's Office (SCO) upon request (Gov. Code §17558.5(a)) for a minimum period of three years after the date of initial payment of the claim and/or until the ultimate resolution of any audit finding.

Claim Submission

Submit a signed original Form FAM-27 and one copy with required documents. **Please sign the Form FAM-27 in blue ink and attach the copy to the top of the claim package.**

Mandated costs claiming instructions and forms are available online at the SCO's website: **www.sco.ca.gov/ard_mancost.html**.

Use the following mailing addresses:

If delivered by
U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and
Services Division
P.O. Box 942850
Sacramento, CA 94250

If delivered by
other delivery services:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and
Services Division
3301 C Street, Suite 700
Sacramento, CA 95816

For more information, contact the Local Reimbursements Section by email at LRS LGPSD@sco.ca.gov, by telephone at (916) 324-5729, or by writing to the address above.

PARAMETERS AND GUIDELINES

Penal Code Section 679.10

Statutes 2015, Chapter 721 (SB 674)

U Visa 918 Form, Victims of Crime: Nonimmigrant Status

17-TC-01

Period of reimbursement begins July 1, 2016.

I. SUMMARY OF THE MANDATE

These Parameters and Guidelines address the mandated activities arising from Penal Code section 679.10, added by Statutes 2015, chapter 721 (SB 674) (test claim statute). The test claim statute requires local agencies, upon request of a victim of qualifying criminal activity seeking temporary immigration benefits under the federal U Visa program and willing to assist law enforcement with investigation or prosecution of the criminal activity, to complete and certify the federal Form I-918 Supplement B (U Nonimmigrant Status Certification) and to submit annual reports about the certifications to the Legislature.

On September 28, 2018, the Commission on State Mandates (Commission) adopted the Decision partially approving the Test Claim finding that the test claim statute imposes a reimbursable state-mandated program on local agencies within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. The Commission partially approved the Test Claim for “certifying officials” from the “certifying entities” of local agencies (i.e., district attorney offices, sheriff’s departments, police departments, child protective services, and any other local agency authority that has the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity within the meaning of the Penal Code section 679.10(a), with the *exception* of the police/security departments of school districts and special districts, and judges who are not eligible to claim mandate reimbursement in this case), finding only the following activities to be mandated by the plain language of the statute:

- For the certifying official to fully complete and sign the Form I-918 Supplement B certification upon the request of the victim or the victim’s family member, and “include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity” within 90 days of the request or 14 days of the request if the victim is in removal proceedings, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity. (Pen. Code, § 679.10(a)-(j).)
- For a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied. (Pen. Code, § 679.10(l).)

II. ELIGIBLE CLAIMANTS

Any city, county, city and county that incurs increased costs as a result of this mandate is eligible to claim reimbursement. School districts and special districts are not eligible to claim reimbursement for this program.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The claimant filed the Test Claim on March 6, 2018, establishing eligibility for reimbursement for the 2016-2017 fiscal year. Therefore, costs incurred on or after July 1, 2016 are reimbursable.

Reimbursement for state-mandated costs may be claimed as follows:

1. Actual costs for one fiscal year shall be included in each claim.
2. Pursuant to Government Code section 17561(d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller (Controller) within 120 days of the issuance date for the claiming instructions.
3. Pursuant to Government Code section 17560(a), a local agency may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
4. If revised claiming instructions are issued by the Controller pursuant to Government Code section 17558(c), between November 15 and February 15, a local agency filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim. (Gov. Code §17560(b).)
5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564(a).
6. There shall be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event, or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant that incurs increased costs, the following activities are reimbursable:

A. One-time activities:

1. Updating policies and procedures to incorporate the requirements of the test claim statute.¹
2. Train staff assigned to perform the reimbursable activities listed in Section IV.B. of these Parameters and Guidelines (one-time for each employee).²

B. Ongoing activities:

1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities, which must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings, are eligible for reimbursement:
 - a. Receive and log the request.
 - b. Review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. Victim helpfulness is presumed

¹ Penal Code section 679.10(a)-(j); Exhibit H, California Department of Justice Information Bulletin No. DLE-2015-14, "New and Existing State and Federal Laws Protecting Immigrant Victims of Crime," October 28, 2015, page 4; "U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, page 14; and, Exhibit C, Claimant's Comments on the Draft Expedited Parameters and Guidelines, filed October 23, 2018 (Declaration of Michael Ciszek, Lieutenant for the City of Claremont, dated October 17, 2018).

² Penal Code section 679.10(a)-(j); California Department of Justice Information Bulletin No. DLE-2015-14, "New and Existing State and Federal Laws Protecting Immigrant Victims of Crime," October 28, 2015, page 1; U and T Visa Law Enforcement Resource Guide," Department of Homeland Security, https://www.dhs.gov/sites/default/files/publications/U-and-T-Visa-Law-Enforcement-Resource%20Guide_1.4.16.pdf, accessed July 10, 2018, pages 15-26; Declaration of Michael Ciszek, Lieutenant for the City of Claremont, October 17, 2018.

and is rebutted only if the victim refuses or fails to provide information and assistance reasonably requested by law enforcement.³

- c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity.

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being investigated or prosecuted and the involvement of the victim, and relevant reports containing a description of any known or documented injury to the victim.

However, reimbursement is not required for the cost of copying the attached reports.

- d. Transmit the results to the victim or the victim's legal representative.
- e. File, log, and close the case.⁴

Reimbursement is not required for the following activities: detection of a crime; investigation of a crime; prosecution of a crime; research; review of records that are not identified in section IV.B.1.b. or c. of these Parameters and Guidelines; and locating, obtaining, and copying records for the purpose of determining whether a certifying entity is required to issue a U Visa certification pursuant to Section IV.B.1.b. of these Parameters and Guidelines.

³ Penal Code section 679.10(f); Penal Code section 679.10(i) (“A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.”).

⁴ Penal Code section 679.10(a)-(j); Instructions to Form I-918 Supplement B, U Nonimmigrant Status Certification.

2. A certifying entity that receives a request for a Form I-918 Supplement B certification shall report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.⁵

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV., Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the services that were performed during the period covered by the reimbursement claim. If the contract services are also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can be claimed. Submit contract consultant and attorney invoices with the claim and a description of the contract scope of services.

4. Fixed Assets

Report the purchase price paid for fixed assets (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset is also used for purposes other than the

⁵ Penal Code section 679.10(1).

reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1., Salaries and Benefits, and A.2., Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3., Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that are incurred for a common or joint purpose, benefiting more than one program, and are not directly assignable to a particular department or program without efforts disproportionate to the result achieved. Indirect costs may include both: (1) overhead costs of the unit performing the mandate; and (2) the costs of the central government services distributed to the other departments based on a systematic and rational basis through a cost allocation plan.

Compensation for indirect costs is eligible for reimbursement utilizing the procedure provided in 2 Code of Federal Regulations (CFR) part 225 (Office of Management and Budget (OMB) Circular A-87). Claimants have the option of using 10 percent of direct labor, excluding fringe benefits, or preparing an Indirect Cost Rate Proposal (ICRP) if the indirect cost rate claimed exceeds 10 percent.

If the claimant chooses to prepare an ICRP, both the direct costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B) and the indirect costs shall exclude capital expenditures and unallowable costs (as defined and described in 2 CFR part 225, appendices A and B (OMB Circular A-87 attachments A & B)). However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.

The distribution base may be: (1) total direct costs (excluding capital expenditures and other distorting items, such as pass-through funds, major subcontracts, etc.); (2) direct salaries and wages; or (3) another base which results in an equitable distribution.

In calculating an ICRP, the claimant shall have the choice of one of the following methodologies:

1. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) classifying a department's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to mandates. The rate should be expressed as a percentage that the total amount of allowable indirect costs bears to the base selected; or

2. The allocation of allowable indirect costs (as defined and described in OMB Circular A-87 attachments A & B) shall be accomplished by: (1) separating a department into groups, such as divisions or sections, and then classifying the division's or section's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate that is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5(a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter⁶ is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV., must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsetting revenue the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including but not limited to, service fees collected, federal funds, and other applicable state funds, shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558(b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 90 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from these parameters and guidelines and the decisions on the test claim and parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561(d)(1), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency, the Commission shall review the claiming instructions issued by the Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming

⁶ This refers to title 2, division 4, part 7, chapter 4 of the Government Code.

instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557(d), and California Code of Regulations, title 2, section 1183.17.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The decisions adopted for the Test Claim and Parameters and Guidelines are legally binding on all parties and provide the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record. The administrative record is on file with the Commission.

PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS CLAIM FOR PAYMENT	For State Controller Use Only	FORM FAM-27
		(19) Program Number 00372 (20) Date Filed (21) LRS Input	

(01) Claimant Identification Number		Reimbursement Claim Data	
(02) Claimant Name		(22) FORM 1, (04) A. 1. (g)	
County of Location		(23) FORM 1, (04) A. 2. (g)	
Street Address or P.O. Box		Suite	
		(24) FORM 1, (04) B. 1. a. (g)	
City	State	Zip Code	
		(25) FORM 1, (04) B. 1. b. (g)	
		Type of Claim	
	(03)	(09) Reimbursement <input type="checkbox"/>	(26) FORM 1, (04) B. 1. c. (g)
	(04)	(10) Combined <input type="checkbox"/>	(27) FORM 1, (04) B. 1. d. (g)
	(05)	(11) Amended <input type="checkbox"/>	(28) FORM 1, (04) B. 1. e. (g)
			(29) FORM 1, (04) B. 2. (g)
Fiscal Year of Cost	(06)	(12)	(30) FORM 1, (06)
Total Claimed Amount	(07)	(13)	(31) FORM 1, (07)
Less: 10% Late Penalty (refer to attached Instructions)		(14)	(32) FORM 1, (09)
Less: Prior Claim Payment Received		(15)	(33) FORM 1, (10)
Net Claimed Amount		(16)	(34)
Due from State	(08)	(17)	(35)
Due to State		(18)	(36)

(37) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code sections 17560 and 17561, I certify that I am the officer authorized by the local agency to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Article 4, Chapter 1 of Division 4 of Title 1 of the Government Code.

I further certify that there was no application other than from the claimant, nor any grant(s) or payment(s) received, for reimbursement of costs claimed herein and claimed costs are for a new program or increased level of services of an existing program. All offsetting revenues and reimbursements set forth in the parameters and guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.

The amount for this reimbursement is hereby claimed from the State for payment of actual costs set forth on the attached statements.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer _____

Date Signed _____

Telephone Number _____

Email Address _____

Type or Print Name and Title of Authorized Signatory _____

(38) Name of Agency Contact Person for Claim _____ Telephone Number _____

Email Address _____

Name of Consulting Firm/Claim Preparer _____ Telephone Number _____

Email Address _____

PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS CLAIM FOR PAYMENT INSTRUCTIONS	FORM FAM-27
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- (01) Enter the claimant identification number assigned by the State Controller's Office.
- (02) Enter claimant official name, county of location, street or postal office box address, city, state, and zip code.
- (03) to (08) Leave blank.
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) Not applicable.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year in which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate Form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim as shown on Form 1, line (11). The total claimed amount must exceed \$1,000; minimum claim must be \$1,001.
- (14) Initial reimbursement claims must be filed as specified in the claiming instructions. Annual reimbursement claims must be filed by **February 15**, or as specified in the claiming instructions following the fiscal year in which costs were incurred. Claims filed after the specified date must be reduced by a late penalty. Enter zero if the claim was filed on time. Otherwise, enter the penalty amount as a result of the calculation formula as follows:
- Late Initial Reimbursement Claims: Form FAM-27, line (13) multiplied by 10%, without limitation; or
 - Late Annual Reimbursement Claims: Form FAM-27, line (13) multiplied by 10%, late penalty not to exceed \$10,000.
- (15) Enter the amount of payment, if any, received for the claim. If no payment was received, enter zero.
- (16) Enter the net claimed amount by subtracting the sum of lines (14) and (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (33) Bring forward the cost information as specified on the left-hand column of lines (22) through (33) for the reimbursement claim, e.g., Form 1, (04) A. 1. (g) means the information is located on Form 1, block (04), line A. 1., column (g). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. The indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 35.19% should be shown as 35. **Completion of this data block will expedite the process.**
- (34) to (36) Leave blank.
- (37) Read the statement of Certification of Claim. The claim must be signed and dated by the agency's authorized officer, type or print name and title, telephone number, and email address. **Claims cannot be paid unless accompanied by an original signed certification. (Please sign the Form FAM-27 in blue ink and attach the copy to the top of the claim package.)**
- (38) Enter the name, telephone number, and email address of the agency contact person for the claim. If the claim was prepared by a consultant, type or print the name of the consulting firm, the claim preparer, telephone number, and email address.

SUBMIT A SIGNED ORIGINAL FORM FAM-27 AND ONE COPY WITH ALL OTHER FORMS TO:

Address, if delivered by U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
P.O. Box 942850
Sacramento, CA 94250

Address, if delivered by other delivery service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and Services Division
3301 C Street, Suite 700
Sacramento, CA 95816

PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS CLAIM SUMMARY	FORM 1
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(01) Claimant	(02)	Fiscal Year 20 ___ /20 ___
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(03) Leave blank.

Direct Costs	Object Accounts						
(04) Reimbursable Activities	(a) Salaries	(b) Benefits	(c) Materials and Supplies	(d) Contract Services	(e) Fixed Assets	(f) Training	(g) Total

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

A. One-Time Activities

1. Updating policies and procedures to incorporate the requirements of the test claim statute.							
2. Train staff assigned to perform the reimbursable activities (one-time per employee).							

B. Ongoing Activity

1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or victim's family member, the following activities must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings.
(See Form 1, Claim Summary Instructions for additional information on activities 1.a. through 1.e. below):

a. Receive and log the request.							
b. Review the request for U Visa certification and all documentation provided by the victim or victim's family member.							
c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification.							
d. Transmit the results to the victim or the victim's legal representative.							
e. File, log, and close the case.							
2. Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.							

(05) Total Direct Costs							
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Indirect Costs

(06) Indirect Cost Rate	[From ICRP or 10%]	%
(07) Total Indirect Costs	[Refer to Claim Summary Instructions]	
(08) Total Direct and Indirect Costs	[Line (05)(g) + line (07)]	

Cost Reduction

(09) Less: Offsetting Revenues	
(10) Less: Other Reimbursements	
(11) Total Claimed Amount	[Line (08) – {line (09) + line (10)}]

PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS CLAIM SUMMARY INSTRUCTIONS	FORM 1
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year in which costs were incurred.
- (03) Leave blank.
- (04) For each reimbursable activity, enter the total from Form 2, line (05), columns (d) through (i), to Form 1, block (04), columns (a) through (f), in the appropriate row. Total each row.

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

One-Time Activities

For one-time activities A.1. and A.2., see Form 1 and the Parameters and Guidelines, pages 2 and 3.

Ongoing Activities

- 1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities, which must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings, are eligible for reimbursement.
 - a. Receive and log request.
 - b. Review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c) and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation or prosecution of that qualifying criminal activity. Victim helpfulness is presumed and is rebutted only if the victim refuses or fails to provide information and assistance reasonably requested by law enforcement.
 - c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity.

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being investigated or prosecuted and the involvement of the victim, and relevant reports containing a description of any known or documented injury to the victim.

Reimbursement is not required for the cost of copying the attached reports.

- d. Transmit the results to the victim or the victim's legal representative.
- e. File, log, and close the case.

Reimbursement is not required for the following activities: detection of a crime; investigation of a crime; prosecution of a crime; research; review of records that are not identified in section IV.B (1)(b) or (c) of the Ps & Gs; and locating, obtaining, and copying records for the purpose of determining whether a certifying entity is required to issue a U Visa certification pursuant to Section IV.B.1.b of the Ps & Gs.

- (05) Total columns (a) through (g).
- (06) Indirect costs may be computed as 10% of direct labor costs, excluding fringe benefits, without preparing an Indirect Cost Rate Proposal (ICRP). If an indirect cost rate of greater than 10% is used, include the ICRP with the claim.
- (07) Local agencies have the option of using the flat rate of 10% of direct labor costs or using a department's ICRP in accordance with the Office of Management and Budget OMB Circular A-87 (Title 2 CFR Part 225). If the flat rate is used for indirect costs, multiply Total Salaries, line (05)(a), by 10%. If an ICRP is submitted, multiply applicable costs used in the distribution base for the computation of the indirect cost rate, by the Indirect Cost Rate, line (06). If more than one department is reporting costs, each must have its own ICRP for the program.
- (08) Enter the sum of Total Direct Costs, line (05)(g), and Total Indirect Costs, line (07).
- (09) If applicable, enter any revenue received by the claimant for this mandate from any state or federal source.
- (10) If applicable, enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funding, and other state funding that reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) From the Total Direct and Indirect Costs, line (08), subtract the sum of Offsetting Revenues, line (09), and Other Reimbursements, line (10). Enter the remainder on this line and carry the amount forward to Form FAM-27, line (13) of the Reimbursement Claim.

PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS ACTIVITY COST DETAIL	FORM 2
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(01) Claimant	(02) Fiscal Year 20__ / 20__
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(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

A. One-Time Activities

1. Updating policies and procedures to incorporate the requirements of the test claim statute.

2. Train staff assigned to perform the reimbursable activities (**one-time per employee**).

B. Ongoing Activities

1. When a certifying entity receives a request for a Form I-918 Supplement B (Form) certification from the victim of victim's family member, the following activities must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings.
(See Form 1, Claim Summary Instructions for additional information on activities 1. a. through 1.e. below):

a. Receive and log the request.

b. Review the request for U Visa certification and all documentation provided by the victim or victim's family member.

c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification.

d. Transmit the results to the victim or the victim's legal representative.

e. File, log, and close the case.

2. Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.

(04) Description of Expenses			Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked	(d) Salaries	(e) Benefits	(f) Materials and Supplies	(g) Contract Services	(h) Fixed Assets	(i) Training

(05) Total	<input type="checkbox"/>	Subtotal	<input type="checkbox"/>	Page: ___ of ___
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PROGRAM 372	U-VISA 918 FORM, VICTIMS OF CRIME: NONIMMIGRANT STATUS ACTIVITY COST DETAIL INSTRUCTIONS	FORM 2
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- (01) Enter the name of the claimant.
- (02) Enter the fiscal year in which costs were incurred.
- (03) Check the box which indicates the activity being claimed. Check only one box per form. A separate Form 2 must be prepared for each applicable activity.
- (04) The following table identifies the type of information required to support reimbursable costs. To itemize costs for the activity box checked in block (03), enter each employee name, job classification, a brief description of the activities performed, productive hourly rate, actual time spent, fringe benefits, materials and supplies used, contract services, fixed assets, and training expenses. **The descriptions required in column (04) (a) must be of sufficient detail to explain the cost of activities or items being claimed.**

All documentation to support actual costs claimed must be retained and made available to the State Controller's Office (SCO) upon request (Gov. Code §17558.5(a)) for a minimum period of three years after the date of initial payment of the claim and/or until the ultimate resolution of any audit findings.

Required Documentation to Support Reimbursable Costs										
Object Accounts	Columns									Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	
Salaries	Employee Name and Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate X Hours Worked						
Benefits	Activities Performed	Benefit Rate			Benefits = Benefit Rate X Salaries					
Materials and Supplies	Description of Supplies Used	Unit Cost	Quantity Used			Cost = Unit Cost X Quantity Used				
Contract Services	Name of Contractor and Specific Tasks Performed	Hourly Rate	Hours Worked and Inclusive Dates of Service				Cost = Hourly Rate X Hours Worked or Total Contract Cost			Copy of Contract and Invoices
Fixed Assets	Description of Equipment Purchased	Unit Cost X Quantity	Usage					Cost = Total Cost X Usage		Copy of Contract and Invoices
Training	Employee Name and Classification and Name of Class		Dates Attended						Registration Fee	

- (05) Total line (04), columns (d) through (i) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the activity costs, number each page. Enter totals from line (05), columns (d) through (i) to the respective line activity on Form 1, block (04), columns (a) through (f) in the appropriate row.



October 15, 2019

Ms. Annette Chinn
Cost Recovery Systems, Inc.
705-2 East Bidwell Street, #294
Folsom, CA 95630

Ms. Natalie Sidarous
State Controller's Office
Local Government Programs and
Services Division
3301 C Street, Suite 740
Sacramento, CA 95816

And Parties, Interested Parties, and Interested Persons (See Mailing List)

**Re: Draft Proposed Statewide Cost Estimate, Schedule for Comments,
and Notice of Hearing**

U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01
Penal Code Section 679.10; Statutes 2015, Chapter 721 (SB 674)
City of Claremont, Claimant

Dear Ms. Chinn and Ms. Sidarous:

The Draft Proposed Statewide Cost Estimate for the above-captioned matter is enclosed for your review and comment.

Written Comments

Written comments may be filed on the Draft Proposed Statewide Cost Estimate by
October 25, 2019.

You are advised that comments filed with the Commission on State Mandates (Commission) are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents. Refer to http://www.csm.ca.gov/dropbox_procedures.php on the Commission's website for electronic filing instructions. (Cal. Code Regs., tit. 2, § 1181.3.)

Hearing

This matter is set for hearing on **Friday, November 22, 2019**, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. The Proposed Statewide Cost Estimate will be issued on or about November 8, 2019.

This matter is proposed for the Consent Calendar. Please let us know in advance if you oppose having this item placed on the Consent Calendar.

Please also notify Commission staff not later than the Wednesday prior to the hearing that you or a witness you are bringing plan to testify and please specify the names of the people who will be speaking for inclusion on the witness list. Staff will no longer be sending reminder emails.

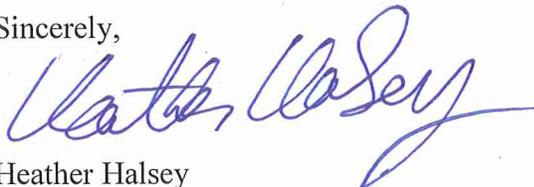
Ms. Chinn and Ms. Sidarous

October 15, 2019

Page 2

Therefore, the last communication from Commission staff is the Proposed Statewide Cost Estimate which will be issued approximately 2 weeks prior to the hearing and it is incumbent upon the participants to let Commission staff know if they wish to testify or bring witnesses.

Sincerely,



Heather Halsey
Executive Director

ITEM ____

DRAFT PROPOSED STATEWIDE COST ESTIMATE

\$2,350,494 - \$3,312,418¹

(For the Initial Claiming Period of 2016-2017 through 2017-2018)

**(Estimated Annual Cost for Fiscal Year 2018-2019 and Following Is
\$610,702 - \$1,332,717, Plus the Implicit Price Deflator)**

Penal Code Section 679.10, Statutes 2015, Chapter 721 (SB 674)

U Visa 918 Form, Victims of Crime: Nonimmigrant Status

17-TC-01

The Commission on State Mandates (Commission) adopted this Statewide Cost Estimate by a vote of [vote count will be included in the adopted Statewide Cost Estimate] during a regularly scheduled hearing on November 22, 2019 as follows:

Member	Vote
Lee Adams, County Supervisor	
Mark Hariri, Representative of the State Treasurer	
Jeannie Lee, Representative of the Director of the Office of Planning and Research	
Gayle Miller, Representative of the Director of the Department of Finance, Chairperson	
Sarah Olsen, Public Member	
Carmen Ramirez, City Council Member	
Jacqueline Wong-Hernandez, Representative of the State Controller, Vice Chairperson	

STAFF ANALYSIS

Background and Summary of the Mandate

This Statewide Cost Estimate (SCE) addresses the State’s subvention costs for the mandated activities arising from Penal Code section 679.10, added by Statutes 2015, chapter 721 (SB 674) (test claim statute). The Commission found that the test claim statute imposes a mandate on cities and counties which, upon request of a victim of qualifying criminal activity seeking temporary immigration benefits under the federal U Visa program and willing to assist law enforcement with investigation or prosecution of the criminal activity, to complete and certify the federal Form I-918 Supplement B (U Nonimmigrant Status Certification) within specified

¹ The high end of this range projects potential late claims that may be filed until August 27, 2020.

deadlines, and to submit annual reports about the certifications to the Legislature, with reimbursable activities as specified in the Decision and Parameters and Guidelines.²

On March 6, 2018, the City of Claremont (claimant) filed the Test Claim based on the date it first incurred costs to implement the requirements of the test claim statute, Statutes 2015, Chapter 721 (SB 674) which added 679.10 to the Penal Code, establishing a potential period of reimbursement beginning July 1, 2016.³

The claimant filed evidence showing it incurred actual increased costs totaling \$1,092 in fiscal year 2017-2018 for the city's police department to process two U Visa certifications as required by the test claim statute.⁴ The claimant estimated its costs for fiscal year 2018-2019, the year immediately following the fiscal year for which the claim was filed, at \$1,416 to process four U Visa requests, including \$81 in costs for the report to the Legislature.⁵

The claimant also provided a statewide cost estimate (as required by Government Code 17553) of \$300,000 for fiscal year 2018-2019, the year immediately following the fiscal year for which the claim was filed, based on the analysis from the Assembly Committee on Appropriations, which estimated the cost to process each certification at \$25 and the number of annual statewide certifications to be at least ten times those of the cities of Los Angeles (764 certifications) and Oakland (500 certifications) combined, which would amount to approximately 12,640 certifications.⁶

On September 28, 2018, the Commission adopted the Test Claim Decision, partially approving the Test Claim, finding that the test claim statute imposes a reimbursable state-mandated program on local agencies within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514 beginning July 1, 2016, as specified.

The Decision and Parameters and Guidelines were adopted on January 25, 2019.⁷

The State Controller's Office (Controller) issued claiming instructions on April 29, 2019.⁸ Eligible claimants were required to file initial reimbursement claims with the Controller for costs incurred for fiscal years 2016-2017 and 2017-2018 by August 27, 2019.⁹ Late initial reimbursement claims may be filed until August 27, 2020, but will incur a 10 percent late filing penalty of the total amount of the initial claim without limitation, pursuant to Government Code

² Exhibit A, Corrected Decision and Parameters and Guidelines.

³ Exhibit X, Excerpt from the Test Claim; Government Code section 17551(c).

⁴ Exhibit X, Claimant's Response to the Request for Additional Information, page 45.

⁵ Exhibit X, Excerpt from the Claimant's Corrected Comments on the Draft Proposed Decision, page 4.

⁶ Exhibit X, Excerpt from the Test Claim, page 7; Exhibit X, Assembly Committee on Appropriations Analysis of SB 674 as introduced February 27, 2015, page 1.

⁷ Exhibit A, Corrected Decision and Parameters and Guidelines, page 3.

⁸ Exhibit X, Controller's Claiming Instructions Program No. 372, page 1.

⁹ Exhibit X, Controller's Claiming Instructions Program No. 372, page 1; Government Code section 17561(d)(1)(A).

section 17561(d)(3).¹⁰ Annual reimbursement claims for subsequent fiscal years, starting with 2018-2019 fiscal year, must be filed with the Controller by February 15, 2020.¹¹ Claims filed more than one year after the deadline will not be accepted, and late claims filed within one year of the deadline will incur a 10 percent late filing penalty not to exceed \$10,000.¹²

Eligible Claimants and Period of Reimbursement

Any city or county, or city and county, that incurs increased costs as a result of this mandate is eligible to claim reimbursement. School districts and special districts are not eligible to claim reimbursement for this program.

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for reimbursement for that fiscal year. The claimant filed the Test Claim on March 6, 2018, establishing eligibility for reimbursement beginning in the 2016-2017 fiscal year. Therefore, costs incurred on or after July 1, 2016 are reimbursable.

Reimbursable Activities

The Parameters and Guidelines authorize reimbursement as follows:¹³

A. One-time activities:

1. Updating policies and procedures to incorporate the requirements of the test claim statute.
2. Train staff assigned to perform the reimbursable activities listed in Section IV.(B) of these Parameters and Guideline (one-time for each employee.)

B. Ongoing activities:

1. When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or the victim's family member, the following activities, which must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings, are eligible for reimbursement:
 - a. Receive and log the request.
 - b. Review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. Victim helpfulness is presumed and is rebutted only if the victim refuses or

¹⁰ Exhibit X, Controller's Claiming Instructions Program No. 372, page 1.

¹¹ Exhibit X, Controller's Claiming Instructions Program No. 372, page 1; Government Code section 17560(a).

¹² Exhibit X, Controller's Claiming Instructions Program No. 372, page 1; Government Code section 17568.

¹³ Exhibit X, Corrected Decision and Parameters and Guidelines, pages 33-35 (citations omitted).

fails to provide information and assistance reasonably requested by law enforcement.

- c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and "include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity."

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being investigated or prosecuted and the involvement of the victim, and relevant reports containing a description of any known or documented injury to the victim. ***However, reimbursement is not required for the cost of copying the attached reports.***

- d. Transmit the results to the victim or the victim's legal representative.
- e. File, log, and close the case.

Reimbursement is not required for the following activities: detection of a crime; investigation of a crime; prosecution of a crime; research; review of records that are not identified in section IV.B.(1)(b) or (c) of these Parameters and Guidelines; and locating, obtaining, and copying records for the purpose of determining whether a certifying entity is required to issue a U Visa certification pursuant to Section IV.B.1.b. of these Parameters and Guidelines.

2. A certifying entity that receives a request for a Form I-918 Supplement B certification shall report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.¹⁴

Offsetting Revenues and Reimbursements.

The Parameters and Guidelines provide the following:

Any offsetting revenue the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate

¹⁴ Exhibit X, Corrected Decision and Parameters and Guidelines, pages 33-35 (citations omitted).

from any source, including but not limited to, service fees collected, federal funds, and other applicable State funds, shall be identified and deducted from any claim submitted for reimbursement.¹⁵

Statewide Cost Estimate

Commission staff reviewed the 173 reimbursement claims submitted by 77 cities and 14 counties and data compiled by the Controller.¹⁶ The unaudited reimbursement claims total \$1,144,972 for fiscal year 2016-2017 and \$1,205,522 for fiscal year 2017-2018, totaling \$2,350,494 for the initial reimbursement period, with the total cost segregated by activity as follows:¹⁷

\$16,915	Activity A.1. (Update policies and procedures)
\$17,982	Activity A.2. (Training)
\$1,342,696	Activities B.1.a., B.1.b., B.1.d, and B.1.e. (Receive and log, review, transmit results to victim or representative, and file, log and close the case for all requests)
\$402,220	Activity B.1.c. (Complete and sign the Form I-918 for approved requests)
\$35,180	Activity B.2. (For eligible claimant agencies that receive a request in a year, report to the Legislature)

The \$2,350,494 total includes \$634,798 in Indirect Costs claimed in the unaudited initial claims, and excludes \$99,306 in offsetting revenues and other reimbursements indicated by the claimants on their claim forms.

Statewide Cost Estimate: the statewide cost for the initial reimbursement period is estimated to range from \$2,350,494, the total amount of timely filed unaudited claims for fiscal years 2016-2017 and 2017-2018 to \$3,312,418, the total amount of the estimated costs incurred for this program by all certifying entities of cities and counties (including those that have not filed timely reimbursement claims) plus the implicit price deflator, based on the assumptions outlined in the analysis, with the range of costs segregated by activity as follows:

\$0	Activity A.1. (Update policies and procedures)
\$1,798 - \$7,192	Activity A.2. (Training)
\$350,888 - \$779,751	Activities B.1.a., B.1.b., B.1.d, and B.1.e. (Receive and log, review, transmit results to victim or representative, and file, log and close the case for all requests)
\$79,903 - \$168,674	Activity B.1.c. (for approved requests)
\$19,783 - \$31,581	Activity B.2. (For eligible claimant agencies that receive a request in a year, report to the Legislature)

The \$610,702 total includes \$158,330 and the \$1,332,717 3,312,418 includes \$345,519 in Indirect Costs, estimated based on the 35 percent ratio of total Indirect Costs to the total Direct Costs (including salaries and benefits) claimed in the unaudited initial claims.

¹⁵ Exhibit X, Corrected Decision and Parameters and Guidelines, page 37.

¹⁶ Claims data reported as of September 19, 2019.

¹⁷ Claims data reported as of September 19, 2019.

Assumptions

Based on the claims data and other publically available information, staff made the following assumptions and used the following methodology to develop the Statewide Cost Estimate for this program.

- *The total amount claimed for the initial reimbursement period may increase as a result of late or amended initial claims.*

There are approximately 481 cities, 57 counties, and 1 city and county and each of them may have incurred costs for this program during the initial reimbursement period. Thus, there are approximately 539 potentially eligible claimants. Of those, only 77 cities, about 16 percent of all cities, filed reimbursement claims for the initial reimbursement period: 72 for fiscal year 2016-2017 and 74 for fiscal year 2017-2018. And, only 14 counties, about 24 percent of all counties, filed reimbursement claims for the initial reimbursement period: 13 for fiscal year 2016-2017 and 14 for fiscal year 2017-2018. The percentage of the California population served by the certifying entities of these claimants is approximately 45 percent. The remaining eligible claimants serving the rest of the California population may still file late claims. In addition, the 91 claimants that have already filed timely initial claims may file amended claims for additional costs not included in their timely filed claims. Late and amended initial claims may be filed until August 27, 2020, but they will be reduced by 10 percent of the amount that would have been allowed had the claim been timely filed.¹⁸

There may be several reasons that non-claiming local agencies did not file reimbursement claims, including but not limited to the following: they did not incur costs of more than \$1,000 during a fiscal year; they had no U Visa requests, or they had a relatively low number of U Visa requests and determined that it was not cost-effective to participate in the reimbursement claim process. For example, 209 of the 482 incorporated cities in California have a population under 25,000¹⁹ and the law enforcement agencies serving these communities are less likely to receive numerous requests for U Visa certifications that would result in the annual costs of \$1,000 or more. Based on a review of the 109 reports submitted by certifying entities of local agencies to the Legislature on the number of U Visa certification requests received, the number of certifications issued, and the number of requests denied for calendar years 2016 and 2017,²⁰ only one (the City of Grover Beach) serving a population under 25,000 reported receiving a U Visa certification request during this time period. Based on review of the claims data only two cities with a population under 25,000 submitted claims during the initial reimbursement period: the City of South Lake Tahoe (\$1,197 for 2016-2017 and \$2,661 for 2017-2018), and the City of Parlier (\$1,680 for each fiscal year).

¹⁸ Government Code sections 17561(d)(3).

¹⁹ Exhibit X, 2017 City Population Rankings, <https://www.cacities.org/Resources-Documents/About-Us/Careers/2017-City-Population-Rank.aspx> (accessed on July 27, 2019).

²⁰ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

- *The total amount for this program may be lower than the Statewide Cost Estimate based on the Controller's audit findings.*

The Controller may conduct audits and reduce any claim it deems to be excessive or unreasonable. Therefore, costs may be lower than the Statewide Cost Estimate based on the audit findings.

- *The future annual costs for this program may increase proportionately with a growth in the number of U Visa certification requests, or decrease with a decrease in the number of U Visa certification requests.*

The future annual costs for this program have a direct correlation with the number of U Visa certification requests filed with local certifying entities and the number of U Visa certifications issued by these certifying entities.

The number of requests may increase as a result of the test claim statute requiring certifying entities to grant certifications as provided by law. In addition, USCIS data indicates an overall increase in the number of U Visa certifications granted by certifying entities nationwide from 2016 to 2017.²¹ On the other hand, the number of U Visa certification requests may decrease if there are unfavorable changes in federal policy with respect to U Visa applicants or immigrants generally, or if there is a decrease in crime reported by the immigrant population, for example, a decrease of reporting resulting from fear of deportation based on current federal immigration policies.²² In the past two years there appears to be a number of such unfavorable changes in federal immigration enforcement policy with respect to U Visa applicants. For example, some immigration attorneys report unfavorable changes for U Visa applicants whose applications are denied because now they are more likely to be reported to law enforcement agencies and face deportation proceedings,²³ or for any U Visa applicant with pending U Visa application who is in deportation proceedings because under the new Immigration and Customs Enforcement (ICE)

²¹ Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019 by Quarter, Quarters 1-3 (showing a steady increase in the total number of U Visa applications received by USCIS each year between 2009 and 2017, with the total of 6,850 petitions received in 2009, 34,797 received in 2016, and 37,287 received in 2017), https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

²² In the first three months of 2017 in Los Angeles, for example, Latinos reported 25 percent fewer sexual assaults than the previous year, a decline not present among any other demographic. The police chief said he believed deportation fears were the cause. See Exhibit X, Albert Samaha, *A Visa Program That Protected Domestic Violence Victims Is Now Putting Them At Risk Of Deportation*, BuzzFeed News (October 30, 2018), page 4, <https://www.buzzfeednews.com/article/albertsamaha/u-visa-deportation-immigration-trump-sessions-domestic> (accessed on October 3, 2019).

²³ See Exhibit X, Albert Samaha, *A Visa Program That Protected Domestic Violence Victims Is Now Putting Them At Risk Of Deportation*, BuzzFeed News (October 30, 2018), page 4, <https://www.buzzfeednews.com/article/albertsamaha/u-visa-deportation-immigration-trump-sessions-domestic> (accessed on October 3, 2019).

policy ICE will have an increased authority to exercise discretion to remove U Visa applicants while the U Visa process is still pending.²⁴ Accordingly, some immigration advocacy groups are warning their clients not to participate in the U Visa program due to the increased potential for deportation under current administration policies.²⁵ The USCIS data reflects this trend by showing a sharp decrease in the number of U Visa applications in 2018 of approximately 6.3 percent compared to 2017, and a further decrease in the first three quarters of 2019.²⁶ In fact, when the USCIS reported data is arranged by quarter corresponding to the California state government's June 30th fiscal year-end date, the number of U Visa applications received by USCIS in 2017-2018 is 36,711 applications and only 29,691 applications in 2018-2019, an approximate 19 percent decrease.²⁷ It is not clear whether this trend will persist further, and if so, for how long.

- *The future annual costs for this program will decrease with the reduction in one-time costs*

The annual costs incurred for activity A.1. (updating policies and procedures) are expected to decrease in the future, because activity A.1. is a one-time activity and is likely to have been

²⁴ Exhibit X, Zack Budryk, *ICE Rule Visas Spa Outrage*, The Hill, August 30, 2019, <https://thehill.com/homenews/administration/459316-ice-rule-change-on-u-visas-sparks-outrage> (accessed on August 30, 2019); Exhibit X, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Revision of Stay of Removal Request Reviews for U Visa Petitioners, <https://www.ice.gov/factsheets/revision-stay-removal-request-reviews-u-visa-petitioners> (accessed on August 30, 2019).

²⁵ Exhibit X, Albert Samaha, *A Visa Program That Protected Domestic Violence Victims Is Now Putting Them At Risk Of Deportation*, BuzzFeed News (October 30, 2018), <https://www.buzzfeednews.com/article/albertsamaha/u-visa-deportation-immigration-trump-sessions-domestic> (accessed on October 3, 2019).

²⁶ Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019 by Quarter, Quarter 3 (showing a decrease in the total number of U Visa applications received by USCIS in 2018 compare to 2017, with 37,287 received in 2017 and 34,967 received in 2018), https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

²⁷ Fiscal Year 2017 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2017_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2018), Fiscal Year 2018 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2018_qtr4.pdf (accessed on August 9, 2019); Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019, Quarter 3, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

completed by the majority of certifying entities before or during the initial reimbursement period. Similarly, the costs for activity A.2. (one-time training for each employee) will also decrease, because after the initial training for the employees assigned to perform the ongoing activities is complete, ongoing costs will only occur when there is turnover in staff. The reduction in costs for activities A.1., and A.2. could in turn result in some smaller local agencies being unable to reach the \$1,000 threshold in a fiscal year to claim costs for the remaining activities of processing U Visa certification requests, issuing U Visa certifications, and reporting to the Legislature if, for example, they had only one request. Review of the claims data shows that the annual costs claimed by several cities during initial reimbursement period would not have reached \$1,000 if they did not claim training costs.²⁸

- *The estimated number of U Visa certifications issued by California local certifying entities is assumed to be 11,510 for fiscal year 2016-2017; 11,560 for fiscal year 2017-2018; and 9,350 for fiscal year 2018-2019.*

The actual number of U Visa certifications issued by California local certifying entities during each fiscal year is unknown. While data from the reports filed by certifying entities with the Legislature indicate that 6,456 U Visa certifications were issued by 56 local certifying entities in calendar year 2016 and 6,850 certifications were issued by 52 local certifying entities in calendar year 2017, for a total of 13,306 certifications in calendar years 2016 and 2017 combined,²⁹ this data is incomplete because some certifying entities did not file reports with the Legislature. As indicated in the Test Claim Decision and Parameters and Guidelines, Penal Code section 679.10(l), as amended by the test claim statutes, mandates a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the agency, the number of certifications signed, and the number of certifications denied.³⁰ However, not all certifying entities that received U Visa certification requests in 2016 and 2017 filed reports with the Legislature. For example, the City of Oakland Police Department did not file a report in 2016 or 2017, yet the City's website states that Oakland received 1,205 certification requests and issued 1,069 certifications in 2016 and received 940 requests and issued 796 certifications in 2017.³¹

The analysis of the test claim statute by the Assembly Committee on Appropriations assumed that the total number of certifications issued annually was 12,640, based on the combined

²⁸ These were the cities of Arcadia, Glendora, and Tustin. See Exhibit X, Claims data reported as of September 19, 2019.

²⁹ These numbers do not include reported certifications issued by the state certifying entities and other entities whose costs are not eligible for reimbursement, such as courts or university police departments. Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

³⁰ Exhibit A, Corrected Decision and Parameters and Guidelines, pages 31, 35.

³¹ Exhibit X, City of Oakland U-Visa certifications data, page 9, <https://www.oaklandca.gov/resources/u-visa> (accessed on May 17, 2019).

number of certifications issued annually by the cities of Los Angeles and Oakland, times ten (764 + 500) X 10 = 12,640 U Visa certifications issued per year). The analysis then multiplied that number by an estimated cost of \$25 “to provide” each certification, for an annual statewide cost estimate of \$316,000 as follows:

During a six-year period, annual certifications provided by the cities of Los Angeles and Oakland were 764 and 500, respectively. If the cost to provide the certification were \$25, the reimbursable mandate to these two cities would be \$31,600. There are 58 counties and 482 cities and each of them has at least one "agency" that qualifies as a certifying agency. It is reasonable to assume that the number of certifications statewide would be at least ten times those of the cities of Los Angeles and Oakland combined.³²

However, following the adoption of the test claim statute, the City of Los Angeles Police Department and the Los Angeles City Attorney’s Office submitted reports to the Legislature, identifying the number of U Visa certifications received, approved, and denied in calendar years 2016 and 2017. In 2016, these two certifying entities within the City of Los Angeles issued 2,030 U Visa certifications, and in 2017, they issued 2,134 U Visa certifications (Table 1), nearly three times as many as had been issued by the City of Los Angeles prior to the test claim statute, according to the Legislative analysis.³³

Table 1

Calendar Year	Certifying Entity	Certification Requests Received	Certifications Issued
2016	City of LA Police Department	2,384	1,991
	City of LA, City Attorney / Domestic violence	88	39
2017	City of LA Police Department	2,587	2,054
	City of LA, City Attorney / Domestic violence	168	80

The claims data (which is based on fiscal year rather than calendar year) shows similar numbers to those reported to the Legislature in annual reports for U Visa certifications issued by the City of Los Angeles Police Department in the 2016-2017 and 2017-2018 fiscal years (Table 2).³⁴

³² Exhibit X, Assembly Committee on Appropriations Analysis of SB 674 as introduced February 27, 2015, page 1.

³³ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5), page 28; Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5), page 6; Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5), pages 2, 7. See also Exhibit X, Assembly Committee on Appropriations Analysis of SB 674 as introduced February 27, 2015, page 1.

³⁴ Claims data reported as of September 19, 2019.

Table 2

Fiscal Year	Certifying Entity	Certification Requests Received	Certifications Issued
2016-2017	City of LA Police Department	2,449	2,018
2017-2018	City of LA Police Department	2,415	1,887

Although the populations of the cities Los Angeles and Oakland combined make up roughly ten percent of the population of the state, reflecting the multiplier of ten used in the legislative analysis, and the data for the six years prior to the enactment of test claim statute was perhaps the best data readily available to the Legislature, the number of certifications issued by the City of Los Angeles as reported for 2016 and 2017 calendar year and for 2016-2017 and 2017-2018 fiscal years is approximately three times the number used by the Legislature (for Los Angeles) in its annual statewide cost estimate and, therefore, the following data was also reviewed to estimate the total annual number of U Visa certifications issued by the California eligible claimants' certifying entities:

- i. U.S. Citizenship and Immigration Services (USCIS) data on U Visa certifications received by USCIS from 2009 to 2014, published by Reuters;³⁵
- ii. Statistics published on the USCIS website on the number of U Visa petitions annually received by USCIS;³⁶ and

³⁵ A link to the full list of U visa verifications disclosed by USCIS in Microsoft Excel format is available at <http://graphics.thomsonreuters.com/14/uvisas/index.html> (accessed on July 27, 2019).

³⁶ Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2016), Fiscal Year 2016 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2016_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2017), Fiscal Year 2017 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2017_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2018), Fiscal Year 2018 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2018_qtr4.pdf (accessed on August 9, 2019); Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019, Quarter 3, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

- iii. Data from the reports submitted by California certifying entities to the Legislature on the number of U Visa certification requests received and the number of certifications issued in 2016 and 2017.³⁷

The analysis of searchable USCIS data on U Visa certifications received by USCIS from 2009 to 2014³⁸ shows that certifications that originate from California, from any federal, state, or local certifying entity, represent approximately 33.14% of all certifications received by USCIS during this period (Table 3).

Table 3

Calendar Year	California U Visa Certifications	All States U Visa Certifications	% of U Visa Certifications Issued by Certifying Entities with California Zip Codes
2009	1,764	5,974	29.53%
2010	2,824	8,917	31.67%
2011	4,690	14,220	32.98%
2012	7,379	21,969	33.59%
2013	8,177	23,641	34.59%
2014 (Jan-May)	3,192	9,817	32.52%
TOTAL (2009-2014)	28,503	86,006	33.14% ^{39, 40}

³⁷ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

³⁸ USCIS data in Microsoft Excel on U Visa certifications received by USCIS from 2009 to 2014, published by Reuters, available as through a link at <http://graphics.thomsonreuters.com/14/uvisas/index.html> (accessed on July 27, 2019).

³⁹ To arrive to these results, the USCIS data was filtered by calendar year: 2009, 2010, 2011, 2012, 2013, 2014 recording the results, then by year and state (California), and finally only by state. The percentages of California certifications with respect to the total number of certifications for each of the years and for all six years together was then calculated.

⁴⁰ There are some limitations to the USCIS data, which include the following: the accuracy of the USCIS data published by Reuters cannot be verified; the data is limited to the period from January 2009 to May 2014; the number of total U Visa certification requests per year retrieved from the USCIS/Reuters spreadsheet for various years is slightly different from the annual numbers of U Visa petitions shown on the USCIS website; according to Reuters, the data does not include an additional 6,706 verifications received by USCIS; and about 1,466 records (including 477 records associated with California zip codes) out of 86,006 records in the Reuters/USCIS spreadsheet do not include the date when the certification was received by a particular zip code.

Assuming that the percent of U Visa annual certifications issued by California-based certifying entities remained at 33.14 in the following years, that percentage can be applied to the total number of U Visa applications received by USCIS in 2016, 2017, 2018, and 2019 shown on the USCIS website,⁴¹ (see Table 4) to arrive at an estimated number of California issued certifications of 12,116 for fiscal year 2016-2017; 12,166 certifications for fiscal year 2017-2018; and 9,840 certifications for fiscal year 2018-2019, as shown in Table 4:⁴²

Table 4⁴³

California Fiscal Year	Corresponding Quarter of Federal Government Fiscal Year	Number of U Visa Petitions Received by USCIS	Estimated% of Petitions Certified in California	Estimated Number of Petitions Certified in California
2016-2017	FY 2016, Q4. July - September	9,643		
	FY 2017, Q1. October - December	8,050		
	FY 2017, Q2. January - March	9,277		
	FY 2017, Q3. April - June	9,589		
	TOTAL	36,559	33.14%	12,116

⁴¹ Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2016), Fiscal Year 2016 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2016_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2017), Fiscal Year 2017 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2017_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2018), Fiscal Year 2018 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2018_qtr4.pdf (accessed on August 9, 2019); Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019, Quarter 3, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

⁴² There are limitations to using the USCIS website to determine the number of U Visa petitions annually issued by California local certifying entities and received annually by USCIS. For example, the annual number of U Visa requests received by USCIS in 2009-2018 reported on the USCIS website in 2019 differs from the number of requests previously reported for those years; and it could not be verified that the percentage of U Visa certifications issued by California certifying entities remained at 33.14% for fiscal years 2016-2017, 2017-2018, and 2018-2019.

⁴³ USCIS data is reported by federal government’s fiscal year, which begins on October 1 and ends on September 30, and is designated by the calendar year in which it ends. For the purpose of this analysis, USCIS reported data was arranged by quarter corresponding to California government’s June 30th fiscal year-end date.

California Fiscal Year	Corresponding Quarter of Federal Government Fiscal Year	Number of U Visa Petitions Received by USCIS	Estimated% of Petitions Certified in California	Estimated Number of Petitions Certified in California
2017-2018	FY 2017, Q4. July - September	9,615		
	FY 2018, Q1. October - December	8,823		
	FY 2018, Q2. January - March	9,083		
	FY 2018, Q3. April - June	9,190		
	TOTAL	36,711	33.14%	12,166
2018-2019	FY 2018, Q4. July - September	7,451		
	FY 2019, Q1. October - December	7,962		
	FY 2019, Q2. January - March	6,916		
	FY 2019, Q3. April - June	7,362		
	TOTAL	29,691	33.14%	9,840

Federal law authorizes federal agencies, state agencies, and local law enforcement agencies to issue U Visa certifications. However, it can be assumed that a vast majority (95%) of all U Visa certifications issued in California were issued by the local certifying entities of eligible claimants. The majority of U Visa qualifying crimes are the types of crimes that are investigated and prosecuted by local law enforcement agencies, a variety of violent crimes, including domestic violence.⁴⁴ In addition, the test claim statute requires both state and local agencies to annually report to the Legislature the number of the U Visa certification requests received, the number of certifications issued, and the number of requests denied.⁴⁵ The analysis of the reports submitted by California certifying entities shows that state agencies reported U Visa certifications in 2016 and 2017: (1) California Highway Patrol - 9 certifications in 2016, and (2) CA Department of Industrial Relations reported 7 certifications in 2016. Cal Poly, San Luis Obispo also received one request, which was denied.⁴⁶ In addition, several Superior Courts reported issuing a total of 9 certifications in 2016 and 21 certifications in 2017. Thus, the reported certifications from entities not eligible for reimbursement represent only 0.28% of all reported certifications in 2016 and 0.41% in 2017.

Although information on the U Visa reports submitted to the Legislature is incomplete and no data is available on the number of U Visa certifications issued by the federal agencies located in California, it is reasonable to assume that at least 95 percent of all U Visa certifications issued in California were issued by the local certifying entities of eligible claimants.⁴⁷ Accordingly, a 95% ratio was applied to the assumed number of approved certifications issued by the California-based certifying entities in fiscal year 2016-2017 (12,116); in fiscal year 2017-2018

⁴⁴ Penal Code section 679.10(c).

⁴⁵ Penal Code section 679.10(a)(l).

⁴⁶ Exhibit X, 2017-18 Report to the Legislature, Volume 5, page 35.

⁴⁷ There are limitations to using the data in the reports to the Legislature. For example, the data is only available for two years (2016 and 2017); many certifying entities did not file reports; the data is reported by calendar year, and not fiscal year; and the data does not include information on the certifications issued by the federal certifying entities.

(12,166); and in fiscal year 2018-2019 (9,840)⁴⁸ to arrive at the estimated number of certifications (rounded to 10) that were issued in those years by the certifying entities of local agencies eligible for reimbursement: 11,510 certifications in fiscal year 2016-2017; 11,560 in fiscal year 2017-2018; and 9,350 in fiscal year 2018-2019.

- *The estimated number of U Visa certification requests received and processed by California local certifying entities of eligible claimants is assumed to be 14,960 for fiscal year 2016-2017; 15,890 for fiscal year 2017-2018; and 12,490 for fiscal year 2018-2019.*

The actual number of certification requests received and processed by California local certifying entities during each fiscal year is unknown. However, the data from the reports filed by the certifying entities with the Legislature, although incomplete, clearly indicates that total number of U Visa certification requests received by the certifying entities is greater than the number of U Visa certifications issued.⁴⁹ The analysis of the 2016 and 2017 reported data on the number of U Visa certification requests received versus the number of certifications issued by the certifying entities of eligible claimants shows that in calendar year 2016, 76.91% of all requests received were approved, and in calendar year 2017, 72.77% of the requests received were approved.⁵⁰ (Table 5).

⁴⁸ See the calculation in Table 4, based on the USCIS data shown on the USCIS website for 2016, 2017, 2018, and 2019. Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2016), Fiscal Year 2016 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2016_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2017), Fiscal Year 2017 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2017_qtr4.pdf (accessed on August 9, 2019); Exhibit X, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2018), Fiscal Year 2018 by Quarter, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2018_qtr4.pdf (accessed on August 9, 2019); Exhibit X, USCIS, Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year (2009-2019), Fiscal Year 2019, Quarter 3, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I918u_visastatistics_fy2019_qtr3.pdf (accessed on October 3, 2019).

⁴⁹ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

⁵⁰ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

Table 5

Approval rate of the U Visa certification requests by the certifying entities of eligible claimants (based on the data from the Reports to the California Legislature):

Calendar Year	2016			2017		
	Requests Reported	Certifications Reported	Approval Rate:	Requests Reported	Certifications Reported	Approval Rate:
DA Offices (18)	2122	1522		3155	1992	
County Sheriffs (14)	1825	1492		1811	1573	
City Police Departments (40)	4359	3403		4279	3205	
City of LA, City Attorney/ Domestic Violence	88	39		168	80	
TOTAL:	8394	6456	76.91%	9413	6850	72.77%

Assuming that the approval rate for all certifying entities of eligible claimants was the same in 2016 and 2017 as the approval rate calculated for the entities that filed reports with the Legislature (Table 5. above), these rates were applied to the total number of U Visa certifications issued by all certifying entities eligible for reimbursement, estimated, as discussed above, at 11,510 for fiscal year 2016-2017 and 11,560 for fiscal year 2017-2018, to arrive at the corresponding estimated total number of U Visa certification requests received by these entities during the initial reimbursement period (rounded to 10): 14,960 in fiscal year 2016-2017 and 15,890 in fiscal year 2017-2018. In the absence of data on the 2018 approval rates, the average of the 2016 and the 2017 approval rates (74.84%) was applied to the estimated number of U Visa certifications of 9,350 issued in fiscal year 2018-2019 by the certifying entities of eligible claimants, to arrive at an estimate of 12,490 U Visa certification requests received in fiscal year 2018-2019.

- *The total number of local U Visa certifying entities is estimated at 511.*

The Commission decisions on this program refer to the “certifying entities” of local agencies as “i.e., district attorney offices, sheriff’s departments, police departments, child protective services, and any other local agency authority that has the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity within the meaning of the Penal Code section 679.10(a), with the *exception* of the police/security departments of school districts and special districts, and judges who are not eligible to claim mandate reimbursement in this case.”⁵¹ The total number of such “certifying entities” in California is unknown. However, the Assembly Committee on Appropriations analysis of the test claim statute indicates that “[t]here are 58

⁵¹ See e.g. Exhibit A, Corrected Decision and Parameters and Guidelines, pages 4 and 31.

counties and 482 cities and each of them has at least one "agency" that qualifies as a certifying agency."⁵²

Based on publically available information, there are 58 district attorney's offices,⁵³ 58 sheriff's departments,⁵⁴ 58 child protective services⁵⁵ (one of each in each of the 58 counties), and approximately 337 police departments (one in each of the 337 cities that maintain their own police departments).⁵⁶ The number of other entities that have the responsibility for the detection, investigation, or prosecution of a qualifying criminal activity within the meaning of the Penal Code section 679.10(a) could not be estimated based on the available data. This totals 511 estimated certifying entities in the State.

Estimated Costs and Cost Factors for Each Reimbursable Activity

For the purpose of estimating total annual costs incurred for this program during the initial reimbursement period and the following years, the annual cost of each reimbursable activity has been estimated based on the assumptions discussed above.

A. A.1. (updating policies and procedures)

Activity A.1., "Updating policies and procedures to incorporate the requirements of the test claim statute" was approved for all "certifying entities" of cities and counties, regardless of whether they have ever received a U Visa certification request or issued a U Visa certification.⁵⁷ It is presumed that all costs for this activity will be claimed in initial claims, though potentially some of these one-time costs could carry over into amended initial claims or late claims or into the 2019-2020 claim year.

⁵² Exhibit X, Assembly Committee on Appropriations Analysis of SB 674 as introduced February 27, 2015, page 1.

⁵³ Exhibit X, FindLaw, Directory of California District Attorneys, <https://criminal.findlaw.com/criminal-legal-help/california-district-attorneys.html> (accessed on July 27, 2019).

⁵⁴ Exhibit X, California State Sheriff's Association, Sheriffs' Offices, <https://www.calsheriffs.org/sheriffs-offices.html> (accessed on July 27, 2019).

⁵⁵ Exhibit X, CDSS Public Site, Child Protective Services, <http://www.cdss.ca.gov/Reporting/Report-Abuse/Child-Protective-Services/Report-Child-Abuse> (accessed on July 27, 2019).

⁵⁶ Excerpt from the L. Baca, Contract Law Enforcement Services, Los Angeles Sheriff's Department, Contract Law Enforcement Bureau (revised January 2009), page 3 (stating 30% of California cities contract with sheriff's departments for their municipal law enforcement services), <https://www.sheriffs.org/sites/default/files/uploads/CLESDocument.pdf> (accessed on October 14, 2019); see also Abstract of the Peter J. Nelligan & William Bourns, Municipal Contracting With County Sheriffs for Police Services in California: Comparison of Cost and Effectiveness, 14 Police Q. 70 (2011), SAGE Journals, <https://journals.sagepub.com/doi/abs/10.1177/1098611110393133> (accessed on October 14, 2019).

⁵⁷ Exhibit A, Corrected Decision and Parameters and Guidelines, pages 9 and 33.

Based on the assumptions and methodology discussed herein, the total cost for the one-time Activity A.1. for the initial reimbursement period is estimated at \$16,915.

FY 2016-2017 and FY 2017-2018:

\$16,915 = (total amount of unaudited timely filed claims for activity A.1. for the initial reimbursement period).

FY 2018-2019:

\$0 = (it is assumed that this activity was completed before or during the initial claiming period).

- *The total cost of activity A.1. for the initial reimbursement period is estimated at \$16,915.*

13 claims out of 173 claims filed included costs for activity A.1. amounting to \$13,522 for fiscal year 2016-2017 and \$3,393 for fiscal year 2017-2018, for a total of \$16,915 for the initial reimbursement period.⁵⁸ The total cost of activity A.1 for the initial reimbursement period is estimated based on the total amount of unaudited timely filed claims for activity A.1. for the initial reimbursement period.

- *The costs claimed for activity A.1. will likely be eliminated from future claims, because activity A.1. is a one-time activity and is likely to have been completed by the majority of certifying entities either prior to or during the initial reimbursement period.*

Activity A.1. is a one-time activity and can only be claimed once. The California Department of Justice (DOJ) issued a bulletin on October 28, 2015 recommending that local law enforcement agencies update their policies *immediately*.⁵⁹ However, since the test claim statute became effective on January 1, 2016, and the period of reimbursement did not begin until July 1, 2016, based on the filing date of the test claim, it is assumed that a majority of certifying entities updated their policies and procedures either prior to or during the initial reimbursement period. Therefore, it is expected that eligible claimants will have claimed those costs in their initial claims or amendments thereto. For those certifying entities that updated their policies and procedures before July 1, 2016, the date beginning the reimbursement period, those costs will not be eligible for reimbursement.

B. A.2. (one-time training for each employee assigned to perform the ongoing reimbursable activities)

Activity A.2. authorizes reimbursement for all “certifying entities” of local agencies to provide one-time training for each employee assigned to perform the ongoing reimbursable activities.⁶⁰

The total number of employees assigned to perform the above activities, and thus eligible for training, the cost of training per employee, and the rate of turnover are the main cost factors for this activity. The number of such employees and the rate of turnover for such employees, however, are unknown and cannot be easily determined based on the available data. Thus, the estimate for the cost of this activity is primarily based on the total cost of training claimed by the

⁵⁸ Exhibit X, Claims data reported as of September 19, 2019.

⁵⁹ Exhibit X, California Department of Justice, Information Bulletin to all California State and Local Law Enforcement Agencies on “New and Existing State and Federal Laws Protecting Immigrant Victims of Crime.”

⁶⁰ Exhibit A, Corrected Decision and Parameters and Guidelines, pages 10 and 33.

local agencies that filed claims for the initial period of reimbursement. The cost for this activity in future years (beginning with fiscal year 2018-2019) will decrease, since ongoing costs will only occur when there is turnover in staff, which is estimated to be approximately 10 percent per year.

Based on the assumptions and methodology discussed herein, the total cost for Activity A.2. for the initial reimbursement period is estimated to be between \$17,982 and \$71,928, and the cost for fiscal year 2018-2019 and following is estimated to be between \$1,798 and \$7,193, plus the implicit price deflator.

FYs 2016-2017 and 2017-2018:

\$17,982 (total amount of unaudited timely filed claims for activity A.2. for the initial reimbursement period); and

\$71,928 = \$17,982 + \$53,946 (total amount of unaudited timely filed claims for activity A.2. for the initial reimbursement period plus estimated amount of potential late claims for activity A.2).

FY 2018-2019 and following:

\$1,798 = 10 percent of \$17,982 (10% of the total amount of unaudited timely filed claims for activity A.2. for the initial reimbursement period); and

\$7,192 = 10 percent of \$71,928 (10% of the total estimated cost for Activity A.2. for the initial reimbursement period).

- *The total cost of activity A.2. for the initial reimbursement period is estimated to be between \$17,982 and \$71,928.*

31 claims out of 173 claims filed included costs for activity A.2. amounting to \$11,644 for fiscal year 2016-2017 and \$6,338 for fiscal year 2017-2018, for a total of \$17,982 for the initial reimbursement period.⁶¹ The certifying entities of the claimants who submitted claims for activity A.2.⁶² serve approximately 25 percent of the California population (39.4 million as of 2017). If only the same claimants file reimbursement claims in future years for 10 percent of the number of trainings provided in the initial reimbursement period, reflecting expected turn-over, costs for this activity would be \$1,798, plus the implicit price deflator. It is acknowledged that this number is quite low and that because most initial training likely occurred prior to the initial reimbursement period, those numbers will not truly capture future training costs. It could be assumed, on the other hand, that the rest of local certifying entities serving the remaining 75 percent of the California population have also incurred costs for activity A.2. either prior to or during the initial reimbursement period. If all of the remaining eligible claimants incurred these costs during the initial reimbursement period at the same rate as the initial claimants and filed late claims, the additional amount of costs claimed for activity A.2. for the initial reimbursement period could reach \$53,946. And of course this number is high, since it is very unlikely that every eligible claimant will file a reimbursement claim in a given year.

⁶¹ Exhibit X, Claims data reported as of September 19, 2019.

⁶² These claimants were the cities of Fremont, Oakland, Pleasant Hill, Reedley, Arcadia, Claremont, Glendora, Los Angeles, Palmdale, Santa Monica, Costa Mesa, Santa Ana, Tustin, Roseville, Rialto, Oceanside, San Marcos, Lodi, San Mateo, San Jose, and Cathedral City, and the counties of Monterey, Riverside, and Santa Cruz.

Accordingly, the total cost of activity A.2. for the initial reimbursement period, is calculated as ranging between \$17,982 (the cost of the initial timely claims for activity A.2.) and \$71,928 (the cost of the initial timely claims for activity A.2 (\$17,982) plus the cost of potential late claims for activity A.2. (\$53,946)). And the estimated cost for activity A.2. for 2018-19 and following is calculated as ranging between \$1,798 (10% of the cost of the initial timely claims for activity A.2.) and \$7,192 (10% of the total estimated cost for Activity A.2. for the initial reimbursement period), plus the implicit price deflator.

- *The costs claimed for activity A.2. for the initial reimbursement period will decrease in the future, because activity A.2. is allowed only one-time for each employee and is likely to be completed by the majority of certifying entities within the initial reimbursement period and is estimated at between \$1,798 and \$7,193.*

It is assumed that initial training of staff was conducted prior to or during the initial reimbursement period. Once the initial training for each employee assigned to perform the ongoing activities is complete, ongoing costs for activity A.2. will only occur when there is turnover in staff. Although the precise rate of the turnover cannot be determined based on the available data, for the purpose of this estimate a 10 percent turnover rate is assumed.⁶³ Accordingly, the annual cost of this activity for fiscal year 2018-2019 and following years is estimated at between \$1,798 and \$7,193, calculated as 10 percent of the estimated annual cost of activity A.2. for the initial reimbursement period.

C. B.1.a., B.1.b., B.1.d, and B.1.e. (receive and log the request; review the request and documentation provided by the victim; transmit results to victim; and file, log and close the case)

The activities to receive and log the request (B.1.a.); transmit the results to the victim or the victim's legal representative (B.1.d.); and file, log, and close the case (B.1.e.) are administrative activities required to process all U Visa requests received by each certifying entity and will occur for every U Visa request received, regardless of whether the request is approved or denied.⁶⁴ These activities must be performed upon receiving a request for a Form I-918 Supplement B certification from the victim or the victim's family member, and must be completed by the certifying entity within 90 days of the request or 14 days of the request if the victim is in removal proceedings."⁶⁵ Similarly, the approved activity B.1.b. to review the request for U Visa certification and all documentation provided by the victim or the victim's family member to confirm that the victim was a victim of a qualifying criminal activity, defined in Penal Code section 679.10(c), and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity must also be

⁶³ See e.g., Exhibit X, Excerpt from the Jennifer Wareham et al, *Rates and Patterns of Law Enforcement Turnover: A Research Note*, 26-4 Criminal Justice Policy Review, 345 (2013), pages 2-3 (stating that nationally, the average total turnover rate for law enforcement agencies was 10.82 percent for 2003; 10.76 percent for 2008, and showing mean law enforcement turnover rates for California at 9.19 percent in 2003 and 8.28 percent in 2008), <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.846.1028&rep=rep1&type=pdf> (accessed on October 11, 2019).

⁶⁴ Exhibit A, Corrected Decision and Parameters and Guidelines, pages 33-34.

⁶⁵ Exhibit A, Corrected Decision and Parameters and Guidelines, page 33.

completed within the above-specified time period and will occur for every U Visa certification request received by the certifying entity, regardless of whether the request is approved or denied.⁶⁶ Accordingly, there are two main cost factors for activities B.1.a., B.1.b., B.1.d, and B.1.e.: (a) the total number of U Visa certification requests received each fiscal year, and (b) the average cost to comply with activities B.1.a., B.1.b., B.1.d, and B.1.e. for each request.

Based on estimated average cost of these activities per U Visa certification request and the assumption that the number of U Visa certification requests received by the eligible claimants' certifying entities is 14,960 certifications for fiscal year 2016-2017; 15,890 for fiscal year 2017-2018; and 12,490 for fiscal year 2018-2019, as discussed earlier, the total cost for activities B.1.a., B.1.b., B.1.d, and B.1.e for the initial reimbursement period is estimated at between \$1,342,696 and \$1,925,965, and the cost for fiscal year 2018-2019 is estimated to be between \$350,888 and \$779,751, plus the implicit price deflator.

FY 2016-2017 and FY 2017-2018

\$1,342,696 = (the unaudited costs timely claimed for this activity); and

\$1,925,965 = (14,960 + 15,890) X \$62.43 (estimated number of U Visa certification requests received in fiscal years 2016-2017 and 2017-2018 multiplied by estimated average total cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per request).

FY 2018-2019

\$350,888 = 12,490 X \$62.43 X .45 (estimated number of U Visa requests received in fiscal year 2018-2019 multiplied by average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per certification, multiplied by 45% - the percentage of population served by local agencies that timely filed reimbursement claims); and

\$779,751 = 12,490 X \$62.43 (estimated number of U Visa certification requests received in fiscal year 2018-2019 multiplied by estimated average total cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per request).

- *The average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per U Visa certification request is estimated at \$62.43.*

The average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per U Visa certification request can be estimated based on the claims data for the cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. and the estimated number of U Visa requests for which these costs were claimed.

171 claims out of 173 claims filed included costs for activities B.1.a., B.1.b., B.1.d, and B.1.e. amounting to \$663,224 for fiscal year 2016-2017 and \$679,472 for fiscal year 2017-2018, for a total of \$1,342,696 for the initial reimbursement period.⁶⁷ However, not all the claims filed for the initial reimbursement period include information on the number of U Visa requests received and processed by the certifying agency claiming the costs for activities B.1.a., B.1.b., B.1.d, and B.1.e. Accordingly, for the purpose of estimating the average cost of these activities per one U Visa certification request only the costs data from a selected sample of claims that provide information on the number of U Visa certifications received by the certifying entities are included in the calculation (see Table 6, FY 2016-2017 (38 claims) and Table 7, FY 2017-2018

⁶⁶ Exhibit A, Corrected Decision and Parameters and Guidelines, page 34.

⁶⁷ Exhibit X, Claims data reported as of September 19, 2019.

(27 claims) below). The selected claims represent both counties' and cities' claims. The 65 unaudited claims included in the calculation identify in total 10,130 U Visa certification requests as the basis for the cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. amounting to \$632,408 for the initial reimbursement period.

Table 6

FY 2016-2017 (38 claims)

Claimant	B.1.a. Receive	B.1.b. Review	B.1.d. Transmit	B.1.e. Close	Total Cost B.1. (a,b,d,e)	Number of U Visa Certification Requests Received
City of Hayward	\$2,551	\$10,206	\$2,551	\$2,551	\$17,859	207
City of Oakland	\$12,662	\$29,503	\$14,055	\$8,443	\$64,663	945
City of Richmond	\$986	\$2,494	\$950	\$950	\$5,380	100
City of San Pablo		\$337	\$225		\$562	58
City of Walnut Creek	\$125	\$1,447	\$251	\$125	\$1,948	5
City of Reedley	\$94	\$193	\$97	\$48	\$432	13
City of Bakersfield	\$571	\$1,060	\$171	\$114	\$1,916	96
City of Hanford	\$94	\$671	\$141	\$94	\$1,000	10
City of Baldwin Park	\$110	\$805	\$219	\$268	\$1,402	28
City of El Monte	\$305	\$781	\$451	\$305	\$1,842	52
City of Glendale	\$101	\$841	\$252	\$624	\$1,818	22
City of Inglewood	\$477	\$955	\$159	\$79	\$1,670	48
City of Los Angeles	\$14,207	\$94,711	\$8,685	\$21,716	\$139,319	2449
City of San Dimas	\$139	\$1,109	\$139	\$139	\$1,526	7
City of Santa Clarita	\$191	\$287	\$478	\$287	\$1,243	38

Claimant	B.1.a. Receive	B.1.b. Review	B.1.d. Transmit	B.1.e. Close	Total Cost B.1. (a,b,d,e)	Number of U Visa Certification Requests Received
City of Whittier	\$223	\$667	\$44	\$223	\$1,157	21
City of Fullerton	\$596	\$895	\$119	\$179	\$1,789	26
City of Huntington Beach	\$35	\$407	\$35	\$35	\$512	35
County of Orange (Sheriff)	\$1,186	\$3,557	\$1,186	\$2,372	\$8,301	80
Cathedral City	\$117	\$1,403	\$351	\$117	\$1,988	17
City of Corona	\$145	\$348	\$145	\$145	\$783	22
City of Moreno Valley	\$205	\$436	\$220	\$220	\$1,081	34
County of Riverside (Sheriff)	\$911	\$1,445	\$587	\$287	\$3,230	68
City of Sacramento	\$3,940	\$4,466	\$1,314	\$1,314	\$11,034	169
City of San Bernardino	\$422	\$2,139	\$181	\$302	\$3,044	111
City of Oceanside	\$312	\$312	\$312	\$312	\$1,248	34
City of Lodi	\$154	\$346	\$46	\$46	\$592	5
City of Stockton	\$285	\$1,901	\$95	\$191	\$2,472	131
City of San Mateo	\$650	\$3,839	\$434	\$217	\$5,140	51
County of San Mateo (Sheriff)	\$780	\$3,119	\$780		\$4,679	47
City of Palo Alto	\$174	\$693	\$693	\$520	\$2,080	19
County of Santa Cruz (DA)	\$441	\$1,322	\$293	\$293	\$2,349	25
City of Fairfield	\$269	\$1,610	\$269	\$269	\$2,417	49

Claimant	B.1.a. Receive	B.1.b. Review	B.1.d. Transmit	B.1.e. Close	Total Cost B.1. (a,b,d,e)	Number of U Visa Certification Requests Received
City of Suisun City	\$356	\$713	\$475	\$238	\$1,782	24
City of Vacaville	\$50	\$451	\$50	\$50	\$601	6
City of Vallejo	\$165	\$1,229	\$410	\$164	\$1,968	79
City of Visalia	\$478	\$957	\$478	\$478	\$2,391	67
City of Oxnard	\$1,742	\$18,423	\$6,085	\$581	\$26,831	218
TOTAL					\$330,049	5416

Table 7

FY 2016-2017 (27 claims)

Claimant	B.1.a. Receive	B.1.b. Review	B.1.d. Transmit	B.1.e. Close	Total Cost B.1. (a,b,d,e)	Number of U Visa Certification Requests Received
City of Hayward	\$2,442	\$9,767	\$2,442	\$2,442	\$17,093	210
City of Oakland	\$10,334	\$27,722	\$12,686	\$6,890	\$57,632	741
City of Pleasant Hill	\$0	\$431	\$0	\$0	\$431	8
City of Richmond	\$2,301	\$5,740	\$0	\$2,300	\$10,341	230
City of San Pablo	\$0	\$204	\$136	\$0	\$340	33
City of Walnut Creek	\$133	\$1,536	\$266	\$133	\$2,068	5
City of Reedley	\$94	\$192	\$96	\$48	\$430	13
City of Hanford	\$133	\$963	\$203	\$133	\$1,432	14
City of Glendale	\$110	\$883	\$287	\$649	\$1,929	25
City of Los Angeles	\$14,633	\$97,556	\$8,461	\$21,155	\$141,805	2415

Claimant	B.1.a. Receive	B.1.b. Review	B.1.d. Transmit	B.1.e. Close	Total Cost B.1. (a,b,d,e)	Number of U Visa Certification Requests Received
City of Santa Clarita	\$122	\$183	\$304	\$183	\$792	28
County of Orange (Sheriff)	\$1,386	\$4,156	\$1,386	\$2,771	\$9,699	89
Cathedral City	\$134	\$1,608	\$402	\$134	\$2,278	19
City of Corona	\$250	\$607	\$250	\$250	\$1,357	36
County of Riverside (Sheriff)	\$882	\$1,401	\$650	\$882	\$3,815	76
City of Oceanside	\$540	\$540	\$540	\$540	\$2,160	60
City of Lodi	\$308	\$694	\$66	\$66	\$1,134	7
City of Stockton	\$479	\$3,187	\$159	\$318	\$4,143	186
City of San Mateo	\$789	\$3,155	\$789	\$0	\$4,733	47
County of San Mateo (Sheriff)	\$789	\$3,155	\$789		\$4,733	47
City of Palo Alto	\$59	\$241	\$241	\$180	\$721	6
County of Santa Cruz (DA)	\$380	\$1,140	\$254	\$254	\$2,028	21
City of Fairfield	\$444	\$2,660	\$444	\$444	\$3,992	80
City of Suisun City	\$341	\$681	\$454	\$227	\$1,703	22
City of Vacaville	\$140	\$1,252	\$140	\$140	\$1,672	13
City of Vallejo	\$146	\$1,100	\$366	\$146	\$1,758	70
City of Oxnard	\$1,731	\$18,306	\$1,526	\$577	\$22,140	213
				TOTAL	\$302,359	4714

Thus, to calculate the average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per each U Visa certification request, the total unaudited cost of these activities for the initial reimbursement period claimed at \$632,408 is divided by the 10,130 U Visa certification requests received by the claimants' certifying entities during the initial reimbursement period, to arrive at the average of \$62.43 per each U Visa certification request to comply with activities B.1.a., B.1.b., B.1.d, and B.1.e.

- *The cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. for future claims will vary depending on the percentage of the population served by the local agencies that file reimbursement claims.*

As discussed earlier, the percentage of the California population served by the local governments that filed timely reimbursement claims for the initial claiming period is approximately 45 percent. As mentioned, there are many potential reasons for this including not meeting the \$1000 threshold for claiming (and the number of local agencies that will not meet this threshold in a given year is expected to go up because the one-time costs will significantly decrease for future years) or a determination that the costs to file a claim are not worth it. Assuming the percentage remains at 45 percent for future claims, the ongoing costs for this activity are estimated at \$350,888 = 12,490 X \$62.43 X .45 (estimated number of U Visa certifications requests received in fiscal year 2018-2019 multiplied by average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per certification, multiplied by 45% - the percentage of the population served by the certifying entities of local agencies that timely filed reimbursement claims). Assuming, on the other hand, that every eligible local agency that issues a U Visa certification in a year files a reimbursement claim the costs could be as high as \$779,751 = 12,490 X \$62.43 (estimated number of U Visa certification requests received in fiscal year 2018-2019 multiplied by average cost of activities B.1.a., B.1.b., B.1.d, and B.1.e. per certification).

D. B.1.c. (for the certifying official to fully complete and sign the U Visa form if it is determined that the victim qualifies for a U Visa certification)

The activity B.1.c is approved for the certifying official to:

[F]ully complete and sign the Form I-918 Supplement B certification, upon the request of the victim or the victim's family member, when it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, and "include specific details about the nature of the crime the certifying entity investigated or prosecuted and a detailed description of the victim's helpfulness or likely helpfulness to the certifying entity in the detection or investigation or prosecution of the criminal activity."

To the extent the certifying entity that receives a U Visa request has a record of the qualifying criminal activity identified by the victim or victim's family member, which was prepared in the normal course of the certifying entity's law enforcement duties, reimbursement for this activity includes locating and reviewing the record to complete the Form I-918 Supplement B certification.

Reimbursement for this activity also includes attaching to the Form I-918 Supplement B certification, relevant reports prepared in the normal course of the certifying entity's law enforcement duties, detailing the criminal activity being

investigated or prosecuted and the involvement of the victim, and relevant reports containing a description of any known or documented injury to the victim.⁶⁸

Unlike the rest of the ongoing activities approved for this program, this is only authorized for those instances when “it is determined that the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity.”⁶⁹

The major costs for this activity are likely to consist of two components: (1) labor costs for the certifying official to complete and sign the form, including attaching to the form all relevant reports prepared in the normal course of law enforcement duties, and (2) the cost of locating and reviewing the existing record of the qualifying criminal activity. Accordingly, the two main cost factors for Activity B.1.c. are: (a) the total number of U Visa certifications issued each fiscal year, and (b) the average cost to comply with Activity B.1.c. for each U Visa certification issued.

Based on the estimated cost of this activity per U Visa certification and the assumption that the number of U Visa certifications issued by the eligible claimants’ certifying entities is 11,510 for fiscal year 2016-2017; 11,560 for fiscal year 2017-2018; and 9,350 for fiscal year 2018-2019, as discussed earlier, the total cost for activity B.1.c. for the initial reimbursement period is estimated to be between \$402,220 and \$416,183, and the cost for fiscal year 2018-2019 and forward is estimated to be between \$79,903 and \$168,674, plus the implicit price deflator.

FY 2016-2017 and FY 2017-2018:

\$402,220 (the unaudited costs timely claimed for this activity); and

\$416,183 = (11,510 + 11,560) X \$18.04 (estimated number of U Visa certifications issued in fiscal years 2016-2017 and 2017-2018 multiplied by average cost of activity B.1.c per certification).

FY 2018-2019:

\$79,903 = 9,350 X \$18.04 X .45 (estimated number of U Visa certifications issued in fiscal year 2018-2019 multiplied by average cost of activity B.1.c per certification, multiplied by 45% - the percentage of population served by local agencies that timely filed reimbursement claims); and

\$168,674 = 9,350 X \$18.04 (estimated number of U Visa certifications issued in fiscal year 2018-2019 multiplied by average cost of activity B.1.c per certification).

- *The average cost of activity B.1.c. per approved U Visa certification is estimated at \$18.04.*

As discussed earlier, the Assembly Committee on Appropriations analysis of the test claim statute assumed that it would cost \$25 “to provide” the U Visa certification.⁷⁰ It is not clear how that dollar amount was determined or what was meant to be included in the phrase “to provide,” but potentially it could have meant this activity alone.

⁶⁸ Exhibit A, Corrected Decision and Parameters and Guidelines, pages 10 and 33.

⁶⁹ Exhibit A, Corrected Decision and Parameters and Guidelines, page 34.

⁷⁰ Exhibit X, Assembly Committee on Appropriations Analysis of SB 674 as introduced February 27, 2015, page 1.

The average cost of activity B.1.c. per U Visa certification can be estimated based on the claims data for the cost of activity B.1.c. divided by the number of U Visa certifications for which these costs were claimed.

163 claims out of 173 claims filed included costs for activity B.1.c. amounting to \$195,153 for fiscal year 2016-2017 and \$207,067 for fiscal year 2017-2018, for a total of \$402,220 for the initial reimbursement period.⁷¹ However, only some of the claims filed for the initial reimbursement period include information on the number of U Visa requests issued by the certifying agency claiming the costs for activity B.1.c. Accordingly, for the purpose of estimating the average cost of this activity per U Visa certification only the cost data from a selected sample of claims that provide information on the number of U Visa certifications used as the basis for activity B.1.c. costs are included in the calculation (see Table 8, FY 2016-2017 (24 claims) and Table 9, FY 2017-2018 (20 claims)). The selected claims represent both counties' and cities' claims. The 44 unaudited claims included in the calculation identify in total 6543 U Visa certifications as the basis for the activity B.1.c costs amounting to \$118,080 for the initial reimbursement period.

Table 8

FY 2016-2017 (24 claims)

Claimant	B.1.c. Sign	U Visa Certification
City of Hayward	\$5,103	207
City of Pleasant Hill	\$358	12
City of Richmond	\$2,494	100
City of San Pablo	\$1,126	58
City of Walnut Creek	\$482	5
City of Reedley	\$193	13
City of Hanford	\$671	10
City of Glendale	\$240	18
City of Los Angeles	\$21,716	2018
City of San Dimas	\$555	7
City of Santa Clarita	\$941	24
City of Huntington Beach	\$396	35
Cathedral City	\$701	17
County of Riverside (Sheriff)	\$791	53
City of Lodi	\$230	5
City of Stockton	\$2,315	131
City of San Mateo	\$1,280	51
County of Santa Barbara (DA)	\$11,819	259
City of Palo Alto	\$346	19
City of Fairfield	\$326	28

⁷¹ Exhibit X, Claims data reported as of September 19, 2019.

Claimant	B.1.c. Sign	U Visa Certification
City of Suisun City	\$713	24
City of Vacaville	\$237	6
City of Vallejo	\$1,233	79
City of Oxnard	\$6,141	218
TOTAL	\$60,407	3397

Table 9

FY 2017-2018 (20 claims)

Claimant	B.1.c. Sign	U Visa Certification
City of Hayward	\$4,883	210
City of Pleasant Hill	\$288	8
City of Richmond	\$5,740	230
City of San Pablo	\$680	33
City of Walnut Creek	\$512	5
City of Reedley	\$192	13
City of Hanford	\$963	14
City of Glendale	\$232	19
City of Los Angeles	\$21,155	1887
City of Santa Clarita	\$576	14
Cathedral City	\$804	19
County of Riverside (Sheriff)	\$977	64
City of Lodi	\$463	7
County of Santa Barbara (DA)	\$10,953	242
City of Palo Alto	\$121	6
City of Fairfield	\$625	57
City of Suisun City	\$681	22
City of Vacaville	\$531	13
City of Vallejo	\$1,195	70
City of Oxnard	\$6,102	213
TOTAL	\$57,673	3146

Thus, to calculate the average cost of activity B.1.c. for each U Visa certification issued, the total unaudited cost of activity B.1.c. claimed at \$118,080 is divided by the total number of U Visa certifications as identified in the claims data, estimated at 6,543, to arrive at the estimated average cost of \$18.04 per U Visa certification to comply with activity B.1.c.

- *The cost of activity B.1.c. for future claims will vary depending on the percentage of the population served by the local agencies that file reimbursement claims.*

Assuming the percentage of the California population served by the local governments that filed timely reimbursement claims for the initial claiming period is approximately 45 percent and that it remains at 45 percent for future claims, the ongoing costs for this activity are estimated at

\$79,903 = 9,350 X \$18.04 X .45 (estimated number of U Visa certifications issued in fiscal year 2018-2019 multiplied by average cost of activity B.1.c per certification, multiplied by 45% - the percentage of population served by entities that timely filed reimbursement claims). Assuming, on the other hand, that every eligible local agency that issues a U Visa certification in a year files a reimbursement claim the costs could be as high as \$168,674 = 9,350 X \$18.04 (estimated number of U Visa certifications issued in fiscal year 2018-2019 multiplied by average cost of activity B.1.c per certification).

E. B.2. (Report to the Legislature)

The approved activity of B.2 is stated as follows:

A certifying entity that receives a request for a Form I-918 Supplement B certification shall report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.^{72,73}

The activity to report to the Legislature the number of requests received, certifications signed, and certifications denied is required for every certifying entity that receives a U Visa request. However, not all certifying entities that received a request for a U Visa certification reported to the Legislature during the initial reimbursement period, as required by the test claim statute. For example, the City of Oakland Police Department did not file a report in 2016-2017 (on certification requests processed in 2016) or 2017-2018 (on certification requests processed in 2017), yet the City's website states that Oakland received 1,205 certification requests and issued 1,069 certifications in 2016 and received 940 requests and issued 796 certifications in 2017;⁷⁴ and the claims data (which is based on fiscal year rather than calendar year) shows that the Oakland Police Department received 945 certification requests in the 2016-2017 fiscal year and 741 requests and 2017-2018 fiscal year.⁷⁵ Only 109 reports were submitted to the Legislature for the initial reimbursement period by certifying entities of the eligible claimants and were provided to the Commission by legislative staff.⁷⁶ However, the reimbursement claims include costs for reports, which were not filed with the Legislature, according to the evidence in the record and the costs for some reports that were filed with the Legislature were not claimed in timely reimbursement claims. Perhaps some claimants thought they had filed reports that were not actually received by the Legislature, however, only reports actually filed with the Legislature are entitled to be reimbursed. This, of course, is an auditing issue for the Controller. Therefore, it is estimated that the costs for the initial claiming period for activity B.2. is \$35,180 on the low end

⁷² Penal Code section 679.10(1).

⁷³ Exhibit A, Corrected Decision and Parameters and Guidelines, page 35.

⁷⁴ Exhibit X, City of Oakland U-Visa certifications data, page 9, <https://www.oaklandca.gov/resources/u-visa> (accessed on May 17, 2019).

⁷⁵ Exhibit X, Claims data reported as of September 19, 2019.

⁷⁶ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

(the unaudited costs timely claimed) and \$39,567 on the high end (the estimated average cost of a report multiplied by the number of reports filed with the Legislature).

The estimated cost of activity B.2. for the following years will range, based on the assumption that either only the same number of reports will be annually submitted to the Legislature by certifying entities of eligible local agencies and will file reimbursement claims in future years (an average of 54.5 claims per year) or that all certifying entities that are required to submit reports to the Legislature will comply with the mandate and their local agencies will claim reimbursement. Accordingly, there are two main cost factors for the activity B.2.: (a) the total number of reports on U Visa certifications submitted to the Legislature (actual number of reports filed during the initial reimbursement period and estimated number of reports to be filed during 2018-2019 fiscal year), and (b) the average cost per report.

Based on the assumptions and methodology discussed below the total cost for Activity B.2. for the initial reimbursement period is estimated to be between \$35,180 and \$39,567, and the cost for fiscal year 2018-2019 and following is estimated to be between \$19,783 and \$27,951 , plus the implicit price deflator.

FY 2016-2017 and FY 2017-2018:

\$35,180 = (the unaudited costs timely claimed); and

\$39,567 = 109 X \$363 (number of U Visa certification reports submitted to the Legislature during the initial reimbursement period multiplied by the average cost per report).FY 2018-2019 and following:

\$19,783 = 54.5 X \$363 (average annual number of reports filed with the Legislature in the initial claiming period multiplied by the average cost per report); and

\$ 31,581 = 87 X \$363 (estimated number of U Visa certification reports required to be submitted to the Legislature during fiscal year 2018-2019 multiplied by the average cost per report).

- *The total number of reports on U Visa certifications submitted to the Legislature by the eligible claimants' certifying entities is estimated at 109 for the initial reimbursement period; and estimated to be between 54.5 and 77 for 2018-2019 fiscal year.*

The analysis of the U Visa certification reports submitted to the Legislature in 2017 and 2018⁷⁷ shows that approximately 109 reports were filed by the local certifying entities of local agencies that are eligible for reimbursement during the initial reimbursement period.⁷⁸ (Table 10).

⁷⁷ Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 3 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

⁷⁸ Penal Code Section 679.10(l) requires certifying entities to report to the Legislature on or before January 1, 2017, and annually thereafter. For the purpose of this analysis it is assumed that the costs for these reports have been incurred during fiscal years 2016-2017 and 2017-2018. The analysis of the 2016 reports submitted to the Legislature by the eligible claimants' certifying entities shows that all of these reports were submitted during fiscal year 2016-2017, with one exception where the 2016 report was filed during fiscal year 2017-2018. Exhibit X, 2017-2018

Table 10. Number of mandated reports on U Visa certifications submitted to the Legislature in 2017 and 2018 by the eligible claimants’ certifying entities (based on the data from the compilation of the 2017-2018 Reports to the California Legislature).

Certifying Entities of Eligible Claimants	2017 Reports	2018 Reports
DA Offices (18)	11	16
County Sheriffs (14)	11	9
City Police Departments (40)	34	26
City of LA, City Attorney/ Domestic violence	1	1
TOTAL	57	52

Thus, the total number of reports on U Visa certifications submitted to the Legislature by the eligible claimants’ certifying entities is estimated at 109 for the initial reimbursement period.

The annual cost of activity B.2. for future years (beginning with fiscal year 2018-2019) could increase, if all mandated certifying entities of eligible claimants annually report to the Legislature as required by the test claim statute and those local agencies meet the \$1000 threshold for a fiscal year and file a reimbursement claim. As discussed earlier, it is estimated that eligible claimants’ certifying entities received and processed approximately 14,960 U Visa certification requests in fiscal year 2016-2017, and 15,890 in fiscal year 2017-2018, with a total of 30,850 certification requests during this period. On the other hand, the annual reports submitted by the eligible claimants’ certifying entities to the Legislature show only 8,394 certification requests for 2016 calendar year and 9,413 requests for 2017 calendar year, with a total of 17,807 certification requests reported during this period. This suggests that less than 60 percent of all certification requests received by the eligible claimants’ certifying entities were reported to the Legislature during the initial reimbursement period.⁷⁹

Assuming only the same number of reports (an average of 54.5 over the initial reimbursement period) continue to be submitted to the Legislature for 2018-2019 and following years by certifying entities of eligible claimants who file reimbursement claims, there will be 54.5 reports filed and claimed for per fiscal year.

On the other hand, assuming a 100 percent reporting and mandate reimbursement claiming rate for future years, the ongoing costs for this activity could be as high as \$ 31,581 = 87 X \$363 (estimated number of U Visa certification reports required to be submitted to the Legislature during fiscal year 2018-2019 multiplied by the average cost per report). The estimated number

Legislative reports on U Visa certifications (volume 1 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 2 of 5); Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5), page 29. All 2017 reports were submitted during fiscal year 2017-2018, with three exceptions where the 2017 reports were submitted during fiscal year 2018-2019. Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 4 of 5); and Exhibit X, 2017-2018 Legislative reports on U Visa certifications (volume 5 of 5).

⁷⁹ This is only a very rough estimate of the reporting rate because it is based on comparing two sets of estimated data for a two-year period where the beginning and the end of the period do not completely coincide for each set of estimates: 30,850 certification requests received is estimated for a two-year period from July 1, 2016 to June 30, 2018 (fiscal years 2016-2017 and 2017-2018), and the 17,807 certification requests reported is estimated for a two-year period from January 1, 2016 to December 30, 2017 (calendar years 2016 and 2017).

of reports required to be submitted to the Legislature by the eligible claimants' certifying entities during 2018-2019 fiscal year is expressed as a ratio of the estimated number of U Visa certification requests received by all eligible claimants' certifying entities during the 2018 calendar year to an estimated average number of requests included in each report. The average number of U Visa certification requests included in each report submitted to the Legislature is estimated based on the data from the reports submitted to the Legislature in 2017 and 2018 as follows:

$$\frac{17,807 \text{ (number of certification requests reported)}}{(57 + 52) \text{ (number of reports submitted)}} = 163 \text{ (average number of U Visa certification requests included in each report)}$$

Assuming that future reports to the Legislature will include approximately the same average number of U Visa requests per report as the reports submitted in 2017 and 2018, the number of reports for fiscal year 2018-2019 is calculated by dividing the number of U Visa certification requests received in calendar year 2018, estimated at 14,171 by the average number of requests per report, estimated at 163, to arrive at the estimated number of 87 reports that will be required to be submitted to the Legislature in 2018-2019 fiscal year.

- *The average cost of Activity B.2. per one report submitted to the Legislature is estimated at \$363.*

This estimate is based on the claims data for activity B.2. to report to the Legislature.

97 claims out of 173 claims filed included costs for activity B.2. amounting to \$14,740 for fiscal year 2016-2017 and \$20,440 for fiscal year 2017-2018, for a total of \$35,180 for the initial reimbursement period.⁸⁰

Thus, the estimated cost of activity B.2. for each reporting certifying entity is calculated by dividing the total cost claimed for this activity at \$35,180 by the number of reports, estimated at 97 based on the assumption that each of the 97 claims for activity B.2 represents one report submitted to the Legislature by the claimant's certifying entity,⁸¹ to arrive at the cost of \$363 per each report.

Draft Proposed Statewide Cost Estimate

On October 15, 2019, Commission staff issued the Draft Proposed Statewide Cost Estimate.⁸²

Staff Recommendation

Staff recommends that the Commission adopt this Proposed Statewide Cost Estimate of \$2,350,494 to \$3,312,418 for the initial reimbursement period of fiscal years 2016-2017 and

⁸⁰ Exhibit X, Claims data reported as of September 19, 2019.

⁸¹ The number of reports per claim may vary in some cases. For example, some claimants may claim costs for activity B.2. for several certifying entities, while others, such as contract cities, may have incurred and claim costs for this activity but they are not required to report to the Legislature. In addition, the review of the claims filed for the initial claiming period along with the review of a compilation of U Visa reports received by the Legislature for the respective time periods suggests that in some cases the costs for submitting reports to the Legislature were claimed but the reports might have been never submitted.

⁸² Exhibit X, Draft Proposed Statewide Cost Estimate.

2017-2018 and the estimated cost for fiscal year 2018-2019 and following of \$610,702 to \$1,332,717, plus the implicit price deflator.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On October 15, 2019, I served the:

- **Draft Proposed Statewide Cost Estimate, Schedule for Comments, and Notice of Hearing issued October 14, 2019**

U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01
Penal Code Section 679.10; Statutes 2015, Chapter 721 (SB 674)
City of Claremont, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 15, 2019, at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/15/19

Claim Number: 17-TC-01

Matter: U Visa 918 Form, Victims of Crime: Nonimmigrant Status

Claimant: City of Claremont

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U Visa 918 Form Victims of Crime: Nonimmigrant Status - Program 372
 Summary Claims Filed - By Claimant
 As of September 19, 2019

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 September 25, 2019
 Commission on
 State Mandates

Exhibit D

Claimant Name	Claimant ID	FY 2016-17 (85 Claims)	FY 2017-18 (88 Claims)	Total claimed Amount (173 Claims)
City of Fremont	9801318	\$ 5,465	\$ 5,871	\$ 11,336
City of Hayward	9801358	\$ 30,062	\$ 29,369	\$ 59,431
City of Oakland	9801596	\$ 99,234	\$ 90,475	\$ 189,709
City of Pleasant Hill	9807684	\$ 1,860	\$ 1,350	\$ 3,210
City of Richmond	9807724	\$ 11,062	\$ 23,655	\$ 34,717
City of San Pablo	9807824	\$ 2,389	\$ 1,442	\$ 3,831
City of Walnut Creek	9807962	\$ 4,259	\$ 4,154	\$ 8,413
City of South Lake Tahoe	9809886	\$ 1,197	\$ 2,661	\$ 3,858
City of Fresno	9810320	\$ 22,754	\$ 25,277	\$ 48,031
City of Parlier	9810632	\$ 1,680	\$ 1,680	\$ 3,360
City of Reedley	9810720	\$ 1,103	\$ 1,031	\$ 2,134
City of Bakersfield	9815044	\$ 2,941	\$ 2,897	\$ 5,838
City of Hanford	9816352	\$ 3,151	\$ 3,892	\$ 7,043
City of Alhambra	9819005	\$ 3,912	\$ 3,620	\$ 7,532
City of Arcadia	9819023	\$ 1,052	\$ 1,118	\$ 2,170
City of Azusa	9819041	\$ 11,570	\$ 10,016	\$ 21,586
City of Baldwin Park	9819047	\$ 2,361	\$ 3,390	\$ 5,751
City of Bell Gardens	9819065	\$ -	\$ 2,527	\$ 2,527
City of Claremont	9819159	\$ -	\$ 1,083	\$ 1,083
City of Downey	9819258	\$ 1,139	\$ 1,027	\$ 2,166
City of El Monte	9819270	\$ 3,014	\$ 3,065	\$ 6,079
City of Gardena	9819326	\$ 3,828	\$ 5,657	\$ 9,485
City of Glendale	9819332	\$ 2,202	\$ 2,318	\$ 4,520
City of Glendora	9819334	\$ 1,061	\$ -	\$ 1,061
City of Hawthorne	9819356	\$ 4,330	\$ 1,819	\$ 6,149
City of Inglewood	9819390	\$ 4,063	\$ 4,231	\$ 8,294
City of Los Angeles	9819487	\$ 239,862	\$ 236,003	\$ 475,865
City of Lynwood	9819499	\$ 5,984	\$ 5,331	\$ 11,315
City of Palmdale	9819620	\$ 4,447	\$ 4,955	\$ 9,402
City of Paramount	9819631	\$ 2,100	\$ 1,275	\$ 3,375
City of Pasadena	9819638	\$ 14,726	\$ 16,329	\$ 31,055
City of San Dimas	9819779	\$ 2,287	\$ 2,614	\$ 4,901
City of San Gabriel	9819788	\$ 10,026	\$ 4,916	\$ 14,942
City of Santa Clarita	9819836	\$ 2,189	\$ 1,372	\$ 3,561
City of Santa Monica	9819845	\$ -	\$ 4,054	\$ 4,054
City of Whittier	9819978	\$ 2,199	\$ 2,131	\$ 4,330
City of Anaheim	9830015	\$ 18,664	\$ 17,654	\$ 36,318
City of Buena Park	9830110	\$ 1,517	\$ 1,327	\$ 2,844
City of Costa Mesa	9830213	\$ 13,023	\$ 15,368	\$ 28,391
City of Fullerton	9830322	\$ 3,820	\$ 5,153	\$ 8,973

State Controller's Office
LGPSD/BOP - Local Reimbursements Section
U Visa 918 Form Victims of Crime: Nonimmigrant Status - Program 372
Summary Claims Filed - By Claimant
As of September 19, 2019

Claimant Name	Claimant ID	FY 2016-17 (85 Claims)	FY 2017-18 (88 Claims)	Total claimed Amount (173 Claims)
City of Huntington Beach	9830376	\$ 1,044	\$ -	\$ 1,044
City of Orange	9830604	\$ 3,803	\$ 3,764	\$ 7,567
City of Santa Ana	9830830	\$ 45,437	\$ 30,882	\$ 76,319
City of Tustin	9830936	\$ 1,035	\$ 1,666	\$ 2,701
City of Roseville	9831748	\$ 1,550	\$ 3,922	\$ 5,472
Cathedral City	9833140	\$ 5,075	\$ 4,920	\$ 9,995
City of Corona	9833204	\$ 1,515	\$ 2,680	\$ 4,195
City of Moreno Valley	9833564	\$ 1,440	\$ 1,722	\$ 3,162
City of San Jacinto	9833794	\$ 1,401	\$ -	\$ 1,401
City of Sacramento	9834752	\$ 17,916	\$ 18,344	\$ 36,260
City of Chino	9836150	\$ 1,007	\$ 1,973	\$ 2,980
City of Fontana	9836306	\$ 12,088	\$ 7,497	\$ 19,585
City of Montclair	9836548	\$ 3,318	\$ 1,961	\$ 5,279
City of Rialto	9836722	\$ 6,014	\$ 10,501	\$ 16,515
City of San Bernardino	9836761	\$ 5,075	\$ 5,321	\$ 10,396
City of Escondido	9837282	\$ 3,538	\$ 4,051	\$ 7,589
City of Oceanside	9837598	\$ 2,064	\$ 3,480	\$ 5,544
City of San Marcos	9837815	\$ 2,706	\$ 3,758	\$ 6,464
City of Lodi	9839466	\$ 1,590	\$ 2,558	\$ 4,148
City of Stockton	9839900	\$ 6,361	\$ 11,066	\$ 17,427
City of Daly City	9841238	\$ 3,181	\$ 3,191	\$ 6,372
City of Redwood City	9841718	\$ 15,819	\$ 29,237	\$ 45,056
City of San Mateo	9841821	\$ 9,516	\$ 11,581	\$ 21,097
City of Mountain View	9843569	\$ 9,715	\$ 10,704	\$ 20,419
City of Palo Alto	9843626	\$ 3,380	\$ 1,216	\$ 4,596
City of San Jose	9843800	\$ 20,578	\$ 22,507	\$ 43,085
City of Santa Clara	9843835	\$ -	\$ 1,148	\$ 1,148
City of Sunnyvale	9843905	\$ 6,107	\$ 4,187	\$ 10,294
City of Fairfield	9848292	\$ 3,790	\$ 6,244	\$ 10,034
City of Suisun City	9848902	\$ 4,067	\$ 3,933	\$ 8,000
City of Vacaville	9848944	\$ 1,065	\$ 2,905	\$ 3,970
City of Vallejo	9848946	\$ 4,304	\$ 4,008	\$ 8,312
City of Santa Rosa	9849850	\$ 6,910	\$ 7,449	\$ 14,359
City of Modesto	9850539	\$ 3,505	\$ 4,424	\$ 7,929
City of Turlock	9850934	\$ -	\$ 2,364	\$ 2,364
City of Visalia	9854986	\$ 4,759	\$ 3,564	\$ 8,323
City of Oxnard	9856612	\$ 44,322	\$ 37,637	\$ 81,959
County of Alameda	9901	\$ 13,254	\$ 14,603	\$ 27,857
County of Los Angeles	9919	\$ 119,160	\$ 159,646	\$ 278,806
County of Madera	9920	\$ -	\$ 1,247	\$ 1,247

State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U Visa 918 Form Victims of Crime: Nonimmigrant Status - Program 372
 Summary Claims Filed - By Claimant
 As of September 19, 2019

Claimant Name	Claimant ID	FY 2016-17 (85 Claims)	FY 2017-18 (88 Claims)	Total claimed Amount (173 Claims)
County of Marin	9921	\$ 14,565	\$ 14,463	\$ 29,028
County of Monterey	9927	\$ 30,909	\$ 27,081	\$ 57,990
County of Napa	9928	\$ 1,101	\$ 2,471	\$ 3,572
County of Orange	9930	\$ 18,001	\$ 18,250	\$ 36,251
County of Riverside	9933	\$ 51,533	\$ 44,185	\$ 95,718
County of San Bernardino	9936	\$ 20,856	\$ 31,995	\$ 52,851
County of San Mateo	9941	\$ 11,895	\$ 12,095	\$ 23,990
County of Santa Barbara	9942	\$ 40,394	\$ 40,129	\$ 80,523
County of Santa Clara	9943	\$ 2,118	\$ 2,885	\$ 5,003
County of Santa Cruz	9944	\$ 4,748	\$ 4,844	\$ 9,592
County of Sonoma	9949	\$ 4,910	\$ 3,156	\$ 8,066
Grand Total		\$ 1,144,972	\$ 1,205,522	\$ 2,350,494

Footnote:

¹ Claimant combined grant funding into total and omitted offsetting revenue in calculation.

State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U-Visa 918 Form, Victims of Crime: Nonimmigrant Status - Program 372
 Detail of Claims Filed - FY 2016-17
 As of September 19, 2019

Claim Count	Claimant Name	Claimant ID	Reimbursable Activities								Total Indirect Cost	Less: Offsetting Revenues	Less: Other Reimbursements	Total Claimed Amount
			(1) Updating policies and procedures to incorporate the requirements of the test claim statute.	(2) Train Staff assigned to perform the reimbursable activities (one-time per employee).	(3) Receive and log the request.	(4) Review the request for U Visa certification and all documentation provided by the victim or victim's family member.	(5) The certifying official shall fully complete and sign the Form I-918 Supplement B certification.	(6) Transmit results to the victim or the victim's legal representative.	(7) File, log and close the case.	(8) Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.				
1	CITY OF FREMONT	9801318	\$ 9	\$ 14	\$ 48	\$ 2,151	\$ 1,613	\$ 243	\$ 48	\$ 5	\$ 1,334	\$ -	\$ -	\$ 5,465
2	CITY OF HAYWARD	9801358	\$ -	\$ -	\$ 2,551	\$ 10,206	\$ 5,103	\$ 2,551	\$ 2,551	\$ -	\$ 7,100	\$ -	\$ -	\$ 30,062
3	CITY OF OAKLAND	9801596	\$ -	\$ 1,285	\$ 12,662	\$ 29,503	\$ 9,834	\$ 14,055	\$ 8,443	\$ 10	\$ 23,442	\$ -	\$ -	\$ 99,234
4	CITY OF PLEASANT HILL	9807684	\$ -	\$ 102	\$ -	\$ 615	\$ 358	\$ -	\$ -	\$ 102	\$ 683	\$ -	\$ -	\$ 1,860
5	CITY OF RICHMOND	9807724	\$ -	\$ -	\$ 986	\$ 2,494	\$ 2,494	\$ 950	\$ 950	\$ -	\$ 3,187	\$ -	\$ -	\$ 11,062
6	CITY OF SAN PABLO	9807824	\$ -	\$ -	\$ -	\$ 337	\$ 1,126	\$ 225	\$ -	\$ -	\$ 701	\$ -	\$ -	\$ 2,389
7	CITY OF WALNUT CREEK	9807962	\$ 289	\$ -	\$ 125	\$ 1,447	\$ 482	\$ 251	\$ 125	\$ 96	\$ 1,442	\$ -	\$ -	\$ 4,259
8	CITY OF SOUTH LAKE TAHOE	9809886	\$ -	\$ -	\$ 94	\$ 188	\$ 222	\$ 31	\$ 94	\$ 24	\$ 543	\$ -	\$ -	\$ 1,197
9	CITY OF FRESNO	9810320	\$ -	\$ -	\$ 716	\$ 3,914	\$ 5,962	\$ 2,147	\$ 1,431	\$ 93	\$ 8,491	\$ -	\$ -	\$ 22,754
10	CITY OF PARLIER	9810632	\$ -	\$ -	\$ -	\$ 553	\$ -	\$ -	\$ 1,527	\$ -	\$ -	\$ -	\$ 400	\$ 1,680
11	CITY OF REEDLEY	9810720	\$ -	\$ 70	\$ 94	\$ 193	\$ 193	\$ 97	\$ 48	\$ -	\$ 406	\$ -	\$ -	\$ 1,103
12	CITY OF BAKERSFIELD	9815044	\$ -	\$ -	\$ 571	\$ 1,060	\$ 529	\$ 171	\$ 114	\$ -	\$ 496	\$ -	\$ -	\$ 2,941
13	CITY OF HANFORD	9816352	\$ 239	\$ 148	\$ 94	\$ 671	\$ 671	\$ 141	\$ 94	\$ -	\$ 1,093	\$ -	\$ -	\$ 3,151
14	CITY OF ALHAMBRA	9819005	\$ -	\$ -	\$ 46	\$ 184	\$ 2,467	\$ 138	\$ 46	\$ -	\$ 1,031	\$ -	\$ -	\$ 3,912
15	CITY OF ARCADIA	9819023	\$ -	\$ 142	\$ 28	\$ 178	\$ 95	\$ 55	\$ 55	\$ 42	\$ 457	\$ -	\$ -	\$ 1,052
16	CITY OF AZUSA	9819041	\$ -	\$ -	\$ -	\$ -	\$ 7,912	\$ 75	\$ -	\$ 375	\$ 3,207	\$ -	\$ -	\$ 11,570
17	CITY OF BALDWIN PARK	9819047	\$ -	\$ -	\$ 110	\$ 805	\$ 268	\$ 219	\$ 268	\$ 86	\$ 605	\$ -	\$ -	\$ 2,361
18	CITY OF DOWNEY	9819258	\$ -	\$ -	\$ 136	\$ 188	\$ 188	\$ 126	\$ -	\$ -	\$ 501	\$ -	\$ -	\$ 1,139
19	CITY OF EL MONTE	9819270	\$ -	\$ -	\$ 305	\$ 781	\$ 451	\$ 451	\$ 305	\$ -	\$ 721	\$ -	\$ -	\$ 3,014
20	CITY OF GARDENA	9819326	\$ -	\$ -	\$ 322	\$ 1,287	\$ 322	\$ 322	\$ 322	\$ 99	\$ 1,154	\$ -	\$ -	\$ 3,828
21	CITY OF GLENDALE	9819332	\$ -	\$ -	\$ 101	\$ 841	\$ 240	\$ 252	\$ 624	\$ 18	\$ 126	\$ -	\$ -	\$ 2,202
22	CITY OF GLENDORA	9819334	\$ -	\$ 228	\$ 25	\$ 63	\$ 254	\$ 10	\$ 5	\$ -	\$ 475	\$ -	\$ -	\$ 1,061
23	CITY OF HAWTHORNE	9819356	\$ -	\$ 1,223	\$ -	\$ -	\$ -	\$ 611	\$ 1,223	\$ 38	\$ 1,235	\$ -	\$ -	\$ 4,330
24	CITY OF INGLEWOOD	9819390	\$ -	\$ -	\$ 477	\$ 955	\$ 1,432	\$ 159	\$ 79	\$ -	\$ 961	\$ -	\$ -	\$ 4,063
25	CITY OF LOS ANGELES	9819487	\$ -	\$ 4,481	\$ 14,207	\$ 94,711	\$ 21,716	\$ 8,685	\$ 21,716	\$ 22	\$ 74,324	\$ -	\$ -	\$ 239,862
26	CITY OF LYNWOOD	9819499	\$ 60	\$ -	\$ 591	\$ 1,476	\$ 1,687	\$ 492	\$ 984	\$ 90	\$ 603	\$ -	\$ -	\$ 5,984
27	CITY OF PALMDALE	9819620	\$ -	\$ 241	\$ 331	\$ 994	\$ 1,406	\$ 663	\$ 331	\$ -	\$ 480	\$ -	\$ -	\$ 4,447
28	CITY OF PARAMOUNT	9819631	\$ -	\$ -	\$ 233	\$ 467	\$ 1,167	\$ 117	\$ 117	\$ -	\$ -	\$ -	\$ -	\$ 2,100
29	CITY OF PASADENA	9819638	\$ -	\$ -	\$ 808	\$ 7,248	\$ 2,417	\$ 808	\$ 808	\$ 91	\$ 2,546	\$ -	\$ -	\$ 14,726
30	CITY OF SAN DIMAS	9819779	\$ -	\$ -	\$ 139	\$ 1,109	\$ 555	\$ 139	\$ 139	\$ -	\$ 208	\$ -	\$ -	\$ 2,287
31	CITY OF SAN GABRIEL	9819788	\$ -	\$ -	\$ 285	\$ 285	\$ 2,685	\$ 1,425	\$ 285	\$ 63	\$ 4,998	\$ -	\$ -	\$ 10,026
32	CITY OF SANTA CLARITA	9819836	\$ -	\$ -	\$ 191	\$ 287	\$ 941	\$ 478	\$ 287	\$ 5	\$ -	\$ -	\$ -	\$ 2,189
33	CITY OF WHITTIER	9819978	\$ -	\$ -	\$ 223	\$ 667	\$ 223	\$ 444	\$ 223	\$ 95	\$ 324	\$ -	\$ -	\$ 2,199
34	CITY OF ANAHEIM	9830015	\$ -	\$ -	\$ 3,642	\$ 2,429	\$ 4,468	\$ 1,213	\$ 1,213	\$ 115	\$ 5,584	\$ -	\$ -	\$ 18,664
35	CITY OF BUENA PARK	9830110	\$ -	\$ -	\$ 17	\$ 259	\$ 519	\$ 17	\$ 17	\$ -	\$ 687	\$ -	\$ -	\$ 1,517
36	CITY OF COSTA MESA	9830213	\$ 1,002	\$ -	\$ 981	\$ 1,963	\$ 1,826	\$ 981	\$ 981	\$ 205	\$ 5,082	\$ -	\$ -	\$ 13,023
37	CITY OF FULLERTON	9830322	\$ -	\$ -	\$ 596	\$ 895	\$ 895	\$ 119	\$ 179	\$ 138	\$ 998	\$ -	\$ -	\$ 3,820
38	CITY OF HUNTINGTON BEACH	9830376	\$ -	\$ -	\$ 35	\$ 407	\$ 396	\$ 35	\$ 35	\$ -	\$ 136	\$ -	\$ -	\$ 1,044
39	CITY OF ORANGE	9830604	\$ -	\$ -	\$ 585	\$ 875	\$ 1,123	\$ 117	\$ 175	\$ -	\$ 928	\$ -	\$ -	\$ 3,803
40	CITY OF SANTA ANA	9830830	\$ 584	\$ 216	\$ 4,199	\$ 16,064	\$ 8,032	\$ 4,199	\$ 4,199	\$ -	\$ 7,944	\$ -	\$ -	\$ 45,437
41	CITY OF TUSTIN	9830936	\$ -	\$ 52	\$ 101	\$ 108	\$ 184	\$ 85	\$ 56	\$ -	\$ 449	\$ -	\$ -	\$ 1,035
42	CITY OF ROSEVILLE	9831748	\$ -	\$ 63	\$ 147	\$ 147	\$ 147	\$ 147	\$ 147	\$ -	\$ 754	\$ -	\$ -	\$ 1,550
43	CATHEDRAL CITY	9833140	\$ -	\$ 495	\$ 117	\$ 1,403	\$ 701	\$ 351	\$ 117	\$ -	\$ 1,891	\$ -	\$ -	\$ 5,075
44	CITY OF CORONA	9833204	\$ -	\$ -	\$ 145	\$ 348	\$ 203	\$ 145	\$ 145	\$ 145	\$ 384	\$ -	\$ -	\$ 1,515
45	CITY OF MORENO VALLEY	9833564	\$ -	\$ -	\$ 205	\$ 436	\$ 359	\$ 220	\$ 220	\$ -	\$ -	\$ -	\$ -	\$ 1,440
46	CITY OF SAN JACINTO	9833794	\$ -	\$ -	\$ 75	\$ 150	\$ 851	\$ 75	\$ 150	\$ 100	\$ -	\$ -	\$ -	\$ 1,401
47	CITY OF SACRAMENTO	9834752	\$ -	\$ -	\$ 3,940	\$ 4,466	\$ 1,314	\$ 1,314	\$ 1,314	\$ 46	\$ 5,522	\$ -	\$ -	\$ 17,916
48	CITY OF CHINO	9836150	\$ -	\$ -	\$ 32	\$ 254	\$ 191	\$ 32	\$ 32	\$ -	\$ 467	\$ -	\$ -	\$ 1,007
49	CITY OF FONTANA	9836306	\$ -	\$ -	\$ 376	\$ 1,129	\$ 8,215	\$ 501	\$ 251	\$ 87	\$ 1,527	\$ -	\$ -	\$ 12,088
50	CITY OF MONTCLAIR	9836548	\$ -	\$ -	\$ 222	\$ 886	\$ 377	\$ 222	\$ 222	\$ -	\$ 1,390	\$ -	\$ -	\$ 3,318

State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U-Visa 918 Form, Victims of Crime: Nonimmigrant Status - Program 372
 Detail of Claims Filed - FY 2016-17
 As of September 19, 2019

Claim Count	Claimant Name	Claimant ID	Reimbursable Activities								Total Indirect Cost	Less: Offsetting Revenues	Less: Other Reimbursements	Total Claimed Amount
			(1) Updating policies and procedures to incorporate the requirements of the test claim statute.	(2) Train Staff assigned to perform the reimbursable activities (one-time per employee).	(3) Receive and log the request.	(4) Review the request for U Visa certification and all documentation provided by the victim or victim's family member.	(5) The certifying official shall fully complete and sign the Form I-918 Supplement B certification.	(6) Transmit results to the victim or the victim's legal representative.	(7) File, log and close the case.	(8) Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.				
51	CITY OF RIALTO	9836722	\$ 124	\$ 367	\$ 109	\$ 1,288	\$ 917	\$ 280	\$ 280	\$ -	\$ 2,648	\$ -	\$ -	\$ 6,014
52	CITY OF SAN BERNARDINO	9836761	\$ -	\$ -	\$ 422	\$ 2,139	\$ 642	\$ 181	\$ 302	\$ 3	\$ 1,386	\$ -	\$ -	\$ 5,075
53	CITY OF ESCONDIDO	9837282	\$ -	\$ -	\$ -	\$ -	\$ 2,449	\$ 49	\$ -	\$ 247	\$ 792	\$ -	\$ -	\$ 3,538
54	CITY OF OCEANSIDE	9837598	\$ -	\$ 54	\$ 312	\$ 312	\$ 312	\$ 312	\$ 312	\$ 14	\$ 436	\$ -	\$ -	\$ 2,064
55	CITY OF SAN MARCOS	9837815	\$ -	\$ 239	\$ 112	\$ 279	\$ 670	\$ 112	\$ 112	\$ -	\$ 1,183	\$ -	\$ -	\$ 2,706
56	CITY OF LODI	9839466	\$ -	\$ 184	\$ 154	\$ 346	\$ 230	\$ 46	\$ 46	\$ -	\$ 583	\$ -	\$ -	\$ 1,590
57	CITY OF STOCKTON	9839900	\$ -	\$ -	\$ 285	\$ 1,901	\$ 2,315	\$ 95	\$ 191	\$ 2	\$ 1,572	\$ -	\$ -	\$ 6,361
58	CITY OF DALY CITY	9841238	\$ -	\$ -	\$ 192	\$ 786	\$ 1,399	\$ 192	\$ 192	\$ -	\$ 420	\$ -	\$ -	\$ 3,181
59	CITY OF REDWOOD CITY	9841718	\$ -	\$ -	\$ -	\$ -	\$ 5,187	\$ 251	\$ -	\$ 5,190	\$ 5,190	\$ -	\$ -	\$ 15,819
60	CITY OF SAN MATEO	9841821	\$ 124	\$ 100	\$ 650	\$ 3,839	\$ 1,280	\$ 434	\$ 217	\$ -	\$ 2,872	\$ -	\$ -	\$ 9,516
61	CITY OF MOUNTAIN VIEW	9843569	\$ -	\$ -	\$ -	\$ -	\$ 3,930	\$ -	\$ -	\$ 3,930	\$ 1,855	\$ -	\$ -	\$ 9,715
62	CITY OF PALO ALTO	9843626	\$ -	\$ -	\$ 174	\$ 693	\$ 346	\$ 693	\$ 520	\$ 9	\$ 945	\$ -	\$ -	\$ 3,380
63	CITY OF SAN JOSE	9843800	\$ -	\$ 58	\$ 1,957	\$ 3,959	\$ 6,111	\$ 3,028	\$ 1,515	\$ 58	\$ 3,892	\$ -	\$ -	\$ 20,578
64	CITY OF SUNNYVALE	9843905	\$ -	\$ -	\$ 448	\$ 2,085	\$ 2,085	\$ 352	\$ 234	\$ -	\$ 903	\$ -	\$ -	\$ 6,107
65	CITY OF FAIRFIELD	9848292	\$ -	\$ -	\$ 269	\$ 1,610	\$ 326	\$ 269	\$ 269	\$ 33	\$ 1,014	\$ -	\$ -	\$ 3,790
66	CITY OF SUISUN CITY	9848902	\$ -	\$ -	\$ 356	\$ 713	\$ 713	\$ 475	\$ 238	\$ -	\$ 1,573	\$ -	\$ -	\$ 4,067
67	CITY OF VACAVILLE	9848944	\$ -	\$ -	\$ 50	\$ 451	\$ 237	\$ 50	\$ 50	\$ -	\$ 227	\$ -	\$ -	\$ 1,065
68	CITY OF VALLEJO	9848946	\$ -	\$ -	\$ 165	\$ 1,229	\$ 1,233	\$ 410	\$ 164	\$ 62	\$ 1,041	\$ -	\$ -	\$ 4,304
69	CITY OF SANTA ROSA	9849850	\$ -	\$ -	\$ 952	\$ 1,905	\$ 952	\$ 952	\$ 952	\$ 61	\$ 1,136	\$ -	\$ -	\$ 6,910
70	CITY OF MODESTO	9850539	\$ -	\$ -	\$ -	\$ -	\$ 2,478	\$ 37	\$ -	\$ 187	\$ 802	\$ -	\$ -	\$ 3,505
71	CITY OF VISALIA	9854956	\$ -	\$ -	\$ 478	\$ 957	\$ 957	\$ 478	\$ 478	\$ 86	\$ 1,325	\$ -	\$ -	\$ 4,759
72	CITY OF OXNARD	9856612	\$ -	\$ -	\$ 1,742	\$ 18,423	\$ 6,141	\$ 6,085	\$ 581	\$ 85	\$ 11,266	\$ -	\$ -	\$ 44,322
73	COUNTY OF ALAMEDA	9901	\$ -	\$ -	\$ 885	\$ 5,253	\$ 2,501	\$ 1,477	\$ 2,298	\$ 121	\$ 719	\$ -	\$ -	\$ 13,254
74	COUNTY OF LOS ANGELES	9919	\$ -	\$ -	\$ 5,294	\$ 69,822	\$ 6,529	\$ 4,880	\$ 3,106	\$ -	\$ 29,531	\$ -	\$ -	\$ 119,160
75	COUNTY OF MARIN	9921	\$ -	\$ -	\$ -	\$ 10,775	\$ -	\$ -	\$ -	\$ -	\$ 3,790	\$ -	\$ -	\$ 14,565
76	COUNTY OF MONTEREY	9927	\$ 1,617	\$ 1,089	\$ 919	\$ 9,184	\$ 6,368	\$ 615	\$ 2,048	\$ 36	\$ 9,033	\$ -	\$ -	\$ 30,909
77	COUNTY OF NAPA	9928	\$ -	\$ -	\$ 103	\$ 577	\$ -	\$ -	\$ 103	\$ 72	\$ 246	\$ -	\$ -	\$ 1,101
78	COUNTY OF ORANGE	9930	\$ -	\$ -	\$ 1,186	\$ 3,557	\$ 2,372	\$ 1,186	\$ 2,372	\$ 1,186	\$ 6,142	\$ -	\$ -	\$ 18,001
79	COUNTY OF RIVERSIDE	9933	\$ 9,474	\$ 1,170	\$ 4,148	\$ 8,795	\$ 8,577	\$ 1,049	\$ 5,817	\$ 920	\$ 11,583	\$ -	\$ -	\$ 51,533
80	COUNTY OF SAN BERNARDINO	9936	\$ -	\$ -	\$ 989	\$ 1,978	\$ 8,365	\$ 989	\$ 989	\$ 87	\$ 7,459	\$ -	\$ -	\$ 20,856
81	COUNTY OF SAN MATEO	9941	\$ -	\$ -	\$ 780	\$ 3,119	\$ 2,339	\$ 780	\$ -	\$ 99	\$ 4,778	\$ -	\$ -	\$ 11,895
82	COUNTY OF SANTA BARBARA	9942	\$ -	\$ -	\$ 11,042	\$ 44,168	\$ 11,819	\$ 11,042	\$ 11,042	\$ 62	\$ 6,495	\$ -	\$ 55,276	\$ 40,394 ¹
83	COUNTY OF SANTA CLARA	9943	\$ -	\$ -	\$ 266	\$ 531	\$ 266	\$ 266	\$ 266	\$ -	\$ 523	\$ -	\$ -	\$ 2,118
84	COUNTY OF SANTA CRUZ	9944	\$ -	\$ 846	\$ 441	\$ 1,322	\$ 293	\$ 293	\$ 293	\$ -	\$ 1,260	\$ -	\$ -	\$ 4,748
85	COUNTY OF SONOMA	9949	\$ -	\$ -	\$ 696	\$ 2,751	\$ -	\$ 191	\$ 152	\$ -	\$ 1,120	\$ -	\$ -	\$ 4,910
Grand Total FY 2016-17			\$ 13,522	\$ 11,644	\$ 88,713	\$ 402,824	\$ 195,153	\$ 83,853	\$ 87,834	\$ 14,740	\$ 302,357	\$ -	\$ 55,676	\$ 1,144,972

Footnote:
¹ Claimant combined grant funding into total and omitted offsetting revenue in calculation.

State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U-Visa 918 Form, Victims of Crime: Nonimmigrant Status - Program 372
 Detail of Claims Filed - FY 2017-18
 As of September 19, 2019

Claim Count	Claimant Name	Claimant ID	Reimbursable Activities								(8) Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.	Total Indirect Cost	Less: Offsetting Revenues	Less: Other Reimbursements	Total Claimed Amount
			(1) Updating policies and procedures to incorporate the requirements of the test claim statute.	(2) Train Staff assigned to perform the reimbursable activities (one-time per employee).	(3) Receive and log the request.	(4) Review the request for U Visa certification and all documentation provided by the victim or victim's family member.	(5) The certifying official shall fully complete and sign the Form I-918 Supplement B certification.	(6) Transmit results to the victim or the victim's legal representative.	(7) File, log and close the case.						
1	CITY OF FREMONT	9801318	\$ -	\$ -	\$ 58	\$ 2,640	\$ 1,584	\$ 291	\$ 58	\$ 6	\$ 1,234	\$ -	\$ -	\$ 5,871	
2	CITY OF HAYWARD	9801358	\$ -	\$ -	\$ 2,442	\$ 9,767	\$ 4,883	\$ 2,442	\$ 2,442	\$ -	\$ 7,393	\$ -	\$ -	\$ 29,369	
3	CITY OF OAKLAND	9801596	\$ -	\$ 836	\$ 10,334	\$ 27,722	\$ 9,241	\$ 12,686	\$ 6,890	\$ 12	\$ 22,754	\$ -	\$ -	\$ 90,475	
4	CITY OF PLEASANT HILL	9807684	\$ -	\$ -	\$ -	\$ 431	\$ 288	\$ -	\$ -	\$ 108	\$ 524	\$ -	\$ -	\$ 1,350	
5	CITY OF RICHMOND	9807724	\$ -	\$ -	\$ 2,301	\$ 5,740	\$ 5,740	\$ -	\$ 2,300	\$ -	\$ 7,574	\$ -	\$ -	\$ 23,655	
6	CITY OF SAN PABLO	9807824	\$ -	\$ -	\$ -	\$ 204	\$ 680	\$ 136	\$ -	\$ -	\$ 422	\$ -	\$ -	\$ 1,442	
7	CITY OF WALNUT CREEK	9807962	\$ -	\$ -	\$ 133	\$ 1,536	\$ 512	\$ 266	\$ 133	\$ 102	\$ 1,470	\$ -	\$ -	\$ 4,154	
8	CITY OF SOUTH LAKE TAHOE	9809886	\$ -	\$ -	\$ 211	\$ 422	\$ 497	\$ 70	\$ 211	\$ 23	\$ 1,227	\$ -	\$ -	\$ 2,661	
9	CITY OF FRESNO	9810320	\$ -	\$ -	\$ 791	\$ 4,188	\$ 5,927	\$ 2,374	\$ 1,583	\$ 93	\$ 10,320	\$ -	\$ -	\$ 25,277	
10	CITY OF PARLIER	9810632	\$ -	\$ -	\$ -	\$ 553	\$ -	\$ -	\$ 1,527	\$ -	\$ -	\$ -	\$ 400	\$ 1,680	
11	CITY OF REEDLEY	9810720	\$ -	\$ -	\$ 94	\$ 192	\$ 192	\$ 96	\$ 48	\$ -	\$ 410	\$ -	\$ -	\$ 1,031	
12	CITY OF BAKERSFIELD	9815044	\$ -	\$ -	\$ 554	\$ 1,028	\$ 513	\$ 166	\$ 111	\$ -	\$ 525	\$ -	\$ -	\$ 2,897	
13	CITY OF HANFORD	9816352	\$ -	\$ -	\$ 133	\$ 963	\$ 963	\$ 203	\$ 133	\$ -	\$ 1,497	\$ -	\$ -	\$ 3,892	
14	CITY OF ALHAMBRA	9819005	\$ -	\$ -	\$ 43	\$ 170	\$ 2,231	\$ 127	\$ 43	\$ -	\$ 1,006	\$ -	\$ -	\$ 3,620	
15	CITY OF ARCADIA	9819023	\$ -	\$ -	\$ 44	\$ 247	\$ 111	\$ 88	\$ 88	\$ 45	\$ 494	\$ -	\$ -	\$ 1,118	
16	CITY OF AZUSA	9819041	\$ -	\$ -	\$ -	\$ -	\$ 6,666	\$ 76	\$ -	\$ 380	\$ 2,895	\$ -	\$ -	\$ 10,016	
17	CITY OF BALDWIN PARK	9819047	\$ -	\$ -	\$ 168	\$ 1,181	\$ 394	\$ 338	\$ 394	\$ 88	\$ 827	\$ -	\$ -	\$ 3,390	
18	CITY OF BELL GARDENS	9819065	\$ -	\$ -	\$ 338	\$ 675	\$ 143	\$ 338	\$ 338	\$ 91	\$ 604	\$ -	\$ -	\$ 2,527	
19	CITY OF CLAREMONT	9819159	\$ -	\$ 195	\$ 26	\$ 76	\$ 156	\$ 52	\$ 26	\$ 56	\$ 495	\$ -	\$ -	\$ 1,083	
20	CITY OF DOWNEY	9819258	\$ -	\$ -	\$ 120	\$ 164	\$ 164	\$ 109	\$ -	\$ -	\$ 469	\$ -	\$ -	\$ 1,027	
21	CITY OF EL MONTE	9819270	\$ -	\$ -	\$ 336	\$ 831	\$ 484	\$ 484	\$ 336	\$ -	\$ 594	\$ -	\$ -	\$ 3,065	
22	CITY OF GARDENA	9819326	\$ -	\$ -	\$ 478	\$ 1,911	\$ 478	\$ 478	\$ 478	\$ 137	\$ 1,697	\$ -	\$ -	\$ 5,657	
23	CITY OF GLENDALE	9819332	\$ -	\$ -	\$ 110	\$ 883	\$ 232	\$ 287	\$ 649	\$ 17	\$ 140	\$ -	\$ -	\$ 2,318	
24	CITY OF HAWTHORNE	9819356	\$ -	\$ -	\$ 514	\$ -	\$ -	\$ 258	\$ 514	\$ 35	\$ 498	\$ -	\$ -	\$ 1,819	
25	CITY OF INGLEWOOD	9819390	\$ -	\$ -	\$ 527	\$ 1,053	\$ 1,582	\$ 156	\$ 78	\$ -	\$ 835	\$ -	\$ -	\$ 4,231	
26	CITY OF LOS ANGELES	9819487	\$ -	\$ -	\$ 14,633	\$ 97,556	\$ 21,155	\$ 8,461	\$ 21,155	\$ 22	\$ 73,021	\$ -	\$ -	\$ 236,003	
27	CITY OF LYNWOOD	9819499	\$ 63	\$ -	\$ 531	\$ 1,326	\$ 1,432	\$ 442	\$ 884	\$ 95	\$ 558	\$ -	\$ -	\$ 5,331	
28	CITY OF PALMDALE	9819620	\$ -	\$ 253	\$ 389	\$ 1,168	\$ 1,421	\$ 779	\$ 389	\$ -	\$ 554	\$ -	\$ -	\$ 4,955	
29	CITY OF PARAMOUNT	9819631	\$ -	\$ -	\$ 142	\$ 283	\$ 708	\$ 71	\$ 71	\$ -	\$ -	\$ -	\$ -	\$ 1,275	
30	CITY OF PASADENA	9819638	\$ -	\$ -	\$ 901	\$ 7,926	\$ 2,641	\$ 901	\$ 901	\$ 93	\$ 2,966	\$ -	\$ -	\$ 16,329	
31	CITY OF SAN DIMAS	9819779	\$ -	\$ -	\$ 158	\$ 1,268	\$ 634	\$ 158	\$ 158	\$ -	\$ 238	\$ -	\$ -	\$ 2,614	
32	CITY OF SAN GABRIEL	9819788	\$ -	\$ -	\$ 100	\$ 100	\$ 1,595	\$ 601	\$ 33	\$ 67	\$ 2,419	\$ -	\$ -	\$ 4,916	
33	CITY OF SANTA CLARITA	9819836	\$ -	\$ -	\$ 122	\$ 183	\$ 576	\$ 304	\$ 183	\$ 4	\$ -	\$ -	\$ -	\$ 1,372	
34	CITY OF SANTA MONICA	9819845	\$ -	\$ 112	\$ 321	\$ 1,924	\$ 818	\$ 321	\$ 321	\$ -	\$ 239	\$ -	\$ -	\$ 4,054	
35	CITY OF WHITTIER	9819978	\$ -	\$ -	\$ 213	\$ 637	\$ 213	\$ 425	\$ 213	\$ 95	\$ 335	\$ -	\$ -	\$ 2,131	
36	CITY OF ANAHEIM	9830015	\$ -	\$ -	\$ 3,233	\$ 2,155	\$ 4,397	\$ 1,078	\$ 1,078	\$ 116	\$ 5,597	\$ -	\$ -	\$ 17,654	
37	CITY OF BUENA PARK	9830110	\$ -	\$ -	\$ 17	\$ 255	\$ 511	\$ 17	\$ 17	\$ -	\$ 510	\$ -	\$ -	\$ 1,327	
38	CITY OF COSTA MESA	9830213	\$ -	\$ 140	\$ 1,310	\$ 2,620	\$ 2,340	\$ 1,310	\$ 1,310	\$ 211	\$ 6,127	\$ -	\$ -	\$ 15,368	
39	CITY OF FULLERTON	9830322	\$ -	\$ -	\$ 586	\$ 878	\$ 1,757	\$ 117	\$ 175	\$ 141	\$ 1,499	\$ -	\$ -	\$ 5,153	
40	CITY OF ORANGE	9830604	\$ -	\$ -	\$ 632	\$ 949	\$ 949	\$ 126	\$ 189	\$ -	\$ 919	\$ -	\$ -	\$ 3,764	
41	CITY OF SANTA ANA	9830830	\$ -	\$ -	\$ 2,850	\$ 10,862	\$ 5,432	\$ 2,850	\$ 2,850	\$ 518	\$ 5,520	\$ -	\$ -	\$ 30,882	
42	CITY OF TUSTIN	9830936	\$ -	\$ -	\$ 195	\$ 221	\$ 213	\$ 172	\$ 122	\$ -	\$ 744	\$ -	\$ -	\$ 1,666	
43	CITY OF ROSEVILLE	9831748	\$ -	\$ -	\$ 265	\$ 450	\$ 795	\$ 265	\$ 265	\$ -	\$ 1,882	\$ -	\$ -	\$ 3,922	
44	CATHEDRAL CITY	9833140	\$ -	\$ -	\$ 134	\$ 1,608	\$ 804	\$ 402	\$ 134	\$ -	\$ 1,838	\$ -	\$ -	\$ 4,920	
45	CITY OF CORONA	9833204	\$ -	\$ -	\$ 250	\$ 607	\$ 357	\$ 250	\$ 250	\$ 250	\$ 716	\$ -	\$ -	\$ 2,680	
46	CITY OF MORENO VALLEY	9833564	\$ -	\$ -	\$ 240	\$ 528	\$ 438	\$ 258	\$ 258	\$ -	\$ -	\$ -	\$ -	\$ 1,722	
47	CITY OF SACRAMENTO	9834752	\$ -	\$ -	\$ 3,721	\$ 4,218	\$ 1,240	\$ 1,240	\$ 1,240	\$ 49	\$ 6,636	\$ -	\$ -	\$ 18,344	
48	CITY OF CHINO	9836150	\$ -	\$ -	\$ 57	\$ 440	\$ 440	\$ 57	\$ 57	\$ -	\$ 924	\$ -	\$ -	\$ 1,973	
49	CITY OF FONTANA	9836306	\$ -	\$ -	\$ 232	\$ 697	\$ 5,069	\$ 309	\$ 155	\$ 87	\$ 947	\$ -	\$ -	\$ 7,497	
50	CITY OF MONTCLAIR	9836548	\$ -	\$ -	\$ 137	\$ 547	\$ 171	\$ 137	\$ 137	\$ -	\$ 833	\$ -	\$ -	\$ 1,961	
51	CITY OF RIALTO	9836722	\$ -	\$ -	\$ 221	\$ 2,697	\$ 1,914	\$ 586	\$ 586	\$ -	\$ 4,497	\$ -	\$ -	\$ 10,501	

State Controller's Office
 LGPSD/BOP - Local Reimbursements Section
 U-Visa 918 Form, Victims of Crime: Nonimmigrant Status - Program 372
 Detail of Claims Filed - FY 2017-18
 As of September 19, 2019

Claim Count	Claimant Name	Claimant ID	Reimbursable Activities								(8) Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.	Total Indirect Cost	Less: Offsetting Revenues	Less: Other Reimbursements	Total Claimed Amount
			(1) Updating policies and procedures to incorporate the requirements of the test claim statute.	(2) Train Staff assigned to perform the reimbursable activities (one-time per employee).	(3) Receive and log the request.	(4) Review the request for U Visa certification and all documentation provided by the victim or victim's family member.	(5) The certifying official shall fully complete and sign the Form I-918 Supplement B certification.	(6) Transmit results to the victim or the victim's legal representative.	(7) File, log and close the case.						
52	CITY OF SAN BERNARDINO	9836761	\$ -	\$ -	\$ 327	\$ 2,497	\$ 749	\$ 140	\$ 235	\$ 5	\$ 1,368	\$ -	\$ -	\$ 5,321	
53	CITY OF ESCONDIDO	9837282	\$ -	\$ -	\$ -	\$ -	\$ 2,859	\$ 51	\$ -	\$ 253	\$ 888	\$ -	\$ -	\$ 4,051	
54	CITY OF OCEANSIDE	9837598	\$ -	\$ 53	\$ 540	\$ 540	\$ 540	\$ 540	\$ 540	\$ 13	\$ 714	\$ -	\$ -	\$ 3,480	
55	CITY OF SAN MARCOS	9837815	\$ -	\$ 253	\$ 173	\$ 433	\$ 1,006	\$ 173	\$ 173	\$ -	\$ 1,546	\$ -	\$ -	\$ 3,758	
56	CITY OF LODI	9839466	\$ -	\$ -	\$ 308	\$ 694	\$ 463	\$ 66	\$ 66	\$ -	\$ 961	\$ -	\$ -	\$ 2,558	
57	CITY OF STOCKTON	9839900	\$ -	\$ -	\$ 479	\$ 3,187	\$ 3,768	\$ 159	\$ 318	\$ 2	\$ 3,153	\$ -	\$ -	\$ 11,066	
58	CITY OF DALY CITY	9841238	\$ -	\$ 202	\$ 202	\$ 785	\$ 1,397	\$ 202	\$ 202	\$ -	\$ 403	\$ -	\$ -	\$ 3,191	
59	CITY OF REDWOOD CITY	9841718	\$ -	\$ -	\$ -	\$ -	\$ 9,568	\$ 243	\$ -	\$ 9,568	\$ 9,858	\$ -	\$ -	\$ 29,237	
60	CITY OF SAN MATEO	9841821	\$ -	\$ -	\$ 800	\$ 4,723	\$ 1,574	\$ 533	\$ 267	\$ -	\$ 3,685	\$ -	\$ -	\$ 11,581	
61	CITY OF MOUNTAIN VIEW	9843569	\$ -	\$ -	\$ -	\$ -	\$ 4,253	\$ -	\$ -	\$ 4,253	\$ 2,197	\$ -	\$ -	\$ 10,704	
62	CITY OF PALO ALTO	9843626	\$ -	\$ -	\$ 59	\$ 241	\$ 121	\$ 241	\$ 180	\$ 11	\$ 363	\$ -	\$ -	\$ 1,216	
63	CITY OF SAN JOSE	9843800	\$ -	\$ -	\$ 2,061	\$ 4,820	\$ 6,250	\$ 3,170	\$ 1,585	\$ 60	\$ 4,561	\$ -	\$ -	\$ 22,507	
64	CITY OF SANTA CLARA	9843835	\$ -	\$ -	\$ 169	\$ 339	\$ 169	\$ 169	\$ 169	\$ -	\$ 133	\$ -	\$ -	\$ 1,148	
65	CITY OF SUNNYVALE	9843905	\$ -	\$ -	\$ 376	\$ 1,340	\$ 1,340	\$ 239	\$ 160	\$ -	\$ 732	\$ -	\$ -	\$ 4,187	
66	CITY OF FAIRFIELD	9848292	\$ -	\$ -	\$ 444	\$ 2,660	\$ 625	\$ 444	\$ 444	\$ 33	\$ 1,594	\$ -	\$ -	\$ 6,244	
67	CITY OF SUISUN CITY	9848902	\$ -	\$ -	\$ 341	\$ 681	\$ 681	\$ 454	\$ 227	\$ -	\$ 1,549	\$ -	\$ -	\$ 3,933	
68	CITY OF VACAVILLE	9848944	\$ 138	\$ -	\$ 140	\$ 1,252	\$ 531	\$ 140	\$ 140	\$ -	\$ 564	\$ -	\$ -	\$ 2,905	
69	CITY OF VALLEJO	9848946	\$ -	\$ -	\$ 146	\$ 1,100	\$ 1,195	\$ 366	\$ 146	\$ 63	\$ 992	\$ -	\$ -	\$ 4,008	
70	CITY OF SANTA ROSA	9849850	\$ -	\$ -	\$ 1,033	\$ 2,068	\$ 1,033	\$ 1,033	\$ 1,033	\$ 66	\$ 1,183	\$ -	\$ -	\$ 7,449	
71	CITY OF MODESTO	9850539	\$ -	\$ -	\$ -	\$ -	\$ 3,217	\$ 39	\$ -	\$ 195	\$ 973	\$ -	\$ -	\$ 4,424	
72	CITY OF TURLOCK	9850934	\$ -	\$ -	\$ 93	\$ 1,078	\$ 359	\$ 93	\$ 93	\$ 13	\$ 635	\$ -	\$ -	\$ 2,364	
73	CITY OF VISALIA	9854956	\$ -	\$ -	\$ 344	\$ 687	\$ 687	\$ 344	\$ 344	\$ 87	\$ 1,071	\$ -	\$ -	\$ 3,564	
74	CITY OF OXNARD	9856612	\$ -	\$ -	\$ 1,731	\$ 18,306	\$ 6,102	\$ 1,526	\$ 577	\$ 86	\$ 9,309	\$ -	\$ -	\$ 37,637	
75	COUNTY OF ALAMEDA	9901	\$ -	\$ -	\$ 1,061	\$ 5,656	\$ 2,909	\$ 1,590	\$ 2,474	\$ 121	\$ 792	\$ -	\$ -	\$ 14,603	
76	COUNTY OF LOS ANGELES	9919	\$ -	\$ -	\$ 5,077	\$ 87,156	\$ 11,295	\$ 7,716	\$ 4,008	\$ -	\$ 44,395	\$ -	\$ -	\$ 159,646	
77	COUNTY OF MADERA	9920	\$ -	\$ -	\$ 27	\$ 341	\$ 408	\$ 68	\$ 27	\$ -	\$ 376	\$ -	\$ -	\$ 1,247	
78	COUNTY OF MARIN	9921	\$ -	\$ -	\$ -	\$ 11,229	\$ -	\$ -	\$ -	\$ -	\$ 3,234	\$ -	\$ -	\$ 14,463	
79	COUNTY OF MONTEREY	9927	\$ 3,192	\$ 3,627	\$ 538	\$ 5,383	\$ 4,897	\$ 422	\$ 1,410	\$ 35	\$ 7,577	\$ -	\$ -	\$ 27,081	
80	COUNTY OF NAPA	9928	\$ -	\$ -	\$ -	\$ 1,641	\$ -	\$ -	\$ -	\$ 65	\$ 765	\$ -	\$ -	\$ 2,471	
81	COUNTY OF ORANGE	9930	\$ -	\$ -	\$ 1,386	\$ 4,156	\$ 2,771	\$ 1,386	\$ 2,771	\$ 1,386	\$ 4,394	\$ -	\$ -	\$ 18,250	
82	COUNTY OF RIVERSIDE	9933	\$ -	\$ -	\$ 6,020	\$ 11,804	\$ 7,601	\$ 1,384	\$ 6,227	\$ 930	\$ 10,219	\$ -	\$ -	\$ 44,185	
83	COUNTY OF SAN BERNARDINO	9936	\$ -	\$ -	\$ 1,557	\$ 3,113	\$ 13,089	\$ 1,557	\$ 1,557	\$ 90	\$ 11,032	\$ -	\$ -	\$ 31,995	
84	COUNTY OF SAN MATEO	9941	\$ -	\$ -	\$ 789	\$ 3,155	\$ 2,366	\$ 789	\$ -	\$ 101	\$ 4,895	\$ -	\$ -	\$ 12,095	
85	COUNTY OF SANTA BARBARA	9942	\$ -	\$ -	\$ 9,259	\$ 37,036	\$ 10,953	\$ 9,259	\$ 9,259	\$ 63	\$ 7,530	\$ -	\$ 43,230	\$ 40,129 ¹	
86	COUNTY OF SANTA CLARA	9943	\$ -	\$ -	\$ 348	\$ 696	\$ 348	\$ 348	\$ 348	\$ -	\$ 797	\$ -	\$ -	\$ 2,885	
87	COUNTY OF SANTA CRUZ	9944	\$ -	\$ 869	\$ 380	\$ 1,140	\$ 254	\$ 254	\$ 254	\$ -	\$ 1,693	\$ -	\$ -	\$ 4,844	
88	COUNTY OF SONOMA	9949	\$ -	\$ -	\$ 537	\$ 1,514	\$ -	\$ 120	\$ 98	\$ -	\$ 887	\$ -	\$ -	\$ 3,156	
Grand Total FY 2017-18			\$ 3,393	\$ 6,338	\$ 88,090	\$ 426,123	\$ 207,067	\$ 78,416	\$ 86,843	\$ 20,440	\$ 332,441	\$ -	\$ 43,630	\$ 1,205,522	

Footnote:
¹ Claimant combined grant funding into total and omitted offsetting revenue in calculation.

(01) Claimant City of Los Angeles	(02)	Fiscal Year 2016-2017
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(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

A. One-Time Activities

1. Update policies and procedures to incorporate the requirements of the test claim statute.

2. Train staff assigned to perform the reimbursable activities (one-time per employee).

B. Ongoing Activities

1. When a certifying entity receives a request for a Form I-918 Supplement B (Form) certification from the victim or victim's family member, the following activities must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings.

(See Form 1. Claim Summary Instructions for additional information on activities 1. a. through 1.e. below):

a. Receive and log the request

b. Review the request for U Visa certification and all documentation provided by the victim or victim's family member.

c. The certifying official shall fully complete and sign the Form I-918 Supplement B certification.

d. Transmit the results to the victim or the victim's legal representative.

e. File, log, and close the case.

2. Report to the Legislature on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications, the number of certifications signed, and the number of certifications denied.

(04) Description of Expenses				Object Accounts																	
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	Benefit Rate	(c) Hours Worked or Quantity	(d) Salaries	(e) Benefits	(f) Materials and Supplies	(g) Contract Services	(h) Fixed Assets	(i) Training												
Review the request for U Visa certification and all documentation provided by the victim or victim's family member. <i>See Detail Page(s)</i> 2,449 U-Visa applications reviewed @ 20 minutes per. <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;"></td> <td style="text-align: right;"><u># Applications</u></td> </tr> <tr> <td>Detective II</td> <td style="text-align: right;">606</td> </tr> <tr> <td>Detective III</td> <td style="text-align: right;">1165</td> </tr> <tr> <td>Management Analyst II</td> <td style="text-align: right;">418</td> </tr> <tr> <td>Senior Clerk Typist</td> <td style="text-align: right;">260</td> </tr> <tr> <td></td> <td style="text-align: right; border-top: 1px solid black;">2449</td> </tr> </table>		<u># Applications</u>	Detective II	606	Detective III	1165	Management Analyst II	418	Senior Clerk Typist	260		2449				\$57,643	\$37,068				
	<u># Applications</u>																				
Detective II	606																				
Detective III	1165																				
Management Analyst II	418																				
Senior Clerk Typist	260																				
	2449																				
(05) Total [] Subtotal [] Page: _ of _				\$57,643	\$37,068																

(01) Claimant City of Los Angeles	(02)	Fiscal Year 2016-2017
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<p>The certifying official shall fully complete and sign the Form I-918 Supplement B certification.</p> <p><i>See Detail Page(s)</i></p> <p>2,018 U-Visa applications certified @ 5 minutes per.</p> <table style="width:100%; margin-top: 10px;"> <tr> <td style="width:15%;"></td> <td style="text-align: right;"><u># Applications</u></td> <td></td> </tr> <tr> <td>Detective II</td> <td style="text-align: right;">660</td> <td style="text-align: right;">55.00</td> </tr> <tr> <td>Detective III</td> <td style="text-align: right;">1358</td> <td style="text-align: right;">113.17</td> </tr> <tr> <td></td> <td style="text-align: right; border-top: 1px solid black;">2018</td> <td></td> </tr> </table>		<u># Applications</u>		Detective II	660	55.00	Detective III	1358	113.17		2018					\$13,112	\$8,604				
	<u># Applications</u>																				
Detective II	660	55.00																			
Detective III	1358	113.17																			
	2018																				
(05) Total [] Subtotal [] Page: _ of _				\$13,112	\$8,604																

PROGRAM
372

**U VISA 918 FORM,
VICTIMS OF CRIME: NONIMMIGRANT STATUS
ACTIVITY COST DETAIL**

FORM
2

(01) Claimant **City of Los Angeles** (02) Fiscal Year **2017-2018**

(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

A. One-Time Activities

- 1. Update policies and procedures to incorporate the requirements of the test claim statute.
- 2. Train staff assigned to perform the reimbursable activities (one-time per employee).

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Review the request for U Visa certification and all documentation provided by the victim or victim's family member. <i>See Detail Page(s)</i> 2,415 U-Visa applications reviewed @ 20 minutes per. <div style="text-align: right;"> <table border="0"> <tr> <td># Applications</td> <td></td> </tr> <tr> <td>Detective II</td> <td>605</td> </tr> <tr> <td>Detective III</td> <td>1147</td> </tr> <tr> <td>Management Analyst II</td> <td>471</td> </tr> <tr> <td>Senior Clerk Typist</td> <td>192</td> </tr> <tr> <td></td> <td><hr/>2415</td> </tr> </table> </div>	# Applications		Detective II	605	Detective III	1147	Management Analyst II	471	Senior Clerk Typist	192		<hr/> 2415				\$59,375	\$38,181				
# Applications																					
Detective II	605																				
Detective III	1147																				
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Senior Clerk Typist	192																				
	<hr/> 2415																				
(05) Total [] Subtotal [] Page: _ of _				\$59,375	\$38,181																

New 04/19

(01) Claimant City of Los Angeles	(02)	Fiscal Year 2017-2018
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The certifying official shall fully complete and sign the Form I-918 Supplement B certification. <i>See Detail Page(s)</i> 1,887 U-Visa applications certified @ 5 minutes per. <table style="width:100%; margin-left: 20px;"> <tr> <td style="text-align: right;"><i># Applications</i></td> <td></td> </tr> <tr> <td style="text-align: right;">Detective II</td> <td style="text-align: right;">609</td> </tr> <tr> <td style="text-align: right;">Detective III</td> <td style="text-align: right;">1278</td> </tr> <tr> <td></td> <td style="text-align: right; border-top: 1px solid black;">1887</td> </tr> </table>	<i># Applications</i>		Detective II	609	Detective III	1278		1887			50.75 106.50	\$12,773	\$8,382				
<i># Applications</i>																	
Detective II	609																
Detective III	1278																
	1887																
(05) Total [] Subtotal [] Page: _ of _				\$12,773	\$8,382												

(01) Claimant City of Oakland	(02)	Fiscal Year 2016-2017
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(03) Reimbursable Activities: Check only one box per form to identify the activity being claimed.

Training is one-time per employee and is excluded from A.1. and all ongoing activities.

A. One-Time Activities

- 1. Update policies and procedures to incorporate the requirements of the test claim statute.
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B. Ongoing Activities

1. When a certifying entity receives a request for a Form I-918 Supplement B (Form) certification from the victim or victim's family member, the following activities must be completed within 90 days of the request or 14 days of the request if the victim is in removal proceedings.

(See Form 1, Claim Summary Instructions for additional information on activities 1. a. through 1.e. below):

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(04) Description of Expenses	Object Accounts				
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(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	Benefit Rate	(c) Hours Worked or Quantity	(d) Salaries	(e) Benefits	(f) Materials and Supplies	(g) Contract Services	(h) Fixed Assets	(i) Training
<p>When a certifying entity receives a request for a Form I-918 Supplement B certification from the victim or victim's family member, time spent to receive and log the request.</p> <p style="text-align: right; margin-right: 50px;"><u># Mins. each</u> 15</p> <p style="text-align: right; margin-right: 50px;"><u># Applications</u> 945</p>									
A. Watson PRS	\$31.44	70.49%	236.25	\$7,427	\$5,235				

(05) Total [] Subtotal [] Page: _ of _	\$7,427	\$5,235				
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1. TEST CLAIM TITLE

U VISA 918 Form, Victims of Crime: Nonimmigrant status

2. CLAIMANT INFORMATION

City of Claremont

Name of Local Agency or School District

Adam Pirrie

Claimant Contact

Finance Director

Title

207 Harvard Ave.

Street Address

Claremont, CA 91711

City, State, Zip

(909) 399-5456

Telephone Number

(909) 399-5366

Fax Number

apirrie@ci.claremont.ca.us

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this test claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Annette Chinn

Claimant Representative Name

President

Title

Cost Recovery Systems, Inc.

Organization

705-2 East Bidwell Street #294

Street Address

Folsom, CA 95630

City, State, Zip

(916) 939-7901

Telephone Number

(916) 9369-7801

Fax Number

achinnrcs@aol.com

E-Mail Address

For CSM Use Only

Filing Date:



Test Claim #: 17-TC-01

4. TEST CLAIM STATUTES OR EXECUTIVE ORDERS CITED

Please identify all code sections (include statutes, chapters, and bill numbers) (e.g., Penal Code Section 2045, Statutes 2004, Chapter 54 [AB 290]), regulations (include register number and effective date), and executive orders (include effective date) that impose the alleged mandate.

Statutes of 2015, Chapter 721

Senate Bill 674 - effective 1-1-2016

Adding Section 679.10 to the Penal Code

Copies of all statutes and executive orders cited are attached.

Sections 5, 6, and 7 are attached as follows:

5. Written Narrative: pages 1 to 8.

6. Declarations: pages 9 to 11.

7. Documentation: pages 12 to 158.

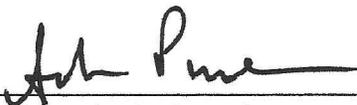
CLAIM CERTIFICATION

Read, sign, and date this section and insert at the end of the test claim submission. *

This test claim alleges the existence of a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this test claim submission is true and complete to the best of my own knowledge or information or belief.

Adam Pirrie

Print or Type Name of Authorized Local Agency
or School District Official



Signature of Authorized Local Agency or
School District Official

Finance Director

Print or Type Title

3-5-18

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the test claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

Test Claim of:
City of Claremont

U Visa: Form I-918, Victims of Crime: Nonimmigrant Status

Penal Code 679.10
Chapter 721, Statutes of 2015

STATEMENT OF THE CLAIM

MANDATE SUMMARY

The California Senate passed Senate Bill 674, Victims of crime: nonimmigrant status adding Penal Code 679.10 (UVISA). It was approved by the governor October 9, 2015 and it went into effect January 1, 2016. This bill enhances existing federal law and as a result of the implementation of this Penal Code section the Claremont Police Department incurred new costs as a result of the legislation and expects future annual costs related to the mandated program will exceed \$1,000.

Existing federal law provides a Form I-918, Petition for U Nonimmigrant Status to request temporary immigration benefits for a person who is a victim of certain qualifying criminal activities. Existing federal law also provides a form for certifying that a person submitting a Form I-918 is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that criminal activity (Form I-918 Supplement B)

SPECIFIC STATUTORY SECTIONS THAT CONTAIN THE MANDATED ACTIVITIES

The new costs result from the addition Penal Code 679.10.

The bill requires (Section (e)), upon victim or victim's family members request, that local law enforcement agencies (among others specified agencies), **shall** certify, as specified, "victim helpfulness" on Form I-918. Subsection (i) of the statute, states "A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official".

Under prior law, Victims of Trafficking and Violence Protection Act, Federal Legislation, and its amendments allowed the "certifying entity" to have discretion in certifying the I-918 Form, meaning that it was optional for local agencies to complete. Section (j) now specifies that certification can only be withdrawn if the victim refused to provide information and assistance when reasonably requested.

Due to the passage of SB 674 adding Penal Code 679.10, Claremont PD is required to review and "certify" almost all the I-918 forms it receives. It no longer has the discretion as it had in the past to select only those cases it deemed the victim's assistance was required.

Because the victim's assistance is rarely required, completion of the UVISA forms I-918 would *usually not be needed*.

New statutes also add additional requirements: Section (g) states "...official shall fully complete and sign the form I-918 Supplement B certification and, in regarding victim's helpfulness, include a detailed description of the victim's helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity."

In addition, section (h) the new Statutes add time requirements for local agencies to respond that did not exist before. Agencies now have to respond "within 90 days of request and within 14 days of request if a noncitizen is in removal proceedings".

A. DETAILED DESCRIPTION OF THE NEW ACTIVITIES AND COSTS THAT ARISE FROM THE MANDATE:

One-time costs:

- 1) Updating Department Policies and Procedures to address new statutory requirements
- 2) Training staff on new requirements

On-going activities:

- 1) Training new staff assigned to this duty on mandated program requirements
- 2) For all requests, research the original crime(s) the victim was involved to determine whether new law criteria are met and certification can be granted and to determine "victims' helpfulness". This includes obtaining prior criminal records, reports, and history, determining helpfulness and potential helpfulness of the victim; determining if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.

(Detailed research and review of crime history/reports is now required for each case to determine the victim's helpfulness and potential helpfulness.

Before this law was added, the city would only have to determine the status of the case: if the case was found to be adjudicated, closed or is outside the statute of limitations, the City would find the victim's assistance was no longer needed and the UVISA application would be denied. Almost all requests could be denied just by determining whether the case was being or likely to be adjudicated which would typically take 5-10 minutes.

Because of the new requirements, estimate additional time to research each per case would usually take an extra 20-30 mins per case)

- 3) Fully complete, sign and certify the application (I-918 Form) including Supplement B for ALL requested I-918 applications. This must include a detailed description of the victim's helpfulness or likely helpfulness to the detection, investigation, or prosecution of the criminal activity.

Time for completion of Supplement B is now 90 days of request or 14 days of request if noncitizen is in removal proceedings.

Full completion of application, Supplement B, and certification *is now required for ALL cases. In the past, almost all requests could be denied with a simple signature and full completion of forms was not required. Estimate additional time per case = 10-20 mins per case)*

- 4) Supervisor review and approval of the detailed description of victim's helpfulness narrative.
(Estimated additional time at 5-10 minutes per case)
- 5) Prepare and submit annual reports to the Legislature specifying total number of requests for UVISA certifications, the number approved and denied.
(Estimated at 15-20 minutes per year)

B. DETAILED DESCRIPTION OF THE EXISTING ACTIVITIES AND COSTS THAT ARE MODIFIED BY THE MANDATE:

On-going activities:

- 1) Review the UVISA request.
(Estimated additional 5-10 minutes per request)
- 2) Supervisor review and approval of the "complete" UVISA paperwork
(Estimated additional 5-10 minutes per case.) In the past, denied cases did not require completion of all the forms, therefore additional time is required to review these additional requests and completed forms.
- 3) Transmit results to involved parties and legal representatives.
(Estimated additional approximately 5 minutes per case)
- 4) File, log, and close case
(Estimate additional 5-10 minutes per case)

C. & D. ACTUAL AND ESTIMATED INCREASED COSTS INCURRED BY THE CLAIMANT DURING THE FISCAL YEAR AND THE FOLLOWING FISCAL YEAR.

The City of Claremont did not receive any UVISA requests in 2016. The first request made after enactment of subject legislation was in November, 2017. Therefore, first incurred costs as a result of this mandate occurred in Fiscal Year 2017-18.

Attached are detailed costs estimates required to implement the mandated program.

Program UVISAS	MANDATED COSTS U VISAS ACTIVITY COST ESTIMATES						Estimated Costs FY 2017-18
	City of Claremont						
DIRECT COSTS							
Description of Expenses:							
Employee Names, Job Class., Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Benefit Rate	Hours Worked or Quantity	Salaries	Benefits	Total Salaries & Benefits	
ONE-TIME COSTS							
Chief - review and approve new policies and procedures	\$103.88	61.5%	0.50	\$52	\$32	\$84	
Captain - Reseach new law and draft new policy.	\$86.11	61.5%	4.00	\$344	\$212	\$556	
City Attorney review and approve new polcies	\$300.00		1.00	\$300		\$300	
Lieutenant - review new policies / training	\$82.26	61.5%	1.00	\$82	\$51	\$133	
Total One-Time Costs (Estimated)			6.50	\$ 778.64	\$ 294.37	\$ 1,073.01	
ON-GOING COSTS							
Lieutenant (60 mins per case x 5 estimated cases)	\$82.26	61.5%	5.00	\$411	\$253	\$664	
Lieutenant - report results to legislature annually	\$82.26	61.5%	0.33	\$27	\$17	\$44	
Total On-Going Costs (Estimated)			5.33	\$ 438.45	\$ 269.64	\$ 708.09	
INDIRECT COSTS (ICRP Rate = 85%)						\$974	
GRAND TOTAL (ESTIMATE)						\$2,755	

Program UVISAS	MANDATED COSTS U VISAS ACTIVITY COST ESTIMATES						Estimated Costs FY 2018-19
	City of Claremont						
Description of Expenses:							
Employee Names, Job Class., Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Benefit Rate	Hours Worked or Quantity	Salaries	Benefits	Total Salaries & Benefits	
ON-GOING COSTS							
Lieutenant (60 mins per case x 6 estimated cases)	\$85.13	61.0%	6.00	\$511	\$312	\$822	
Lieutenant - report results to legislature annually	\$85.13	61.0%	0.33	\$28	\$17	\$45	
Total On-Going Costs (Estimated)			6.33	\$ 538.90	\$ 328.73	\$ 867.63	
INDIRECT COSTS (ICRP Rate = 80%)						\$431	
GRAND TOTAL (ESTIMATE)						\$1,299	

E. STATEWIDE COST ESTIMATE OF INCREASED COSTS THAT ALL LOCAL AGENCIES WILL INCUR TO IMPLEMENT THE ALLEDGED MANDATE DURING THE FISCAL YEAR IMMEDIATELY FOLLOWING THE FISCAL YEAR THE CLAIM WAS FILED.

The Assembly Appropriations Committee (AAC) estimated statewide costs to be in excess of \$300,000. Their estimate was based on a six-year period of time of the certifications provided by the Cities of Los Angeles (764) and Oakland (500). The Appropriation Committee estimated a cost of \$25 to process each certification. That amount was then quantified by the 482 cities over the 58 counties in California.

F. AVAILABLE FUNDING SOURCES

There are no State, Federal, or other nonlocal agency funds available for this program that we are aware. The City of Claremont must pay for these increased costs from the Police department's general fund appropriations. The City of Claremont is not aware of fee authority to offset these costs and CLAREMONT PD has not charged any fees for processing I-918 forms.

G. PRIOR MANDATE DETERMINATIONS BY THE BOARD OF CONTROL OR COMMISSION ON STATE MANDATES.

The City is not aware of any prior determinations made by the Board of Control or the Commission on State mandates related to this matter.

H. IDENTIFICATION OF A LEGISLATIVELY DETERMINED MANDATED PURSUANT TO GOVERNMENT CODE SECTION 17573 THAT IS ON THE SAME STATUTE OR EXECUTIVE ORDER.

To the best of our knowledge, this does not apply.

CONCLUSION

The costs incurred by the City of Claremont as a result of the statute on which this test claim is based are all reimbursable costs as such costs are "costs mandated by the State" under Article XIII B (6) of the California Constitution, and Government Code §17500 *et seq.* of the Government Code. Section 17514 of the Government Code defines "costs mandated by the state", and specifies the following three requirements:

1. There are "increased costs which a local agency is required to incur after July 1, 1980."
2. The costs are incurred "as a result of any statute enacted on or after January 1, 1975."
3. The costs are the result of "a new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

All three of the above requirements for finding costs mandated by the State are met as described previously herein.

Date of Hearing: August 19, 2015

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Jimmy Gomez, Chair
SB 674 (De León) – As Introduced February 27, 2015

Policy Committee: Public Safety Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires specified agencies, upon the request of an immigrant victim of specified crimes, to certify within 90 days of the request, the victim's helpfulness on the applicable form (Form I-918 Supplement B certification) so that the victim may apply for a U-visa to temporarily live and work in the United States. The certifying entity is required to submit a specified annual report to the Legislature before January 1, 2017, and annually thereafter.

FISCAL EFFECT:

Moderate local reimbursable state mandated costs in excess of \$300,000 by establishing a time-frame for certifying entities to process Form I-918 Supplement B requests, and for local certifying entities to report annually to the Legislature.

During a six-year period, annual certifications provided by the cities of Los Angeles and Oakland were 764 and 500, respectively. If the cost to provide the certification were \$25, the reimbursable mandate to these two cities would be \$31,600. There are 58 counties and 482 cities and each of them has at least one "agency" that qualifies as a certifying agency. It is reasonable to assume that the number of certifications statewide would be at least ten times those of the cities of Los Angeles and Oakland combined. The reporting requirement reimbursable costs will be minor.

Mandating compliance with federal law is not a reimbursable mandate. However, federal law does not impose a timeframe, nor does it require an annual report.

COMMENTS:

- 1) **Purpose.** The Victim of Crime Visa, also referred to as the U-Visa, is available to immigrants who are victims of certain crimes committed in the United States – rape, incest, sexual assault, torture, or domestic violence, for example. The bearer of a U-Visa gets relief from deportation and permission to work in the United States. Federal immigration authorities make the determination of whether a victim of crime qualifies for a U-Visa. However, in order for the victim to apply to the federal government for the U-Visa, the victim must receive a certification from law enforcement, a prosecutor, or a judicial officer. The document, Form I-918 Supplement B, certifies that the individual was a victim of a qualifying crime, and the certification must state that the victim was helpful or likely helpful to the prosecution or investigation of the crime.

According to the author, there are some local law enforcement agencies that do an exemplary job granting certifications. But there are other law enforcement agencies that systematically deny certifications on the basis of political views on immigration matters. Effectively, these agencies are making the determination of whether one belongs in this county or not, irrespective of the crime that has been committed against an immigrant and irrespective of whether that victim was helpful to law enforcement.

SB 674 makes clear all entities that can certify victim helpfulness, and that they must certify within 90 days of the request the victim's helpfulness, if the victim was a victim of one of the qualifying crimes. SB 674 specifies a 14-day time frame if the victim is in deportation proceedings.

The "certifying entity includes any of the following:

- a) A state or local law enforcement agency;
- b) A prosecutor;
- c) A judge;
- d) Any other authority that has responsibility for the detection or investigation or prosecution of a qualifying crime or criminal activity; or
- e) Agencies that have criminal detection or investigative jurisdiction in their respective areas of expertise, including, but not limited to, child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations.

- 2) **Argument in Support:** According to the *Immigrant Legal Resource Center*, "Victims of certain crimes may be eligible for legal status through a U-Visa. However, a problem these victims are facing in California is that some entities that can certify victim helpfulness refuse to even consider signing Form I-918 Supplement B certifications. Others place their own restrictions on which victims can receive the certification. These refusals arbitrarily prevent these victims from seeking relief to stay in this country. This bill is necessary to bring consistent treatment and equity to victims of crime and require that all certifying entities certify victim helpfulness in a consistent and fair manner."

Analysis Prepared by: Pedro R. Reyes / APPR. / (916) 319-2081



Cost Recovery Systems, Inc.

RECEIVED
September 07, 2018
**Commission on
State Mandates**

September 6, 2018

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Response to Request for Additional Information: Test Claim U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01

Dear Ms. Halsey,

Attached is the additional evidence you requested in your August 29, 2018 letter questioning our assertion that Lieutenant Ciszek's \$93.35 hourly rate of pay is accurate.

Please see the attached Declaration of the City of Claremont Finance Director, Adam Pirie and additional supporting evidence to prove that the rates claimed are supported. In addition, we provided additional evidence to show that if we had computed the rates based on "Actual Productive Hours" allowable in the claiming instructions, the allowable salary rates would be even higher.

We believe our original computation of costs was conservative and believe we have presented adequate evidence to show our actual costs would exceed \$1,000 in FY 2017-18 and that our Test Claim should be approved.

If you have any other questions or would like additional documentation, please let us know. We would not object to a delay in the hearing date if you would like any additional documentation or information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Annette Chinn".

Annette Chinn
Consultant Representative for the
City of Claremont

DECLARATION OF ADAM PIRRIE

I, Adam Pirrie, make the following declaration under oath and under penalty of perjury under the laws of the State of California that the following statements are true and correct of my own personal knowledge:

I am the Chief Financial Officer the City of Claremont. As part of my duties, I am responsible for the complete and timely recovery of costs mandated by the State.

Lieutenant Ciszek's actual rate of pay was above the published salary range due to his qualification for various special pays. In the case of Lt. Ciszek these special pay types included Uniform Pay, Education Incentive Pay, Bonus Pay, Longevity Pay, and Cafeteria Taxable Cash Pay which in the accounting period totaled an additional \$27,525 in addition to his regular pay rate of \$140,551.

These amounts are documented, actual, federally taxable salaries that appears on the employees Federal W-2 forms. We did not include Overtime Pay in our total annual salary base.

The computation for Lieutenant Ciszek's total actual salary is \$140,551 (Total Regular Pay) + \$27,525 (Other Pay) = \$168,076

See column 3 of numeric data labeled – "Total Regular Pay" and column 6 "Other Pay" of the Salary Report attached both here under "Tab 1" and in our prior submission of Pay Table in our August 23, 2018 submission.

According to State Claiming Instructions, (See "Tab 2") local agencies are allowed to use the default 1,800 productive annual hours OR to compute their own actual annual productive hours. In our original filing, we computed hourly rates based on the 1,800 default hours.

Lt. Ciszek's Productive hourly salary rate based on the default 1,800 hours =
\$168,076 annual actual salary / 1,800 default annual productive hours = \$93.38

State Claiming Instructions also allow claimants to compute and use their own "actual" annual productive hour computation. In our case, for Lt. Ciszek and Chief Vander Veen, this annual total would conservatively be 1,728 hours of productive time based on the City's Memorandum of Understanding with the Police Officers Associations (see attached document). The computation of this Productive Annual Hours is included under "Tab 1".

Based on this computation of actual annual productive hours in FY2017-18:

Lt. Cizek's Actual Productive hourly salary rate based on the 1,728 hours =
\$168,076 annual actual salary / 1,728 actual annual productive hours = \$97.27

And

Police Chief's Actual Productive hourly salary rate based on 1,728 hours =
\$196,794 annual actual salary / 1,728 default annual productive hours = \$113.89

The revised computation of our actual costs is also included under "Tab 1".

Based upon Police Department time records, the City of Claremont's actual FY 2017-18 costs to implement the requirements of Penal Code 679.10 which are subject of this Test Claim (referred to as UVISA program) exceeded \$1,000.

Based upon Police Department time records and projection of future activity in the UVISA program, the City of Claremont's estimated FY 2018-19 and future year costs will exceed \$1,000 annually.

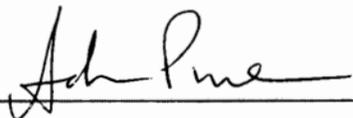
I am personally conversant with the foregoing facts, and if so required, I could and would testify to the statements made herein.

I believe that the rates and information presented have been computed accurately in accordance with the State Controller's Office claiming instructions, rules, and guidelines.

I declare under penalty of perjury under the laws of the State of California that the above declarations and the information contained under "Tab 1" are true and correct based upon my own personal knowledge.

I further declare that the information presented under "Tab 2" is from the State Controller's Office website and I believe that this information is true and correct based on my information and belief.

Executed this 6th day of September in Claremont, California.



Adam Pirrie
City of Claremont, Finance Director

TAB 1

Containing:

- 1) Actual Salary Data Table
- 2) Computation of Annual Actual Productive Hours Worked
- 3) City of Claremont & Claremont Police Officers' Association FY 2017-18 Memorandum of Understanding
- 4) Updated Computation of FY 2017-18 UVISA Costs based on allowable "actual" productive hours computation

Actual Salary Data

Department	Classification	Annual Salary Minimum	Annual Salary Maximum	Total Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay	Applicable Define Benefit Pension Formula	Employer Contribution to Employee's Share of Pension	Defined Benefit Plan	Deferred Compensation/Defined Contribution Plan	Health, Dental, Vision
Police	Administrative Assistant	44,208	53,408	53,408	-	648	1,281	2.5% @ 55	-	15,607	-	12,167
Police	Administrative Assistant	44,208	53,408	53,408	-	-	12,691	2.5% @ 55	-	15,607	2,430	609
Police	Communications Officer II	69,920	69,920	-	1,252	-	-	2.5% @ 55	-	-	-	-
Police	Communications Officer II	57,876	69,920	63,094	9,172	-	10,972	2.5% @ 55	-	19,409	435	8,862
Police	Communications Officer II	57,876	69,920	69,568	7,039	403	9,410	2.5% @ 55	-	22,889	699	14,434
Police	Communications Officer II	57,876	69,920	69,522	3,739	8	19,508	2.5% @ 55	-	22,860	-	3,703
Police	Communications Officer II	57,876	69,920	69,122	12,571	-	8,852	2.5% @ 55	-	23,040	524	15,297
Police	Communications Officer II	57,876	69,920	69,821	12,522	268	14,556	2.5% @ 55	-	22,592	-	7,143
Police	Communications Officer II	57,876	69,920	69,713	7,549	8	18,057	2.5% @ 55	-	21,895	524	1,908
Police	Crossing Guard	20,820	25,147	6,540	-	-	-	N/A	-	-	-	-
Police	Crossing Guard	20,820	25,147	6,679	-	-	-	N/A	-	-	-	-
Police	Crossing Guard	20,820	25,147	5,908	-	-	-	N/A	-	-	-	-
Police	Crossing Guard	20,820	25,147	6,524	-	-	-	N/A	-	-	-	-
Police	Crossing Guard	20,820	25,147	2,367	-	-	-	N/A	-	-	-	-
Police	Information Technology Technic	60,216	72,747	66,795	-	-	6,695	2% @ 62	-	19,531	729	7,033
Police	Jailer	45,780	55,307	27,335	7,434	2,877	2,660	2.5% @ 55	-	8,787	-	7,763
Police	Jailer	45,780	55,307	13,667	-	-	13	2% @ 62	-	323	-	-
Police	Jailer	45,780	55,307	45,240	6,552	-	8,082	2% @ 55	-	14,500	-	7,454
Police	Jailer	45,780	55,307	13,694	4,909	2,090	5,509	2% @ 62	-	4,287	-	-
Police	Jailer	45,780	55,307	52,756	11,789	694	10,097	2% @ 55	-	16,203	-	7,491
Police	Parking Enforcement Officer	45,324	54,756	54,303	340	-	4,911	2.5% @ 55	-	16,971	-	15,527
Police	Police Aide	24,523	29,640	12,610	-	-	-	2% @ 62	-	1,947	-	-
Police	Police Aide	24,523	29,640	898	-	-	-	2% @ 62	-	251	-	-
Police	Police Aide	24,523	29,640	11,286	-	-	-	N/A	-	-	-	-
Police	Police Aide	24,523	29,640	10,089	-	-	-	N/A	-	-	-	-
Police	Police Aide	24,523	29,640	12,838	-	-	-	N/A	-	-	-	-
Police	Police Aide	24,523	29,640	16,133	-	-	-	2% @ 62	-	3,368	-	-
Police	Police Aide	24,523	29,640	14,521	-	-	-	2% @ 62	-	2,749	-	-
Police	Police Aide	24,523	29,640	4,951	-	-	-	N/A	-	-	-	-
Police	Police Captain	145,604	175,905	148,132	4,568	-	10,124	3% @ 50	-	85,050	2,932	13,811
Police	Police Chief	166,592	201,262	176,844	465	3,579	19,950	3% @ 50	-	103,941	8,728	13,100
Police	Police Corporal	77,652	93,812	93,101	25,621	-	6,761	3% @ 50	-	55,089	270	14,512
Police	Police Corporal	77,652	93,812	-	452	-	-	3% @ 50	-	-	-	-
Police	Police Corporal	77,652	93,812	93,009	58,314	2,164	16,386	3% @ 50	-	55,983	-	7,167
Police	Police Corporal	77,652	93,812	91,900	48,200	1,082	17,510	3% @ 50	-	55,596	-	7,055
Police	Police Corporal	77,652	93,812	93,087	33,788	2,029	9,798	3% @ 50	-	54,199	-	12,850
Police	Police Corporal	77,652	93,812	92,999	41,551	1,082	6,044	3% @ 50	-	53,926	-	15,535
Police	Police Corporal	77,652	93,812	92,841	24,920	1,262	7,273	3% @ 50	-	54,433	-	15,527
Police	Police Corporal	77,652	93,812	91,355	21,047	-	20,428	3% @ 50	-	52,723	-	603
Police	Police Corporal	77,652	93,812	91,156	49,235	2,122	7,700	3% @ 50	-	53,589	-	15,527
Police	Police Corporal	77,652	93,812	92,956	24,084	1,082	22,482	3% @ 50	-	54,541	-	-
Police	Police Lieutenant	116,340	140,551	140,551	28,373	-	27,525	3% @ 50	-	84,468	6,937	2,704
Police	Police Lieutenant	116,340	140,551	140,551	53,773	-	16,560	3% @ 50	-	87,210	-	13,811
Police	Police Lieutenant	116,340	140,551	140,153	31,735	1,892	10,824	3% @ 50	-	80,354	6,937	12,787

COMPUTATION OF ANNUAL
ACTUAL PRODUCTIVE HOURS
WORKED

CALCULATION OF ANNUAL PRODUCTIVE HOURS FOR PEACE OFFICER STAFF > 13 YR TENURE

	2080 base	hours per year worked
less	96 holidays	12 days annually
less	96 sick leave	3.69 hours per pay period (26 pay periods)
less	160 vacation	6.15 hours per pay period (26 pay periods)
less	<u>* vacation longevity incentive (extra 80 hours after 10, 15, 20 year anniversary)</u>	
		1728 actual productive annual hours (*Not including longevity incentive vacation time)



MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE CLAREMONT POLICE
OFFICERS' ASSOCIATION**

AND

THE CITY OF CLAREMONT

JULY 1, 2017 – JUNE 30, 2018

CLAREMONT POLICE OFFICERS' ASSOCIATION

MEMORANDUM OF UNDERSTANDING
2017-2018

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**CITY OF CLAREMONT
AND
CLAREMONT POLICE OFFICERS' ASSOCIATION**

MEMORANDUM OF UNDERSTANDING

ARTICLE I – PREAMBLE

It is the intent and purpose of this Memorandum of Understanding to set forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding, but not limited to, matters relating to the wages, hours, and terms and conditions of employment between employees represented by the Claremont Police Officers' Association (CPOA, "Association") and representatives of the City of Claremont ("City").

ARTICLE II – RECOGNITION

The following positions shall be represented by the Association: Police Corporal, Police Officer, Police Recruit, Communications Officer I, Communications Officer II, Senior Jailer, Jailer, and Parking Enforcement Officer.

ARTICLE III – ASSOCIATION RIGHTS

Employees of the City shall have the right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee organizations and shall have the right to represent themselves individually in their employment relations with the City. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against by the City, another employee, or any employee organization because of his/her exercise of these rights. A minimum of two members of the CPOA Board of Directors shall be involved in the meet and confer process.

ARTICLE IV – DUES DEDUCTION

During the life of this Memorandum, the City shall deduct, two pay periods per month from the net amount, the monthly dues plus any voluntary insurance premium deduction of each employee in the recognized unit who has furnished the City with an individual written authorization, revocable pursuant to the City of Claremont's Resolution 71-106. The Association shall indemnify the City and defend at its expense against any liability, claim, demand, judgment or loss from any lawsuit filed by any employee or group of employees in connection with this check-off provision. The City shall remit such deductions to the Association monthly and the Association shall repay any amount paid in error.

ARTICLE V – MANAGEMENT RIGHTS

The rights of the City include, but are not limited to, the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; determine when work shall be contracted or transferred out of the unit; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work. The inclusion of such

rights in a list of City rights, and the right of the City to act on such rights shall not be subject to grievance.

ARTICLE VI – SALARIES

The Association agrees to the following one (1) time benefit during the term of this contract:

“Cash Out” of 48 hours of accumulated vacation, sick leave, or floating holiday leave on 7/20/2017 or 11/23/2017 at your base salary as of 7/1/2017. This is considered a 1-time cash-out and does not carry over to subsequent contracts. This is only eligible for members on payroll as of 6/30/2017.

OR

2.4% bonus of your annual base salary on 7/1/2017 paid out on 7/20/2017 or 11/23/2017. This is considered a 1-time bonus and does not carry over to subsequent contracts. This is only eligible for members on payroll as of 6/30/2017.

The salary range for the Police Officer classification shall be increased .5%, Police Corporal 1%, and Jailer .5% effective 7/1/2017.

The Performance Recognition Program shall be continued with the following guidelines:

1. All provisions of Administrative Policy #30-19, “Performance Recognition Program” are hereby incorporated by reference. However, Provision B-1-b shall, for the purposes of employees represented by the Claremont Police Officers’ Association, read: “An employee whose overall performance is rated “exceeds expectations” shall receive a merit increase of not less than 5%, not to exceed the top of the range” and Provision B-1-c shall read, “An employee whose overall performance is rated “excellent” shall receive a merit increase of not less than 6%, not to exceed the top of the range.”
2. Employees who, by nature of their assignment, are supervised by more than one supervisor during the review period, shall have their evaluations completed by the supervisor who has supervised the employee the longest period of time. The other supervisor(s) shall confer with that supervisor and provide for said evaluation.
3. At least ten (10) days prior to preparing an employee’s evaluation, the supervisor charged with completing the evaluation shall request the employee to provide written input for his/her evaluation.
4. An employee may request to have their evaluation reviewed by an evaluation review board. The request must be made within 15 calendar days of being given the evaluation. The employee must submit the request in writing and shall at a minimum contain a summary of the specific areas the employee is requesting to have reviewed. The review board shall consist of the Personnel Manager, a Police Department supervisor (Sergeant or above) chosen by the employee, and a Police Department supervisor (Sergeant or above) chosen by the Chief of Police or his designee. The evaluation review committee is advisory in nature and any committee recommendations to the Police Chief following the review are non-binding.
5. A salary survey shall occur in January 2018. Survey cities will be Arcadia, Azusa, Brea, Chino, Glendora, La Verne, Monrovia, Montclair, Upland, Covina, and

Rialto. The City will work with the association to review and revise as necessary to come to an agreement on suitable survey cities for subsequent surveys. Salary ranges shall be placed at the average of the survey cities.

ARTICLE VII – EDUCATIONAL INCENTIVE PAY

Employees (safety positions and communications officers) with an AA degree, 60 semester units, or 90 quarter units, and/or a POST Intermediate Certificate shall receive \$250 a month.

Employees (safety positions and communications officers) with a Bachelor's degree, 120 semester units, or 180 quarter units, and/or Advanced POST certificate shall receive \$350 a month.

Communications Officers, upon proof of completion of POST mandated training, shall receive \$100 a month or degree compensation, whichever is greater.

Jailers upon proof of completion of STC training shall receive \$100 a month or degree compensation, whichever is greater.

In order to qualify for this benefit, the employee shall submit to the Personnel Division a diploma or transcripts from an accredited institution(s), or an Intermediate or Advanced certificate issued from the Commission on Peace Officer Standards and Training (POST). Qualifying for the POST certificate alone does not qualify the employee to receive this benefit. The employee only qualifies to receive this benefit upon issuance of the certificate by POST. For payroll purposes, the date stamped on the issued POST certificate will be considered the qualification date; qualification for this benefit under the education component is based on the date the employee submits a copy of their transcripts and/or qualifying diploma to the Personnel Division.

ARTICLE VIII – BILINGUAL PAY

Employees who successfully complete a proficiency exam shall receive \$75/month Bilingual Pay for Spanish or other languages as may be designated by the City.

ARTICLE IX – SPECIAL DUTY COMPENSATION/ASSIGNMENT

- A. **Traffic Assignment:** Unit employees regularly assigned and serving as motorcycle officers shall receive assignment pay at the rate of fifty dollars (\$50.00) per month. Such officers shall receive this assignment pay for each pay period during which they were able and available to perform such assignment for a minimum of five (5) scheduled shifts during the pay period. In lieu of overtime otherwise compensable under the Fair Labor Standards Act (FLSA), motor officers shall continue to receive one day off (10 hours) per month for the purposes of maintaining their motorcycles. The day off shall be earned following a minimum of ten worked shifts in a traffic assignment from the previous month and cannot be accrued.
- B. **Field Training Officer Assignment:** Corporals and Officers selected to be Field Training Officers (FTOs) to train full-time Police Department personnel shall be compensated an additional 7% during the time they are actually conducting training. Corporals and Officers selected as FTO's will have to successfully complete a POST approved Field Training Officer course prior to training and serve at the leisure of the department.
- C. **Non-Sworn Training Assignment:** Non-sworn employees, other than Communications Officer II or Senior Jailer, assigned to train full-time Police Department personnel shall receive an additional 7% during the time they are actually conducting training. Employees

selected as trainers, and who complete a train-the-trainer or FTO course serve at the leisure of the department.

- D. **Matron Duty:** Communication Officer I and Communication Officer II shall receive \$100 per month for Matron Duty Pay.
- E. **Detective Bureau Assignment – Police Officer:** A Police Officer may be assigned to the Detective Bureau for a period of one (1) year, with the possibility of extending the assignment for an additional year. Assignments and extensions would only occur with the agreement of both the Chief of Police and the assigned Officer(s). While assigned to the Detective Bureau, the Officer's pay rate would remain at the same rate as if the Officer were assigned to Patrol, with no enhancements, except that while assigned to the Detective Bureau the Officer will receive uniform allowance commensurate with an administrative assignment.
- F. **Canine Assignment:** Employees who are assigned to a canine officer detail are entitled to compensation for off-duty hours spent caring, grooming, and feeding their canine. In lieu of overtime otherwise compensable under the Fair Labor Standards Act (FLSA), canine officers receive one day off (12 hours) per month for the purposes of maintaining their canines. The day off shall be earned following a minimum of ten worked shifts in a canine assignment from the previous month and cannot be accrued.

ARTICLE X – CALL BACK TIME

Employees who are called to work overtime from their day off or other off-duty hours shall be compensated for a minimum of three (3) hours of work. If the "call back time" is adjacent to regularly scheduled hours, the employee shall be paid overtime for time actually worked.

Compensation shall commence at the time an employee reaches the place where he/she is directed to report and shall continue until the work is completed. If the employee is required to be in uniform traveling in a department vehicle, pay begins when officers depart from the station. The travel time must be approved by the on-duty Lieutenant or Sergeant in their absence (Exception: Article XV – Special Duty Pay).

ARTICLE XI – ON-CALL TIME

- A. Employees who are required to stand-by during their off-duty time for an appearance in court shall receive two (2) hours of pay at straight time in the morning and two (2) hours of straight time in the afternoon while on-call. If an employee, however, is called to appear in court, the employee shall instead receive compensation in accordance with the callback provision of Article X of the MOU. If an employee scheduled for court is cancelled within 48 hours of appearing, they will receive two (2) hours of straight time, provided the court time is outside their normal shift.
- B. In order to receive compensation for afternoon on-call, the employee must contact the Deputy District Attorney handling the case to confirm afternoon on-call status. The name of the district attorney confirming afternoon on-call status shall be included on the overtime slip authorization submitted by the employee.
- C. Former employees who are called to court on any Claremont subpoena shall be compensated by the City of Claremont for their appearance. Said compensation shall be at the rate of pay, at the time of appearance that the employee would have been earning had he/she still been employed by the City. . Current City employees called to court on any subpoena related to a previous employer shall not be compensated by the City of

Claremont and in cases where the employee is called to court during their scheduled working hours, the employee must utilize leave time (vacation, comp, or floating holiday) for the time they are unable to work their regularly scheduled hours for the City of Claremont. The person being subpoenaed may request reimbursement from the attorney who has issued the subpoena

ARTICLE XII – OVERTIME/COMPENSATORY TIME

A. It is the policy of the City of Claremont to avoid overtime work whenever possible. In cases of emergency, however, or whenever public interest or necessity requires, any employee may be directed by proper authority, and is expected to perform overtime work. No overtime shall be recorded or reported for less than fifteen minutes of work. All overtime work, except for emergency conditions, must have the approval of the Department Head or designee prior to actual performance of the work. Failure to obtain such approval in advance will be justification for disapproval of any overtime compensation.

1. Unit employees shall receive overtime at the rate of one and one-half (1-1/2) times their regular rate of pay for time worked over 80 hours in a 14-day work period. The work period shall be determined by the City.
2. Hours worked shall include holiday, vacation, compensatory leave, jury duty (non-sworn employees only), and workers' compensation for injuries which occur during the pay period in which the overtime was accrued. Sick time will be counted as time worked for overtime computation if the overtime is worked outside of 24 hours of the shift the sick time was used. All other leaves of absence, paid or unpaid, shall not be considered as hours worked.

All overtime worked within a 24-hour period before any sick time used, and all overtime worked within a 24-hour period after any sick time is used, shall be calculated at straight time. All other overtime shall be calculated at time-and-a-half.

Example: An officer calls in sick on 07/13/07 for 0700-1900 hours. That officer will only receive straight time for overtime worked from 0700 hours on 07/12/07 through 1900 hours on 07/14/07. If that officer works overtime on 07/12/07 0300-1100 hours, their overtime would be calculated as follows:

- 0300-0700 hours: Overtime at Time-and-a-Half (time beyond the 24 hours of sick time used)
 - 0700-1100 hours: Overtime at Straight Time (time within the 24 hours of sick time used)
3. The Police Department uses a 14-day work period with an overtime threshold of 86 hours pursuant to 29 USC §207(k) of the FLSA. The first 14-day work period shall be Monday, July 3, 2017 at 0001 hours through Sunday, July 16, 2017 at 2400 hours, and continue every 14 days thereafter.
 4. The accrual and/or use of compensatory time shall be subject to the following conditions:
 - a. Employees may request to accrue compensatory time in lieu of overtime payments. The request to earn compensatory time must be submitted on

the overtime authorization form to the supervisor or Department Head prior to working the overtime.

- b. Employees may accrue compensatory time at one and one-half times the actual hours worked over 80 hours in the 14-day work period.
- c. All paid or unpaid leaves, with the exception of holidays, vacation, compensatory leave, and workers' compensation shall not be considered as hours worked for the purpose of computing accrual of compensatory time, but shall be considered as time worked for purposes of accruing compensatory time at straight time.
- d. The Department Head or designee shall determine whether to approve compensatory time or payment for overtime based on the needs of the department and the City and on the employee's accumulated compensatory hours.
- e. Total accumulated compensatory time shall not exceed 120 hours. Employees who have accumulated 120 hours of compensatory time shall have overtime paid in cash until their accumulated compensatory hours fall below the 120-hour limit.
- f. Employees may cash-out up to 24 hours of accumulated compensatory time on 7/20/2017 at their base salary as of 7/1/2017. This is considered a 1-time cash-out and does not carry over to subsequent contracts. This is only eligible for members on payroll as of 6/30/2017 and compensatory accrued as of 7/1/2017.
- g. Use of accrued compensatory time shall be granted at the discretion of the Department Head or designee on the needs of the department and the City. Employees shall request use of compensatory time a minimum of fourteen (14) days in advance. In the case of emergency or unforeseen circumstances, the fourteen (14) day notification requirement may be waived by the Chief of Police or his/her designee
- h. Unused compensatory time shall be paid off at termination.

ARTICLE XIII – RETIREMENT

1. Safety (Sworn) PERS Plan Formula:

- A. **Classic Member:** A classic member is defined as an employee who meets the definition of a "classic" member for purposes of retirement pension benefits in accordance with the Public Employees' Pension Reform Act of 2013. Generally, this includes employees that were hired before January 1, 2013 in the California Public Employees Retirement System (CalPERS) or a reciprocal retirement system with no break in service longer than six months. CalPERS ultimately determine who is a classic member in compliance with the law.
 - a. The City shall provide for classic member employees, hired prior to March 19, 2012, shall receive the 3.0% at 50 formula (First Tier). Classic member employees hired after March 19, 2012, shall receive 3.0% at 55 (Second Tier).

- B. **New Member:** A new member is defined as an employee who meets the definition of a “new” member for purposes of retirement pension benefits to the Public Employees’ Pension Reform Act of 2013. Generally, this includes employees that were hired into a regular position on or after January 1, 2013 or former members who have more than a six-month break in service. CalPERS ultimately determine who is a classic member in compliance with the law.
 - a. The City shall provide for new member employees the 2.7% at 55 (Third Tier).

2. **Miscellaneous (Non-Sworn) PERS Plan Formula**

- A. **Classic Member:** A classic member is defined as an employee who meets the definition of a “classic” member for purposes of retirement pension benefits in accordance with the Public Employees Pension Reform Act of 2013. Generally, this includes employees that were hired before January 1, 2013 in the California Public Employees Retirement System (CalPERS) or a reciprocal retirement system with no break in service longer than six months. CalPERS ultimately determine who is a classic member in compliance with the law.
 - a. The City shall provide for classic member employees, hired prior to March 19, 2012, shall receive the 2.5% at 55 formula (First Tier). Classic member employees hired after March 19, 2012, shall receive 2% at 55 (Second Tier).
- B. **New Member:** A new member is defined as an employee who meets the definition of a “new” member for purposes of retirement pension benefits to the Public Employees Pension Reform Act of 2013. Generally, this includes employees that were hired into a regular position on or after January 1, 2013 or former members who have more than a six-month break in service. CalPERS ultimately determine who is a classic member in compliance with the law.
 - a. The City shall provide for new member employees the 2% at 62 (Third Tier).

3. **PERS Highest Pension Calculation Compensation Period** - The City shall continue to provide the Single Highest One Year Final Compensation Pension calculation benefit to current employees hired prior to March 19, 2012. Employees hired after March 19, 2012 shall receive the highest average Three Year Final Compensation calculation benefit.

4. The City shall provide employees with the following benefits/provisions:

- A. The City's contract with PERS provides credit for unused sick leave.
- B. The City's contract with PERS provides the Third Level of 1959 Survivor Benefit.
- C. **Safety (Sworn) Classic Members:** Employees shall contribute 9% toward the PERS employee share.

Safety (Sworn) New Members: Employees shall contribute 11.50% or 50% of the total normal cost (whichever is greater) toward the PERS employee share.

Miscellaneous (Non-sworn) Classic Members: Employees hired prior to March 19, 2012 shall contribute 8% toward the PERS employee share. Employees hired after March 19, 2012 shall contribute 7% toward the PERS employee share.

Miscellaneous (Non-sworn) New Members: Employees hired after January 1, 2013 shall contribute 6.25% or 50% of the total normal cost (whichever is greater) toward the PERS employee share.

Both City and employee contributions shall at the time of separation, belong to the employee.

ARTICLE XIV – SHOOTING PAY

All sworn unit employees shall be credited with three (3) hours overtime or actual hours worked whichever is higher for each month they are required to shoot during off-duty hours.

ARTICLE XV – SPECIAL DUTY PAY

Unit employees assigned to perform police functions at special duty events shall be paid at time and one-half the top step of Corporal pay. Pay starts at time the employee arrives at location and is scheduled to perform police functions at the special duty event.

ARTICLE XVI – TUITION REIMBURSEMENT

A. Eligibility

1. All unit employees shall be reimbursed if they secure prior written approval of the course from their Department Head and the City Manager, and earn a grade of C or better (a grade of B or better for graduate courses).
2. Courses must be job related as determined by the City Manager.

B. Amount of Reimbursement

1. All unit employees shall be eligible to receive up to fifteen hundred (\$1,500) per year as reimbursement for tuition and/or related school expenses (i.e., textbooks, health fees, application fees, unreimbursed mandatory school expenses related to offsite school projects, fieldtrips, transportation, parking fees, etc.).
2. No employee shall receive reimbursement for courses eligible for full or partial reimbursement from another funding source (e.g., Veteran's benefits or POST).
3. If an employee is terminated from the City within one year after the completion of a reimbursed course for which the City has paid more than \$50, the employee shall reimburse the City by an amount equal to 1/12 of the reimbursement amount times the number of months remaining in the year. Terminated employees shall be required to sign an authorization for the City to deduct from the last paycheck any amount due to the City.
4. If an employee is directed to take a course by the Department Head, and the Department Head requests in writing the approval of the City Manager, the City Manager may approve that the full cost of tuition and fees be paid in advance by the

City. The City may also pay transportation or mileage and the cost for books and other materials at the discretion of the City Manager.

C. Submitting Tuition Reimbursement Requests

1. All requests for tuition reimbursement forms shall be completed by the employee and filed with the department secretary.
2. The department secretary shall see that the form has the necessary Department Head approval and shall submit the request to the accounting division.
3. The Finance Department shall review the appropriate training account to determine whether sufficient funds are available and forward the form to the City Manager.
4. The City Manager shall approve or reject the request and return the form to the accounting division.
5. In the event that the City Manager approves the request for tuition reimbursement, the accounting division shall record this approval as an encumbrance against the appropriate training account, return one copy of the request for tuition reimbursement form to the employee making the request, and file one copy with the training account log.
6. Upon successful completion of the course, and within 30 days of the issuance of the course grade, the employee shall complete a demand form and submit it, together with a copy of the original approved request for tuition reimbursement form, receipts, and proof of course grade, to the accounting division.

ARTICLE XVII – UNIFORM ALLOWANCE AND REIMBURSEMENT

- A. Allowance: All uniformed personnel (Corporals, Officers, Communication Officer I, Communication Officer II, Jailers, Senior Jailer, and Parking Enforcement Officer) shall receive thirty (\$30.00) per month allowance for uniform maintenance. All persons assigned to administrative duties (investigations, DARE, training, community relations) will receive forty (\$40.00) per month allowance.
- B. Reimbursement: Employees shall be eligible to receive reimbursement of up to \$400 per fiscal year for uniform and equipment purchases. All purchases shall be in compliance with City and Police Department policy and reimbursement shall occur upon submittal of proof of purchase receipts. Ineligible items include firearms, magazines, and ammunition.

ARTICLE XVIII – FLEXIBLE BENEFIT PLAN

The City's Flexible Benefit Plan shall include, for the employee and eligible dependents, City sponsored health insurance including medical, dental and vision insurance. The Flexible Benefit Plan shall also include, for employee only, supplemental benefit options available.

The City shall contribute \$1,294.00 per month towards the flexible benefit plan. Employees who do not use the full amount of the Flexible Benefit shall receive the remaining amount as taxable income. Should the total cost of premiums for benefits selected under the plan exceed the City's monthly contribution, the overage will be paid by the employee via pretax payroll deductions.

If an employee has medical, dental, and/or vision through other means, the employee is able to submit proof of other coverage, and will receive the Flexible Benefit amount as taxable income.

ARTICLE XIX – LIFE INSURANCE

The City agrees to provide life insurance in the amount of \$75,000 per employee and \$10,000 for his/her dependents.

ARTICLE XX – DEFERRED COMPENSATION

Employees have the opportunity to participate in a supplemental retirement savings account, 457 Deferred Compensation plan. Through tax-deferred payroll deductions, employees are eligible to deposit funds into their account, up to the maximum allowed by law.

ARTICLE XXI – DEFERRED COMPENSATION MATCH

Beginning with the employees' fifteenth (15th) consecutive year of service in CPOA, the City will match up to one and one-half percent (1.5%) of their base pay, payable into their deferred compensation account. This percentage increases to two percent (2%) at the beginning of their twentieth (20th) year in CPOA. To qualify for the deferred compensation match, an employee must have at least three (3) of five (5) years, preceding the eligibility year, of "exceeds expectations" evaluations. On an annual basis, employee must maintain "exceeds expectations" evaluation or lose eligibility for that year. Employee would be eligible for deferred compensation match once again, if they maintain the three (3) of five (5) year "exceeds expectations" evaluations.

ARTICLE XXII – RETIREE MEDICAL INSURANCE

The City shall continue to offer retirees the option to participate in group medical programs offered by the City. Association members that retire after October 25, 2011 may continue retiree group medical coverage at their own expense. Association members that retired before October 25, 2011 shall continue to be eligible for retiree group medical coverage at the retiree's expense minus the City's current retiree-only \$32.20 monthly contribution. Premium costs and level of coverage shall remain the same as for active employees, when applicable. Retirees eligible for Medicare have different premiums and coverage than non-Medicare eligible retirees, and active employees.

ARTICLE XXIII – LONG TERM DISABILITY

The City shall provide a long term disability program which includes the following benefits: 66.66% of base pay; maximum benefit up to \$8,000; to age 65, following a 60-day wait period. Between the 60th and 90th day of disability, the City will fund an amount equivalent to that under the long-term disability policy. After the 90th day, the policy itself will be in effect.

ARTICLE XXIV – WORKERS' COMPENSATION

All injuries sustained in the course of employment shall be reported at once to the unit employee's immediate supervisor or the on-duty Watch Commander (whichever is immediately available), who shall report the injury to their Division Manager, Department Head and the Personnel Manager. In the event the employee is physically incapacitated in such a manner as to prevent submission of a report, the Department Head or his/her designee shall complete and forward the required report to the Personnel Manager within 24 hours following the injury.

A. NON-SWORN EMPLOYEES:

Whenever any employee is compelled by direction of the City's physician or the employee's physician where the City has not appointed one, to be absent from duty on account of injury arising out of and in the course of his/her City employment, he/she shall receive full compensation during the first thirty (30) calendar days of such absence. During the period of time that an employee is receiving full salary, any workers' compensation payments received by the employee or by the City in his/her behalf shall be paid over to the City.

After thirty (30) days, an employee may elect to apply prorated accrued sick leave to such absence and to receive compensation equal to the difference between the compensation to which he/she is entitled under the California Workers' Compensation Law and his/her regular City salary, not to exceed the amount of earned sick leave. If the employee does elect and has applied his/her accrued sick leave to such absence, then he/she shall be entitled to receive compensation for absences following and related to the occurrence of a specific injury until his/her sick leave is exhausted. Such compensation shall be in an amount equal to the difference between compensation to which he/she is entitled under the California Workers' Compensation Law and his/her regular City salary.

Any permanent employee shall continue to accrue vacation, holidays and sick leave and to earn eligibility for consideration for merit salary increases during an absence resulting from an on-the-job injury providing he/she receives compensation payments under the provisions of the California Workers' Compensation Law. A probationary employee shall be entitled to the same benefits as a permanent employee, except he/she shall not continue to earn eligibility for consideration for merit salary increases or permanent status.

Medical care and payments for permanent disabilities incurred in the course of employment shall be as prescribed by the Workers' Compensation Act.

B. SWORN EMPLOYEES:

Whenever a sworn police employee sustains an injury while actively engaged in law enforcement, he/she shall receive compensation as provided under the State Workers' Compensation Act. Such officer shall be placed upon leave of absence at full pay and shall be paid by the City for so long as is required by Section 4850 and related Section of the Labor Code. During the time the City is required to pay and actually pays, the employee shall not be entitled to receive any temporary disability payments under the Workers' Compensation System, and the City shall be entitled to receive all payments which would otherwise be payable to such employee for such temporary disability or upon retirement.

Any permanent employee shall continue to accrue vacation, holidays and sick leave and to earn eligibility for consideration for merit salary increases during an absence resulting from an on-the-job injury providing he/she receives compensation payments under the provisions of the California Workers' Compensation Law. A probationary employee shall be entitled to the same benefits as a permanent employee, except he/she shall not continue to earn eligibility for consideration for merit salary increases or permanent status.

Medical care and payments for permanent disabilities incurred in the course of employment shall be prescribed by the Workers' Compensation Act.

ARTICLE XXV – HOLIDAYS

A. AUTHORIZED HOLIDAYS:

All unit employees shall be entitled to the following holidays with pay each calendar year and such other days as may be designated by action of the City Council:

1. January 1 (New Year's Day)
 2. The third Monday in January (Martin Luther King's Birthday)
 3. The third Monday in February (President's Day)
 4. The last Monday in May (Memorial Day)
 5. July 4 (Independence Day)
 6. The first Monday in September (Labor Day)
 7. Veteran's Day
 8. Thanksgiving Day
 9. December 25 (Christmas Day)
- B. Unit employees shall receive three floating holidays (24 hours) each calendar year, of which 1) sixteen (16) hours must be used in the fiscal year, eight (8) may be compensable under the terms of "D" below; 2) require a minimum of fourteen (14) days advance approval. In the case of emergency or unforeseen circumstance, the fourteen days notification requirement may be waived. All 24 floating holiday hours shall be credited to the employee the first pay period in January and must be used by November 30 of the same calendar year or shall be compensable on the pay date closest to December 1st of each calendar year.
- C. The specific days that City employees will observe the holiday may be determined by the City Council and/or the City Manager. The City Manager is empowered to determine whether the City shall observe special days of declaration by the President or Governor as a day of public fast, thanksgiving, mourning or holiday, as well as determine if Christmas Eve, and/or any other day shall be a holiday.
- D. Employees shall have the option of receiving straight time compensatory time in lieu of holiday pay. Such hours shall be banked as floating holiday hours.
- E. Employees shall receive holiday pay equal to the number of hours they are scheduled to work on a holiday or the number of hours actually worked on a holiday, whichever is greater. Those employees normally scheduled off on a holiday will receive holiday pay of eight (8) hours.

Application: A recognized holiday is from midnight the night prior through midnight the day of the holiday. For example, the July 4 holiday is from July 3 at 2400 hours through July 4 at 2400 hours.

Example 1: An officer has a regularly scheduled day off on July 4, and does not work that day. That officer receives eight (8) hours of holiday pay.

Example 2: An officer works July 3 from 1900 hours through July 4 at 0700 hours, and is off work the rest of July 4. That officer worked 7 hours of the holiday (2400-0700 hours), but will receive eight (8) hours of holiday pay since eight (8) hours is the minimum.

Example 3: An officer works July 3 from 1900 hours through July 4 at 0700 hours, and works again July 4 from 1900 hours through July 5 at 0700 hours. That officer is considered working the holiday from July 3 at 2400 hours through July 4 at 0700 hours, and July 4 at 1900 hours through 2400 hours, for a total of 12 hours. That officer would receive 12 hours of holiday pay.

Example 4: An officer works July 3 from 1900 hours through July 4 at 0700 hours, and works again July 4 from 1500 hours through 2300 hours. That officer is considered

working the holiday from July 3 at 2400 hours through July 4 at 0700 hours, and July 4 at 1500 hours through 2300 hours, for a total of 15 hours. That officer would receive 15 hours of holiday pay.

Example 5: A detective would normally be scheduled to work 10 hours on July 4, but is taking the day off using 10 holiday hours. Those 10 hours are considered holiday pay, so no additional holiday pay is awarded.

Example 6: A detective would normally be scheduled to work 10 hours on July 4, but is taking the day off using 10 holiday hours. The detective works five (5) hours overtime at the fireworks show. The detective receives no additional holiday pay, since 10 hours of holiday has already been paid, which is greater than the actual time worked (5 hours).

Example 8: An officer is normally scheduled to work July 3 from 1900 hours through July 4 at 0700 hours, but takes time off using vacation. The officer then works July 4 from 1900 hours through July 5 at 0700 hours. The 5 hours from July 3 at 1900 hours through 2400 hours are charged to vacation. The 7 hours from July 3 at 2400 hours through July 4 at 0700 hours are charged to holiday pay instead of vacation (per the CPOA MOU XXVII (C)). The 5 hours on July 4 at 1900 to 2400 hours are considered working on the holiday, so the officer will receive holiday pay for those hours. The officer will receive a total of 12 hours holiday pay (the seven (7) hours used to take the day off, and the five (5) hours earned while working).

ARTICLE XXVI – MILITARY LEAVE

Military leave with pay shall be granted in accordance with provisions of the Military and Veterans Code of the State and applicable Federal law.

An employee entitled to military leave shall give his/her Department Head an opportunity within the limits of military regulations to determine when such leave shall be taken. Prior to taking such leave, an employee shall present a copy of his/her military orders to his/her Department Head. The Department Head shall advise the Personnel Manager of such military orders immediately. Sick leave and annual vacation leave will accrue to the employee during the period he/she is on military leave.

In the event an employee is called to active duty, he/she shall receive his/her compensation less his/her military pay for up to six months.

ARTICLE XXVII – SICK LEAVE

A. **ACCRUAL OF SICK LEAVE:** Employees shall accrue 3.69 hours sick leave for each pay period.

1. An employee shall not receive payment for unused sick leave accumulated to his/her credit upon termination of employment or retirement (either disability or regular). An employee may not use sick leave to extend his/her retirement (either disability or regular) date. This prohibition shall not affect an employee's right to obtain sick leave credit with PERS.
2. Up to five (5) days/shifts more sick leave than has been accumulated may be advanced to an employee on the recommendation of his/her Department Head and the approval of the City Manager. If the employee does not return to work or terminates before repaying the advance, his/her pay for those days shall be deducted from his/her paycheck.

3. Sick leave is not a leave which an employee may use at his/her discretion, but shall be allowed only in cases of actual sickness or disability that is non-industrial and which make it impossible for the employee to perform his/her normal work assignments.
4. Employees scheduled to work on a holiday who are unable to do so due to illness shall be compensated (8) hours of holiday pay and have the total number of hours they were scheduled to work deducted from their accrued sick leave.
5. No mention on performance reviews or the financial penalization of employees for legitimate use of sick leave that qualifies under the Family Medical Leave Act or Family sick leave (Kincare Law) to care for sick family members, or as Pregnancy Disability Leave.
6. Any abuse of sick leave as evidenced by patterned absences, evidence of fraud or more than 40 hours annual use of sick leave not justified by apparent good cause may be mentioned on performance evaluations.

B. PROOF OF ILLNESS:

In order to be paid for time while absent from duty on sick leave, the employee must notify his/her immediate supervisor at least two (2) hours prior to the time set for the beginning of his/her regular duties. Notification is defined as actual contact with the supervisor and/or the on-duty Watch Commander either in-person or over the phone. Calling in to other staff does not meet the notification requirement.

The Department Head, or his designee, may request a certificate issued by a licensed physician or other satisfactory proof of illness before sick leave is granted.

The Department Head, or his designee, may also choose the licensed physician to conduct a physical examination and such examination shall be conducted at City expense.

C. LEAVE

Family School Partnership Leave

In compliance with the Family School Partnership Act, an employee who is the parent, guardian, or grandparent having custody of a child in kindergarten or grades one through twelve, including a licensed child care facility, can take off up to forty (40) hours a year, but may not exceed more than eight (8) hours in one calendar month, to participate in the child's school activities. School activities include field trips, open houses, extracurricular activities, and school meetings for a suspended child. The employee must give at least five (5) working day notice to the Department Head prior to participating in the school activity. The Department Head may require the employee to provide documentation of the school activity. The employee may use accumulated leave time such as vacation, comp time, administrative leave, or floating holidays. The employee may also use unpaid leave.

Family Sick Leave (Kincare Law)

In compliance with Labor Code section 233 and City Administrative Policy 30-32 - Sick Leave, employees may use sick leave for qualifying family sick leave events.

Family Care and Medical Leave (FMLA)

In compliance with City Administrative Policy 30-36 - Family Care and Medical Leave (FMLA), employees may use sick leave, vacation, compensatory time, administrative leave, and/or floating holiday hours for time off work as the result of a qualifying FMLA event.

Pregnancy Disability Leave

In compliance with City Administrative Policy 30-32 - Sick Leave, and Family Care and Medical Leave (FMLA) Policy 30-36, employees may use sick leave, vacation, compensatory time, administrative leave, and/or floating holiday hours for time off due to pregnancy caused disability.

Bereavement Leave

In compliance with City Administrative Policy 30-32 - Sick Leave, employees may take bereavement leave for the death of a family member.

ARTICLE XXVIII – VACATION

A. BASIS OF ACCRUAL

1. Accrual of vacation leave begins with the first pay period. Every employee shall accrue 3.69 hours of vacation leave per pay period for the first year of full-time continuous service with the City.
2. Following the completion of the first year of full-time continuous service, employees shall accrue vacation leave at the rate of 4.62 hours per pay period.
3. Following the completion of the thirteenth year of full-time continuous service, employees shall accrue vacation leave at the rate of 6.15 hours per pay period.
4. Beginning with an employee's tenth year of employment and in five-year increments thereafter, he/she shall receive a one-time longevity incentive of eighty hours on his/her 10th, 15th, 20th, 25th, 30th etc. anniversary date. The longevity incentive shall be used within 12 months after receiving it.

B. VACATION ACCRUAL LIMIT

All employees shall be entitled to have a total accrued vacation leave equal to two years (52 times their pay period accrual rate).

C. EFFECTS OF HOLIDAY ON VACATION LEAVE

In the event one or more authorized municipal holidays falls within a vacation leave, such holiday shall not be charged as vacation.

D. EFFECTS OF SICK LEAVE ON VACATION LEAVE.

In the event an employee becomes ill during his/her vacation period, such time shall not be charged as vacation leave if the following conditions are met:

1. Notice is given immediately to the employee's supervisor or the on-duty Watch Commander. Sick leave will only be granted for those days on which notice is given or which follow notice to the City; and
2. The employee submits a doctor's certificate for the period of sick leave.

E. COMPENSATION FOR CITY WORK DURING VACATION PROHIBITED

No person shall be permitted to work for compensation for the City in any capacity, except compensation for mandated court appearances or special duty assignments during the time of his/her paid vacation leave from City services.

F. SCHEDULING VACATIONS

An employee may take his/her annual vacation leave at any time during the year, contingent upon determination by his/her Department Head that such absence will not adversely affect the department.

Each employee must consider the needs of the department when requesting annual vacation leave. An employee shall provide a minimum of fourteen (14) days written notice of requested vacation time off. In the case of emergency or unforeseen circumstances, the fourteen (14) day notification requirement may be waived by the Chief of Police and/or is designee.

G. VACATION PAY UPON TERMINATION

Any employee separating from City service who has accrued vacation leave shall be entitled to pay in lieu of such vacation. An employee may not use vacation leave to extend his/her termination effective date.

When separation is caused by death of any employee, payment shall be made to the spouse or the estate of such employee or, in applicable cases, as provided by the Probate Code of the State.

ARTICLE XXIX – DISCIPLINARY PROCEDURE

No permanent employee shall be disciplined without just cause. For purposes of this Article, discipline shall be defined to include: oral warnings, written reprimands, suspensions, demotions, reductions in pay, and discharge. Probationary employees may be dismissed for any lawful reason without just cause.

A permanent employee who receives an oral warning, written reprimand, or suspension of less than three days may appeal such action in accordance with the grievance procedure contained in this Agreement (commencing with Article XXIX-C-1).

Except in emergencies, or as authorized by law, suspensions of three days or more, demotions, reductions in pay or discharge, shall not be put in effect until the employee has received written notice advising the employee of the proposed action, the reason(s) therefore, the facts giving rise thereto, the proposed effective date, access to written material that forms a basis for the proposed action, and the opportunity to respond to the Police Chief orally or in writing within five (5) calendar days of receipt of such notice. If the proposed action or some modified action is then implemented, the employee may then appeal such action in accordance with the Grievance Procedure contained in this Agreement (commencing with Article XXIX-C-3).

Grounds for disciplinary action shall include, but not be limited to:

1. Dishonesty
2. Incompetence
3. Inefficiency
4. Neglect of duty
5. Negligence which affects the safety of the employee or of others
6. Bringing to the workplace or use of or being under the influence of alcohol or intoxicating drugs while on duty or on City property.
7. Unexcused or excessive absences (including tardiness).
8. Violation of the rules, regulations or orders established by a supervisor, department or City Council.
9. Conviction of a felony or of a misdemeanor involving moral turpitude.
10. Discourtesy to the public or fellow employees.
11. Misuse or abuse of City property or equipment.
12. Substandard job performance.
13. Insubordination.
14. Outside employment which conflicts with the employee's position and not specifically authorized by the Police Chief.
15. Falsification of any City report or record (including application form).
16. Other acts which are incompatible with service to the public including any conduct or behavior, either on or off duty, which causes discredit or would reasonably tend to cause discredit to fall upon the City, its officers, agents, or departments.

This Article is intended to supersede the Disciplinary and Appeals Procedures contained in the City's Personnel Rules and Regulations.

Disciplinary actions shall be removed from an employee's file five years from the date of discipline and therefore shall not be used in considering any subsequent personnel matters including but not limited to promotions, demotions or other disciplinary action.

ARTICLE XXX – GRIEVANCE PROCEDURE

- A. "Grievance" is an allegation by an employee or the Association that the employee has been adversely affected by a violation of the specific provisions of this Agreement or of the specific provisions of the Personnel Rules and Regulations. Actions to challenge or change the policies of the City as set forth in the rules and regulations or administrative regulations and procedures, so long as these are consistent with the terms of the Agreement, must be undertaken under separate legal processes. Other matters for which a specified method of review is provided by law are not within the scope of this procedure.
- B. Informal Grievance Procedure: The grievant and the City's representative shall make every effort to resolve the grievance at the lowest level of supervision. The grievant shall discuss the resolution with his/her immediate supervisor within ten (10) calendar days of the occurrence. The immediate supervisor shall render an informal decision within ten (10) calendar days of the discussion regarding the grievance. If the grievant does not agree with the supervisor's decision, or if no answer has been received within the specified time period, the grievant may continue the informal process through discussion of the grievance within ten (10) calendar days with his/her second level supervisor. The second level supervisor shall render an informal decision within ten (10) calendar days of such

discussion. If the grievant does not agree with the second level supervisor's decision, or if no answer has been received within the ten (10) day time period, the grievant may proceed to the Formal Grievance Procedure, First Level.

C. Levels of Review:

1. First Level of Review: The grievant shall present the formal grievance in writing to his/her supervisor within ten (10) calendar days of completion of the informal process. The written grievance shall contain the following information:
 - a. Name of grievant and job title;
 - b. Department/Section;
 - c. Clear and concise statement of the nature of the grievance including the circumstances and dates involved;
 - d. The specific provision(s) of the MOU or Personnel Rules alleged to have been violated;
 - e. Requested remedy;
 - f. Name of the grievant's representative, if any;
 - g. Date and signature of the grievant.

The supervisor shall render a decision and comments in writing and return them to the grievant within ten (10) calendar days after receiving the written grievance. If the grievant does not agree with his supervisor's decision or if no answer has been received within specified time period, the grievant may present the grievance in writing to the Police Chief or his designee.

2. Second Level - Department Review: The Police Chief or his designee shall discuss, upon request, the grievance with the grievant, his/her representative, if any, and with other appropriate persons. The Police Chief or designee shall render his decision and comments in writing and return them to the grievant within ten (10) calendar days after receiving the formal written grievance or after the meeting with the grievant, whichever is later. If the grievant does not agree with the decision reached or if no answer has been received within the specified time period, the grievant may appeal the formal grievance to the next level of the grievance procedure within ten (10) calendar days.
3. Third Level - Advisory Arbitration
 - a. To activate advisory arbitration, the grievant must, within the time period specified above, present the grievance in writing to the Personnel Manager for further processing. Failure of the grievant to take this action will constitute a waiver and bar to further processing of the grievance.
 - b. The scope of advisory arbitration of grievances shall be limited to discharges, demotions, or reduction in pay, or suspensions of three (3) days or more without pay. The grievant may waive the right to go to advisory arbitration and instead go directly to the Fourth Level (City Manager). All other grievances shall bypass the Third Level of the grievance procedures and advance to Fourth Level.
 - c. The Personnel Manager and the grievant shall request a list of five arbitrators from the California State Mediation and Conciliation Service.

- d. An arbitrator shall be selected by the following procedure: A representative of the Association or the grievant, if not represented by the Association, and the City's representative shall select the arbitrator from the California State Conciliation Service list by eliminating names until one name remains. The one remaining name shall be the arbitrator. All grievances reaching the arbitration level shall be numbered consecutively during the current fiscal year. The odd-numbered grievances will give the grievant first elimination; the even-numbered grievances will give the City first elimination.
 - e. Once the arbitrator has been selected, hearings shall commence at the convenience of the arbitrator. The technical rules of evidence shall not apply during the arbitration hearing.
 - f. The arbitrator shall be strictly bound by the time limits set forth in the grievance procedure and shall not question or entertain any grievance in which the grievant has not adhered to such time limits.
 - g. Employees called as witnesses shall be scheduled to be released from duty to testify at the hearings. The parties recognize that due to the essential nature of the services performed by the Department, scheduling of time for each employee to testify at arbitration shall be in such a manner so that normal operations are not disrupted. The grievant must submit at least five working days prior to the scheduled arbitration hearing date a list of employees and estimated time that their testimonies will take, as well as the date of the hearing, to the Personnel Manager, with a copy to the Police Chief.
 - h. The jurisdiction of the arbitrator shall be confined to a determination of the facts and the interpretation of the provisions of the Memorandum of Understanding and/or the Personnel Rules and Regulations. The arbitrator will have no power to add to, subtract from, or modify the terms of this Agreement or the written policies, rules, regulations, and procedures of the employer. Witnesses will be assured that their testimony will be kept confidential.
 - i. Within thirty (30) days after the conclusion of the hearing, the arbitrator shall render an advisory decision in writing to the parties (including the City Manager).
 - j. The arbitrator's fees and expenses shall be shared equally by the parties. All other costs shall be borne by the party incurring such expenses.
4. Fourth Level - City Manager
- a. If the grievance is submitted to the City Manager for review and settlement, the City Manager in non-arbitrable cases, may elect the methods he/she considers appropriate for the study of the issues and shall render a written decision to the parties within fifteen days. Notwithstanding the above, upon the grievant's request, the matter shall be submitted to mediation prior to the City Manager's determination.
 - b. For all cases involving advisory arbitration recommendations, the City Manager shall review the entire matter within ten days after receipt of arbitrator's recommendations and render his/her decision.

c. In all cases, the decision of the City Manager shall be final.

D. General Provisions

1. The grievant is entitled to representation of his/her choice at any point in the grievance procedure.
2. Failure by the grievant to meet any of the specified time lines shall constitute a withdrawal of the grievance. Failure by the City to meet any of the specified time lines shall entitle the grievant to appeal to the next level of review.
3. Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level shall be considered as a maximum, and every effort should be made to expedite the process. If the last day of the specified time period falls on the weekend or a City Hall observed holiday, it shall be moved to the next working day. The times specified, however, may be extended by mutual consent.
4. Probationary employees not previously holding permanent status in a lower classification may file grievances under all grievable grounds defined in section A above except in cases involving rejection from probation (i.e., termination).
5. Employees shall be assured freedom from reprisal for using the grievance procedures.

ARTICLE XXX – LAYOFF PROCEDURE

- A. The Personnel Manager may separate any employee or class of positions without prejudice, because of financial or economic condition of the City, reduction of work, or abandonment of activities. The City shall give such employees no less than thirty (30) calendar days written notice of separation and the reason thereof. The notice will be hand-delivered or sent by registered mail. However, no permanent full-time employee shall be separated from a department while emergency, seasonal, and probationary personnel are employed and serving in the same position in the department.
- B. In establishing the order of layoff of employees, the retention of those employees determined to be the most qualified is of concern and therefore, job performance will be considered. However, the principal criteria used in determining the order of layoff and bumping rights shall be seniority, time worked within a class within the City, provided the employee presently possesses the skills, abilities and qualifications to perform the job. Furthermore, seniority shall govern unless the following criteria show that ability, merit and record of the employees considered for layoff are not equal:
 1. An employee's last four performance evaluations, if in existence;
 2. Any history of employee written disciplinary actions;
 3. Attendance record - tardiness and unexcused absences;
 4. Safety record - vehicular and injury.

- C. In the event that a less senior employee in the position in the classification to be laid off has superior skills, abilities, qualifications, merit and record, as determined by the Personnel Manager in the above manner, the more senior employee shall be laid off.
- D. Length of classification seniority shall be counted as all periods of time served as a probationary and permanent employee within a classification.
 - a. The person who holds the higher rank shall be the senior employee.
 - b. If two persons are of equal rank, the one promoted first shall be the senior employee.
 - c. If two persons are promoted on the same day, the person in the higher band shall be the senior employee. If two persons are promoted on the same day and from within the same band, the person who had been senior prior to the promotion shall be the senior employee.

Leave of absences will not be considered when determining seniority.

- E. Bumping Rights - A laid-off employee shall be entitled to bump to the next classification/rank down in accordance with the criteria specified in B 1-4 above. The laid-off employee must be physically and mentally able to perform the duties of the former class. No employee shall be transferred or demoted to a position for which they do not possess the minimum qualifications.
- F. After the City has notified the affected employee of the position available, if any, the employee must notify the Personnel Manager in writing of his/her intent to exercise the bumping rights within ten (10) calendar days, and the position and classification in the City to which he/she intends to bump, or the bumping rights shall be barred and waived to the employee. The employee with the least seniority in the class shall be bumped by the person who is laid off. The employee bumped shall be considered as laid off for the same reason as the person who bumped them and shall in the same manner be eligible to bump to the next classification/rank down in accordance with the criteria specified in B 1-4 above.
- G. An employee's appointment shall not be terminated as a result of a layoff before they have been made a reasonable offer of reassignment, if such an offer is immediately possible or available. Determination of a reasonable offer of reassignment and its availability will be made by the Personnel Manager.
- H. The names of permanent employees who have been laid off due to a reduction in force shall be placed on an appropriate re-employment list according to date separated and shall be eligible for re-employment. The last employee laid off shall be the first employee on the list, with other employees listed in sequential order thereafter. Each employee on a re-employment list shall remain on that list for one year, at which time the list expires unless extended by the Personnel Manager for a maximum of one (1) additional year. The employee first listed shall also be first considered should a vacancy occur within that classification.
- I. Names of laid-off employees on a re-employment list shall be removed under the following provisions:
 - 1. If the employee is re-hired by the City in the same classification.

2. If the employee requests such removal in writing.
 3. If the employee fails to respond within ten (10) calendar days upon receipt of notice of certification by the Personnel Manager to that last known address available.
 4. If the employee refused an appointment to a position of the same classification.
- J. An employee who fails to respond in writing within ten (10) calendar days, refuses recall, or fails to report on the prescribed date, waives all further right to recall and reinstatement as an employee.
- K. A person appointed from a re-employment list must serve a new probationary period if a recall from such list occurs more than one year after the effective date of layoff. A new probationary period in such circumstances shall not be less than one year.

ARTICLE XXXI – COMMUNICATION OFFICERS

All new Communications Officers are hired as a Communication Officer I regardless of previous training/experience. Once a Communication Officer I has completed the below requirements, they shall submit a memorandum and supporting documentation to the Support Services Supervisor requesting to be reclassified to a Communications Officer II position. The Support Services Supervisor shall review the memorandum and supporting documentation to ensure the minimum requirements are met to reclassify the employee to a Communications Officer II position and forward a recommendation to the Chief of Police. The Chief of Police will forward approval of the reclassification to the Personnel Division. The reclassification will take place on the next pay period following submission to the Personnel Division.

- A. Completion of the POST Basic Communications Officer Course.
- B. Completion of five (5) years of service as a Communication Officer I with Claremont Police Department.
- C. Last two annual evaluations were at an “exceeds expectations” rating.
- D. Completion of a department approved Communication Officer training course.
- E. One year as a Communications Training Officer (after completion of course, even if not assigned to a training assignment in that year)
- F. Completion of a department approved Public Records Act training courses.
- G. Completion of a minimum of two of the following courses:
 1. Department approved Critical Incident training
 2. Dispatch/Domestic Violence-Sexual Assault
 3. Dispatcher/Active Shooter Situations
 4. Dispatcher/Public Safety-Advanced
 5. Dispatcher/Tactical Dispatching
 6. Dispatcher/Complacency-Critical Decision Making

The Department recognizes that changes to training offerings may occur during the length of this MOU that limits or eliminates the availability of the above courses and while it retains its rights to approve or disapprove of alternate training courses, it is committed to working with the

Communications staff to ensure that Communications Officer I positions may be reclassified to Communications Officer II positions as quickly as they are qualified.

ARTICLE XXXII – WORK STOPPAGE

It is agreed and understood that there will be no strike, sympathy strike, work stoppage, slow-down, or refusal or failure to fully and faithfully perform job functions and responsibilities, or other interference with the operations of the City by the Association or by its officers, agents, or members during the term of this Agreement. Compliance with the request of other labor organizations to engage in such activity is included in this prohibition.

The Association and its Board of Directors recognizes the duty and obligation of its representatives to comply with the provisions of this Agreement and to make every effort toward inducing its members to do so. In the event of a strike, sympathy strike, work stoppage, slow-down, or other interference with operations of the City by Association members, the Association agrees in good faith to actively take affirmative action to cause those employees to cease such action.

It is agreed and understood that any employee violating this article may be subject to disciplinary action up to and including discharge, and/or, may be considered to have automatically resigned from the City service.

It is understood that in the event this article is violated, the City shall be entitled to withdraw any rights, privileges or services provided for in this Agreement or in any other City rules, regulations, resolutions and/or ordinances, from any employee and/or Association.

ARTICLE XXXIII – DRUG AND ALCOHOL TESTING

The parties recognize that the abuse of alcohol and drugs presents a serious societal problem which must be addressed by employers, employee organizations, employees and society as a whole. Both the Association and the City affirm our objective to see an end to all abuse of alcohol and drugs in the workplace.

Alcoholism and drug dependency are recognized by medical authorities and the parties as diseases, although the causes are not fully understood and the cures are difficult. Nonetheless, the City and the Association believe that constructive measures are possible to deal with alcohol and drug abuse, which can be a cause of family breakdowns, absenteeism and lost productivity, and which ultimately can be related to serious personal breakdowns.

The end objective of this policy is to help employees who are afflicted with alcoholism or drug dependency who wish to be rid of these problems. The keys to this effort will be the providing of education, assistance to the employees and their families, encouraging the employees to receive treatment as needed, fostering and encouraging an environment which is free of alcohol and drug abuse and deterrents to the abuse of alcohol and drugs.

This policy applies to all employees of the City and prohibits the use of alcohol and drugs including all substances, drugs or medications whether legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job. This Policy sets forth the rights and obligations of the City and its employees. The use of or being under the influence of drugs and/or alcohol in the workplace in violation of this Policy, shall be grounds for disciplinary action, up to and including termination.

A. Definitions

1. **ALCOHOL:** The intoxicating agent in beverage alcohol, Ethyl Alcohol, or other low molecular weight alcohol, including Methyl Isopropyl Alcohol.
2. **CITY:** The City of Claremont.
3. **CONTROLLED SUBSTANCE:** Heroin, Amphetamines (Uppers), Barbiturates (Downers), Benzodiazepines (Tranquilizers, Valium), Cannabinoids (Marijuana), Cocaine, Methaqualones (Quaaludes, Downers), Opiates (Codeine, Morphine), Phencyclidine, and PCP; including prescription medications and drugs, and any drugs with an impairing effect.
4. **EMPLOYEE:** An individual in the service of the City, when the City has the right to control and direct that individual in the performance of their job and/or duties; any individual who works for the City.
5. **EMPLOYER:** The City of Claremont, and includes its agents, officers and representatives.
6. **IMPAIR:** To make worse or diminish an employee's ability to perform his/her job duties.
7. **INTOXICATE:** Mental and physical impairment caused by the consumption of alcohol and/or use of drugs.
8. **MEDICAL REVIEW OFFICE:** The agency responsible for receiving laboratory results generated by the City's Drug and Alcohol Testing Program which has knowledge of substance abuse disorders and has individuals with the appropriate medical training to interpret and evaluate an individual's confirmed positive test results together with his/her medical history and any other relevant biomedical information.
9. **PRESCRIPTION DRUGS:** Drugs which are administered by an individual who is licensed, certified, and/or registered, in accordance with applicable federal, state, local, or foreign laws and regulations to prescribe such controlled substances and other drugs.
10. **REASONABLE SUSPICION:** A belief based on objective facts sufficient to lead a reasonably prudent supervisor/or person, to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced. The following factors taken alone or in combination may constitute reasonable suspicion – slurred speech; alcohol odor on breath; unsteady walking and movement; an on-duty accident; change in attendance patterns or personal demeanor; physical altercation; verbal altercation; unusual behavior; possession of alcohol or drugs; information obtained from a reliable person with personal knowledge.
11. **SUBJECT TO DUTY:** Includes any and all time, from the time an employee begins to work or is required to be ready for work until the time he/she is relieved from work and all responsibility for performing such work.
12. **UNDER THE INFLUENCE:** Any condition where alcohol or drugs has so far affected the nervous system, brain or muscles of an individual as to impair, to an appreciable degree, his/her ability to operate and/or function in the matter that an

ordinary, prudent and cautious person, in full possession of their faculties, using reasonable care, would operate or function under like conditions.

B. Employee Responsibilities

An employee must:

- Not possess or use alcohol or be under the influence or impairing drugs, including illegal drugs and prescription drugs without a prescription, during working hours or while subject to duty, on breaks, during meal periods or at any time while on City property;
- Not directly or through a third party sell or provide drugs or alcohol to any person, including any employee while either or both employees are on duty or subject to begin called to duty;
- Submit immediately to an alcohol and drug test when requested by a City representative;
- Notify a supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with safe and effective performance of duties or operation of agency equipment; and
- Provide, within twenty-four (24) hours of request, bona fide verification of a current valid prescription for any potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be in the employee's name.

C. Management Responsibilities and Guidelines

- Managers and supervisors are responsible for reasonable enforcement of this policy.
- Managers and supervisors may request that an employee submit to a drug and/or alcohol test when a manager or supervisor has a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on the job or subject to being called.

D. Education and Training

1. Employees shall be advised in writing of the City's Alcohol and Drug Abuse Policy and Program. Information provided shall cover aspects of the policy including the reasons for the program, benefits for the employees and the City, employee assistance programs, effects of alcohol and drugs on individuals and their families, use of inspections, alcohol tests and drug tests.
2. Managers, selected Association officials and other selected employees shall attend at least one hour of training on alcohol misuse and at least one hour of training on controlled substances misuse, to include the following issues:
 - a. Employee Assistance Programs ("EAP").
 - (1) Alcohol and drug abuse recognition, symptoms and effects.
 - (2) Methods of identifying and helping employees who might be suffering from personal problems that could signal possible alcohol or drug problems.

- (3) Methods of referring employees who may be subject to the effects of alcohol and/or drugs to the EAP.
 - b. City policies and procedures related to handling employees who appear to be subject to the effects of alcohol and/or drugs.
 - c. Documentation of observations and impressions of persons who may be subject to the effects of alcohol and/or illegal drugs.
 - d. Alcohol and drug testing policy, rules, procedures, and safeguards.
 - e. Benefit programs and alternatives available.
 - f. Safety aspects of alcohol or drug problems in both work and social environment.
3. Training shall be at City expense.

E. Employee Assistance Program

1. It is the policy of the City to offer referral to appropriate education, prevention, counseling, treatment and rehabilitation programs and services to employees and their eligible dependents when alcohol or drug abuse, individual psychological problems; marital, family or child difficulties, work stress, or financial or legal concerns arise which may impact the employees' work performance.
2. The City will provide an active EAP to assess and refer employees and their eligible dependents to appropriate education, prevention, counseling, treatment, or rehabilitation services.
3. It is the responsibility of each employee to seek assistance from the Employee Assistance Program before the employee's alcohol or drug problems lead to disciplinary action.
4. An employee's decision to seek voluntary help from the Employee Assistance Program shall not be used as a basis for disciplinary action against the employee.
5. In order for the employee's decision to enter the EAP to be considered voluntary, the employee must seek to enter the EAP prior to a referral for purposes of obtaining a breath alcohol test; or a drug test which subsequently tests positive; or mandatory referral by the employee's supervisor.
6. The confidentiality of individuals utilizing the EAP will be protected within the limits of the law.

F. Alcohol and Drug Testing

Protocol developed by LWD Inc., the City's designated testing service for drug testing, describes the method in which the initial test will be conducted, how the sample will be processed after the drug and/or alcohol test is completed, and how a confirmatory test after an initial positive result will be performed.

1. Testing Based on Reasonable Suspicion

The City may require an employee to submit to a drug screen as a condition of continued employment based on reasonable suspicion as defined by this Policy.

- a. When an employee shows signs of impairment constituting reasonable suspicion of being under the influence of drugs or alcohol, the employee will be sent for testing.
 - (1) A test for alcohol shall be conducted and/or a urine specimen for drug testing shall be required.
 - (2) Prior to requesting an employee to provide a urine specimen, the employee shall be advised of the right to have an Association representative present for the purpose of consultation about the test and the implications of refusal to take the test and/or positive test results.

2. Post-Accident Testing

Post-accident drug and alcohol testing will be conducted on employees following an accident where the employee's performance cannot be discounted as a contributing factor. The only reason an employee will not be tested is if a determination is made that the employee's performance could not have been a contributing factor. If a fatality occurs, the employee will be tested irrespective of whether his/her performance may be discounted.

Post-accident alcohol tests shall be administered within eight (8) hours following an accident. A post-accident drug test shall be administered within thirty-two (32) hours following an accident.

An accident is defined as an incident involving a vehicle where, as a result of damage:

- 1) a vehicle must be transported away from the site of the accident; or
- 2) a vehicle cannot depart from the site in its usual manner without some repair and/or maintenance; or
- 3) a vehicle can depart from the site in its usual manner but will later require some repair and/or maintenance for safe operation; and/or bodily injury occurs to the driver and/or other individual(s) which requires medical attention to said driver and/or individual; and/or which results in death.

G. Random Testing

The City will randomly test employees for any substances, as defined in the Policy, which could impair an employee's ability to effectively and safely perform the functions of his/her job. No employee may be tested more than twice in one calendar year without cause.

1. Ten percent (10%) of safety sensitive employees shall be tested for alcohol and fifty percent (50%) of safety sensitive employees shall be tested for drugs each year.
2. LWD Inc. shall administer random drug tests for such safety sensitive employees on a quarterly basis.

3. In making the random selection, the following process shall be used:
 - a. Each unit employee's unique four digit City of Claremont ID number shall be provided to LWD Inc. for use in the random drug screen selection process.
 - b. LWD Inc. using a scientific valid method shall randomly select a quantity of employee ID numbers that comply with Item 1, and forward to the City of Claremont Personnel Division.
 - b. The Claremont Personnel Division shall match the selected ID numbers with corresponding employees.
 - c. All employees who have their employee ID number selected shall participate in the random drug screen.
 - d. All unit employee ID numbers shall be utilized in the random selection process the subsequent quarter.
 - e. Based on the results of the first round of testing, the frequency of the tests may be either increased or decreased.

H. Positive Test for Alcohol or Drugs

An employee whose alcohol or drug test is positive will be considered in violation of City policy. A positive drug and/or alcohol test may result in disciplinary action, up to and including discharge. If the drug screen is positive, the employee must provide within twenty-four hours of request bona fide verification of a valid current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification of a valid prescription, or if the prescription is not in the employee's name, or if the employee has not previously notified his or her supervisor, the employee will be subject to disciplinary action up to and including discharge.

If an employee tests positive for alcohol or drugs, the City shall conduct an investigation to gather all facts. The decision to discipline or discharge will be carried out in conformance with [reference to City's pertinent discipline procedures].

1. A positive alcohol test shall measure blood alcohol level of 0.02 or higher. An employee whose alcohol test indicates an alcohol concentration level of 0.02 or higher will be removed from his/her safety sensitive position. The City will re-test the employee before the employee may return to his/her position. The employee's alcohol concentration must indicate a concentration level below 0.02 before the employee may be returned to his/her safety-sensitive position.
 - a. First Positive - The employee shall be placed on an immediate leave of absence, referred to an EAP and given the option of participating in City directed counseling and assistance or a City approved alcohol or drug treatment program.
 - (1) An employee will not be paid during his/her leave of absence. However, an employee may use any of his/her accumulated leaves or vacation time. Current benefit coverage will continue.

(2) An employee will be given a Last Chance Agreement which explains the consequences of a second positive test after returning to work. The employee must sign this Agreement to return to work after the treatment recommended by the City, including and not limited to treatment by the City's medical office.

b. Second Positive - If within one year of the First Positive, an employee again tests positive for either alcohol or drugs, the employee will be discharged pursuant to the terms of the Last Chance Agreement.

I. Refusal to Consent to Action Plan following Positive Test

An employee's refusal to submit to testing will result in discipline, up to and including termination. The employee will be treated in the same manner as an employee who has tested 0.02 or greater on an alcohol test or positive on a controlled substance test. Upon refusal, the employee will be reminded of the City's drug and alcohol policy and his or her responsibilities pursuant to the policy. If reasonably believed to be impaired, the employee will not be allowed to continue working.

A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to:

1. A refusal to provide a urine sample for a drug test;
2. An inability to provide a urine sample without a valid medical explanation;
3. A refusal to complete and sign the breath alcohol testing form or otherwise cooperate with the testing process in a way that prevents the completion of the test;
4. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
5. Tampering with or attempting to adulterate the urine specimen or collection procedure;
6. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested;
7. Leaving the scene of an accident without a valid reason as to why without authorization from a supervisor or manager.

J. Procedure for Alcohol or Drug Testing

1. *Consent* - No alcohol test may be administered, urine sample obtained or any drug test conducted on such sample without the written consent of the person being tested. Employees have the right to have a representative of the Association present prior to testing if requested by the employee.
2. *Post-collection Interviews* - After a positive alcohol or drug test, individuals will be thoroughly interviewed by a medical review officer to determine if there may be any medications (prescription or non-prescription legal) or other substances that may have been inhaled, ingested, or injected in the past two weeks which could result in a positive test. In the event an Association member tests positive for drugs or alcohol, a post screening interview will be conducted by the City's doctor to

determine if the positive test could have been the result of an on the job exposure to drugs or from prescription and/or over-the-counter medications.

3. *Alcohol Testing* - The administration of an alcohol test shall be in accordance with the test equipment manufacturer's instructions and the procedures outlined in the Federal Register. Please refer to Attachment A.
4. *Chain of Custody* - Collection and shipment of all urine samples will follow strict chain of custody procedures. Please refer to Attachment A.
5. *Drug Testing* - The obtaining of a urine sample for drug testing and the testing of such sample shall be conducted in accordance with the procedures and protocols contained in Attachment A.
6. *Retention of Sample* - All urine samples confirmed positive for illegal drugs will be frozen by the testing laboratory and retained for a minimum of one year. Please refer to Attachment A.
7. *Confidentiality* - The identities of employees who have tested positive shall be limited to those persons having a need to know.
8. *Contractor/Vendor/Consultant Requirements* - In all future contracts with individuals or organizations that wish to conduct business with the City, a stipulation will be made in the contract that requires the contractor to inform all its employees who will be working on City property of the provisions of the City's Rules of Conduct with respect to Alcohol and Drug Abuse and that the employees of such contractors will be subject to the same Rules of Conduct, and Alcohol and Drug Testing procedures required of the City's employees.

ARTICLE XXXIV – ALTERNATIVE WORK SCHEDULES

- A. Alternative work schedules shall continue as agreed unless otherwise modified. In the event any difficulties in alternative schedules cannot be mutually resolved, any changes, deviations, elimination or extension shall occur after 30 days advanced notice, unless a state of emergency or other extraordinary circumstances preclude such advance notice.
- B. So long as alternative schedules are in effect, the work period for the purposes of computing premium overtime shall be eighty (80) hours in a fourteen (14) day work period.
- C. If an employee is sent to a school which lasts more than three days, that employee's schedule will revert to a traditional five (5) day eight (8) hour schedule during the time the employee scheduled to attend work.
- D. Any employee placed on light duty or jury duty may be required, at the Department's discretion, to revert to a traditional five (5) day eight (8) hour schedule during the time the employee is on light-duty.
- E. Holiday, vacation and sick leave accruals shall continue at the current rates of accrual: Ninety-six (96) hours of holiday per year; ninety-six (96) hours of vacation during the first year of service, one hundred twenty (120) hours of vacation during the second through the 13th year of service and one hundred sixty (160) hours of vacation during the 14th and subsequent years of service; and ninety-six (96) hours of sick leave per year.

- F. Holiday, vacation, sick leave and compensatory time used shall be deducted from accrued hours on an hour-for-hour basis. For example, in the event an employee on a three (3) day twelve (12) hour shift is ill on a regularly scheduled work day, he/she shall have 12 hours deducted from his/her sick leave accrual bank.
- G. Shift assignments will be made on a seniority basis with a sign-up list posted in the briefing room for patrol officers and in other appropriate places for jailers, and communications officers. Shift changes will take place every six (6) months, during the months of September and March.
- H. As long as alternative work schedules are in effect, an Officer, Corporal, Jailer, or Communications Officer may not work more than two consecutive night and day shift rotations. The Chief or his designee may allow an extension of one shift rotation, if an identified emergency or hardship exists and there is no other alternative to remedy the emergency or hardship.
- I. The current Communications Officer schedule shall continue unless vacancies, extended illness/injury or other staffing deficiencies require a modification. Upon mutual agreement of affected personnel and police department management, jailers shall work an alternative schedule unless vacancies, extended illness/injury or other staffing deficiencies require further modification.
- J. The patrol shifts will change at 0700 and 1900 hours. The eight hour shifts shall be 0700 to 1500, 1500 to 2300, and 1900 to 0300 hours starting with the shift change in September, 1994. One officer from day shift and one from night shift shall report to duty at 0600 and 1800, respectively, to provide overlap coverage to reduce late call overtime.
- K. Employees shall only be required to take a thirty (30) minute paid meal period.

ARTICLE XXXV – FULL UNDERSTANDING/EFFECT OF AGREEMENT

It is understood and agreed that the specific provisions contained in this Agreement shall prevail over employer practices and procedures, prior written agreements, and over state laws to the extent permitted by state law, and that, in the absence of specific provision in this Agreement such practices and procedures are discretionary.

During the term of this Agreement, the parties expressly waive and relinquish the right to meet and confer and agree the parties shall not be obligated to meet and negotiate with respect to any subject matter, whether referred to or covered in this Agreement or not, even though each subject or matter may not have been within the knowledge or contemplation of either or both the City or the Association at the time they met and negotiated on and executed this Agreement, and even though such subjects or matters were proposed and later withdrawn.

This Agreement constitutes the total and entire agreement between the parties and no verbal statements shall supersede any of its provisions.

ARTICLE XXXVI – SAVINGS CLAUSE

If any section, subsection, subdivision, sentence, clause, or phrase of this Agreement is for any reason held to be illegal or unconstitutional, such decision shall not effect the validity of the remaining portions of this Agreement.

ARTICLE XXXVII – TERM OF AGREEMENT

This Memorandum of Understanding shall be in effect upon ratification by the Claremont Police Officers' Association and approval by the City Council July 1, 2017 through June 30, 2018.

**FOR THE CITY OF CLAREMONT
POLICE OFFICERS' ASSOCIATION:**

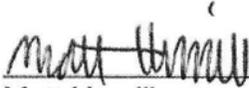
FOR THE CITY OF CLAREMONT:


Chris Casas
CPOA President

6/5/17
Date


Colin Tudor
Assistant City Manager

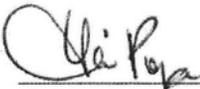
6-6-17
Date


Matt Hamill
CPOA Vice President

6/5/17
Date


Brian Thompson
CPOA Treasurer

6-5-17
Date


Tami Pope
CPOA Secretary

6/5/17
Date

Updated Computation of
FY 2017-18 costs based on the
City's computation of allowable
productive hours pursuant to the
approved FY 2017-18 MOU with
the Claremont Police Officer's
Association

COSTS ASSUMING CITY USES ACTUAL PRODUCTIVE HOUR CALCULATION ALLOWED IN CLAIMING INSTRUCTIONS

Program UVISAS	MANDATED COSTS CITY OF CLAREMONT ACTIVITY COST ESTIMATES						Actual Costs FY 2017-18
City of Claremont							
DIRECT COSTS							
Description of Expenses:							
Employee Names, Job Class., Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Benefit Rate	Hours Worked or Quantity	Salaries	Benefits	Contract	Total Salaries & Benefits
Mike Ciszek, Lieutenant Research original crimes, complete and sign UVISA forms including detailed description of victims helpfulness. (See following page for detailed list of activities) (2 cases this fiscal year)	\$97.27	67.0%	2.00	\$195	\$130		\$325
Shelly Vander Veen, Police Chief Mike Ciszek, Lieutenant Review and approve City UVISA response. Review new State Statute requirements to determine legal requirements and appropriate City response to UVISA requests	\$113.89 \$97.27	63.9% 67.0%	0.25 1.25	\$28 \$122	\$18 \$81		\$47 \$203
Total Direct Costs			3.50	\$345	\$230		\$574
INDIRECT COSTS (ICRP Rate = 90.1% based on salaries & benefits)							
							\$518
GRAND TOTAL							\$1,092

TAB 2

FY 2016-17 SCO Claiming Instructions

B. Filing a Claim

1. Introduction

Government Code (GC) sections 17500 through 17617 provide for the reimbursement of costs incurred by local agencies for costs mandated by the State. These are costs that local agencies are required to incur after July 1, 1980, as a result of any statute enacted after January 1, 1975, or any executive order implementing such statute which mandates a new program or higher level of service of an existing program.

Reimbursement claims are defined as any claim filed with the State Controller's Office (SCO) for reimbursement of costs incurred for which an appropriation is made for the purpose of paying the claim. All claims received by SCO will be reviewed to verify all actual costs claimed. An adjustment of the claim will be made if the amount claimed is determined to be excessive, improper, or unreasonable.

If a claimant is using an indirect cost rate that exceeds 10%, documentation to support the indirect cost rate must be submitted with the claim. A detailed explanation of the indirect cost methods can be found in Section B., Filing a Claim, page 10, Indirect Costs. Documentation to support actual costs must be kept on hand by the claimant and made available to SCO upon request as explained in Section B., Filing a Claim, page 21, Retention of Claim Records and Supporting Documentation.

SCO is authorized to make payments for costs of mandated programs from amounts appropriated by the State Budget Act, by the State Mandates Claims Fund, or by specific legislation. In the event the appropriation is insufficient to pay claims in full, claimants will receive prorated payments in proportion to the dollar amount of approved claims for the program. Balances of prorated payments will be made when supplementary funds become available.

2. Types of Claims

Claimants may file a claim for reimbursement of actual costs incurred in prior fiscal years for a state-mandated program. The types of claims, as defined in GC section 17522, are as follows:

a) Initial Reimbursement Claim

A claim filed with SCO for costs to be reimbursed for the fiscal years specified in the first claiming instructions issued by SCO pursuant to GC section 17558(b).

b) Annual Reimbursement Claim

A claim filed with SCO for actual costs incurred in a prior fiscal year for which appropriations are made to SCO for this purpose.

c) Entitlement Claim

A claim filed with the SCO for the purpose of establishing or adjusting a base-year entitlement. All entitlement claims are subject to GC section 17616.

3. Minimum Claim Amount

For initial claims and annual claims filed, if the total costs for a given year do not exceed \$1,000, no reimbursement will be allowed except as otherwise authorized by GC section 17564. Combined claims may be filed only when the county is the fiscal agent for the claimant. The county will determine if the submission of a combined claim is economically feasible and will be responsible for disbursing the funds to each claimant. A combined claim must show the individual claim costs for each eligible claimant. All subsequent claims based upon the same mandate must be filed in the combined form only unless a special district provides to the county and to SCO, at least 180 days prior to the deadline for filing the claim, a written notice of its intent to file a separate claim.

4. Filing Deadline for Claims

a) Initial Reimbursement Claims

Each claimant, to which the mandate is applicable, shall submit claims for the costs of the initial fiscal years to SCO within 120 days of the issuance date of the claiming instructions, pursuant to GC section 17561(d)(1)(A). Any claim for initial reimbursement filed after the filing deadline will be reduced by 10% of the amount that would have been allowed had the claim been timely filed, with no limitation. SCO may withhold payment of any late claim for initial reimbursement until the next payment deadline for funded claims unless sufficient funds are available to pay the claim after all timely filed claims have been paid. Amended initial claims filed after the deadline will be reduced by 10% of the increased amount of the initial costs, with no limitation. For the purpose of computing a late penalty, claims for all initial fiscal years required to be filed on their initial filing date for a program shall be considered one claim. In no case may a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the SCO's claiming instructions.

b) Annual Reimbursement Claims

Each claimant must submit a claim to SCO by February 15, unless otherwise specified in the claiming instructions, following the fiscal year in which costs were incurred for the program. Claims for fiscal year 2016-17 will be accepted without a late penalty if postmarked or delivered on before the deadline. Claims filed after the deadline will be reduced by a late penalty of 10%, not to exceed \$10,000. Amended claims filed after the deadline will be reduced by 10% of the increased amount, not to exceed \$10,000. In no case may a reimbursement claim be paid if submitted more than one year after the filing deadline specified in the SCO's claiming instructions.

c) Entitlement Claims

When a mandated program has been included in the SMAS, SCO will determine a base-year entitlement amount for each claimant that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. An entitlement claim should not contain nonrecurring or initial start-up costs. There is no statutory deadline for the filing of entitlement claims. However, these claims should be filed by February 15 following the third fiscal year used to develop the entitlement claim, to permit an orderly processing of claims.

5. Payment of Claims

In order for SCO to authorize the payment of a claim, the Certification of Claim, Form FAM-27, must be properly filled out, signed in blue ink, and dated by the agency's authorized officer. Pursuant to GC section 17561(d), reimbursement claims are paid by October 15 or 60 days after the date the appropriation for the claim is effective, whichever is later. In the event the amount appropriated by the Legislature is not sufficient to pay the approved amount in full for a program, claimants will receive a prorated payment in proportion to the amount of approved claims timely filed and on hand at the time of proration.

a) Initial Reimbursement Claims

When paying a timely filed claim for initial reimbursement, SCO shall withhold 20% of the amount of the claim until the claim is audited to verify the actual amount of the mandated costs.

The payment of an initial reimbursement claim by SCO shall include accrued interest at the Pooled Money Investment Account (PMIA) rate, if the payment is made more than 365 days after adoption of the statewide cost estimate for an initial claim. Interest shall begin to accrue as of the 366th day after the adoption of the statewide cost estimate for the initial claim.

b) Annual Reimbursement Claims

A claimant is entitled to receive accrued interest at the PMIA rate for any unpaid subsequent claim amount remaining on August 15 following the filing deadline. Interest shall begin to accrue on August 16 following the filing deadline.

c) Entitlement Claims

Initial apportionments are made on an individual program basis. After the initial year, all apportionments are made by November 30. The amount to be apportioned is the base-year entitlement adjusted by annual changes in the Implicit Price Deflator (IPD) for cost of goods and services to governmental agencies as determined by the Department of Finance (DOF).

When SCO has made a payment on claims prior to the Commission's approval of the program for inclusion in the SMAS, the payment shall be adjusted in the next apportionment to the amount which would have been subvended to the claimant for that fiscal year had the SMAS been in effect at the time of the initial payment.

SCO reports the amounts of insufficient appropriations to the Director of DOF, the Chairperson of the Joint Legislative Budget Committee, and the Chairperson of the respective fiscal committee in each House of the Legislature. Any balances remaining on these claims will be paid if supplementary funds become available.

5. Payment of Claims (continued)

Unless specified in the statutes, regulations, or Parameters and Guidelines (Ps & Gs), the determination of allowable and unallowable costs for mandates is based on the Ps & Gs adopted by the Commission on State Mandates (CSM). Allowable costs are those direct and indirect costs, less applicable credits, considered eligible for reimbursement. In order for costs to be allowable and thus eligible for reimbursement, the costs must meet the following general criteria:

- The cost is necessary and reasonable for proper and efficient administration of the mandate and not a general expense required in carrying out the overall responsibilities of government;
- The cost is allocable to a particular cost objective identified in the Ps & Gs; and
- The cost is net of any applicable credits that offset or reduce expenses of items allocable to the mandate.

SCO has identified certain costs that should not be claimed as direct program costs unless specified as reimbursable under the program's Ps & Gs. These costs include, but are not limited to, subscriptions, depreciation, memberships, conferences, workshops, general education, and travel costs.

6. State Mandates Apportionment System (SMAS), GC sections 17615 – 17617

Chapter 1534, Statutes of 1985, established the SMAS. It is the intent of the Legislature to streamline the reimbursement process for costs mandated by the State by creating a system of state mandate apportionments to fund the costs of certain programs mandated by the State. This method is utilized whenever a program has been approved for inclusion in the SMAS by CSM.

Once CSM approves a mandate for inclusion in the SMAS, SCO will determine a base-year entitlement amount for each claimant that has submitted reimbursement claims (or entitlement claims) for three consecutive fiscal years. A base-year entitlement amount is determined by averaging the approved reimbursement claims (or entitlement claims) for any three consecutive fiscal years. The amounts are first adjusted by any change in the IPD, which is applied separately to each year's costs for the three years that comprise the base period. The base period is the three fiscal years succeeding CSM's approval.

When the claims are approved and a base-year entitlement amount is determined, the claimant will receive an apportionment reflective of the program's current-year costs. The apportionment amount is adjusted annually for any change in the IPD. If the mandated program was included in the SMAS after January 1, 1988, the annual apportionment is adjusted for any change in both the IPD and the workload.

SCO will perform this computation for each claimant that has filed claims for three consecutive years. If a claimant has incurred costs for three consecutive years but has not filed a claim in each of those years, the claimant may file an entitlement claim, Form FAM-43, to establish a base-year entitlement. The Form FAM-43 is included in the claiming instructions for SMAS programs.

6. State Mandates Apportionment System (SMAS), GC sections 17615 – 17617 (continued)

If a SMAS program is discontinued or made permissive, SCO shall determine the amount of the entitlement attributable to that mandate according to GC section 17615.6. If the program is modified or amended by the Legislature or an executive order and the modification or amendment significantly affects the program, as determined by CSM, the program shall be removed from the SMAS and the payments reduced accordingly, pursuant to GC section 17615.7.

In the event CSM determines that the apportionment amount or base-year entitlement does not accurately reflect costs incurred by the claimant of all mandates upon which that apportionment is based, CSM shall direct SCO to adjust the apportionment as set forth in GC section 17615.8(c).

7. Direct Costs

A direct cost is a cost that can be identified specifically with a particular program or activity. Documentation to support direct costs must be kept on hand, unless otherwise specified in the claiming instructions, and made available to SCO upon request.

It is the responsibility of the claimant to maintain documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

Costs typically classified as direct costs are:

a) Employee Wages, Salaries, and Fringe Benefits

A productive hourly rate may be computed by the claimant for each employee or classification whose labor is directly related to the claimed reimbursable cost. For each of the reimbursable mandated activities performed, list the names of the employees, job classifications, hours worked on the mandate, and rate of pay.

A claimant has the option of using one of the following methods: (1) Actual Annual Productive Hourly Rate (per employee); or (2) Weighted-Average Annual Productive Hourly Rate (per classification). The claimant must maintain documentation of how the hours were computed for either option.

(1) Actual Annual Productive Hourly Rate

→ The annual productive hours (APH) to be used is 1,800 for the computation of the productive hourly rate. APH must exclude employee time for paid holidays, vacation earned, used sick leave, informal time off, jury duty, and used military leave.

7. Direct Costs (continued)

There are two methods to compute actual annual productive hourly rate (PHR):

- (a) Employee's Annual Salary (EAS) + Actual Fringe Benefits Costs (Benefits) Method

To illustrate the computation of PHR, assuming that the employee's compensation was \$26,000 and \$8,099 for annual salary and fringe benefits, respectively; using the formula shown in Table 1 below, this method would yield a PHR of \$18.94.

Table 1: Employee's Annual Salary + Actual Fringe Benefits Costs Method

Formula: $[(EAS + Benefits) \div APH] = PHR$
 $[(\$26,000 + \$8,099) \div 1,800] = 18.94$

- To convert a biweekly salary to an annual salary, multiply the biweekly salary by 26.
- To convert a monthly salary to an annual salary, multiply the monthly salary by 12.
- Use the same methodology to convert other salary periods.

- (b) Percent of Salary Method

To compute PHR using this method, the claimant should first determine the benefit rates (BR).

Table 2: Percent of Salary Method

Example:

Step 1: Benefits as a Percent of Salary

Retirement	15.00 %
Social Security & Medicare	7.65
Health & Dental Insurance	5.25
Workers' Compensation	3.25
Total	31.15 %

Step 2: Productive Hourly Rate

Formula: $[(EAS \times (100\% + BR)) \div APH] = PHR$
 $[(\$26,000 \times (1.3115)) \div 1,800] = \18.94

7. Direct Costs (continued)

As illustrated in Table 1 and Table 2, both methods produce the same PHR.

Reimbursement for personnel services includes, but is not limited to, compensation paid for salaries, wages and employee fringe benefits. Employee fringe benefits include employer's contributions for social security, pension plans, insurance, worker's compensation insurance, and similar payments. These benefits are eligible for reimbursement as long as they are distributed equitably to all activities. Whether these costs are allowable is based on the following presumptions:

- The amount of compensation is reasonable for the service rendered;
- The compensation paid and benefits received are appropriately authorized by the governing board;
- Amounts charged for personnel services are based on payroll documents that are supported by time and attendance or equivalent records for individual employees; and
- The methods used to distribute personnel services produce an equitable distribution of direct and indirect allowable costs.

For each of the employees included in the claim, the claimant must use reasonable rates and hours in computing the wage cost. If a person of a higher-level job position performs an activity which normally would be performed by a lower-level position, reimbursement for time spent is allowable at the average salary range for the lower-level position. The salary rate of the person at the higher-level position may be claimed if it can be shown that it was more cost effective in comparison to the performance by a person at the lower-level position under normal circumstances and conditions. The number of hours charged to an activity should reflect the time expected to complete the activity under normal circumstances and conditions. The number of hours in excess of normal expected hours is not reimbursable.

(2) Weighted-Average Annual Productive Hourly Rate

Those instances for which the claiming instructions allow a unit as a basis of claiming costs, the direct labor component of the unit cost should be expressed as an average productive hourly rate and can be determined as follows:

7. Direct Costs (continued)

Table 3: Calculating an Average Productive Hourly Rate

	<u>Time Spent</u>	<u>Productive Hourly Rate</u>	<u>Total Cost by Employee</u>
Employee A	1.25 hrs	\$6.00	\$7.50
Employee B	0.75 hrs	\$4.50	\$3.38
Employee C	3.50 hrs	\$10.00	\$35.00
Total	5.50 hrs		\$45.88
Average Productive Hourly Rate is $\$45.88 \div 5.50 \text{ hrs} = \8.34			

b) Employer's Benefits Contribution

A claimant has the option of claiming actual employer's fringe benefit contributions or computing an average fringe benefit cost for the employee's job classification and claiming it as a percentage of direct labor. The same time base should be used for both salary and fringe benefits when computing a percentage. For example, if health and dental insurance payments are made annually, use an annual salary. After the percentage of salary for each fringe benefit is computed, total them.

For example:

<u>Employer's Contribution</u>	<u>% of Salary</u>
Retirement	15.00
Social Security & Medicare	7.65
Health & Dental Insurance	5.25
Workers' Compensation	0.75
Total	<u>28.65%</u>

c) Materials and Supplies

Only actual expenses may be claimed for materials and supplies that were acquired and consumed specifically for the purpose of a mandated program. The claimant must list the materials and supplies that were used to perform the mandated activity, the number of units consumed, the cost per unit, and the total dollar amount claimed. Materials and supplies purchased to perform a particular mandated activity should be reasonable in quality, quantity, and cost. Purchases in excess of reasonable quality, quantity, and cost are not reimbursable. Materials and supplies withdrawn from inventory and charged to the mandated activity must be based on a recognized method of pricing, consistently applied. Purchases must be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant.

7. Direct Costs (continued)

(1) Calculating a Unit Cost for Materials and Supplies

In those instances for which the P's & G's suggest that a unit cost be developed for use as a basis of claiming costs mandated by the State, the materials and supplies component of the unit cost should be expressed as a unit cost of materials and supplies as shown in Table 4 or Table 5:

Table 4: Calculating a Unit Cost for Materials and Supplies

Supplies	<u>Cost Per Unit</u>	<u>Amount of Supplies Used Per Activity</u>	<u>Unit Cost of Supplies Per Activity</u>
Paper	0.02	4	\$0.08
Files	0.10	1	0.10
Envelopes	0.03	2	0.06
Photocopies	0.10	4	0.40
			<u>\$0.64</u>

Table 5: Calculating a Unit Cost for Materials and Supplies

Supplies	<u>Amount of Supplies Used Per Activity</u>	<u>Unit Cost of Supplies Per Activity</u>
Paper (\$10.00 for 500 sheet ream)	250 Sheets	\$5.00
Files (\$2.50 for box of 25)	10 Folders	1.00
Envelopes (\$3.00 for box of 100)	50 Envelopes	1.50
Photocopies (\$0.05 per copy)	40 Copies	2.00
		<u>\$9.50</u>
If the number of reimbursable instances is 25, then the unit cost of supplies is \$0.38 per reimbursable instance ($\$9.50 \div 25$).		

d) Contract Services

The cost of contract services is allowable if the claimant lacks the staff resources or necessary expertise, or it is economically feasible to hire a contractor to perform the mandated activity. The claimant must keep documentation on hand to support the name of the contractor, the reason for hiring a contractor, the mandated activities performed, the dates the activities were performed, the number of hours spent performing the mandate, the hourly billing rate, and the total cost. The hourly billing rate must not exceed the rate specified in the Ps & Gs for the mandated program.

7. Direct Costs (continued)

The contractor's invoice or statement must include an itemized list of costs for activities performed. A copy of the contract must be included with the submitted claim.

e) Equipment Rental Costs

Equipment purchases and leases (with an option to purchase) are not reimbursable as a direct cost unless specifically allowed by the Ps & Gs for the particular mandate. Equipment rentals used solely for the mandate are reimbursable to the extent that such costs do not exceed the retail purchase price of the equipment plus a finance charge. The claimant must maintain documentation to support the purpose and use of the equipment, the time period for which the equipment was rented, and the total cost of the rental. If the equipment is used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the rental costs may be claimed.

f) Fixed Assets

Capital outlay for land, buildings, equipment, furniture, and fixtures may be claimed if the Ps & Gs specify them as allowable. If they are allowable, the Ps & Gs for the program will specify a basis for the reimbursement. If the fixed asset or equipment is also used for purposes other than reimbursable activities for a specific mandate, only the pro rata portion of the purchase price used to implement the reimbursable activities may be claimed.

g) Travel Expenses

Travel expenses are normally reimbursable in accordance with the travel rules and regulations of the local jurisdiction. For some programs, however, the P's & G's may specify certain limitations on expenses, or expenses may be reimbursed only in accordance with the Department of Human Resources travel standards. When claiming travel expenses, the claimant must maintain documentation to support the purpose of the trip, the names and addresses of the persons incurring the expense, the date and time of departure and return, a description of each expense claimed, the cost of transportation, the number of private auto miles traveled, and the cost of tolls and parking. Receipts are required for charges over \$10.00.

h) Documentation

It is the responsibility of the claimant to make available to SCO, upon request, documentation in the form of general and subsidiary ledgers, purchase orders, invoices, contracts, canceled warrants, equipment usage records, land deeds, receipts, employee time sheets, agency travel guidelines, inventory records, and other relevant documents to support claimed costs. The type of documentation necessary for each claim may differ with the type of mandate.

8. Indirect Costs

Indirect costs are (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Indirect costs can originate in the department performing the mandate or in departments that supply the department performing the mandate with goods, services, and facilities. To be allowable, a cost must be allocable to a particular cost objective. Indirect costs must be distributed to benefiting cost objectives on bases, which produce an equitable result, related to the benefits derived by the mandate.

Previously, the costs of elected officials were considered expenses related to general government and, thus, were unallowable for reimbursement purposes. Recent interpretation has moved in the opposite direction, except for those items of cost that are unallowable in the cost principles set forth in the Office of Management and Budget Circular (OMB) Circular 2 CFR, Chapter I and Chapter II, Part 200 et al., formerly the OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments. A cost that is necessary for proper and efficient administration of a program and is identifiable to that program is eligible for consideration as an allocable indirect cost. Allocable costs for time spent on programs must be supported by time record.

Claimants have the option of using 10% of direct labor as indirect costs or claiming indirect costs through a department's Indirect Cost Rate Proposal (ICRP) for the program, prepared in accordance with the provisions of the OMB Circular 2 CFR, Chapter I and Chapter II, Part 200 et al. An ICRP must be prepared if the claim for indirect costs is in excess of 10% of direct salaries and the ICRP must be submitted with the claim.

a) Fixed 10% Rate Method

Indirect costs may be computed as 10% of direct labor costs, excluding fringe benefits. The use of the 10% rate may benefit small agencies for which it is inefficient to prepare an ICRP.

Direct Costs Incurred By:	On Behalf of:	
<u>Auditor</u>	<u>Welfare Administration</u>	<u>Health Department</u>
<u>Warrant Writing:</u>		
A. Salary of employee working	\$5,000	\$1,000
B. Benefits of above	800	200
C. Cost of paper	350	100
D. First-line supervision (salaries)	3,000	500
E. Indirect cost 10% of A + D	800	150
Total amount charged to benefited departments for warrant writing services	\$9,950	\$1,950

8. Indirect Costs (continued)

Direct Costs Incurred By:	On Behalf of:	
<u>Building & Grounds Department</u>	<u>Welfare Administration</u>	<u>Health Department</u>
<u>Maintenance of Buildings:</u>		
A. Salary of employees performing maintenance	\$1,000	\$500
B. Benefits of above	200	100
C. Cleaning supplies	250	150
D. First-line supervision (salaries)	500	200
E. Indirect cost 10% of A + D	150	70
<u>Total amount charged to benefited departments for building maintenance services</u>	<u>\$2,100</u>	<u>\$1,020</u>

Any claimant using this method for claiming costs must submit a statement similar to the example above and with supporting data. The cost data required for desk audit purposes are described in the claiming instructions for that mandated program under Salaries and Employee Benefits, Materials and Supplies, Contract Services, Travel Expenses, etc.

b) Indirect Cost Rate Proposal Method

If a claimant elects not to utilize the 10% fixed rate method but wants to claim indirect costs, it must prepare an ICRP for the program. The proposal must follow the provisions of the OMB Circular 2 CFR, Chapter I and Chapter II, Part 200 et al., formerly OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments. The development of the indirect cost rate proposal requires that the indirect cost pool include only those costs which are incurred for a common or joint purpose that benefit more than one cost objective. The indirect cost pool may include only costs that can be shown to provide benefits to the program. In addition, total allocable indirect costs may include only costs that cannot be directly charged to an identifiable cost center (i.e., program).

A method for preparing a departmental indirect cost rate proposal for programs is presented as Table 6. Only this format is acceptable under the SCO reimbursement requirements. If more than one department is involved in the reimbursement program, each department must have its own indirect cost rate proposal for the program.

8. Indirect Costs (continued)

Table 6:

**INDIRECT COST RATE PROPOSAL
PUBLIC DEFENDER'S OFFICE INVESTIGATION PROGRAM
FISCAL YEAR 20__-20__**

(a) Description of Costs	Total Costs	(b) Excludable Unallowable Costs	(c) Allowable Indirect Costs	(d) Allowable Direct Costs	Identifiable Program Costs	
					Investigation PC 987.9	All Others
Salaries & Benefits						
Salaries & Wages	\$ 1,150,000	\$ 50,000 (f)	\$ 150,000	\$ 950,000 (f)	\$ 100,000	\$ 850,000
Overtime	20,000	0	20,000	0	0	0
Benefits	230,000	10,000	30,000	190,000	20,000	170,000
Total	\$ 1,400,000	\$ 60,000	\$ 200,000	\$ 1,140,000	\$ 120,000	\$ 1,020,000
Services & Supplies						
Office Expense	\$ 200,000	\$ 10,000	\$ 20,000	\$ 170,000	\$ 10,000	\$ 160,000
Communications	100,000	2,000	10,000	88,000	1,000	87,000
Transportation	120,000	5,000	0	115,000	5,000	110,000
Special Dept Expense (Contracts)	250,000	0	0	250,000	0	250,000
Other, Pass Through Program	800,000	800,000	0	0	0	0
Total	\$ 1,470,000	\$ 817,000	\$ 30,000	\$ 623,000	\$ 16,000	\$ 607,000
Capital Expenditures	\$ 100,000	\$ 100,000				
Total Budgetary Expenditures	\$ 2,970,000	\$ 977,000	\$ 230,000	\$ 1,763,000	\$ 136,000	\$ 1,627,000
Cost Plan Costs						
	Distribution Base					
Building Use	(Each line item	\$ 50,000	\$ 2,000	\$ 6,000	\$ 42,000	\$ 2,000
Equipment Use	should be reviewed	30,000	1,000	3,000	26,000	1,000
Data Processing	to see if it benefits	50,000	5,000	30,000	15,000	0
Auditor	the mandate to	20,000	0	20,000	0	0
Personnel	insure a fair and	10,000	1,000	1,000	8,000	1,000
	equitable					
Roll Forward	distribution.)	10,000	0	10,000	0	0
Total		\$ 170,000 (e)	\$ 9,000	\$ 70,000	\$ 91,000	\$ 87,000
Total Allowable Indirect Costs			\$ 300,000 (f)			
Distribution of Allocable Indirect Costs						
Based on Salaries & Wages (g)		\$ 15,000	\$ (300,000)	\$ 285,000	\$ 30,000	\$ 255,000
Totals		\$ 3,140,000	\$ 1,001,000	\$ 0	\$ 2,139,000	\$ 170,000

*Notes to Table 6 (page 14)

8. Indirect Costs (continued)

(1) Notes to Table 6*

Any claimant using this method for claiming costs, must submit a schedule as shown in Table 6, using the same column headings: Description of Costs, Total Costs, Excludable Unallowable Costs (may be combined or separated), Allowable Indirect Costs, and Allowable Direct Costs (which are further allocated to identifiable programs and other). Any supporting data such as invoices, receipts, contacts, documents, etc., must also be submitted.

- (a) Description of costs incurred. Examples include: Salaries and Benefits, Services and Supplies, Cost Plan Costs, etc.
- (b) Excluded costs are all costs that are unallowable and not allocable according to specific guidelines (the OMB Circular 2 CFR, Chapter I and Chapter II, Part 200 et al. and state laws). Examples of excluded costs: Contributions and donations, cost of amusement; social activities and related incidental costs such as meals, beverages, lodging, rentals, transportation and gratuities; and pass-through revenues to another unit or organization
- (c) Allocable indirect costs are costs that are not identifiable to a specific program or cost pool and indirectly benefit all cost pools.
- (d) Direct costs are costs that benefit a specific program or cost pool.
- (e) Overhead costs are distributed to the department in the cost allocation plan, which was prepared in accordance with the OMB Circular 2 CFR, Chapter I and Chapter II, Part 200 et al. To develop the ICRP, claimants should use the cost allocation plan from the year for which the ICRP is being prepared. Do not include a roll-forward adjustment when the program is in its initial year.
- (f) Distribution base for the computation of the indirect cost rate is total direct salaries and wages (S&W).

Total Allowable Direct Costs (direct S&W)	\$950,000
Excluded Unallowable Costs (direct S&W)	50,000
Distribution Base	\$1,000,000

Therefore, the Indirect Cost Rate for the program is:

$$ICRP = \frac{\text{Allowable Indirect Costs}}{\text{Total Salaries and Wages}} = \frac{\$300,000}{\$1,000,000} = 30.00\%$$

- (g) Indirect costs are then distributed at 30% multiplied by the salaries and wages.

9. Time Study Guidelines

Two methods are acceptable for documenting employee time charged to mandated cost programs: a) Actual Time Reporting, and b) Time Study. These methods are described below. Application of time study results is restricted. As explained in the Time Study Results section below, the results may be projected forward a maximum of two years or applied retroactively to initial claims, current-year claims, and late-filed claims, provided certain criteria are met.

a) Actual Time Reporting

Each program's P's & G's define reimbursable activities for each mandated cost program. When employees work on multiple activities, a distribution of their salaries or wages must be supported by personnel activity reports or equivalent documentation that must:

- (1) Reflect an after-the-fact (contemporaneous) distribution of the actual activity of each employee:
- (2) Account for the total activity for which each employee is compensated.
- (3) Be prepared at least monthly and must coincide with one or more pay periods.
- (4) Be signed by the employee.

Budget estimates or other distribution percentages determined before services are performed do not qualify as support for time distribution.

b) Time Study

In certain cases, a time study may be used to substitute for continuous records of actual time spent on multiple activities and/or programs. An effective time study requires that an activity be a task that is repetitive in nature. Activities that require a varying level of effort are not appropriate for time studies.

(1) Time Study Plan

The claimant must develop a plan before the time study is conducted. The claimant must retain the time study plan for audit purposes. The plan must identify the following:

- (a) Time period(s) to be studied – The plan must show that all time periods selected are representative of the fiscal year, and the results can be reasonably projected to approximate actual costs;
- (b) Activities and/or programs to be studied – For each mandated program included, the time study must separately identify each reimbursable activity defined in the mandated program's Ps & Gs, which are derived from the program's Statement of Decision. If a reimbursable activity in the Ps & Gs identifies separate and distinct sub-activities, these sub-activities must also be treated as individual activities;

9. Time Study Guidelines (continued)

For example, sub-activities (a), (b), and (c) under Reimbursable Activity (B)(1) of the claimant's Domestic Violence Treatment Services: Authorization and Case Management program relate to information to be discussed during victim notification by the probation department and therefore are not separate and distinct activities. It is not necessary to separately study these sub-activities;

- (c) Process used to accomplish each reimbursable activity – Use flowcharts or similar analytical tools and/or written desk procedures to describe the process for each activity;
- (d) Employee universe – The employee universe used in the time study must include all positions for which salaries and wages are to be allocated by means of the time study;
- (e) Employee sample selection methodology – The plan must show that employees selected are representative of the employee universe, and the results can be reasonably projected to approximate actual costs. In addition, the employee sample size should be proportional to the variation in time spent to perform a task. The sample size should be larger for tasks with significant time variations; and
- (f) Time increments to be recorded – The time increments used should be sufficient to recognize the number of different activities performed and the dynamics of these responsibilities. Very large increments (such as one hour or more) might be used for employees performing only a few functions that change very slowly over time. Very small increments (a number of minutes) may be needed for employees performing more short-term tasks.

Random-moment sampling is not an acceptable alternative to continuous time records for mandated cost claims. Random moment sampling techniques are most applicable to situations in which employees perform many different types of activities on a variety of programs with small time increments throughout the fiscal year.

(2) Time Study Documentation

Time studies must:

- (a) Be supported by time records that are completed contemporaneously;
- (b) Report activities on a daily basis;
- (c) Be sufficiently detailed to reflect all mandated activities and/or programs performed during a specific time period; and
- (d) Coincide with one or more pay periods.

9. Time Study Guidelines (continued)

Time records must be signed by the employee (electronic signatures are acceptable) and be supported by corroborating evidence, which validates that the work was actually performed. As with actual time reporting, budget estimates or other distribution percentages determined before services are performed do not qualify as valid time studies

(3) Time Study Results

Claimants must summarize time study results to show how the time study supports the costs claimed for each activity. Any variations from the procedures identified in the original time study plan must be documented and explained. Current-year costs must be used to prepare a time study. Claimants may project time study results to no more than two subsequent fiscal years. A claimant may not apply time study results retroactively.

- (a) Annual Reimbursement Claims – Claimants may use time studies to support costs incurred on or after January 1, 2005. Claimants may not use time studies for the period of July 1, 2004, through December 31, 2004, unless (a) the program's Ps & Gs specifically allows time studies; and (b) the time study is prepared based on mandated activity occurring between July 1, 2004, and December 31, 2004.
- (b) Initial Reimbursement Claims – When filing an initial claim for new mandated programs, claimants may use time study results for costs incurred on or after January 1, 2005 only. Claimants may not use time studies to support costs incurred before January 1, 2005, unless (a) the program's Ps & Gs specifically allow time studies; and (b) the claimant prepares separate time studies for each fiscal year preceding January 1, 2005, based on mandated activity occurring during those years.

When projecting time study results, the claimant must certify that there have been no significant changes between years in either (a) the requirements of each mandated program activity; or (b) the processes and procedures used to accomplish the activity. For all years, the claimant must maintain documentation that shows the mandated activity was actually performed. Time study results used to support claims are subject to the recordkeeping requirements for those claims.

10. Offsets Against State-Mandated Claims

As noted previously, allowable costs are defined as those direct and indirect costs, less applicable credits, considered eligible for reimbursement. When all or part of the costs of a mandated program are specifically reimbursable from local assistance revenue sources (e.g., state, federal, foundation, etc.), only that portion of any increased costs payable from local agency funds is eligible for reimbursement under the provisions of GC section 17561.

10. Offsets Against State-Mandated Claims (continued)

a) Example 1:

As illustrated in Table 7, this example shows how the Offset Against a State-mandated claim is determined for claimants receiving block grant revenues not based on a formula allocation. Program costs for each situation equal \$100,000.

Table 7: Offset Against State Mandates, Example 1

	Program Costs	Actual Non-Local Agency Funding	State-Mandated Costs	Offset Against State-Mandated Claims	Claimable Mandated Costs
1.	\$100,000	\$95,000	\$2,500	\$0	\$2,500
2.	100,000	97,000	2,500	0	2,500
3.	100,000	98,000	2,500	500	2,000
4.	100,000	100,000	2,500	2,500	0
5.	100,000*	50,000	2,500	1,250	1,250
6.	100,000	49,000	2,500	250	2,250

* Claimant share is \$50,000 of the program costs.

Numbers (1) through (4) in Table 7, show intended funding at 100% from non-local agency sources. Numbers (5) and (6) show cost sharing on a 50/50 basis with the claimant. In numbers (1) through (5), included in the program costs of \$100,000 are state-mandated costs of \$2,500. The offset against state-mandated claims is the amount of actual non-local agency funding that exceeds the difference between program costs and state-mandated costs. The offset cannot exceed the amount of state-mandated costs.

In (1), non-local revenues were less than expected. Non-local agency funding was not in excess of the difference between program costs and state-mandated costs. As a result, the offset against state-mandated claims is \$0 and \$2,500 is claimable as mandated costs.

In (4), non-local revenues were fully realized to cover the entire cost of the program, including the state-mandated activity; therefore, the offset against state-mandated claims is \$2,500, and the claimable cost is \$0.

In (5), the claimant is sharing 50% of the program costs. As non-local revenues of \$50,000 were fully realized, the offset against state-mandated claims is \$1,250.

If in (6) the non-local matching share is less than the amount expected, for example \$49,000, the offset against state-mandated claims is \$250. Therefore, the claimable mandated costs are \$2,250

11. Notice of Claim Adjustment

All claims submitted to SCO are reviewed to determine if the claim was prepared in accordance with the claiming instructions. Claimants will receive a Notice of Claim Adjustment detailing any adjustment made by SCO.

12. Audit of Costs

Pursuant to GC section 17558.5(b), SCO may conduct a field review of any claim after it has been submitted to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the Ps & Gs adopted by CSM. If any adjustments are made to a claim, a Notice of Claim Adjustment specifying the claim activity adjusted, the amount adjusted, and the reason for the adjustment will be mailed within 30 days after payment of the claim.

13. Source Documents

Costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records, time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Declarations must include a certification stating, "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, these documents cannot be substituted for source documents.

14. Claim Forms and Instructions

Claim forms provided with the claiming instructions should be duplicated or printed from the SCO website (http://www.sco.ca.gov/ard_mancost.html) and used by the claimant to file reimbursement claims. A claimant may submit computer generated forms in substitution of Form 1 and Form 2, provided that the format of the forms and data fields contained within are identical to the claim forms included with the claiming instructions. SCO will revise the manual and claim forms as necessary.

a) Form 2, Activity Cost Detail

This form is used to segregate the detail costs by claim activity. In some mandates, specific reimbursable activities have been identified for each activity. The expenses reported on this form must be supported by the official financial records of the claimant. All documents used to support the reimbursable activities must be retained by the claimant, unless required to be submitted with the claim, and must be made available to SCO upon request.

14. Claim Forms and Instructions (continued)

b) Form 1, Claim Summary

This form is used to summarize direct costs by activity and compute allowable indirect costs for the mandate. The direct costs summarized on this form are derived from Form 2 and are carried forward to Form FAM-27.

c) Form FAM-27, Claim for Payment

This form contains a certification that must be signed by an authorized officer of the entity. All applicable information from Form 1 must be carried forward to this form in order for SCO to process the claim for payment. An original and one copy of the Form FAM-27 are required. Submit a signed original Form FAM-27 and one copy with required documents.

Please sign the Form FAM-27 in blue ink and attach the copy to the top of the claim package.

Mandated cost claiming instructions and forms are available online at the SCO's website: www.sco.ca.gov/ard_mancost.html.

Please use the following mailing addresses:

If delivered by U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and
Services Division
P.O. Box 942850
Sacramento, CA 94250

If delivered by other delivery services:

Office of the State Controller
Attn: Local Reimbursements Section
Local Government Programs and
Services Division
3301 C Street, Suite 700
Sacramento, CA 95816

15. Retention of Claiming Instructions

For your convenience, the revised claiming instructions in this package have been arranged in alphabetical order by program name. This manual should be retained for future reference, and the forms should be duplicated to meet your filing requirements. Annually, new or revised forms, instructions, and any other information claimants may need to file claims will be placed on the SCO's website: www.sco.ca.gov/ard_mancost.html.

16. Retention of Claim Records and Supporting Documentation

Pursuant to GC section 17558.5(a), a reimbursement claim for actual costs filed by a claimant is subject to the initiation of an audit by SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds were appropriated or no payment was made to a claimant for the program for the fiscal year for which the claim was filed, the time for SCO to initiate an audit shall commence to run from the date of initial payment of the claim. In any case an audit will be completed not later than two years after the date that the audit was commenced.

16. Retention of Claim Records and Supporting Documentation (continued)

All documents used to support the reimbursable activities must be retained during the period subject to audit. If SCO has initiated an audit during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. Supporting documents must be made available to SCO on request.

For more information, contact the Local Reimbursements Section by email at LRSLGPSD@sco.ca.gov, by telephone at (916) 324-5729, or by writing to the address above.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On September 10, 2018, I served the:

- **Claimant's Response to the Request for Additional Information filed September 7, 2018**

U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01
Penal Code Section 679.10; Statutes 2015, Chapter 721 (SB 674)
City of Claremont, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 10, 2018 at Sacramento, California.



Lorenzo Duran
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/23/18

Claim Number: 17-TC-01

Matter: U Visa 918 Form, Victims of Crime: Nonimmigrant Status

Claimant: City of Claremont

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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RECEIVED
September 05, 2018
**Commission on
State Mandates**

August 23, 2018

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Response to Draft Proposed Decision: Test Claim U Visa 918 Form, Victims of Crime: Nonimmigrant Status, 17-TC-01

Dear Ms. Halsey,

The City of Claremont respectfully submits this response to your Draft Proposed Decision for our UVISA 918 Form, Victims of Crime: Nonimmigrant Status, Test Claim # 17-TC-01.

We agree with Commission staff analysis finding that new Penal Code 679.10 mandates a new program or higher level of service within the meaning of article XIII, section 6 of the California Constitution.

However, we disagree with the Commission's conclusion that "reimbursement is not required" and wish to address the concerns raised by providing evidence to show that reimbursement is required.

ISSUE 1:

Commission analysis states that "the Test Claim in this case meets the filing requirements and can be based on an estimate that costs to comply with the alleged mandated program will exceed \$1,000. However, ...a claimant is required as a matter of law to show, with evidence in the record, actual increased costs mandated by the state pursuant to Government Code section 17514 in order for reimbursement to be required under article XIII B, section 6 of the California Constitution."

This Test Claim was submitted on March 6, 2018, before the end of the fiscal year; therefore, it was not possible to provide a full accounting of "actual" FY 2017-18 costs at the time of filing.

Now that the fiscal year has ended, the City has obtained actual cost data which is presented in this transmission including: Signed Declarations from the Finance Director and Police Department staff, and support/evidence in the attached "Supplemental Appendix 1" showing that both actual and estimated costs incurred by the City to comply with the mandate exceeded, and will exceed, \$1,000.

ISSUE 2:

Commission questioned the City's time and cost to process each UVISA request at approximately one hour per case.

The Claremont Police Department staff provided a certification under the penalty of perjury that this was the actual time it took them to perform the activities necessary to comply the requirements of Penal Code 679.10. The process requires the certifying official to first determine that the applicant 1) was a victim of a qualifying crime, 2 determine that individual has suffered “substantial physical or mental abuse” as a result of the qualifying crime 3) possesses information about the criminal activities 4) has been deemed helpful in the investigation or prosecution of that criminal activity.” Further the agency must provide “specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity”. The Commission’s analysis on pages 12-18 provide a thorough discussion of the various activities a certifying agency must go through in this process.

This is time consuming because it requires the review of the request, the the research of past crime history and reports to determine the facts of the case (sometimes requiring review of audio and video tape recordings of past interviews to determine victims’ helpfulness), then finally the completion of forms, and preparation of narratives. Since “there is no statute of limitations that bars immigrant crime victims from applying for a UVISA and law enforcement can sign a certification at any time, and it can be submitted for a victim in an investigation or case that is already closed,” this can be extremely time consuming to research old cases that have been archived. We believe that the time presented is true and correct and that the resulting costs exceeded and will exceed \$1,000 per fiscal year.

Commission cites “Legislative history... estimates costs of \$25 per UVISA certification”. It is not clear where the \$25 amount came from of how it was computed. There is no explanation or analysis provided by the Assembly Committee on Appropriations. Their document simply states, “*If* the cost to provide the certification were \$25, the reimbursable mandate would be...” It is possible that the amount was just a guess.

Our costs and times however are based on actual time spent by Police Department staff who actually worked on the alleged mandated activities. The costs are based on the actual salary, benefit, and expenditure data and costs incurred by the City. These facts are supported by evidence provided in the attached Supplemental Appendix 1 including: 1) actual copies of FY 2017-18 UVISA requests processed, and 2) declarations from staff under the penalty of perjury that the time claimed is true and correct.

The Police Department has also provided actual UVISA requests from prior fiscal year showing that four cases were processed in the past (FY 2012-13) and that based on this evidence the City’s estimates of five or six requests in future years is a reasonable projection of future activity. The City further provided evidence in the “Supplemental Appendix 1’ attached herein, that even if the City were to receive 4 requests in the following fiscal year, and even if the Commission found that Updating Policies and Procedures and one-time training of staff was not reimbursable; estimated costs the City expects to incur would still exceed the minimum \$1000 threshold. (see page 32 of the Supplemental Appendix A.)

\$25 dollars per UVISA request would amount to only 5-10 minutes of a Lieutenant’s time. Based on our Police Department’s staff experience, 5-10 minutes is the approximate amount of time it takes to simply review and log in the request. As the Commission noted in the Draft Findings, “the Legislative analysis are non-binding” and there is no evidence as to how those costs were determined.

ISSUE 3:

We disagree with the Commissions opinion that Update of Policies and Procedures and one-time training of staff are not required by the passage of this new Penal Code.

Commission staff notes itself in it's analysis on page 23, "On October 28, 2015, California Department of Justice issued an Information Bulletin to all California State and Local Law Enforcement Agencies on "new and Existing State and Federal Laws Protecting Immigrant Victims of Crime." The Commission continues on page 25 of its Draft Proposed Decision, "This bulletin states: The Attorney General encourages all agencies and officials subject to California's new law to immediately establish and implement a U visa certification policy and protocol that is consistent with California law and the guidance provided in this law enforcement bulletin." (California Department of Justice Information Bulletin No. DLE-2015-14, "New and Existing State and Federal Laws Protecting Immigrant Victims of Crime," October 28, 2015).

California law enforcement agencies are required to have policies in place to ensure consistent and legal responses to State Statutes. Law enforcement agencies charged with certifying the UVISA requests must be properly informed and trained in the Statutory requirements and therefore Policy and Procedure Manual updates and legal review are the most efficient way to properly implement those new requirements.

The new UVISA requirements are extremely lengthy and complex. We believe the time requested to allow for the one-time training of staff on these complex new activities and the establishment of the written rules and guidelines in Departmental Policies and Procedure manuals is necessary cost that resulted directly from the passage of this new State Mandated program and therefore should be allowed as an eligible one-time cost.

Conclusion:

Commission found that addition of Penal Code imposed a state-mandated new program or higher level of service and the City has shown with actual and substantial evidence that actual costs were incurred that were "mandated by the State". In addition, we have shown with evidence in the record that the City had received 4 UVISA requests in the past and that therefore the projection of 4 UVISA requests in the future is reasonable and supported by evidence in the record.

Since we have satisfied all the requirements and addressed the issues raised in the Draft Proposed Decision, we believe the Commission must approve this program as eligible for State Reimbursement.

We appreciate your time and consideration and are happy to provide any additional information required. I can be reached at (916) 939-7901.

Sincerely,



Annette S. Chinn
Consultant Representative for
The City of Claremont

Program UVISAS	MANDATED COSTS CITY OF CLAREMONT ACTIVITY COST ESTIMATES						Estimated Costs FY 2018-19
City of Claremont							
DIRECT COSTS							
Description of Expenses:							
Employee Names, Job Class., Functions Performed and Description of Expenses	Hourly Rate or Unit Cost	Benefit Rate	Hours Worked or Quantity	Salaries	Benefits	Contract	Total Salaries & Benefits
(Costs Without Policies and Procedures update pursuant to CSM Staff comments)							
Mike Ciszek, Lieutenant Research original crimes, complete and sign UVISA forms including detailed description of victims helpfulness. (See following page for detailed list of activities) (4 cases estimated for this fiscal year)	\$97.09	67.0%	4.00	\$388	\$260		\$648
Mike Ciszek, Lieutenant Report results to legislature annually	\$97.09	67.0%	0.50	\$49	\$33		\$81
Total Direct Costs			4.50	\$437	\$293		\$729
INDIRECT COSTS (ICRP Rate = 94% based on salaries & benefits)							\$686
GRAND TOTAL							\$1,415

Kamala D. Harris, Attorney General

<p>California Department of Justice Division of Law Enforcement</p> <p>Larry J. Wallace, Director</p> 	<h1 style="margin: 0;">INFORMATION BULLETIN</h1>			
<p><i>Subject:</i> New and Existing State and Federal Laws Protecting Immigrant Victims of Crime</p>	<table border="1" style="width: 100%;"> <tr> <td style="padding: 2px;">No. DLE-2015-04</td> </tr> <tr> <td style="padding: 2px;">Date: October 28, 2015</td> </tr> </table>	No. DLE-2015-04	Date: October 28, 2015	<p><i>Contact for information:</i></p> <p>Larry Wallace, Director, Division of Law Enforcement 916-319-8200</p>
No. DLE-2015-04				
Date: October 28, 2015				

TO: All California State and Local Law Enforcement Agencies

This bulletin provides a summary of a new state law that requires agencies that investigate or prosecute criminal matters to assist crime victims without authorized immigration status in applying for a U nonimmigrant visa – a federal immigration visa set aside for victims of crime who have suffered substantial mental or physical abuse because of criminal activity, and who are willing to assist federal, state, and local law enforcement agencies or government officials in the investigation of that criminal activity. California’s Immigrant Victims of Crime Equity Act (Senate Bill 674), which takes effect on January 1, 2016, requires state and local law enforcement agencies, prosecutors, and other officials to certify the helpfulness of victims of qualifying crimes on a federal U Nonimmigrant Status Certification (Form I-918 Supplement B), also known as a “U visa certification.” **Unlike federal law, which provides certifying state and local agencies and officials with discretion in determining whether to complete the certification, California’s new law mandates that state and local agencies and officials submit certifications when certain conditions are met.** U.S. Citizenship and Immigration Services (USCIS) considers these certifications in determining whether to grant a qualifying immigrant a U nonimmigrant visa (U visa).

In addition to providing guidance on the new state law, this bulletin summarizes existing federal law governing U visas, answers relevant questions regarding U visa eligibility, and encourages state and local law enforcement agencies and officials to be vigilant in identifying and supporting immigrant crime victims who may be eligible for U visas. These visas are an important tool for encouraging the cooperation of witnesses, investigating, prosecuting, and convicting criminals, and increasing public safety.

Federal Law Governing U Visas for Certain Crime Victims

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000¹ is a federal law that, among other things, provides temporary immigration benefits to individuals without immigration status who are victims of specified qualifying crimes. Under the VTVPA, an immigrant victim of certain crimes can file a Petition for U Nonimmigrant Status (Form I-918) with USCIS. The U visa provides eligible victims with nonimmigrant status (including victims who are no longer in the United States) the opportunity to be temporarily present in the United States to help law enforcement in the investigation or prosecution of the criminal activity at issue. Under certain

¹ VTVPA, Pub. L. No. 106-386, 114 Stat. 1464-1548 (2000).

circumstances, a person with a U visa may be able to adjust to lawful permanent resident status if USCIS determines that the individual qualifies for that status.

In order to file a Petition for U Nonimmigrant Status (Form I-918), an immigrant victim *must* provide a certification form (Form I-918 Supplement B) from a federal, state, or local law enforcement official certifying that he or she has knowledge of the following:

- The victim has been a victim of qualifying criminal activity;
- The victim possesses information about the qualifying criminal activity; and
- The victim has been, is being or is likely to be helpful to the investigation and/or prosecution of that qualifying criminal activity.

The petitioner is ineligible for a U visa without the certification, which the petitioner must file with his or her U visa petition. The VTVPA was designed both to encourage victims of crime to report crimes and assist in the investigations and prosecutions of those crimes regardless of their immigration status *and* to support law enforcement efforts in investigating and prosecuting crimes committed against immigrant victims.

New California Law Regulating U Visa Certifications by Law Enforcement—Effective January 1, 2016

Senate Bill 674 (De León)—the Immigrant Victims of Crime Equity Act (the Act) was signed by Governor Edmund G. Brown Jr. on October 9, 2015. The law adds a new provision to the California Penal Code. **This new law, Penal Code section 679.10, mandates that certain state and local agencies and officials complete U visa certifications, upon request, for immigrant crime victims who have been helpful, are being helpful, or are likely to be helpful in the detection, investigation, or prosecution of specified qualifying crimes.**

Significantly, under the Act:

- There is a rebuttable presumption that an immigrant victim is helpful, has been helpful, or is likely to be helpful, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.
- A certifying official may withdraw a previously granted certification only if the victim refuses to provide information and assistance when reasonably requested.
- In addition, a certifying official must fully complete and sign the U visa certification and include “specific details about the nature of the crime investigated or prosecuted and a detailed description about the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.”

The Act also requires certifying entities to complete the certification **within 90 days** of the request, except in cases where the applicant is in immigration removal proceedings, in which case the certification must be completed **within 14 days** of the request.

The Act applies to the following California state and local entities and officials:

- State and local law enforcement agencies;
- Prosecutors;
- Judges;
- Agencies with criminal detection or investigative jurisdiction in their respective areas of expertise, including but not limited to child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations; and
- Any other authority responsible for the detection or investigation or prosecution of a qualifying crime or criminal activity.

Additional provisions of the Act include:

- Certifying agencies are prohibited from disclosing the immigrant status of a victim or person requesting a U visa certification, except to comply with federal law or legal process, or if authorized by the victim or person requesting the certification.
- A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the certification from a certifying official.
- Certifying agencies that receive certification requests must report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.

Questions and Answers Regarding Eligibility for U Visas

1. Who is eligible for a U visa?

Eligibility for U visas is governed by the VTVPA and determined by USCIS. Under those federal provisions, individuals without authorized immigrant status are eligible to apply for a U visa if they: (1) are victims of specified qualifying crimes, (2) have suffered substantial physical or mental abuse as a result of having been a victim of criminal activity, (3) have specific knowledge and details of a qualifying crime committed within the United States, and (4) are currently assisting, have previously assisted, or are likely to be helpful in the detection, investigation, or prosecution of the qualifying crime.

Victims may apply for a U visa even if they are no longer in the United States. Individuals presently in removal proceedings or with final orders of removal can also apply. Moreover, a parent without authorized immigrant status can petition for their own U visa as an “indirect victim” of the qualifying crime, if their child is: (1) under 21 years of age, (2) the victim of a qualifying crime, and (3) incompetent or incapacitated such that she or he is unable to provide law enforcement with adequate assistance in the investigation or prosecution of the crime. (An immigrant parent can petition for a U visa regardless of his/her child’s citizenship status or whether his/her child died as the victim of murder or manslaughter.)

2. What is a qualifying crime?

Under the relevant state and federal laws, qualifying crimes include rape, torture, human trafficking, incest, domestic violence, sexual assault, abusive sexual conduct, prostitution, sexual exploitation,

female genital mutilation, being held hostage, peonage, perjury, involuntary servitude, slavery, kidnaping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, fraud in foreign labor contracting, stalking, and other related crimes which include any similar activity where the elements of the crime are substantially similar to the above specified offenses.

The Immigrant Victims of Crime Equity Act, consistent with federal law, states that a qualifying crime includes the attempt, conspiracy, or solicitation to commit any of the specified and other related offenses.

3. *Is an arrest, prosecution, or conviction necessary to certify a U visa petition?*

California's Immigrant Victims of Crime Equity Act makes clear that a current investigation, the filing of charges, and a prosecution or conviction are not required to sign the law enforcement certification. Many situations exist where an immigrant victim reports a crime, but an arrest or prosecution cannot take place due to evidentiary or other circumstances. For example, the perpetrator may have fled the jurisdiction, cannot be identified, or has been deported by federal law enforcement officials. In addition, neither a plea agreement nor a dismissal of a criminal case affects a victim's eligibility. Furthermore, a law enforcement certification is valid regardless of whether the crime that is eventually prosecuted is different from the crime that was investigated, as long as the individual is a victim of a qualifying crime and meets the other requirements for U visa eligibility.

There is ***no statute of limitations*** that bars immigrant crime victims from applying for a U visa. Law enforcement can sign a certification at any time, and it can be submitted for a victim in an investigation or case that is already closed.

4. *Will certifying a U visa petition automatically grant the victim an immigration benefit?*

Federal, state, and local law enforcement agencies cannot legally grant or guarantee an immigrant crime victim a U visa or any other type of immigration status by signing a U visa certification (Form I-918 Supplement B). Instead, USCIS conducts a full review of the victim's petition and a thorough background check of the petitioner before approving or denying the petition. USCIS will also make the determination as to whether the victim has met the "substantial physical or mental abuse" standard on a case-by-case basis during its adjudication of the petition. By signing a certification, the law enforcement official states: (1) under penalty of perjury, that the individual is or has been a victim of one of the qualifying crimes, and (2) the remaining information provided in the certification is true and correct to the best of the certifying official's knowledge. Without a completed U visa certification, victims will not be eligible for a U visa.

Recommendations and Additional Resources for Law Enforcement

Attorney General Kamala D. Harris is committed to seeking justice for every crime victim in California regardless of the victim's immigration status. Undocumented immigrants are often among the most vulnerable victims of crime across California. Fear of deportation is a significant deterrent to reporting crime for many undocumented immigrants. As such, the Attorney General encourages all agencies and officials subject to California's new law to immediately establish and implement a U visa certification policy and protocol that is consistent with California law and the guidance provided in this law enforcement bulletin.

The **USCIS web site** includes useful information regarding U visa eligibility, qualifying criminal activities, and applying for a U visa. See <http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>.

The **Form I-918 Supplement B Certification** can be found here: <http://www.uscis.gov/i-918>.

We look forward to working with you to ensure that California continues to set an example across the nation for building and preserving the relationship of trust between our peace officers and the communities we are sworn to serve, including immigrant communities. California's Immigrant Victims of Crime Equity Act is a positive step in strengthening that relationship.

Sincerely,

A handwritten signature in black ink that reads "Larry J. Wallace". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

LARRY J. WALLACE, Director
Division of Law Enforcement

For KAMALA D. HARRIS
Attorney General

2017 City Population Rankings

California Cities Ranked by 1/1/2017 Total Population

Rank	City	County	Total Population
1	Los Angeles	Los Angeles	4,041,707
2	San Diego	San Diego	1,406,318
3	San Jose	Santa Clara	1,046,079
4	San Francisco	San Francisco	874,228
5	Fresno	Fresno	525,832
6	Sacramento	Sacramento	493,025
7	Long Beach	Los Angeles	480,173
8	Oakland	Alameda	426,074
9	Bakersfield	Kern	383,512
10	Anaheim	Orange	358,546
11	Santa Ana	Orange	341,341
12	Riverside	Riverside	326,792
13	Stockton	San Joaquin	320,554
14	Chula Vista	San Diego	267,917
15	Irvine	Orange	267,086
16	Fremont	Alameda	231,664
17	San Bernardino	San Bernardino	216,972
18	Santa Clarita	Los Angeles	216,350
19	Modesto	Stanislaus	215,080
20	Fontana	San Bernardino	212,786
21	Oxnard	Ventura	207,772
22	Moreno Valley	Riverside	206,750
23	Glendale	Los Angeles	201,748
24	Huntington Beach	Orange	197,574
25	Rancho Cucamonga	San Bernardino	177,324
26	Santa Rosa	Sonoma	176,799
27	Oceanside	San Diego	176,461
28	Garden Grove	Orange	176,277
29	Ontario	San Bernardino	174,283
30	Elk Grove	Sacramento	171,059
31	Corona	Riverside	167,759
32	Salinas	Monterey	162,470
33	Hayward	Alameda	161,040
34	Palmdale	Los Angeles	158,605
35	Lancaster	Los Angeles	157,820
36	Pomona	Los Angeles	155,306
37	Escondido	San Diego	151,492
38	Sunnyvale	Santa Clara	149,831
39	Torrance	Los Angeles	147,101
40	Pasadena	Los Angeles	143,333
41	Fullerton	Orange	142,234
42	Orange	Orange	140,882
43	Roseville	Placer	135,868
44	Visalia	Tulare	133,151

45	Thousand Oaks	Ventura	131,457
46	Concord	Contra Costa	128,370
47	Simi Valley	Ventura	127,309
48	Santa Clara	Santa Clara	123,983
49	Victorville	San Bernardino	123,565
50	Berkeley	Alameda	121,238
51	Vallejo	Solano	118,280
52	Murrieta	Riverside	114,914
53	Inglewood	Los Angeles	114,900
54	El Monte	Los Angeles	114,268
55	Antioch	Contra Costa	114,241
56	Fairfield	Solano	114,157
57	Costa Mesa	Orange	114,044
58	Downey	Los Angeles	113,832
59	Carlsbad	San Diego	113,725
60	Richmond	Contra Costa	111,785
61	Temecula	Riverside	111,024
62	Clovis	Fresno	110,762
63	Daly City	San Mateo	109,287
64	San Buenaventura	Ventura	109,275
65	West Covina	Los Angeles	107,813
66	Rialto	San Bernardino	106,528
67	Santa Maria	Santa Barbara	106,280
68	Norwalk	Los Angeles	105,526
69	Burbank	Los Angeles	105,033
70	San Mateo	San Mateo	103,426
71	El Cajon	San Diego	102,803
72	Vista	San Diego	101,797
73	Jurupa Valley	Riverside	101,315
74	Compton	Los Angeles	100,050
75	South Gate	Los Angeles	98,633
76	Vacaville	Solano	98,456
77	Mission Viejo	Orange	96,718
78	Hesperia	San Bernardino	94,133
79	San Marcos	San Diego	94,042
80	Santa Monica	Los Angeles	93,834
81	Carson	Los Angeles	93,674
82	Westminster	Orange	93,533
83	Chico	Butte	93,383
84	Santa Barbara	Santa Barbara	93,063
85	Tracy	San Joaquin	90,890
86	Menifee	Riverside	90,660
87	Redding	Shasta	90,653
88	Livermore	Alameda	89,648
89	Indio	Riverside	88,718
90	San Leandro	Alameda	88,274
91	Chino	San Bernardino	88,026
92	Whittier	Los Angeles	87,708
93	Hawthorne	Los Angeles	87,662

94	Citrus Heights	Sacramento	87,013
95	Alhambra	Los Angeles	86,922
96	Redwood City	San Mateo	85,601
97	Lake Forest	Orange	84,931
98	Newport Beach	Orange	84,915
99	Merced	Merced	84,464
100	Buena Park	Orange	83,884
101	Tustin	Orange	82,372
102	Hemet	Riverside	81,868
103	Chino Hills	San Bernardino	80,676
104	Napa	Napa	80,628
105	San Ramon	Contra Costa	80,550
106	Alameda	Alameda	79,928
107	Mountain View	Santa Clara	79,278
108	Lakewood	Los Angeles	79,272
109	Folsom	Sacramento	78,525
110	Upland	San Bernardino	76,790
111	Bellflower	Los Angeles	76,657
112	Manteca	San Joaquin	76,247
113	Pleasanton	Alameda	75,916
114	Perris	Riverside	75,739
115	Baldwin Park	Los Angeles	75,537
116	Milpitas	Santa Clara	75,410
117	Apple Valley	San Bernardino	74,701
118	Rancho Cordova	Sacramento	73,872
119	Union City	Alameda	73,452
120	Turlock	Stanislaus	72,879
121	Lynwood	Los Angeles	71,997
122	Walnut Creek	Contra Costa	70,974
123	Redlands	San Bernardino	69,851
124	Pittsburg	Contra Costa	69,818
125	Camarillo	Ventura	69,623
126	Redondo Beach	Los Angeles	68,907
127	Davis	Yolo	68,740
128	Palo Alto	Santa Clara	68,691
129	Yorba Linda	Orange	67,890
130	Yuba City	Sutter	67,445
131	Laguna Niguel	Orange	66,689
132	Madera	Madera	66,082
133	San Clemente	Orange	65,975
134	South San Francisco	San Mateo	65,451
135	Santa Cruz	Santa Cruz	65,070
136	Tulare	Tulare	64,661
137	Eastvale	Riverside	64,613
138	Rocklin	Placer	64,417
139	Lodi	San Joaquin	64,058
140	Pico Rivera	Los Angeles	64,046
141	Montebello	Los Angeles	63,917
142	Encinitas	San Diego	62,288

143	Lake Elsinore	Riverside	62,092
144	La Habra	Orange	62,084
145	Monterey Park	Los Angeles	61,606
146	National City	San Diego	61,210
147	Brentwood	Contra Costa	61,055
148	Petaluma	Sonoma	60,941
149	San Rafael	Marin	60,842
150	Gardena	Los Angeles	60,721
151	La Mesa	San Diego	60,286
152	Porterville	Tulare	59,908
153	Dublin	Alameda	59,686
154	Woodland	Yolo	59,616
155	Huntington Park	Los Angeles	59,383
156	Cupertino	Santa Clara	58,917
157	Arcadia	Los Angeles	57,374
158	Santee	San Diego	57,100
159	Diamond Bar	Los Angeles	57,066
160	Fountain Valley	Orange	56,709
161	Gilroy	Santa Clara	55,936
162	Paramount	Los Angeles	55,923
163	Hanford	Kings	55,645
164	Rosemead	Los Angeles	54,984
165	Cathedral City	Riverside	54,557
166	Novato	Marin	54,522
167	Highland	San Bernardino	54,377
168	Yucaipa	San Bernardino	54,324
169	Colton	San Bernardino	53,879
170	West Sacramento	Yolo	53,163
171	Delano	Kern	53,152
172	Watsonville	Santa Cruz	53,015
173	Glendora	Los Angeles	52,608
174	Placentia	Orange	52,268
175	Palm Desert	Riverside	50,740
176	Aliso Viejo	Orange	50,312
177	Poway	San Diego	50,253
178	Cerritos	Los Angeles	50,039
179	Azusa	Los Angeles	49,762
180	Cypress	Orange	49,655
181	La Mirada	Los Angeles	49,434
182	Covina	Los Angeles	49,011
183	Rancho Santa Margarita	Orange	48,602
184	Lincoln	Placer	48,165
185	San Jacinto	Riverside	47,925
186	Ceres	Stanislaus	47,754
187	Palm Springs	Riverside	47,379
188	San Luis Obispo	San Luis Obispo	46,724
189	Beaumont	Riverside	46,179
190	El Centro	Imperial	45,628
191	Coachella	Riverside	45,551

192	Newark	Alameda	45,422
193	San Bruno	San Mateo	45,295
194	Brea	Orange	44,214
195	Morgan Hill	Santa Clara	44,145
196	Lompoc	Santa Barbara	44,042
197	Danville	Contra Costa	43,355
198	Rancho Palos Verdes	Los Angeles	42,884
199	Bell Gardens	Los Angeles	42,824
200	Campbell	Santa Clara	42,726
201	Rohnert Park	Sonoma	42,067
202	Oakley	Contra Costa	41,199
203	San Gabriel	Los Angeles	41,020
204	Calexico	Imperial	40,921
205	La Quinta	Riverside	40,677
206	La Puente	Los Angeles	40,455
207	Culver City	Los Angeles	40,103
208	Los Banos	Merced	39,993
209	Stanton	Orange	39,611
210	Montclair	San Bernardino	39,122
211	Monrovia	Los Angeles	38,514
212	Pacific	San Mateo	38,124
213	Martinez	Contra Costa	37,658
214	Moorpark	Ventura	36,828
215	Hollister	San Benito	36,677
216	Bell	Los Angeles	36,408
217	Temple City	Los Angeles	36,389
218	San Juan Capistrano	Orange	36,262
219	Claremont	Los Angeles	36,225
220	West Hollywood	Los Angeles	35,882
221	Wildomar	Riverside	35,782
222	Menlo Park	San Mateo	35,670
223	Manhattan Beach	Los Angeles	35,488
224	Pleasant Hill	Contra Costa	34,657
225	Beverly Hills	Los Angeles	34,646
226	Adelanto	San Bernardino	34,273
227	San Dimas	Los Angeles	34,231
228	Seaside	Monterey	34,165
229	Dana Point	Orange	33,699
230	Lawndale	Los Angeles	33,365
231	Foster City	San Mateo	33,225
232	La Verne	Los Angeles	33,174
233	Goleta	Santa Barbara	31,760
234	El Paso de Robles	San Luis Obispo	31,745
235	Laguna Hills	Orange	31,544
236	Los Altos	Santa Clara	31,402
237	Los Gatos	Santa Clara	31,314
238	Banning	Riverside	31,068
239	San Pablo	Contra Costa	31,053
240	Atascadero	San Luis Obispo	30,900

241	Santa Paula	Ventura	30,654
242	Saratoga	Santa Clara	30,569
243	Atwater	Merced	30,406
244	East Palo Alto	San Mateo	30,340
245	Burlingame	San Mateo	30,148
246	Walnut	Los Angeles	30,134
247	San Carlos	San Mateo	29,311
248	Suisun City	Solano	29,295
249	Desert Hot Springs	Riverside	29,111
250	Monterey	Monterey	28,828
251	Ridgecrest	Kern	28,349
252	Maywood	Los Angeles	28,016
253	Benicia	Solano	27,695
254	Belmont	San Mateo	27,594
255	Imperial Beach	San Diego	27,510
256	Windsor	Sonoma	27,371
257	Eureka	Humboldt	27,120
258	Wasco	Kern	26,980
259	Brawley	Imperial	26,928
260	Twentynine Palms	San Bernardino	26,919
261	Norco	Riverside	26,882
262	Lemon Grove	San Diego	26,795
263	Sanger	Fresno	26,412
264	Lemoore	Kings	26,369
265	Reedley	Fresno	26,152
266	Soledad	Monterey	26,065
267	South Pasadena	Los Angeles	25,992
268	Paradise	Butte	25,841
269	Galt	Sacramento	25,693
270	Hercules	Contra Costa	25,675
271	Lafayette	Contra Costa	25,199
272	Selma	Fresno	25,156
273	Seal Beach	Orange	24,890
274	Dinuba	Tulare	24,861
275	Riverbank	Stanislaus	24,610
276	El Cerrito	Contra Costa	24,600
277	Coronado	San Diego	24,543
278	Loma Linda	San Bernardino	24,528
279	San Fernando	Los Angeles	24,486
280	Cudahy	Los Angeles	24,411
281	Barstow	San Bernardino	24,248
282	Calabasas	Los Angeles	24,202
283	Laguna Beach	Orange	23,505
284	Millbrae	San Mateo	23,168
285	Lathrop	San Joaquin	23,110
286	Port Hueneme	Ventura	22,808
287	Patterson	Stanislaus	22,730
288	Oakdale	Stanislaus	22,711
289	Duarte	Los Angeles	22,033

290	Corcoran	Kings	21,786
291	Marina	Monterey	21,528
292	Yucca Valley	San Bernardino	21,519
293	Arvin	Kern	21,157
294	South Lake Tahoe	El Dorado	21,024
295	Agoura Hills	Los Angeles	21,018
296	South El Monte	Los Angeles	20,862
297	American Canyon	Napa	20,570
298	La Canada Flintridge	Los Angeles	20,497
299	Lomita	Los Angeles	20,403
300	Blythe	Riverside	19,660
301	Hermosa Beach	Los Angeles	19,616
302	Dixon	Solano	19,298
303	Albany	Alameda	18,988
304	Pinole	Contra Costa	18,975
305	Orinda	Contra Costa	18,935
306	Shafter	Kern	18,868
307	Chowchilla	Madera	18,840
308	Imperial	Imperial	18,658
309	Arcata	Humboldt	18,374
310	Rancho Mirage	Riverside	18,295
311	Santa Fe Springs	Los Angeles	18,291
312	Oroville	Butte	18,037
313	Greenfield	Monterey	17,866
314	Arroyo Grande	San Luis Obispo	17,736
315	Coalinga	Fresno	16,982
316	Artesia	Los Angeles	16,816
317	El Segundo	Los Angeles	16,717
318	Moraga	Contra Costa	16,676
319	Laguna Woods	Orange	16,319
320	Ukiah	Mendocino	16,314
321	La Palma	Orange	15,984
322	Truckee	Nevada	15,904
323	Fillmore	Ventura	15,683
324	Clearlake	Lake	15,531
325	Parlier	Fresno	15,500
326	Pacific Grove	Monterey	15,498
327	Ripon	San Joaquin	15,132
328	Susanville	Lassen	15,046
329	McFarland	Kern	14,919
330	Mill Valley	Marin	14,910
331	Hawaiian Gardens	Los Angeles	14,753
332	Kerman	Fresno	14,614
333	King City	Monterey	14,480
334	California City	Kern	14,248
335	Auburn	Placer	14,096
336	Red Bluff	Tehama	14,070
337	Livingston	Merced	13,947
338	Carpinteria	Santa Barbara	13,943

339	Palos Verdes Estates	Los Angeles	13,663
340	Solana Beach	San Diego	13,527
341	San Marino	Los Angeles	13,467
342	Grover Beach	San Luis Obispo	13,438
343	Commerce	Los Angeles	13,064
344	Lindsay	Tulare	12,984
345	San Anselmo	Marin	12,937
346	Grass Valley	Nevada	12,859
347	Malibu	Los Angeles	12,742
348	Half Moon Bay	San Mateo	12,591
349	Larkspur	Marin	12,572
350	Avenal	Kings	12,491
351	Grand Terrace	San Bernardino	12,435
352	Kingsburg	Fresno	12,338
353	Tehachapi	Kern	12,280
354	Scotts Valley	Santa Cruz	12,163
355	Fortuna	Humboldt	11,989
356	Marysville	Yuba	11,973
357	Emeryville	Alameda	11,854
358	Mendota	Fresno	11,828
359	Healdsburg	Sonoma	11,800
360	Hillsborough	San Mateo	11,753
361	Los Alamitos	Orange	11,739
362	Signal Hill	Los Angeles	11,609
363	Clayton	Contra Costa	11,284
364	Piedmont	Alameda	11,283
365	Farmersville	Tulare	11,248
366	Newman	Stanislaus	11,165
367	Sierra Madre	Los Angeles	11,010
368	Sonoma	Sonoma	10,989
369	Exeter	Tulare	10,985
370	Canyon Lake	Riverside	10,891
371	Morro Bay	San Luis Obispo	10,762
372	Placerville	El Dorado	10,743
373	Anderson	Shasta	10,450
374	Shasta Lake	Shasta	10,386
375	Capitola	Santa Cruz	10,162
376	Tiburon	Marin	9,508
377	Taft	Kern	9,492
378	Corte Madera	Marin	9,486
379	Orange Cove	Fresno	9,369
380	Rio Vista	Solano	9,019
381	Cloverdale	Sonoma	8,931
382	Waterford	Stanislaus	8,906
383	Calimesa	Riverside	8,637
384	Live Oak	Sutter	8,636
385	Los Altos Hills	Santa Clara	8,634
386	Gonzales	Monterey	8,549
387	Westlake Village	Los Angeles	8,370

388	Pismo Beach	San Luis Obispo	8,247
389	Firebaugh	Fresno	8,202
390	Rolling Hills Estates	Los Angeles	8,059
391	Mammoth Lakes	Mono	8,002
392	Orland	Glenn	7,812
393	Yreka	Siskiyou	7,777
394	Ione	Amador	7,772
395	Fort Bragg	Mendocino	7,772
396	Woodlake	Tulare	7,768
397	Sebastopol	Sonoma	7,579
398	Fairfax	Marin	7,571
399	Calipatria	Imperial	7,555
400	Ojai	Ventura	7,553
401	Corning	Tehama	7,522
402	Guadalupe	Santa Barbara	7,414
403	Hughson	Stanislaus	7,331
404	Sausalito	Marin	7,327
405	Cotati	Sonoma	7,272
406	Winters	Yolo	7,255
407	Escalon	San Joaquin	7,205
408	Huron	Fresno	7,186
409	Atherton	San Mateo	7,148
410	Loomis	Placer	6,775
411	Gridley	Butte	6,704
412	Crescent City	Del Norte	6,389
413	Colusa	Colusa	6,340
414	Holtville	Imperial	6,255
415	Willows	Glenn	6,187
416	Fowler	Fresno	6,091
417	St Helena	Napa	6,033
418	Villa Park	Orange	5,944
419	Gustine	Merced	5,886
420	Woodside	San Mateo	5,666
421	Solvang	Santa Barbara	5,593
422	La Habra Heights	Los Angeles	5,463
423	Indian Wells	Riverside	5,450
424	Williams	Colusa	5,431
425	Dos Palos	Merced	5,391
426	Calistoga	Napa	5,238
427	Buellton	Santa Barbara	5,129
428	Big Bear Lake	San Bernardino	5,047
429	Needles	San Bernardino	5,044
430	Willits	Mendocino	4,928
431	Sonora	Tuolumne	4,871
432	Jackson	Amador	4,838
433	Lakeport	Lake	4,786
434	Brisbane	San Mateo	4,722
435	Portola Valley	San Mateo	4,707
436	Del Mar	San Diego	4,297

437	San Joaquin	Fresno	4,070
438	Angels City	Calaveras	4,020
439	Bishop	Inyo	3,954
440	CarmelbytheSea	Monterey	3,842
441	Avalon	Los Angeles	3,718
442	Wheatland	Yuba	3,509
443	Monte Sereno	Santa Clara	3,501
444	Rio Dell	Humboldt	3,447
445	Mount Shasta	Siskiyou	3,355
446	Nevada City	Nevada	3,208
447	Yountville	Napa	2,935
448	Weed	Siskiyou	2,805
449	Alturas	Modoc	2,660
450	Sutter Creek	Amador	2,582
451	Ross	Marin	2,543
452	Westmorland	Imperial	2,302
453	Belvedere	Marin	2,172
454	Portola	Plumas	2,127
455	Colfax	Placer	2,070
456	Rolling Hills	Los Angeles	1,922
457	Biggs	Butte	1,905
458	Hidden Hills	Los Angeles	1,885
459	San Juan Bautista	San Benito	1,856
460	Del Rey Oaks	Monterey	1,681
461	Dunsmuir	Siskiyou	1,612
462	Colma	San Mateo	1,506
463	Ferndale	Humboldt	1,445
464	Montague	Siskiyou	1,441
465	Irwindale	Los Angeles	1,423
466	Blue Lake	Humboldt	1,295
467	Maricopa	Kern	1,140
468	Bradbury	Los Angeles	1,107
469	Plymouth	Amador	1,009
470	Tulelake	Siskiyou	1,002
471	Dorris	Siskiyou	966
472	Isleton	Sacramento	854
473	Loyalton	Sierra	766
474	Etna	Siskiyou	733
475	Fort Jones	Siskiyou	710
476	Point Arena	Mendocino	452
477	Industry	Los Angeles	440
478	Tehama	Tehama	427
479	Sand City	Monterey	384
480	Trinidad	Humboldt	369
481	Vernon	Los Angeles	209
482	Amador	Amador	193

Department of Finance
Demographic Research Unit

Phone: (916) 323-4086

For more information: <http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php>

Released on May 1, 2017

Scan

1 of 5

JWK

DEC 22 2016



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF SPECIALIZED PROSECUTIONS

JACKIE LACEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

DAVID E. DEMERJIAN • Director

December 21, 2016

The California State Legislature
The Secretary of the Senate
The Chief Clerk of the Assembly
The Legislative Counsel

Re: U Visa Certification Requests for 2016

To the Secretary of the Senate, the Chief Clerk of the Assembly and the Legislative Counsel:

Pursuant to Penal Code section 679.10(1), from January 1, 2016 to present, the Los Angeles District Attorney's Office reports the following:

Number of U visa certification requests received:	417
Number of U visa certification requests approved:	171
Number of U visa certification requests denied:	136
Number of U visa certification requests pending:	105

Very truly yours,

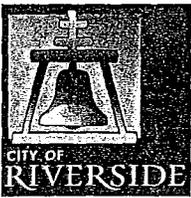
JACKIE LACEY
District Attorney

By *[Signature]*

DAVID E. DEMERJIAN, Director
Bureau of Specialized Prosecutions

rc

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 257-2272



Police Department

DEC 29 2016

City of Arts & Innovation

December 22, 2016

To: Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2016 U-Visa Reporting

Pursuant to reporting requirements of Penal Code Section 679.10(k) (l) and Government Code 9795, the following information is submitted for review.

The Riverside Police Department (RPD) received and investigated U-Visa requests in 2016. I have been designated by the head of my agency to consider U Nonimmigrant Status Certifications on behalf of the RPD. A supervisor in the Investigations Bureau conducted a thorough review of our documents and supporting materials that were submitted and the following actions were taken regarding Form I-918 Supplemental B:

U-Visa Requests	2016	Denial Reasons	2016
Approved	49	Refused Prosecution	8
Denied	36	Not Qualifying Crime	17
Referred to DA's Office	13	Reported YRS after	4
Referred to Riverside Sheriff Department	3	Interfered w/Investigation-Arrest	4
Referred to Corona PD	2	Suspect	1
		Other	2
2016 Total	103	2016 Total	36

Sincerely

Captain Mike Cook
Investigation Division Commander
Riverside Police Department

MC/klh

cc: Chief Clerk of the Assembly
Office of Legislative Counsel





OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

GREGORY D. TOTTEN
District Attorney

DEC 29 2016

JANICE L. MAURIZI
Chief Assistant District Attorney

MICHAEL K. FRAWLEY
Chief Deputy District Attorney
Criminal Prosecutions

W. CHARLES HUGHES
Chief Deputy District Attorney
Administrative Services

MICHAEL R. JUMP
Chief Deputy District Attorney
Victim & Community Services

MICHAEL D. SCHWARTZ
Special Assistant District Attorney
Justice Services

R. MILES WEISS
Chief Deputy District Attorney
Special Prosecutions

MICHAEL BARAY
Chief Investigator
Bureau of Investigation

December 23, 2016

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: U Visa Certification Report

Dear Mr. Alvarez:

This report is submitted pursuant to the requirements of Penal Code section 679.10, subdivision (I), and Government Code section 9795. The Ventura County District Attorney's Office received requests for Form I-918, Supplement B certifications in support of U Visa applications, which were handled as follows.

Requests received in 2014 that were resolved in 2016: 2
Signed: 2
Denied: 0

Requests received in 2015 that were resolved in 2016: 24
Signed: 16
Denied: 8

Requests received in 2016: 187
Signed: 119
Denied: 58
Referred to another agency: 4
Still pending: 6

Our office began signing U Visa certifications in 2009. For historical purposes, you may be interested in the following statistics:

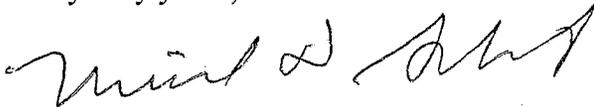
2010: 63 signed, 16 denied
2011: 57 signed, 21 denied
2012: 71 signed, 37 denied
2013: 83 signed, 36 denied
2014: 113 signed, 42 denied
2015: 105 signed (including 1 T visa), 62 denied

Mr. Daniel Alvarez
December 23, 2016
Page 2

Denials are generally because the crime did not constitute a qualifying offense (e.g., simple battery or vandalism that does not constitute domestic violence, or driving under the influence), because the evidence was insufficient to establish whether or not a crime was committed, because the applicant was not a direct or indirect victim of the crime, or because we did not have sufficient records to make the requested certifications. There only a few denials based upon the victim's lack of cooperation. In the past, we would occasionally deny a request on discretionary grounds such as the applicant's extensive criminal record or active gang membership. However, because Penal Code section 679.10 eliminates that discretion, we no longer deny requests for that reason. In addition, in the past, we would sometimes delay consideration until the criminal case was resolved, but since the enactment of section 679.10, we comply with those time limits whether the criminal case is resolved or not.

I hope this information is helpful to you.

Very truly yours,



MICHAEL D. SCHWARTZ
Special Assistant District Attorney

electronic copy to: Dotson.wilson@asm.ca.gov
Jim.Lasky@lc.ca.gov

500



DEC 29 2016



MONTCLAIR POLICE DEPARTMENT

FORM I-918 SUPPLEMENT B CERTIFICATION REPORT

December 15, 2016

The Montclair Police Department has authored the following report documenting Form I-918 Supplement B certification request information for the 2016 Calendar Year, as set forth in PC 679.10:

The following data for the 2016 calendar year is as follows:

- Total Number of Form I-918 Supplement B certifications received: 23
- Form I-918 Supplement B certifications approved: 15
- Form I-918 Supplement B certifications denied: 8
- Form I-918 Supplement B certifications pending: 0

A copy of this report can be found on the Montclair City website at:

<http://www.cityofmontclair.org/depts/police/uvisa.asp>

A copy of this report may also be requested by calling our business office at 909-448-3610 during normal business hours. In compliance with GC 9795, a copy of this report has been provided to the Secretary of the Senate, the Chief Clerk's Office, and the Legislative Counsel.

For the Montclair Police Department,

Brandon Kumanski, Lieutenant



BUILD THE GOLD LINE TO MONTCLAIR

CITY OF MONTCLAIR
5111 Benito Street, P.O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584

Mayor Paul M. Eaton • Mayor Pro Tem Carolyn Raft • Council Members: J. John Dutrey, Bill Ruh, Trisha Martinez • City Manager Edward C. Starr

JW



City of Palm Springs

Police Department

200 South Civic Drive • Palm Springs, California 92262
Tel: (760) 323-8116 • Fax: (760) 323-8178 • TDD: (760) 864-9527

DEC 29 2016

December 19, 2016

I-918 Form B Reporting Stats for 2016

The Palm Springs Police Department has had 12 people apply. We filled out and signed 12 applications. We did not deny any.

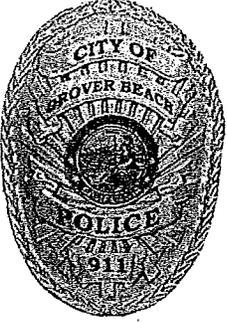
Respectfully,

Stephanie Green
Police Services Supervisor
Palm Springs Police Department
760-323-8116 Ext. 8542

"The men and women of the Palm Springs Police Department, empowered by and in partnership with the community, are dedicated to providing professional, ethical, and courteous service to all."

Ind

JAN 04 2017



GROVER BEACH POLICE DEPARTMENT

John Peters
Chief of Police

Grover Beach Police
711 Rockaway Ave
Grover Beach, CA 93433

Phone (805) 473-4511
Fax (805) 473-4515
jpeters@gbpd.org

December 26, 2016

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: U-Visa Reporting Requirement for 2016

Dear Mr. Alvarez,

Please find the one (1) completed U-Visa Form I-918 that my office received in 2016. As required by law, I am hereby providing you with this information for your records and reporting.

Sincerely,

A handwritten signature in black ink, appearing to read "John Peters".

John Peters
Chief of Police



Modesto Police Department

U-Visa Reporting List

JAN 04 2017



Jed

	Name	Date Received	Status
1		1/20/2016	Approved
2		1/28/2016	Approved
3		3/1/2016	Approved
4		3/10/2016	Approved
5	J	3/11/2016	Approved
6		3/12/2016	Approved
7		3/14/2016	Approved
8		3/14/2016	Denied
9		3/21/2016	Approved
10		3/30/2016	Approved
11		3/31/2016	Approved
12		4/1/2016	Approved
13		4/1/2016	Approved
14		4/9/2016	Approved
15		4/18/2016	Approved
16		4/18/2016	Approved
17		4/19/2016	Approved
18		4/21/2016	Denied
19		4/21/2016	Approved
20		4/22/2016	Approved
21		5/5/2016	Approved
22		5/9/2016	Approved
23		5/12/2016	Approved
24		6/1/2016	Approved
25		7/7/2016	Approved
26		8/4/2016	Approved
27		9/1/2016	Denied
28		9/2/2016	Approved
29		9/5/2016	Denied
30		9/6/2016	Approved
31		9/21/2016	Approved
32		10/5/2016	Approved
33		10/19/2016	Approved
34		10/19/2016	Pending
35		10/19/2016	Approved
36		11/4/2016	Approved
37		11/10/2016	Pending
38		11/16/2016	Denied
39		11/12/2016	Approved
40		11/9/2016	Approved
41		12/8/2016	Pending
42		12/15/2016	Denied



Modesto Police Department



U-Visa Reporting List

43		12/17/2016	Pending
44		12/17/2016	Pending
45		12/20/2016	Pending
46		12/22/2016	Pending

JAN 04 2017

Craig Carter
Chief of Police
1163 N. Centre City Pkwy.
Escondido, CA 92026
Phone: 760-839-4721 Fax: 760-745-3432
ccarter@escondido.org

December 30, 2016

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dotson Wilson
Chief Clerk of the Assembly
dotson.wilson@asm.ca.gov

Jim Lasky
Legislative Counsel
Jim.Lasky@lc.ca.gov

Dear Secretary Alvarez, Chief Clerk Wilson, and Mr. Lasky:

I am sending this letter to you to stay in compliance with Penal Code 679.10 and provide you with the statistics for U-Visa requests for calendar year 2016.

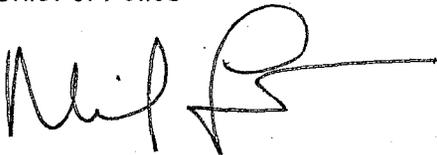
The Escondido Police Department received a total of **98** U-Visa applications for our review between January 1 and December 30, 2016.

Of the **98** applications:

- **82** certifications were completed and signed
- **13** certifications were denied due to not meeting eligibility requirements
- **3** applications are pending review

Sincerely,

Craig Carter
Chief of Police



Michael Loarie
Captain, Services Bureau
mloarie@escondido.org



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



December 30, 2016

JAN 04 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Attention: Danny Alvarez, Secretary of the Senate

Re: Los Angeles County Sheriff's Department's 2016 U Visa Report

Dear Mr. Alvarez:

Pursuant to California Penal Code section 679.10(l), attached is the Los Angeles County Sheriff's Department's 2016 U Visa Report.

Should you have any questions, please feel free to contact Deputy Suzie Ferrell, Field Operations Support Services, at 323-890-5411 or email at spferrel@lasd.org.

Sincerely,

JIM McDONNELL, SHERIFF

Scott E. Johnson, Captain
Risk Management Bureau

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

2016 U VISA REPORT

The Los Angeles County Sheriff's Department's statistical information for U Visas for the year 2016 are as follows:

Total Requests Received	Number Certified	Number Denied
969	773	196

80% of the U Visa requests received by the Los Angeles County Sheriff's Department were certified.

20% of the U visa requests received by the Los Angeles County Sheriff's Department were denied.

Contact Information:

Los Angeles County Sheriff's Department
Field Operations Support Services
4900 Eastern Avenue, Suite 210
Commerce, CA 90040
323-890-5411



JW

CITY OF SIMI VALLEY

Home of The Ronald Reagan Presidential Library

JAN 04 2017

POLICE DEPARTMENT

Mitch G. McCann, Chief of Police

December 22, 2016

To Whom It May Concern:

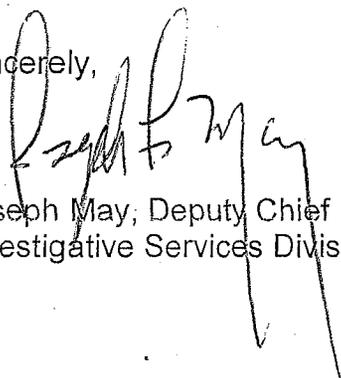
RE: Immigrant Victims of Crime Equity Act Reporting Requirements

In compliance with the Immigrant Victims of Crime Equity Act and Penal Code Section 679.10, the following data accurately represents the number of U-Visa Certification Requests received to date during calendar year 2016 by the Simi Valley Police Department and their status.

Requests Received:	12
Requests Approved:	7
Requests Denied:	3
Requests Referred:	2*

*Cases were referred to the Ventura County District Attorney prior to notification of changes to 679.10 PC.

Sincerely,



Joseph May, Deputy Chief
Investigative Services Division

HOLLISTER POLICE

Integrity, Professionalism, Respect, Commitment, Accountability

David Westrick, Chief of Police

Just

JAN 04 2017

December 27, 2016

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. Secretary of the Senate Alvarez:

The Hollister Police Department would like to report the amount of U Visa Certifications and denials per Penal Code section 679.10 which mandates that certain state and local agencies and officials complete U Visa certifications, upon request, for immigrant crime victims who have been helpful, are being helpful, or are likely to be helpful in the detection, investigation, or prosecution of specified qualifying crimes.

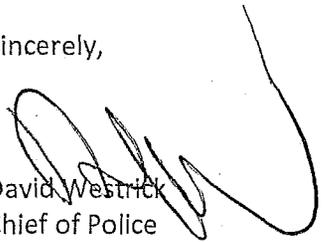
The Hollister Police Department has processed Fifteen (15) U Visa Certifications. Fourteen (14) were signed and one (1) was denied.

The section mandates that we report on or before January 1, 2017 for the 2016 year and annually thereafter, the number of victims that requested certifications from our agency, the number certifications signed, and the number of certifications denied.

Please feel free to contact Eva Foster, my Assistant at 831-638-4110 if there are any questions or further information is needed.

Sincerely,

David Westrick
Chief of Police





City of Anaheim
OFFICE OF THE CITY ATTORNEY
Family Justice Center

Jed

JAN 04 2017

December 29, 2016

Secretary of the Senate
Daniel Alvarez
State Capitol, Room 3044
Sacramento CA 95814

Re: U-Visa Legislature Report 2016

Dear Sir:

I am the designated certifying official for U-Visa applications for the Anaheim City Attorney's office. Our office prosecutes misdemeanor violations of the California Penal Code that occur in Anaheim, California. Pursuant to Penal Code 679.10, I am writing to report to you the statistics regarding U-Visa applications received by our office in the calendar year 2016. To the best of my knowledge, our office received twenty-seven (27) U-Visa certification petitions during this period. Of these, twenty-three (23) petitions were signed, and four (4) were denied.

Please contact my office at 714-870-8200 if you have any questions.

Thank you,

Adam A. Klugman
Deputy City Attorney II

AK/mh



Jed

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TULARE

JAN 04 2017

Tim Ward, *District Attorney*

December 22, 2016

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

In compliance with California's Immigrant Victims of Crime Equity Act (Senate Bill 674) requiring certifying entities that receive a request for a Form I-918 Supplement B certification to report to the Legislature, on or before January 1, 2017 and annually thereafter the number of victims that requested Form I-918 B certification from the entity, the number of those certification forms that were signed, and the number that were denied.

The District Attorney's Office of Tulare County reviewed two-hundred and four I-918 Supplement B certifications.

One-hundred and thirty-nine I-918 Supplement B certifications were completed and signed by our office.

Sixty-five I-918 Supplement B certifications were denied by this office.

This office is dedicated to serve victims of crime regardless of their legal status. We will gladly continue to review I-918 Supplement B certifications.

Sincerely,

David Alavezos
Assistant District Attorney
Tulare County

JAN 09 2017

RIVERSIDE COUNTY

STANLEY SNIFF, SHERIFF



Sheriff

P.O. BOX 512 • RIVERSIDE, CALIFORNIA 92502 • (951) 955-2400 • FAX (951) 955-2428

U NONIMMIGRANT STATUS CERTIFICATIONS

FORM I-918 SUPPLEMENTAL B

LEGISLATIVE REPORT

Calendar Year: 2016

Agency Name: Riverside County Sheriff's Department

Address: 4095 Lemon St, Riverside, CA 92501

Records Telephone Number: 951-955-2440

Website: riversidesheriff.org

Total number of Certifications: 175

Approved Certifications: 137

Denied Certifications: 38

Person completing the form: Yolanda Murillo, Records Manager

Email: ymurillo@riversidesheriff.org

Telephone Number: 951-955-2440

Jul

Bertini, David C

o: Jim.Lasky@lc.ca.gov
Cc: dotson.wilson@asm.ca.gov
Subject: SB 674 Reporting Requirements - Immigrant Victims of Crime Equality Act

JAN 11 2017

Good afternoon.

Pursuant to the Immigrant Victims of Crime Equality Act (SB 674), the Menlo Park Police Department, as a certifying agency, reports:

- 21** – U visa applications in 2016
- 18** – U visas were denied in 2016
- 3** – U visas were approved in 2016

Feel free to contact me if you have any questions.

Commander Dave Bertini
Menlo Park Police Department
701 Laurel Street
Menlo Park, CA. 94025
650.330.6321

Jud

City of Anaheim
POLICE DEPARTMENT



December 28, 2016

JAN 11 2017

Danny Alvarez, Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2016 U visa Statistics

Dear Mr. Alvarez:

My name is Elaine Estrada and I am the U visa Coordinator for the Anaheim Police Department.

Below, please see the summary of U visa applications that we received. The category marked Other* consists of applications sent to us in error. An example of this would be another agency handling the case the client is involved in. I am housed at the Orange County Family Justice Center and occasionally clients and/or their respective lawyers assume we process U visa applications for the Orange County region.

2016 Summary of I-918 Supplement B applications received:

Total	Approved	Denied	Other*
256	163	41	52

Should you have further questions, please feel free to contact me.

Regards,

Elaine Estrada, U visa Coordinator
Anaheim Police Department
Orange County Family Justice Center
150 West Vermont Avenue
Anaheim, CA 92805

714.765.1571 (Office)
eestrada@anaheim.net

cc: Sergeant Jeffrey Dodd
Lieutenant Willie Triplett

Jed



JAN 11 2017

POLICE DEPARTMENT

December 29, 2016

Mr. Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Dear Sir,

This is to confirm the following have been processed with our department;

Receipt 21- 1918 Requests

Processed 20- 1918 Requests processes

Denials- 1

If you have any questions please feel free to contact us.

Kindest regards,

Shelley A. Salinas
Dispatch/Records Supervisor
ssalinas@cathedralcity.gov
760-770-0357





Jmf

January 5, 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
(via U.S. Mail)

JAN 11 2017

Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
Amy.leach@asm.ca.gov
Agency.reports@asm.ca.gov
(via electronic mail)

Office of Legislative Counsel
Indexing Division
925 L. Street
Sacramento, CA 95814-3703
Agency.reports@lc.ca.gov
(via electronic mail)

RE: Annual Report on Form I-98 Form B Certifications,
Cal. Penal Code Section 679.10(l)

Dear California Legislature:

The above-referenced law requires a certifying entity, such as the La Mesa Police Department, to submit this annual report to the Legislature on the number and disposition of victim requests for Form I-98 Form B certifications. This report is submitted to the above-referenced entities in compliance with Cal. Government Code Section 9795.

Form I-98 Supplemental B Certifications 2016 Annual Report,
Cal. Penal Code Section 679.10(l)
La Mesa Police Department (LMPD), La Mesa, CA
January 1, 2016 to December 31, 2016

Number of victims who requested Form I-918 Form B certifications from the LMPD:	4
Number of certifications forms signed by LMPD:	4
Number of certification forms denied by LMPD:	0

If I can be of further assistance, please contact me at (619) 667-7508 or cmcmillen@ci.la-mesa.ca.us.

Respectfully submitted,

Christine McMillen, ENP
Police Services Manager

Just



CORONA POLICE DEPARTMENT

JAN 11 2017

730 Public Safety Way (P.O. BOX 940) Corona, California 92880-2002

January 4, 2017

Secretary of the Senate
State Capitol
Sacramento, CA 95814

To whom it may concern:

The following information is being submitted as a certifying entity that receives requests to certify the I-918 Supplemental B forms for the calendar year 2016.

- 1. The number of victims that requested Form I-918 Form B certifications: 10
- 2. The number of those certification forms that were signed: 10
- 3. The number that were denied: 0

Respectfully,

Silvia C. Hernandez
Records Supervisor
951 279-3682

J-d



January 3, 2017

JAN 11 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
(via U.S. Mail)

Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
Amy.leach@asm.ca.gov
Agency.reports@asm.ca.gov
(via electronic mail)

Office of Legislative Counsel
Indexing Division
925 L. Street
Sacramento, CA 95814-3703
Agency.reports@lc.ca.gov
(via electronic mail)

RE: Annual Report on Form I-98 Form B Certifications,
Cal. Penal Code Section 679.10(l)

Dear California Legislature:

The above-referenced law requires a certifying entity, such as the Carlsbad Police Department, to submit this annual report to the Legislature on the number and disposition of victim requests for Form I-98 Form B certifications. This report is submitted to the above-referenced entities in compliance with Cal. Government Code Section 9795.

Form I-98 Supplemental B Certifications 2016 Annual Report,
Cal. Penal Code Section 679.10(l)
Carlsbad Police Department (CBPD), Carlsbad, CA
January 1, 2016 to December 31, 2016

Number of victims who requested Form I-918 Form B certifications from the CBPD:	5
Number of certifications forms signed by CBPD:	0
Number of certification forms denied by CBPD:	5



Police Department

Police Administration 2560 Orion Way | Carlsbad, CA 92010 | 760-931-2100 | www.carlsbadca.gov

U-Visa Reporting
Page 2

If I can be of further assistance, please contact me at 760-931-2159 or via email at paula.crewse@carlsbadca.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Paula Crewse". The signature is fluid and cursive, with the first name being more prominent.

Paula Crewse
Records and Evidence Manger

cc: Neil Gallucci, Chief of Police
Matt Magro, Captain, Investigations

Mr. Alvarez,

3-1
JAN 11 2017

Please see the attached U-Visa tracking log for the San Diego Police Department. These are Non-Domestic Violence related U-Visa requests. The U-Visa requests received after 12-15-2016 have not been reviewed by our legal staff.

C. Castle # 4954

Clinton Castle, Officer

San Diego Police Department, Chief's Office

ccastle@pd.sandiego.gov 619-531-2777

Tracking #	From	Date Received	Date Returned	Certifying Official	Last Name	First Name	Case #	Approved / Denied	Comments
201601001CO	[REDACTED]	12/2/2015		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601002CO	[REDACTED]	12/9/2015		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601003CO	[REDACTED]	12/10/2015		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601004CO	[REDACTED]	12/18/2015		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601005CO	[REDACTED]	12/22/2015		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601006CO	[REDACTED]	12/30/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601007CO	[REDACTED]	1/13/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601008CO	[REDACTED]	1/13/2016		S. Zimmerman			[REDACTED]	Denied	Uncooperative
201601009CO	[REDACTED]	1/13/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601010CO	[REDACTED]	1/14/2016		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601011CO	[REDACTED]	1/20/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601012CO	[REDACTED]	1/20/2016		S. Zimmerman			[REDACTED]	Denied	Uncooperative
201601013CO	[REDACTED]	1/20/2016		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601014CO	[REDACTED]	1/20/2016		S. Zimmerman			[REDACTED]	Approved	Uncooperative
201601015CO	[REDACTED]	1/20/2016		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601016CO	[REDACTED]	1/26/2016		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601017CO	[REDACTED]	1/26/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601018CO	[REDACTED]	1/26/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601019CO	[REDACTED]	1/27/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601020CO	[REDACTED]	1/27/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201601021CO	[REDACTED]	1/22/2016		S. Zimmerman			[REDACTED]	Approved	Sent 2/2/16
201601022CO	[REDACTED]	1/29/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/2/16
201602023CO	[REDACTED]	2/2/2016		S. Zimmerman			[REDACTED]	Approved	Non Qual Crime
201602024CO	[REDACTED]	2/2/2016		S. Zimmerman			[REDACTED]	Denied	No Record
201602025CO	[REDACTED]	2/4/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/2/16
201602026CO	[REDACTED]	2/4/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/2/16
201602027CO	[REDACTED]	2/5/2016		S. Zimmerman			[REDACTED]	Denied	No Record
201602028CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201602029CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602030CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602031CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602032CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/2/16
201602033CO	[REDACTED]	2/9/2016		S. Zimmerman			[REDACTED]	Approved	No Record
201602034CO	[REDACTED]	2/10/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602035CO	[REDACTED]	2/10/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602036CO	[REDACTED]	2/12/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602037CO	[REDACTED]	2/23/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201602038CO	[REDACTED]	2/25/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603039CO	[REDACTED]	3/2/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603040CO	[REDACTED]	3/2/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603041CO	[REDACTED]	3/4/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603042CO	[REDACTED]	3/4/2016		S. Zimmerman			[REDACTED]	Denied	Uncooperative
201603043CO	[REDACTED]	3/8/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603044CO	[REDACTED]	3/9/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603045CO	[REDACTED]	3/9/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603046CO	[REDACTED]	3/9/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603047CO	[REDACTED]	3/15/2016		S. Zimmerman			[REDACTED]	Approved	Sent 3/23/16
201603048CO	[REDACTED]	3/16/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201603049CO	[REDACTED]	3/4/2016		S. Zimmerman			[REDACTED]	Denied	Uncooperative
201603050CO	[REDACTED]	3/22/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201603051CO	[REDACTED]	3/22/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201603052CO	[REDACTED]	3/22/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201603053CO	[REDACTED]	3/30/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603054CO	[REDACTED]	3/30/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603055CO	[REDACTED]	3/30/2016		S. Zimmerman			[REDACTED]	Denied	Non Qual Crime
201603056CO	[REDACTED]	3/30/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016
201603057CO	[REDACTED]	3/30/2016		S. Zimmerman			[REDACTED]	Approved	Sent 5/10/2016

Scan 2

of

5

Jud

THE CITY OF POMONA

Office of the Police Chief



"Working Together
Pomona's Future..."

January 3, 2017

JAN 11 2017

Secretary of Senate
Attn: Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

REF: I-918 Form B 2016 Statistics

Dear Mr. Alvarez:

Below are the 2016 statistics for I-918 Form B submissions:

Eighty-six (86) applications submitted, out of those submitted, five (5) were not approved due to the applicant not being victim of the crime, one (1) was returned due to the form being incomplete, seven (7) were approved, however, the victims were not cooperative with detectives during the investigation.

Please let me know if any further information is required.

Respectfully submitted,

Doreen Herring
Police Records Manager
(909) 620-2088

Jew

JUNICE M. ULLOA
Mayor

TOM HAUGHEY
Mayor Pro Tem



GLENN DUNCAN
EARL C. ELROD
Council Members

MATTHEW C. BALLANTYNE
City Manager

CITY of CHINO

JAN 11 2017

January 4, 2017

To whom it may concern:

In 2016, Chino Police Department received 10 U-Visa applications. Eight were signed and two were denied.

Sincerely,

KAREN C COMSTOCK
CHIEF OF POLICE
CHINO POLICE DEPARTMENT

KC:mo





ROCKLIN
CALIFORNIA

JAN 11 2017

3d

Date: January 3, 2017
To: Daniel Alvarez, Secretary of the Senate
From: Myra Salazar, Records and Communications Manager
City of Rocklin Police Department
Subject: U-Visa Reporting

Please see the attached U-Visa request that Rocklin Police Department received in 2016. For the 2016 year, only one request was received which was signed by myself and returned to the requestor. At this time the status of the application is unknown. Please feel free to contact me as my desk phone 916-625-5435 if you have any questions.

Myra Salazar, Records and Communications Manager
City of Rocklin Police Department
Myra.Salazar@rocklin.ca.us (916) 625-5435



34
COUNTY OF FRESNO

Lisa A. Smittcamp
District Attorney

December 30, 2016

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

JAN 11 2017

RE: Report pursuant to Penal Code section 679.10(l)

Dear Sir,

Pursuant to California Penal Code section 679.10, subdivision (l), please accept this "report to the Legislature . . . [regarding] the number of victims that requested Form I-918 Form B certifications" from the Fresno County District Attorney's Office. Enclosed is a CD with an electronic copy of the same.

For the 2016 calendar year, thirty-two (32) individuals requested Form I-918 Form B certifications, twenty-six (26) requests were signed, and six (6) requests were denied.

Very truly,


Steve E. Wright
Assistant District Attorney

Enclosure



OXNARD POLICE DEPARTMENT

Protecting Our Community with Exceptional Service

CHIEF OF POLICE
Scott Whitney

ASSISTANT POLICE CHIEF
Jason Benites

ASSISTANT POLICE CHIEF
Eric S. Sonstegard

JAN 11 2011

251 SOUTH C STREET, OXNARD, CALIFORNIA 93030-5789 * (805) 385-7600 * <http://oxnardpd.org>

December 31, 2016

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3004
Sacramento, CA 95814

Re: U Visa Certification Report for 2016

Dear Mr. Alvarez:

This report is submitted pursuant to the requirements of Penal Code section 679.10, subdivision (1), and Government Code section 9795. The Oxnard Police Department received requests for Form I-918, Supplement B certifications in support of U Visa applications, which were handled as follows:

Requests received in 2016:	208
Signed:	137
Denied:	45
Referred to another agency:	24
Pending:	2

Denials are generally because the crime did not constitute a qualifying offense, because the evidence was insufficient to establish whether or not a crime was committed, because the applicant was not a direct or indirect victim of the crime, because we did not have sufficient records to make the requested certifications, or the victim was uncooperative with the criminal investigation. The Oxnard Police Department began signing U Visa certifications in 2011 and has kept records for the previous years.

I hope this information is helpful. If you need to contact me for any reason I can be reached via email at Sharon.Giles@Oxnardpd.org or at my office at 805-385-7620.

Very truly yours,

Sharon A. Giles, Sergeant

Electronic copy to: Dotson.Wilson@asm.ca.gov
Jim.Lasky@lc.ca.gov

Mariposa Mall
P.O. Box 1271
Fresno, California 93715-1271

JF JD
Jerry P. Dyer
Chief of Police

JAN 11 2017

December 30, 2016

SB 674 under PC 679.10 Mandated Data Report for U visa Requests

U visa Certification Requests Fresno Police Department
January 1, 2016 - December 31, 2016

Total Certification Requests - 363

Certifications signed 248 (includes 42 Re-Certifications)

Certifications denied 115 (includes 19 requests which had prior denials by this agency)

*ACTING CHIEF OF POLICE
Deputy Chief Peter Farmer
12-30-16*



**SUPERIOR COURT OF CALIFORNIA
County of San Diego**

COUNTY COURTHOUSE
P.O. BOX 122724
SAN DIEGO, CA 92112-2724

December 31, 2016

JAN 11 2017

VIA U.S. MAIL AND E-MAIL

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

**Re: REPORT ON U-VISA CERTIFICATIONS BY THE SAN DIEGO SUPERIOR
COURT**

To the Secretary of the Senate:

Pursuant to California Penal Code Section 679.10, please accept this report of the San Diego Superior Court regarding U-visa certification requests received by its judges in calendar year 2016.

Number of requests for certification received: 18

Number of certification requests provided: 9

Number of certification requests denied: 9

Please contact me with any questions or if you need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristine P. Nesthus".

Kristine P. Nesthus, Esq.
Director - Legal Services

Cc: dotson.wilson@asm.ca.gov
amy.leach@asm.ca.gov
agency.reports@asm.ca.gov
agency.reports@lc.ca.gov

JAN 13 2017 3:41

OCEANSIDE POLICE DEPARTMENT

FRANK S. McCOY
CHIEF OF POLICE

January 5, 2017

CORE VALUES

- Trust
- Personal Responsibility
- Quality Service
- Partnership
- Community Safety
- Diversity

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
Attn: Daniel Alvarez

Subject: I-918 Supplemental B Request – Reporting Per PC 679.10(I)

Dear Secretary of the Senate

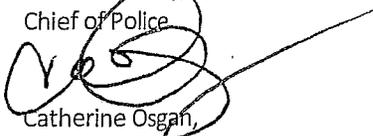
In compliance with SB 674/PC 679.10(I) the Oceanside Police Department is providing the following information in regards to receiving I-918 Supplemental B Request:

2016	
Received I-918 Supplemental B Request	27
Certified	25
Declined	2

If you have any questions please contact Records Manager Catherine Osgan cosgan@ci.oceanside.ca.us or 760-435-4940.

Respectfully,

Frank S. McCoy,
Chief of Police



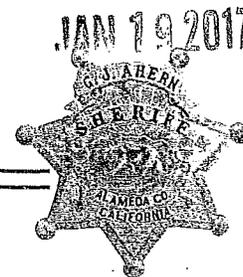
Catherine Osgan,
Police Records Manager

Cc:
Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
Amy.leach@asm.ca.gov
Agency.reports@asm.ca.gov

Office of Legislative Counsel
Agency.reports@lc.ca.gov
Jim.lasky@lc.ca.gov

Alameda County Sheriff's Office

Lakeside Plaza, 1401 Lakeside Drive, 12th Floor, Oakland, CA 94612-4305



Gregory J. Ahern, Sheriff

Director of Emergency Services
Coroner - Marshal

January 13, 2017

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. Alvarez,

In compliance with Senate Bill 674, we are sending the following required documentation for U-Visa applicants on behalf of our Agency:

- A Training Bulletin outlining Senate Bill 674; and
- A disc containing U-Visa Supplement B forms.

Please feel free to contact me if you need any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Buchanan".

Don Buchanan, Commander
Alameda County Sheriff's Office
Law Enforcement Services Division
1401 Lakeside Drive, 12th Floor
Oakland, CA 94612

Cc: Chief Clerk of the Assembly
Legislative Counsel

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

"Striving For Excellence Through Public Safety Education"

Alameda County Sheriff's Office
1401 Lakeside Drive, 12th Floor, Oakland, CA 94612
Phone: (510) 272-6878

TRAINING BULLETIN

"SENATE BILL 674 – IMMIGRANT VICTIMS OF CRIME EQUITY ACT" NUMBER 15-27

DATE: February 10, 2016

PURPOSE:

This training bulletin alerts members of the Alameda County Sheriff's Office (ACSO) to the passage of Senate Bill 674, called the "*Immigrant Victims of Crime Equity Act*" The bill was signed into law by California Governor Jerry Brown on October 9, 2015.

In essence, the bill was designed to reduce the threat of deportation for non-immigrant victims of certain qualifying crime(s). It would require state and local law enforcement agencies to provide non-immigrants or non-citizens (who have cooperated with investigations of those crimes), the necessary certification to apply for special visas, called "U-Visas," and encouraged them to report these crimes and cooperate with law enforcement agencies and authorities, without the fear of deportation or any other immigration violation consequences.

OVERVIEW:

In 2000, the United States Congress and the United States Citizenship and Immigration Services, created the *Victims of Trafficking and Violence Protection Act* to help combat human trafficking and violence, as well as prosecute violators under federal guidelines. Furthermore, it offered protection and assistance to victims of human trafficking, in the form of services and benefits, without the fear of immigration consequences or deportation.

Over time, law enforcement agencies encountered issues and problems with the investigation and prosecution of human trafficking crimes, mainly because victims were afraid to cooperate with law enforcement, because of consequences regarding their current immigration status. As a result, the U-Visa program was created to assist law enforcement with the investigation and prosecution of these cases, and help the victims and witnesses of these certain crimes.

The main theme of the U-Visa program, was to afford non-immigrant victims (of certain designated crimes), upon request, a temporary immigration designation to remain in the United States, while law enforcement agencies continue the investigation and prosecution of the crimes they were victims of. It established certain "rights" for victims of certain crimes, to include

notification, appearance rights for sentencing proceedings, and probation and parole information notifications for the convicted defendant of their case. It also allowed victims to receive assistance and possible compensation, based on certain federal guidelines.

The bill emphasized documentation and reporting requirement for certifying entities, such as law enforcement agencies. Agencies are to document whether the victim was helpful, has been helpful and is likely to be helpful, in the detection, investigation or prosecution of a certain qualifying crime.

SUMMARY:

Current existing federal law allows non-immigrant victims, who have been victims of certain qualifying crimes (listed above), the ability to request for *temporary* immigration benefits. The process is administered by the United States Citizenship and Immigration Services (USCIS), which provides a form (I-918 form) to be completed by the victim and submitted to the USCIS for review.

Furthermore, current state law establishes certain rights of victims and witnesses of crimes, including, among others, to be notified and to appear at all sentencing proceedings, upon request, to be notified and to appear at parole eligibility hearings, and, for certain offenses, to be notified when a convicted defendant had been ordered placed on probation.

The passage of Senate Bill 674 summarized that all “certifying entities,” would indicate whether the victim was helpful, is being helpful, or is likely to be helpful in the detection, investigation, or prosecution of that qualifying criminal activity.

There are certain requirements that must be met, prior to the issuance and processing of this requirement. First, the member taking the report must be a “certifying entity,” the crime in question must be a “qualified criminal activity,” certain criteria and “legal requirements” must be met, and the final determination is made by the U.S. Citizenship and Immigration Services.

Certain other requirements of this law, include that all certifying entities process the application within 90 days of the victim’s request, unless the non-citizen or non-immigrant is in removal proceedings. In such a case, the certification shall be processed within 14 days.

DOCUMENTATION:

The documentation of U-Visa applications are done on certain USCIS forms (i.e. I-918 forms) and for purposes of our Agency, are managed by the *Law Enforcement Services Division*.

It is very important to know that the victims of these qualifying crimes, will often contact a form of legal representation, to handle their case.

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

For purposes of our Agency, any qualifying victims listed in any Alameda County Sheriff's Office reports, will have their legal representation contact the Alameda County Sheriff's Office, Law Enforcement Services Division. The Law Enforcement Services Division handles *all* U-Visa reports, cases and documentation and are the only authorized division within our Agency to handle U-Visa documentation and reporting.

DEFINITIONS:

- U-Visa: A classification or designation created by the United States Congress, and under the control of the United States Citizenship and Immigration Services (USCIS), granted to non-immigrant victims of certain qualifying crimes, temporary legal immigrations status, to remain in the United States, while law enforcement agencies investigated and prosecuted the crimes the non-immigrant victims were involved in. a strict and formative application and vetting process is a precursor to the granting of a U-Visa.
- Non-immigrant: An alien or non-citizen who seeks temporary entry and stay in the United States, for a specific purpose. They must have a permanent residence aboard and qualify for the non-immigrant classification sought.
- Certifying Entity: Addendum to Penal Code 679.08 (Victim's Bill Rights), Penal Code 679.10 was added to list "Certifying Entities," to include:
 - A state or local law enforcement agency
 - A prosecutor
 - A judge
 - Any other authority that has the responsibility for the detection or investigation or prosecution of a qualifying crime or criminal activity.
 - Agencies that have criminal detection or investigative jurisdiction in their respective areas of expertise, including, but not limited to, child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations.
 - A "certifying official" is any of the following:
 - The head of the certifying entity.
 - A person in a supervisory role who has been specifically designated by the head of the certifying entity to issue Form I-918 Supplement B certifications on behalf of that agency.
- Qualifying Criminal Activities:
 - Rape
 - Torture
 - Human trafficking
 - Incest

- Domestic violence
- Sexual assault
- Abusive sexual conduct
- Prostitution
- Sexual exploitation
- Female genital mutilation
- Being held hostage
- Peonage
- Perjury
- Involuntary servitude
- Slavery
- Kidnaping
- Abduction
- Unlawful criminal restraint
- False imprisonment
- Blackmail
- Extortion
- Manslaughter
- Murder
- Felonious assault
- Witness tampering
- Obstruction of justice
- Fraud in foreign labor contracting
- Stalking
- Other related crimes, or similar offenses. This also includes the attempt, conspiracy or solicitation of any of the offenses listed or offenses where the elements of the crime are substantially similar.

- Legal Requirements:

- The applicant must have been a victim of a qualifying criminal activity.
- The applicant must have suffered substantial physical or mental abuse, as a result of having been a victim of these criminal activities.
- The applicant must have information concerning that criminal activity.
- The applicant must have been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the crime.
- The criminal activity occurred in the United States or violated U.S. laws.
- The applicant is admissible to the United States current immigration laws and regulations. Those who are not admissible, may apply for a waiver on a form I-192 (Application for Advance Permission to enter as a Non-Immigrant).

- I-918 and I-918A Supplemental Form: A Department of Homeland Security – U.S. Citizenship and Immigration Services form, completed by the non-immigrant victim(s) of the listed qualifying crime. This form is to be completed in conjunction with the I918-B form (to be completed by law enforcement).

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

- I-918B Form: A Department of Homeland Security – U.S. Citizenship and Immigration Services form and certification, to be completed by the certifying entity or official, indicating that a non-immigrant is a victim of a certain qualifying criminal activity.

REMINDER:

For purposes of our Agency, all instances of U-Visa applications and generated reports, are to be forwarded to Commander D.M. Buchanan, of the Law Enforcement Services Division. Commander Buchanan is the Agency Coordinator and is responsible for the submission of reports to the Department of Justice.

Do NOT send any forms or reports directly to the USCIS. All U-Visa documents shall be forwarded to Commander Buchanan, via QIC Code 26008. For further submission information, you can contact the Law Enforcement Services Division at telephone # (510) 271-5198 or Tie Line 25198.

ATTACHMENTS:

For reference purposes, the following documents are provided as attachments. These forms are **SAMPLE FORMS ONLY, AND SHOULD NOT BE USED:**

Attachment 1: USCIS form I-918 (Petition for U-Visa, Non-immigrant Status)

Attachment 2: USCIS form I-918A (Supplemental form to I-918)

Attachment 3: USCIS form I-198B (U-Visa Non-immigrant Status Certification)

DISTRIBUTION "C"
PLEASE POST FOR THE ATTENTION OF ALL PERSONNEL

<p>California Department of Justice Division of Law Enforcement</p> <p>Larry J. Wallace, Director</p>		<h1 style="margin: 0;">INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> New and Existing State and Federal Laws Protecting Immigrant Victims of Crime</p>	<p><i>No.</i> DLE-2015-04</p>	<p><i>Contact for information:</i></p>	
	<p><i>Date:</i> October 28, 2015</p>	<p>Larry Wallace, Director, Division of Law Enforcement 916-319-8200</p>	

TO: All California State and Local Law Enforcement Agencies

This bulletin provides a summary of a new state law that requires agencies that investigate or prosecute criminal matters to assist crime victims without authorized immigration status in applying for a U nonimmigrant visa – a federal immigration visa set aside for victims of crime who have suffered substantial mental or physical abuse because of criminal activity, and who are willing to assist federal, state, and local law enforcement agencies or government officials in the investigation of that criminal activity. California’s Immigrant Victims of Crime Equity Act (Senate Bill 674), which takes effect on January 1, 2016, requires state and local law enforcement agencies, prosecutors, and other officials to certify the helpfulness of victims of qualifying crimes on a federal U Nonimmigrant Status Certification (Form I-918’ Supplement B), also known as a “U visa certification.” **Unlike federal law, which provides certifying state and local agencies and officials with discretion in determining whether to complete the certification, California’s new law mandates that state and local agencies and officials submit certifications when certain conditions are met.** U.S. Citizenship and Immigration Services (USCIS) considers these certifications in determining whether to grant a qualifying immigrant a U nonimmigrant visa (U visa).

In addition to providing guidance on the new state law, this bulletin summarizes existing federal law governing U visas, answers relevant questions regarding U visa eligibility, and encourages state and local law enforcement agencies and officials to be vigilant in identifying and supporting immigrant crime victims who may be eligible for U visas. These visas are an important tool for encouraging the cooperation of witnesses, investigating, prosecuting, and convicting criminals, and increasing public safety.

Federal Law Governing U Visas for Certain Crime Victims

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000¹ is a federal law that, among other things, provides temporary immigration benefits to individuals without immigration status who are victims of specified qualifying crimes. Under the VTVPA, an immigrant victim of certain crimes can file a Petition for U Nonimmigrant Status (Form I-918) with USCIS. The U visa provides eligible victims with nonimmigrant status (including victims who are no longer in the United States) the opportunity to be temporarily present in the United States to help law enforcement in the investigation or prosecution of the criminal activity at issue. Under certain

¹ VTVPA, Pub. L. No. 106-386, 114 Stat. 1464-1548 (2000).

circumstances, a person with a U visa may be able to adjust to lawful permanent resident status if USCIS determines that the individual qualifies for that status.

In order to file a Petition for U Nonimmigrant Status (Form I-918), an immigrant victim *must* provide a certification form (Form I-918 Supplement B) from a federal, state, or local law enforcement official certifying that he or she has knowledge of the following:

- The victim has been a victim of qualifying criminal activity;
- The victim possesses information about the qualifying criminal activity; and
- The victim has been, is being or is likely to be helpful to the investigation and/or prosecution of that qualifying criminal activity.

The petitioner is ineligible for a U visa without the certification, which the petitioner must file with his or her U visa petition. The VTVPA was designed both to encourage victims of crime to report crimes and assist in the investigations and prosecutions of those crimes regardless of their immigration status *and* to support law enforcement efforts in investigating and prosecuting crimes committed against immigrant victims.

New California Law Regulating U Visa Certifications by Law Enforcement—Effective January 1, 2016

Senate Bill 674 (De León)—the Immigrant Victims of Crime Equity Act (the Act) was signed by Governor Edmund G. Brown Jr. on October 9, 2015. The law adds a new provision to the California Penal Code. **This new law, Penal Code section 679.10, *mandates* that certain state and local agencies and officials complete U visa certifications, upon request, for immigrant crime victims who have been helpful, are being helpful, or are likely to be helpful in the detection, investigation, or prosecution of specified qualifying crimes.**

Significantly, under the Act:

- There is a rebuttable presumption that an immigrant victim is helpful, has been helpful, or is likely to be helpful, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.
- A certifying official may withdraw a previously granted certification only if the victim refuses to provide information and assistance when reasonably requested.
- In addition, a certifying official must fully complete and sign the U visa certification and include “specific details about the nature of the crime investigated or prosecuted and a detailed description about the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.”

The Act also requires certifying entities to complete the certification within 90 days of the request, except in cases where the applicant is in immigration removal proceedings, in which case the certification must be completed within 14 days of the request.

The Act applies to the following California state and local entities and officials:

- State and local law enforcement agencies;
- Prosecutors;
- Judges;
- Agencies with criminal detection or investigative jurisdiction in their respective areas of expertise, including but not limited to child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations; and
- Any other authority responsible for the detection or investigation or prosecution of a qualifying crime or criminal activity.

Additional provisions of the Act include:

- Certifying agencies are prohibited from disclosing the immigrant status of a victim or person requesting a U visa certification, except to comply with federal law or legal process, or if authorized by the victim or person requesting the certification.
- A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the certification from a certifying official.
- Certifying agencies that receive certification requests must report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested certifications from the particular agency, the number of certifications signed, and the number of certifications denied.

Questions and Answers Regarding Eligibility for U Visas

1. Who is eligible for a U visa?

Eligibility for U visas is governed by the VTVPA and determined by USCIS. Under those federal provisions, individuals without authorized immigrant status are eligible to apply for a U visa if they: (1) are victims of specified qualifying crimes, (2) have suffered substantial physical or mental abuse as a result of having been a victim of criminal activity, (3) have specific knowledge and details of a qualifying crime committed within the United States, and (4) are currently assisting, have previously assisted, or are likely to be helpful in the detection, investigation, or prosecution of the qualifying crime.

Victims may apply for a U visa even if they are no longer in the United States. Individuals presently in removal proceedings or with final orders of removal can also apply. Moreover, a parent without authorized immigrant status can petition for their own U visa as an “indirect victim” of the qualifying crime, if their child is: (1) under 21 years of age, (2) the victim of a qualifying crime, and (3) incompetent or incapacitated such that she or he is unable to provide law enforcement with adequate assistance in the investigation or prosecution of the crime. (An immigrant parent can petition for a U visa regardless of his/her child’s citizenship status or whether his/her child died as the victim of murder or manslaughter.)

2. What is a qualifying crime?

Under the relevant state and federal laws, qualifying crimes include rape, torture, human trafficking, incest, domestic violence, sexual assault, abusive sexual conduct, prostitution, sexual exploitation,

female genital mutilation, being held hostage, peonage, perjury, involuntary servitude, slavery, kidnaping, abduction, unlawful criminal restraint, false imprisonment, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, fraud in foreign labor contracting, stalking, and other related crimes which include any similar activity where the elements of the crime are substantially similar to the above specified offenses.

The Immigrant Victims of Crime Equity Act, consistent with federal law, states that a qualifying crime includes the attempt, conspiracy, or solicitation to commit any of the specified and other related offenses.

3. *Is an arrest, prosecution, or conviction necessary to certify a U visa petition?*

California's Immigrant Victims of Crime Equity Act makes clear that a current investigation, the filing of charges, and a prosecution or conviction are not required to sign the law enforcement certification. Many situations exist where an immigrant victim reports a crime, but an arrest or prosecution cannot take place due to evidentiary or other circumstances. For example, the perpetrator may have fled the jurisdiction, cannot be identified, or has been deported by federal law enforcement officials. In addition, neither a plea agreement nor a dismissal of a criminal case affects a victim's eligibility. Furthermore, a law enforcement certification is valid regardless of whether the crime that is eventually prosecuted is different from the crime that was investigated, as long as the individual is a victim of a qualifying crime and meets the other requirements for U visa eligibility.

There is *no statute of limitations* that bars immigrant crime victims from applying for a U visa. Law enforcement can sign a certification at any time, and it can be submitted for a victim in an investigation or case that is already closed.

4. *Will certifying a U visa petition automatically grant the victim an immigration benefit?*

Federal, state, and local law enforcement agencies cannot legally grant or guarantee an immigrant crime victim a U visa or any other type of immigration status by signing a U visa certification (Form I-918 Supplement B). Instead, USCIS conducts a full review of the victim's petition and a thorough background check of the petitioner before approving or denying the petition. USCIS will also make the determination as to whether the victim has met the "substantial physical or mental abuse" standard on a case-by-case basis during its adjudication of the petition. By signing a certification, the law enforcement official states: (1) under penalty of perjury, that the individual is or has been a victim of one of the qualifying crimes, and (2) the remaining information provided in the certification is true and correct to the best of the certifying official's knowledge. Without a completed U visa certification, victims will not be eligible for a U visa.

Recommendations and Additional Resources for Law Enforcement

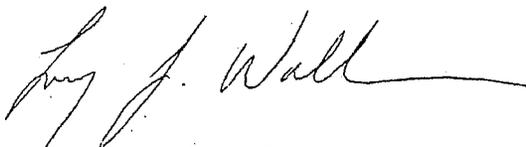
Attorney General Kamala D. Harris is committed to seeking justice for every crime victim in California regardless of the victim's immigration status. Undocumented immigrants are often among the most vulnerable victims of crime across California. Fear of deportation is a significant deterrent to reporting crime for many undocumented immigrants. As such, the Attorney General encourages all agencies and officials subject to California's new law to immediately establish and implement a U visa certification policy and protocol that is consistent with California law and the guidance provided in this law enforcement bulletin.

The USCIS web site includes useful information regarding U visa eligibility, qualifying criminal activities, and applying for a U visa. See <http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>.

The Form I-918 Supplement B Certification can be found here: <http://www.uscis.gov/i-918>.

We look forward to working with you to ensure that California continues to set an example across the nation for building and preserving the relationship of trust between our peace officers and the communities we are sworn to serve, including immigrant communities. California's Immigrant Victims of Crime Equity Act is a positive step in strengthening that relationship.

Sincerely,

A handwritten signature in black ink that reads "Larry J. Wallace". The signature is fluid and cursive, with a long horizontal line extending to the right.

LARRY J. WALLACE, Director
Division of Law Enforcement

For KAMALA D. HARRIS
Attorney General

24



Stephen M. Wagstaffe, District Attorney COUNTY OF SAN MATEO

KAREN GUIDOTTI
CHIEF CRIMINAL DEPUTY

MORLEY PITT | ALBERT SERRATO
ASSISTANT DISTRICT ATTORNEYS

400 COUNTY CENTER, 3RD FLOOR | REDWOOD CITY | CALIFORNIA 94063 | TEL: (650) 363-4636

January 12, 2017

JAN 20 2017

Secretary of the State
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(l)

Dear Sir or Madam:

Pursuant to California Penal Code section 679.10, subdivision (l), please accept this "report to the Legislature... [regarding] the number of victims that requested Form I-918 Supplement B certifications" from the San Mateo County District Attorney's Office.

For the 2016 calendar year, two hundred twenty-seven (227) individuals requested Form I-918 Supplement B certifications, one hundred eighty (180) requests were signed, and thirteen (13) were denied.

Very truly yours,

STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY

By Karen Guidotti
Karen M. Guidotti, Chief Deputy

County of Santa Clara

Office of the District Attorney

County Government Center, West Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-7400
www.santaclara-da.org



JAN 20 2017

Jeffrey F. Rosen
District Attorney

January 12, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(1)

Dear Sir,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature . . . [regarding] the number of victims that requested Form I-918 Form B certifications" from the Santa Clara County District Attorney's Office.

For the 2016 calendar year, five hundred and eighty-three (583) individuals requested Form I-918 Form B certifications, four hundred and seventy-nine (479) [82%] requests were signed, and one hundred and four (104) [18%] requests were denied.

Very truly yours,

A handwritten signature in cursive script that reads "Jeffrey F. Rosen".

Jeffrey F. Rosen
District Attorney
Santa Clara County



City of Pleasant Hill
Police Department

January 11, 2017

Secretary of the Senate
Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

JAN 20 2017

RE: U Visa Annual Reporting 2016

To Whom It May Concern:

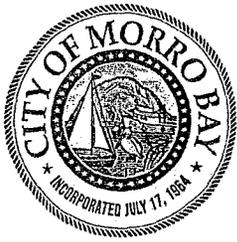
Pursuant to Senate Bill 674 agencies certifying U-Visas must report to the "Legislature" the number U Visas processed. Below is the U Visa data processed by the Pleasant Hill Police Department for 2016:

Total number of U Visas requests received by Pleasant Hill PD:	10
Total number of U Visas signed by Pleasant Hill PD:	6
Total number of U Visas denied by Pleasant Hill PD:	4

If you have any questions or need further information please feel free to contact me.

Sincerely

Lieutenant Scott Vermillion
Support Services Division Commander



CITY OF MORRO BAY

POLICE DEPARTMENT
850 Morro Bay Boulevard
Morro Bay, CA 93442



January 10, 2017

SENT VIA US MAIL

JAN 20 2017

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act –2016 Required Reporting

Dear Mr. Alvarez:

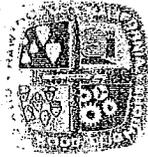
Listed below are the San Luis Obispo County Sheriff's Office 2016 processed applications for Form 1-918, Petition for U Nonimmigrant Status:

Requestor's Name	Date Received	Date Completed	Status
No U-Visa applications processed			

If you have any questions or concerns, you may contact me directly at 805-772-6236

Sincerely,

Bonnie Johnson
Support Services Coordinator



CITY OF HAWTHORNE
POLICE DEPARTMENT

JANUARY 10TH, 2017

JAN 20 2017

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, Ca. 95814

Dear Mr. Alvarez,

Please find the enclosed Hawthorne Police Department U-VISA 2016 Annual Report.

Should you require further assistance, please contact the Hawthorne Police Departments' Detective Bureau at (310)-349-2820.

Sincerely,

A handwritten signature in cursive script that reads "S. Herrera-Soto".

S. Herrera-Soto
Police Administrative Technician



JAN 20 2017

CITY OF HAWTHORNE
POLICE DEPARTMENT

HAWTHORNE POLICE DEPARTMENT
U-VISA 2016 ANNUAL REPORT

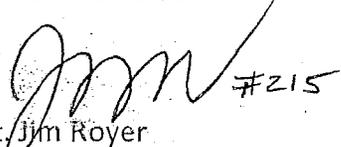
During the calendar year of 2016 the Hawthorne Police Department received a total of 71 submissions for the U Visa Program. The status of those submissions is as follows:

- 71 Submissions for 2016
- 48 Approvals
- 20 Denials
- 3 Pending

All denials were due to the reported crime did not meet the federal guidelines.

All pending cases are due to incomplete submissions in which letters requesting updates were sent.

Requests for further information should be directed to the Hawthorne Police Department Detective Bureau Commander.

 #215
Lt. Jim Royer
Detective Bureau Commander
310-349-2820

Jan

CAL POLY

SAN LUIS OBISPO

University Police

JAN 20 2017

January 9, 2017

SENT VIA US MAIL

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

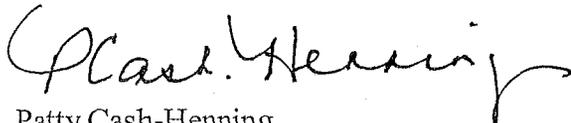
RE: California Immigrant Victims of Crime Equity Act – 2016 Required Reporting

Dear Mr. Alvarez:

The Cal Poly State University San Luis Obispo Police Department did not process any applications/petitions for U Nonimmigrant Status for 2016.

If you have any questions, please contact me at (805) 756-6685

Sincerely,



Patty Cash-Henning
Communications & Records Manager
University Police Department

LOS ANGELES POLICE DEPARTMENT

cd



CHARLIE BECK
Chief of Police

ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 486-7000
TDD: (877) 275-5273
Ref #: 8.1

January 4, 2017

JAN 20 2017

The Honorable Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dear Secretary Alvarez:

In accordance to Penal Code Section 679.10(i), the Los Angeles Police Department (LAPD) is reporting the total number of requests for a Department of Homeland Security, United States Citizenship and Immigration Services, Form I-918 Supplement B (I-918B), U Nonimmigrant Status Certification. The total is for those requests for an I-918B from January 1, 2016 to December 31, 2016, with a breakdown of those that were signed, denied and still open.

Total number of I-918B certification requests for 2016: 2,384
Number of requests signed: 1,991
Number of requests denied: 360
Number of requests open: 33

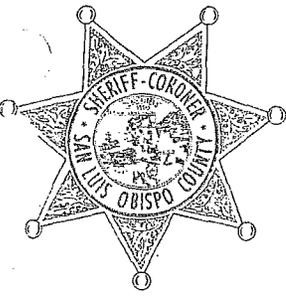
Should you have any questions regarding this matter, please contact Detective Yvonne Ortiz, Detective Bureau, at (213) 486-7000.

Very truly yours,

CHARLIE BECK
Chief of Police

JUSTIN EISENBERG, Deputy Chief
Chief of Detectives

31



San Luis Obispo County Sheriff's Office

1585 Kansas Avenue • San Luis Obispo • California • 93405

www.slosheriff.org

Ian S. Parkinson
Sheriff - Coroner

January 6, 2017

JAN 20 2017

SENT VIA US MAIL

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act – 2016 Required Reporting

Dear Mr. Alvarez:

Listed below are the San Luis Obispo County Sheriff's Office 2016 processed applications for Form I-918, Petition for U Nonimmigrant Status:

Requestor's Name	Date Received	Date Completed	Status
	03/15/2016	03/22/2016	Approved
	06/16/2016	07/01/2016	Denied
	07/22/2016	08/31/2016	Approved
	12/28/2016	01/04/2017	Denied

If you have any questions or concerns, you may contact me directly at (805) 781-4645.

Sincerely,

Victoria O'Keeffe
Sheriff's Records Manager

The County of Yuba

OFFICE OF THE DISTRICT ATTORNEY



PATRICK McGRATH
DISTRICT ATTORNEY

(530) 749-7770
FAX (530) 749-7363

DATE: January 10, 2017

TO: Secretary of the Senate
Chief Clerk of the Assembly
Office of Legislative Counsel

FROM: Patrick McGrath
Yuba County District Attorney *PM*

SUBJECT: Annual Report – Penal Code section 679.10(l)
Form I-918 Supplemental B certifications

JAN 20 2017

The following information is reported to the Legislature for calendar year 2016, pursuant to Penal Code section 679.10(l):

Total victims requesting Form I-918 certifications from this office:	7
Total Form I-918 certifications signed by this office:	2
Total Form I-918 certifications denied by this office:	5

CC: DA memo file
DA annual reports folder



THE CITY OF SAN DIEGO

January 13, 2017

JAN 20 2017

Mr. Daniel Alvarez
Secretary of the Senate,
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. Alvarez:

The San Diego Police Department is a certifying agency for U nonimmigrant visas. In compliance with California Penal Code section 679.10, I am providing you with the number of U nonimmigrant visa requests received by our division. In addition, I am providing you the number of those requests which were certified or denied. The statistical information listed below reflects only those requests received by the San Diego Police Department's Domestic Violence Unit for the calendar year of 2016.

2016 Total Number of U nonimmigrant Visa Requests:	2016 Total Number of U nonimmigrant Visa Requests Granted:	2016 Total Number of U nonimmigrant Visa Requests Denied:
163	91	72

Sincerely,

Lieutenant Misty Cedrun
San Diego Police Department
Family Justice Center

cc: Dotson Wilson, Chief Clerk of the Assembly
Jim Lasky, Legislative Counsel



Family Justice Center

1122 Broadway, Suite 200, MS 7031 San Diego, California 92101-5376
Tel (619) 533-6020 Fax (619) 533-6049



VENTURA COUNTY SHERIFF'S OFFICE

Jud

- **GEOFF DEAN**
Sheriff
- **GARY PENTIS**
Undersheriff
- **STEVE DE CESARI**
Assistant Sheriff
- **GUY STEWART**
Assistant Sheriff

800 SOUTH VICTORIA AVENUE, VENTURA, CA 93009 PHONE (805) 654-2380 FAX (805) 645-1391

January 10, 2017

JAN 23 2017

SENT VIA US MAIL

Daniel Alvarez
 State Capitol, Room 3044
 Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act- 2016 Required Reporting

Dear Mr. Alvarez:

Listed below are the Ventura County Sheriff's Office 2016 processed applications for Form I-918 Supplement B, Petition for U Nonimmigrant Status:

Requestor's Name	Date Received	Response	Status
[REDACTED]	12/23/2015	1/8/2016	Denied
[REDACTED]	12/28/2015	1/5/2016	Approved
[REDACTED]	1/3/2016	2/9/2016	Approved
[REDACTED]	1/11/2016	1/20/2016	Denied
[REDACTED]	1/14/2016	1/21/2016	Approved
[REDACTED]	1/19/2016	1/21/2016	Approved
[REDACTED]	1/26/2016	1/29/2016	Approved
[REDACTED]	2/16/2016	2/17/2016	Approved
[REDACTED]	2/19/2016	2/26/2016	Approved

SPECIAL SERVICES
(805) 383-8791 Fax (805) 389-6549

PATROL SERVICES
(805) 494-8260 FAX (805) 494-8295

DETENTION SERVICES
(805) 654-2305 FAX (805) 654-3500

SUPPORT SERVICES
(805) 654-5134 FAX (805) 677-8715

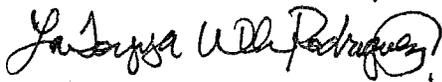
Requestor's Name	Date Received	Response	Status
	2/25/2016	2/26/2016	Approved
	2/25/2016	2/26/2016	Approved
	2/26/2016	3/8/2016	Denied
	3/11/2016	3/16/2016	Denied
	3/14/2016	3/22/2016	Approved
	3/14/2016	3/22/2016	Denied
	3/14/2016	3/16/2016	Denied
	3/21/2016	4/6/2016	Approved
	3/21/2016	4/5/2016	Denied
	3/22/2016	4/5/2016	Denied
	3/22/2016	3/31/2016	Approved
	3/22/2016	3/31/2016	Approved
	3/25/2016	4/8/2016	Denied
	3/29/2016	3/31/2016	Approved
	4/5/2016	4/20/2016	Approved
	4/13/2016	5/4/2016	Approved
	4/22/2016	5/4/2016	Approved
	4/27/2016	5/4/2016	Approved
	4/29/2016	5/4/2016	Approved
	5/10/2016	5/17/2016	Denied
	5/13/2016	6/6/2016	Denied
	5/19/2016	6/6/2016	Approved
	5/19/2016	5/26/2016	Denied
	5/31/2016	6/6/2016	Denied

Requestor's Name	Date Received	Response	Status
	6/8/2016	6/14/2016	Approved
	6/28/2016	6/29/2016	Denied
	7/5/2016	7/12/2016	Approved
	7/6/2016	7/12/2016	Approved
	7/6/2016	7/12/2016	Denied
	7/13/2016	7/20/2016	Approved
	7/13/2016	7/20/2016	Approved
	7/15/2016	7/20/2016	Denied
	7/20/2016	7/27/2016	Approved
	7/29/2016	8/3/2016	Approved
	7/28/2016	8/3/2016	Denied
	7/28/2016	8/3/2016	Denied
	7/28/2016	8/3/2016	Approved
	8/3/2016	8/5/2016	Approved
	8/20/2016	8/25/2016	Approved
	8/20/2016	8/25/2016	Approved
	8/24/2016	8/25/2016	Denied
	8/25/2016	9/13/2016	Approved
	8/25/2016	9/13/2016	Denied
	9/9/2016	9/20/2016	Approved
	9/14/2016	9/20/2016	Approved
	9/14/2016	9/20/2016	Approved
	10/5/2016	10/10/2016	Denied
	10/5/2016	10/10/2016	Approved

Requestor's Name	Date Received	Response	Status
	10/18/2016	11/1/2016	Approved
	10/18/2016	11/1/2016	Approved
	10/20/2016	11/1/2016	Approved
	10/24/2016	11/1/2016	Approved
	11/4/2016	11/9/2016	Approved
	11/25/2016	12/5/2016	Approved
	11/25/2016	12/5/2016	Approved
	11/15/2016	12/5/2016	Approved
	12/1/2016	12/5/2016	Approved
	11/18/2016	12/5/2016	Denied
	12/13/2016	1/5/2017	Denied

If you have any questions or concerns, you may contact me directly at (805) 654-3853.

Sincerely,

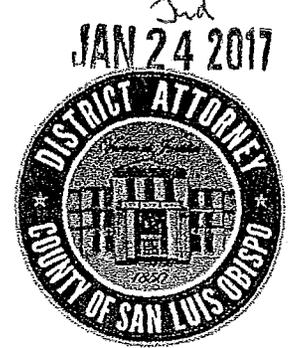


LaToyya Wilson-Rodriguez

Management Assistant II - HR

Dan Dow
District Attorney

OFFICE OF THE DISTRICT ATTORNEY
County of San Luis Obispo



Lee V. Cunningham
Assistant District Attorney

Diana McPartlan
Director, Victim Witness

January 11, 2017

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act (Senate Bill 674) – Required Reporting

Dear Mr. Alvarez:

Listed below are the San Luis Obispo District Attorney's Office 2016 processed applications for Form I-9918, Petition for U Nonimmigrant Status:

Date Rec'd.	Date Certified by ADA	Name of Victim	Charge	Status
1/7/2016	cert denied		PC417(A)(1)	denied
1/6/2016	3/17/2016		PC288(B)	approved
1/27/2016	3/17/2016		PC273.5(A)	approved
2/16/2016	3/3/2016		PC243(E)(1)	approved
2/16/2016	4/4/2016		PC273.5	approved
2/19/2016	2/29/2016		PC273.5	approved
2/16/2016	4/4/2016		PC245(A)(1)	approved
2/24/2016	4/4/2016		PC288(A)	approved
3/1/2016	cert denied		N/A	denied
3/3/2016	cert denied		N/A	denied
3/8/2016	6/6/2016		PC288	approved
3/8/2016	cert denied		No case #	denied
3/21/2016	cert denied		PC243(E)(1)	denied
3/28/2016	6/2/2016		PC243(E)(1)	approved
3/29/2016	6/14/2016		PC267.5	approved
4/18/2016	6/20/2016		PC243(E)(1)	approved
5/12/2016	8/2/2016		PC 288(a)	approved
5/12/2016	8/17/2016		PC288(A)	approved
5/12/2016	8/17/2016		PC288(A)	approved
5/10/2016	8/17/2016		PC273a(a)	approved
5/25/2016	7/5/2016		PC2735(a)	approved
6/2/2016	cert denied		PC243(e)(1)	denied
6/1/2016	8/23/2016		PC288(A)	approved
6/2/2016	8/8/2016		PC273.6(A)	approved
6/17/2016	6/20/2016		PC288(a)	approved
6/16/2016	cert denied		PC245	denied
6/29/2016	8/19/2016		288(a)	approved

8/1/2016	10/17/2016		PC288(A)	approved
8/5/2016	10/17/2016		PC422(a)	approved
8/19/2016	1/1/1900		PC422	approved
9/14/2016	11/2/2016		PC 211	approved
8/31/2016	10/17/2016		PC243(e)(1)	approved
9/21/2016	11/8/2016		PC243e1	approved
9/22/2016	10/3/2016		PC 273.5(A)	approved
9/26/2016	11/10/2016		PC 234(E)(1)	approved
9/27/2016	11/21/2016		PC 242	approved
9/27/2016	11/21/2016		PC245(A)	approved
10/1/2016	cert denied		PC314.1	denied
10/4/2016	12/8/2016		PC273.5	approved
10/6/2016	cert denied		PC273(A)(B)	denied
10/17/2016	12/20/2016		PC 234(E)(1)	approved
10/21/2016	11/2/2016		PC273.5(A)	approved
1/14/2016	1/4/2017		PC261.5	approved
11/17/2016	1/3/2017		PC242	approved
11/28/2016	pending		PC243(E)(1)	pending
12/5/2016	cert denied		PC415	denied
11/28/2016	12/7/2016		PC243(E)(1)	approved
12/13/2016	12/23/2016		PC243(d)	approved
Total 48				
Approved 37				
Denied 10				
Pending 1				

If you have any questions or concerns, you may contact me at (805) 781-5821.

Sincerely,



Lee V. Cunningham
Assistant District Attorney
San Luis Obispo District Attorney's Office
San Luis Obispo County

Mark Fried

From: Mark Fried
Sent: Wednesday, January 04, 2017 1:53 PM
To: 'dotson.wilson@asm.ca.gov'; 'Jim.Lasky@lc.ca.gov'
Cc: Marie DiBernardo
Subject: Senate Bill 674 Compliance - 2016

JAN 30 2017

Please note the following final numbers re; I-918 Supplement B(U-Visa) for 2016:

1. Total Certification requests received : **78**
2. Total Certification requests approved: **67**
3. Total Certification requests denied: **11**

Lieutenant Mark C. Fried
Inglewood, CA Police Department
Detective Bureau
P.O. Box 6500
Inglewood, CA 90301
Office 310-412-5486
www.inglewoodpd.org



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Jd

CITY OF ATASCADERO POLICE DEPARTMENT

"Dedicated to Professional Service"



JEREL HALEY
Chief of Police

JAN 30 2017

January 18, 2017

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act – 2016 Required Reporting :

Dear Mr. Alvarez:

Listed below are the Atascadero Police Department's 2016 processed applications for Form I-918 Petition for U Nonimmigration Status:

<u>Requestor's Name</u>	<u>Date Received</u>	<u>Date Completed</u>	<u>Status</u>
	03/18/2016	03/19/2016	Approved
	10/24/2016	11/08/2016	Approved

If you have any question please contact me at 805-470-3206.

Sincerely,

ANN B. HOCHSTETLER
SUPPORT SERVICES SUPERVISOR

5505 EL CAMINO REAL • ATASCADERO, CA 93422

General Business: (805) 461-5051 Administrative Services: (805) 470-3200 Watch Commander: (805) 470-3280 Fax: (805) 461-3702
www.atascadero.org

DONNY YOUNGBLOOD
Sheriff-Coroner
Public Administrator

SHERIFF'S OFFICE
COUNTY OF KERN

Telephone (661) 391-7500



1350 Norris Road
Bakersfield, California 93308-2231

JAN 30 2017

January 19, 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

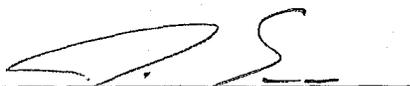
U-VISA 2016 annual report for the Kern County Sheriff's Office

Dear Secretary of the Senate,

For the calendar year of 2016, the Kern County Sheriff's Office received 103 U-VISA requests. We approved 91 of those requests and denied 12.

Sincerely,

DONNY YOUNGBLOOD, Sheriff-Coroner, by:



Sergeant Joel Swanson
Robbery/Homicide Unit
Detective Division

CC: Chief Clerk of the Assembly, Office of Legislative Counsel

PLEASE ADDRESS ALL COMMUNICATIONS TO THE SHERIFF



R. SCOTT OWENS
DISTRICT ATTORNEY

PLACER COUNTY DISTRICT ATTORNEY

10810 Justice Center Drive • Suite 240
Roseville, CA 95678-6231
916 543-8000 • FAX 916 543-2550
www.placer.ca.gov

Jul

JAN 30 2017

January 23, 2017

State of California
Secretary of the Senate
State Capitol
Room 3044
Sacramento, CA 95814

Dear Secretary of the Senate:

Pursuant to Penal Code 679.10 (2) (I) our agency is providing the number of submitted, approved, and denied I-918 B Forms for the year 2016.

Total I-918 B Forms Submitted 2016: 34
Total I-918 B Forms Declined 2016 : 13
Total I-918 B Forms Approved 2016 : 21

If you have any further questions please contact me at (916) 543-8053.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Wilson".

Jeff Wilson
Assistant District Attorney

Police Department

350 North "D" Street
Porterville, CA 93257
(559) 782-7400/FAX (559) 784-1070
www.PortervillePolice.com

Jud

Eric Kroutil
Chief of Police



JAN 31 2017

January 20, 2017

Subject: U-Visa Reporting Requirements for 2016

This letter is in regards to the U-Visa Reporting Requirements for Law Enforcement Agencies required by the Legislature. The following is the number of U-Visa Certification requests (Form I-918) submitted and processed through the Porterville Police Department during 2016:

Processed	33
<u>Returned</u>	<u>1</u>
Total	34

If you need any further information or clarification regarding the U-Visa Reporting Requirements, you may contact our Records Unit supervisor, Sergeant Sam Garcia at 559-782-7576 or by email sgarcia@ci.porterville.ca.us.

Sincerely,

ERIC KROUTIL
CHIEF OF POLICE

Chris Contreras, Lieutenant
Services Division

EK/CC/cc
cc: file

Del

Family Violence
201 N. Figueroa Street, Suite 1300
Los Angeles, CA 90012

JAN 31 2017

(213) 202-5400 Tel
(213) 847-8544 Fax



MIKE FEUER
City Attorney

January 24, 2017

Daniel Alvarez
Secretary of the Senate
State of California
State Capitol, Room 3044
Sacramento, CA 95814

Re: Report of the Los Angeles City Attorney's Office Pursuant to California Penal Code Section 679.10(l) (Form I-918, Supplement B Certifications)

Dear Secretary Alvarez:

Pursuant to the terms of Penal Code Section 679.10 (l), please find the number of Form I-918, Supplement B certification requests that were received, approved, denied and referred by this Office from January 1, 2016 through December 31, 2016 in the chart below.

REPORTING PERIOD	FORM I-918, SUPPLEMENT B U-VISA CERTIFICATION REQUESTS				
	RECEIVED	APPROVED	DENIED	REFERRED	PENDING
2016	88	39	26	18	5
Received 2015 - Processed 2016	12	11	1	0	0
TOTALS	100	50	27	18	5

Please do not hesitate to contact us if you would like further information or explanation. Thank you very much.

Sincerely,

Donna Edmiston
Assistant City Attorney
Director of Family Violence Operations

cc: Chief Clerk of the Assembly
Legislative Counsel

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. Box 942898
Sacramento, CA 94298-0001
(916) 843-3001
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



File No.: 1.9486.18227.061201612012

JAN 4 2017 AM 11:55

Ms. Diane Boyer-Vine
Legislative Counsel of California
California State Legislature
State Capitol, Room 3021
Sacramento, CA 95814

Dear Ms. Boyer-Vine:

As required of the California Highway Patrol, pursuant to Senate Bill 674 (Senator De León, 2015), please find the enclosed report to the Legislature on Victims of Crime: Non-Immigrant Status. Should you have any questions relative to this report, please do not hesitate to contact Captain Rich Desmond of our Office of Special Representatives at (916) 843-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "J. A. Farrow".

J. A. FARROW
Commissioner

Enclosure





REPORT TO THE LEGISLATURE

SENATE BILL 674

VICTIMS OF CRIME: NON-IMMIGRANT STATUS

**California Highway Patrol
December 2016**

**REPORT TO THE LEGISLATURE
SENATE BILL 674**

VICTIMS OF CRIME: NON-IMMIGRANT STATUS

**EDMUND G. BROWN JR.
GOVERNOR
STATE OF CALIFORNIA**

**BRIAN P. KELLY
SECRETARY
CALIFORNIA STATE TRANSPORTATION AGENCY**

**J. A. FARROW
COMMISSIONER
CALIFORNIA HIGHWAY PATROL**

December 2016

TABLE OF CONTENTS

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CONCLUSION.....	2

ANNEX

A. SENATE BILL 674 — VICTIMS OF CRIME: NON-IMMIGRANT STATUS

EXECUTIVE SUMMARY

On October 9, 2015, Governor Brown signed Senate Bill (SB) 674 (Senator De León). This law, which went into effect January 1, 2016; requires specified certifying entities, including state law enforcement agencies, to review and certify I-918, Petition for U Nonimmigrant Status, forms for noncitizen victims of specified crimes pursuant to Section 679.10 of the California Penal Code (PC). These requests are commonly referred to as U-Visa requests.

Senate Bill 674 requires certifying entities which receive U-Visa requests to submit a report to the Legislature on or before January 1, 2017, and annually thereafter.

Between January 1, 2016, and December 5, 2016, the California Highway Patrol (CHP) received 25 U-Visa requests, of which 9 were certified, and 14 were denied. Two requests were routed to other law enforcement agencies for review and disposition.

The CHP will continue to review all U-Visa requests submitted and provide certifications as outlined in Section 679.10 PC.

REPORT TO THE LEGISLATURE
SENATE BILL 674

VICTIMS OF CRIME: NON-IMMIGRANT STATUS

Introduction

The federal Victims of Trafficking and Violence Prevention Act of 2000 created the Victims of Crime Visa, otherwise known as a U-Visa. A U-Visa grants relief from deportation and permission to work in the United States (U.S.) to noncitizen victims of specified crimes.

Petitioners filing U-Visa requests with U.S. Citizenship and Immigration Services must obtain a certification from a specified certifying entity using the I-918, Petition for U Nonimmigrant Status, form.

Senate Bill 674 (Senator De León), signed by Governor Brown on October 9, 2015, requires specified certifying entities, including state law enforcement agencies, to review and certify U-Visa requests pursuant to Section 679.10 of the California Penal Code (PC). Senate Bill 674 went into effect January 1, 2016.

In order to qualify for a U-Visa, Section 679.10 PC specifies petitioners must be a victim of any of the following crimes:

- Rape
- Torture
- Human Trafficking
- Incest
- Domestic violence
- Sexual assault
- Abusive sexual conduct
- Prostitution
- Sexual exploitation
- Female genital mutilation
- Being held hostage
- Peonage
- Perjury
- Involuntary servitude
- Slavery
- Kidnapping
- Abduction
- Unlawful criminal restraint
- False imprisonment
- Blackmail
- Extortion

- Manslaughter
- Murder
- Felonious assault
- Witness tampering
- Obstruction of justice
- Fraud in foreign labor contracting
- Stalking
- Any crime which is substantially similar to the criminal activity described above.

Section 679.10 PC requires a victim to have been helpful, is currently being helpful, or is likely to be helpful in the future, regarding the investigation into the criminal activity to which they were subjected. Helpfulness is a rebuttable presumption. Additionally, the filing of charges or the successful prosecution of a suspect in a criminal matter is not required.

Due to the decentralized nature of the California Highway Patrol (CHP), local CHP commanders are designated to review U-Visa applications for incidents occurring within their immediate jurisdiction where the CHP was the primary law enforcement agency involved, and provide certification when a U-Visa application met the criteria set forth in Section 679.10 PC.

Section 679.10 PC requires a certifying entity report to the Legislature on or before January 1, 2017, and annually thereafter, the number of U-Visa requests the agency received, the number certified, and the number denied.

The CHP's Research and Planning Section (RPS) was designated as the Office of Primary Interest for U-Visa policy and data collection. In addition to providing guidance to CHP field commands, RPS collects the information submitted by field commands to ensure accurate reporting to the Legislature.

Statistical Data

The following 2016 data reflects information submitted to the CHP from January 1, 2016, through December 5, 2016.

Requests Received	Requests Certified	Requests Denied
25*	9	14**

* Two requests were routed to other law enforcement agencies for review and disposition.

** Requests not certified did not meet statutory requirements set forth in Section 679.10 PC.

Conclusion

The U-Visa process provides another method of protecting the diverse communities served by the CHP, while maintaining our commitment to providing a high level of service to the people of the great State of California in a fair and professional manner. As such, the CHP will continue to review all U-Visa requests submitted and provide certifications as outlined in Section 679.10 PC.

ANNEX A

**SENATE BILL 674 – VICTIMS OF CRIME:
NON-IMMIGRANT STATUS**



Senate Bill No. 674

CHAPTER 721

An act to add Section 679.10 to the Penal Code, relating to victims of crime.

[Approved by Governor October 9, 2015. Filed with
Secretary of State October 9, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 674, De León. Victims of crime: nonimmigrant status.

Existing federal law provides a Form I-918, Petition for U Nonimmigrant Status (Form I-918) to request temporary immigration benefits for a person who is a victim of certain qualifying criminal activity. Existing federal law also provides a form for certifying that a person submitting a Form I-918 is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that criminal activity (Form I-918 Supplement B).

Existing state law establishes certain rights of victims and witnesses of crimes, including, among others, to be notified and to appear at all sentencing proceedings, upon request, to be notified and to appear at parole eligibility hearings, and, for certain offenses, to be notified when a convicted defendant had been ordered placed on probation.

This bill would require, upon request, that a certifying official from a certifying entity certify, as specified, "victim helpfulness" on the Form I-918 Supplement B, when the requester was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity. The bill would define "certifying entity," "certifying official," and the qualifying criminal activity for those purposes. A "certifying entity" would include, among others, local law enforcement agencies and child protective services agencies. The bill would establish for purposes of determining helpfulness, a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection, investigation, or prosecution of that qualifying criminal activity, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement. The bill would require the certifying entity to process a Form I-918 Supplement B certification within 90 days of request, unless the noncitizen is in removal proceedings, in which case the certification is required to be processed within 14 days of request. The bill would require a certifying entity that receives a request for a Form I-918 Supplement B certification to report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested Form I-918

Supplement B certifications from the entity, the number of those certification forms that were signed, and the number that were denied.

By imposing additional duties on local government agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 679.10 is added to the Penal Code, to read:

679.10. (a) For purposes of this section, a "certifying entity" is any of the following:

- (1) A state or local law enforcement agency.
- (2) A prosecutor.
- (3) A judge.
- (4) Any other authority that has responsibility for the detection or investigation or prosecution of a qualifying crime or criminal activity.
- (5) Agencies that have criminal detection or investigative jurisdiction in their respective areas of expertise, including, but not limited to, child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations.

(b) For purposes of this section, a "certifying official" is any of the following:

- (1) The head of the certifying entity.
- (2) A person in a supervisory role who has been specifically designated by the head of the certifying entity to issue Form I-918 Supplement B certifications on behalf of that agency.
- (3) A judge.
- (4) Any other certifying official defined under Section 214.14 (a)(2) of Title 8 of the Code of Federal Regulations.

(c) "Qualifying criminal activity" means qualifying criminal activity pursuant to Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act which includes, but is not limited to, the following crimes:

- (1) Rape.
- (2) Torture.
- (3) Human trafficking.
- (4) Incest.
- (5) Domestic violence.
- (6) Sexual assault.
- (7) Abusive sexual conduct.
- (8) Prostitution.
- (9) Sexual exploitation.

- (10) Female genital mutilation.
- (11) Being held hostage.
- (12) Peonage.
- (13) Perjury.
- (14) Involuntary servitude.
- (15) Slavery.
- (16) Kidnaping.
- (17) Abduction.
- (18) Unlawful criminal restraint.
- (19) False imprisonment.
- (20) Blackmail.
- (21) Extortion.
- (22) Manslaughter.
- (23) Murder.
- (24) Felonious assault.
- (25) Witness tampering.
- (26) Obstruction of justice.
- (27) Fraud in foreign labor contracting.
- (28) Stalking.

(d) A “qualifying crime” includes criminal offenses for which the nature and elements of the offenses are substantially similar to the criminal activity described in subdivision (c), and the attempt, conspiracy, or solicitation to commit any of those offenses.

(e) Upon the request of the victim or victim’s family member, a certifying official from a certifying entity shall certify victim helpfulness on the Form I-918 Supplement B certification, when the victim was a victim of a qualifying criminal activity and has been helpful, is being helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity.

(f) For purposes of determining helpfulness pursuant to subdivision (e), there is a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection or investigation or prosecution of that qualifying criminal activity, if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement.

(g) The certifying official shall fully complete and sign the Form I-918 Supplement B certification and, regarding victim helpfulness, include specific details about the nature of the crime investigated or prosecuted and a detailed description of the victim’s helpfulness or likely helpfulness to the detection or investigation or prosecution of the criminal activity.

(h) A certifying entity shall process an I-918 Supplement B certification within 90 days of request, unless the noncitizen is in removal proceedings, in which case the certification shall be processed within 14 days of request.

(i) A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the Form I-918 Supplement B certification from a certifying official.

(j) A certifying official may only withdraw the certification if the victim refuses to provide information and assistance when reasonably requested.

(k) A certifying entity is prohibited from disclosing the immigration status of a victim or person requesting the Form I-918 Supplement B certification, except to comply with federal law or legal process, or if authorized by the victim or person requesting the Form I-918 Supplement B certification.

(l) A certifying entity that receives a request for a Form I-918 Supplemental B certification shall report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested Form I-918 Form B certifications from the entity, the number of those certification forms that were signed, and the number that were denied. A report pursuant to this subdivision shall comply with Section 9795 of the Government Code.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

FEB 17 2017

MONTEREY COUNTY
OFFICE OF THE DISTRICT ATTORNEY



DEAN D. FLIPPO
DISTRICT ATTORNEY

February 10, 2017

Office of the Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Report to the Legislature – Form I-918

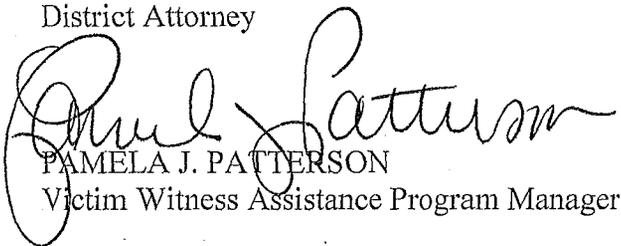
Dear Secretary of the Senate:

Pursuant to California Penal Code Section 679.10 (1) the following reflects the number of victims that requested Form I-918 Supplement B Certifications from the Monterey County District Attorney's Office during the calendar year of 2016.

Requested	Certifications Signed	Certifications Denied
213	191	22

Sincerely,

DEAN D. FLIPPO
District Attorney


PAMELA J. PATTERSON
Victim Witness Assistance Program Manager

FEB 17 2017



City of Newark Police Department

37101 Newark Boulevard, Newark, CA 94560

Phone: (510) 578-4237 Fax: (510) 578-4329

www.newark.org

DATE: 01-20-17

TO: Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
Attn: Daniel Alvarez

FROM: Chief James Leal *ML for 10-1*
Newark Police Department *M. Carol 0-3*
37101 Newark Blvd.
Newark, CA, 94560

SUMMARY OF CONTENTS: Annual Report of U-Visa Certifications

Effective January 1, 2016, 679.10 of the California Penal Code Section was passed into law and mandated an annual report be made to the State Legislature in compliance with Section 9795 of the Government Code. This annual report is to contain the number of victims that requested Form I-918 Form B certifications from the entity⁽¹⁾, the number of those certification forms that were signed, and the number that were denied. The City of Newark Police Department is a local law enforcement agency that processes requests for Form I-918 Form B certifications. Attached are the annual statistics of such requests for 2016. If you have any questions, please contact Sergeant John Kovach at john.kovach@newark.org or (510)578-4950.

Number of Victims that requested Certification	18
Number of Certification Forms that were signed (Approved)	2
Number of Certification Forms that were Denied	16

Cc:
Chief Clerk of the Assembly:
dotson.wilson@asm.ca.gov
amy.leach@asm.ca.gov
agency.reports@asm.ca.gov

Office of the Legislative Counsel
agency.reports@lc.ca.gov
jim.lasky@lc.ca.gov

References

-
1. 679.10(a) For purposes of this section, a "certifying entity" is any of the following:
- (1) A state or local law enforcement agency.
 - (2) A prosecutor.
 - (3) A judge.
 - (4) Any other authority that has responsibility for the detection or investigation or prosecution of a qualifying crime or criminal activity.
 - (5) Agencies that have criminal detection or investigative jurisdiction in their respective areas of expertise, including, but not limited to, child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations.

3va

FEB 17 2017



Tulare County

SHERIFF

Proudly Serving Since 1852

Office of
MIKE BOUDREAUX
Sheriff-Coroner
2404 W. Burrel Ave
Visalia, CA 93291-4580
(559) 636-4716

January 23, 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
Attn: Daniel Alvarez

Subject: I-918 Supplemental B Request – Reporting Per 679.10(I)

Dear Secretary of Senate

In compliance with SB 674/PC 679.10(I) the Tulare County Sheriff Department is providing the following information in regards to receiving I-918 Supplemental B Requests:

2016

- Received I-918 Supplemental B Requests 94 Requests
- Certified 90
- Declined 4

If you have any questions please contact Records Supervisor Lisa Brown lbrown@co.tulare.ca.us or 559 636 4738.

Respectfully

Mike Boudreaux,
Sheriff, Coroner

Lisa Brown
Records Supervisor



County of Fresno

SHERIFF'S OFFICE
MARGARET MIMS
SHERIFF-CORONER

FEB 17 2017

January 31, 2017

Re: U-Visa Mandated Data Report per SB 674/PC 679.10

To whom it may concern,

I have been designated as the certifying official for the Fresno County Sheriff-Coroner's Office for all matters pertaining to the U-Visa process. This designation has been given to me by Sheriff Margaret Mims, Sheriff-Coroner of Fresno County.

This is to notify you that the Fresno County Sheriff-Coroner's Office received the following U-Visa certification requests from January 1, 2016 through December 31, 2016:

Total Certification Requests- 96
Total Certifications Signed- 84
Total Certifications Denied- 12

Should you need any assistance, I can be reached at (559) 600-8144 or via email at jeff.kertson@fresnosheriff.org.

Sincerely,

Jeff Kertson, Sergeant
Fresno County Sheriff-Coroner's Office

Serving You Since 1856

Jed

MAR 17 2017



City of Salinas

POLICE DEPARTMENT • 222 Lincoln Avenue • Salinas, California 93901 • (831) 758-7090

RECEIVED
MAR 22 2017

March 6, 2017

Office of the Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Report to the Legislature – Form I-918

Dear Secretary of the Senate:

Pursuant to California Penal Code Section 679.10 (L) the following reflects the number of victims that requested Form I-918 Supplement B Certifications from the City of Salinas Police Department during the calendar year of 2016.

Requested: 121
Certifications Signed: 109
Certifications Denied: 12

Sincerely,

LISA N. LAYCOCK
Police Records Coordinator

bn

MAR 30 2017

U-VISA - TOTAL PROCESSED FOR VICTIMS IN 2016

ALL WERE SIGNED FOR THE VICTIM

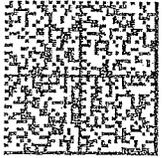
Case Activity Status	Case ORI	Case Number	Received Date and Time	Completed Date and Time
U-VISA			12/20/2016 17:14:38	12/21/2016 09:00:00
U-VISA			12/01/2016 18:57:47	12/20/2016 18:21:00
U-VISA			11/10/2016 13:37:20	11/14/2016 11:33:00
U-VISA			12/20/2016 17:11:00	12/21/2016 09:00:00
U-VISA			11/10/2016 14:11:30	11/14/2016 10:58:00

TOTAL: 5

3/21/2017 9:10:41 AM

APR - 3 2017

PD 3014
 CITY OF MONTEREY PARK
 MUNICIPAL SERVICES CENTER
 320 WEST NEWMARK AVENUE
 MONTEREY PARK, CA 91754-2896



U.S. POSTAGE
 PITNEY BOWES
 ZIP 91754 \$ 000.46⁰
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 0001401625 MAR 22 2017

SECRETARY OF THE SENATE
 DANIEL ALVAREZ
 STATE CAPITOL, ROOM 3044
 SACRAMENTO, CA 95814

San Diego Sheriff's Department

U-Visa Certification Report in Compliance with PC 679.10

MAR 30 2017

The following numbers represent the total number of U-Visa I-918 certification requests received by the San Diego Sheriff's Department along with corresponding certification results from January 1, 2016 through December 31, 2016:

Total Number U-Visa Requests Received	U-Visas Certified by Agency	U-Visas Denied by Agency
79	63	16

Submitted by:

Robert Smith, Lieutenant
San Diego Sheriff's Department
Email: Robert.Smith@sdsheriff.org
Phone: (858) 974-2024

Jvd



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER
SANDRA HUTCHENS

March 31, 2017

APR 11 2017

Secretary of the Senate
Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

RE: U Visa Annual Reporting 2016

To Whom It May Concern:

Pursuant to Senate Bill 674 agencies certifying U-Visas must report to the "Legislature" the number U Visas processed. Below is the U Visa data processed by the Orange County Sheriff's Department for 2016:

Total number of U Visas requests received by OCSD:	90
Total number of U Visas signed by OCSD:	71
Total number of U Visas denied by OCSD:	19

If you have any questions or need further information please feel free to contact me.

Sincerely

Sergeant Michael Tanabe
Criminal Investigations Bureau
Special Victims Detail

550 N. FLOWER STREET, SANTA ANA, CA 92703 (714) 647-7000

Jud
2/87

JESUS RODRIGUEZ
ASSISTANT DISTRICT ATTORNEY


THE DISTRICT ATTORNEY
 COUNTY OF SAN DIEGO
BONNIE M. DUMANIS
 DISTRICT ATTORNEY

San Diego
330 West Broadway
San Diego, CA 92101
(619) 531-4040

San Diego County District Attorney

APR 11 2017

DATE: March 29, 2017
TO: Secretary of the Senate
 Chief Clerk of the Assembly
 Office of Legislative Counsel
FROM: 
 Bonnie M. Dumanis
 San Diego County District Attorney
SUBJECT: Annual Report – Penal Code section 679.10 (I)
 Form I-918 Supplemental B certifications

The following information is reported to the Legislature for calendar year 2016, pursuant to Penal Code section 679.10 (I):

Total victims requesting Form I-918 certifications from this office:	170
Total Form I-918 certifications signed by this office:	154
Total Form I-918 certifications denied by this office:	16

Cc: DA memo file
DA annual reports folder

Jvd



INDIO POLICE DEPARTMENT

46-800 JACKSON STREET • INDIO, CALIFORNIA 92201
(760) 391-4057 PHONE • (760) 391-4036 FAX

"Our Community ... Our Commitment"

APR 11 2017

January 4, 2017

Mike Washburn
Chief of Police

Via Email at agency.reports@lc.ca.gov

State Capitol
Att: Diane Boyer-Vine
Suite 3021
Sacramento, CA 95814

Re: I-918 Form B Annual Reporting

Dear Ms. Boyer-Vine:

In accordance with Section 9795 and 10242.5 of the Government Code, the Indio Police Department is reporting on the total number of I-918 Form B certification forms received, approved, and processed by our agency. In 2016, the Indio Police Department received a total of 18, I-918 Form B (U-Visa) certification requests. Table 1 provides you with a summary of this information:

Fiscal Year	Petitions Received	Approved	Pending	Denied
2016 Total	18	14	4	0

If you have any questions or concerns pertaining to this information, please contact me at (760) 391-4057.

Sincerely,

Erika Martinez
Senior Management Analyst

Cc: dotson.wilson@asm.ca.gov
amy.leach@asm.ca.gov

MONO COUNTY
SHERIFF

A Commitment to Community Safety and Service



Ingrid Braun
Sheriff-Coroner

MONO COUNTY SHERIFF'S OFFICE

Michael Moriarty
Undersheriff

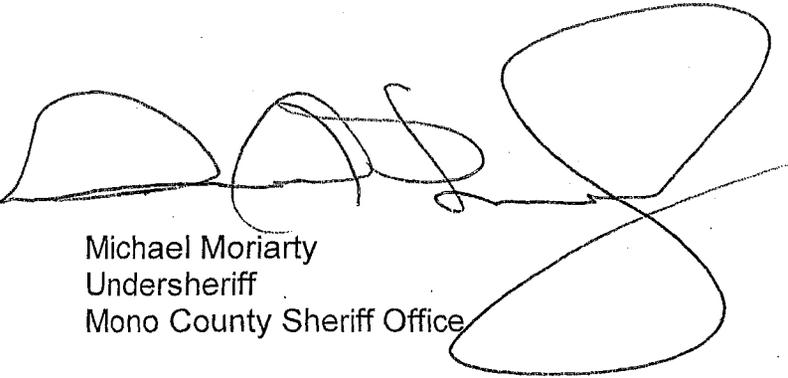
April 10, 2017

Daniel Alvarez
Secretary of the Senate
State Capital Room 3044
Sacramento, CA. 95814

Mr. Alvarez

This report shall serve as the reporting mechanism for compliance of Senate Bill 674.

Then Mono County Sheriff Office did not receive any requests for Federal Immigration Form I-918 certification in calendar year 2016.



Michael Moriarty
Undersheriff
Mono County Sheriff Office

Jud
2187

SACRAMENTO COUNTY



SHERIFF'S DEPARTMENT

SCOTT R. JONES
Sheriff

MAY 11 2017

April 27, 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2016 Annual U Visa Report

The Sacramento County Sheriff's Department herewith transmits its report on the number of certification requests signed and denied in accordance with SB 674: Immigrant Victims of Crime Equity Act.

U Visas Certified: 129
U Visas Denied: 12

Very Truly Yours,

SCOTT JONES, SHERIFF

SRO I Sara Lind
Assistant to Deputy Tess Deterding
Legal Advisor to the Sheriff

SL:sal



NAPA COUNTY OFFICE OF SHERIFF-CORONER

1535 AIRPORT BOULEVARD • NAPA, CALIFORNIA 94558-6292
AREA CODE 707/253-4501

Jul
2187

John R. Robertson
Sheriff - Coroner

MAY 16 2017

April 20, 2017

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
(electronically)

Office of Legislative Counsel
Indexing Division
925 L St.
Sacramento, CA 95814-3703

SUMMARY OF CONTENT:

Pursuant to California Penal Code 679.10, "The Immigrant Victims of Crime Equity Act (SB674)", our agency, Napa County Sheriff's Office, which provides law enforcement services for unincorporated Napa County, as well as the City of American Canyon (American Canyon Police) and the Town of Yountville (Yountville Police) through law enforcement services contracts, is submitting this report regarding U-Visa (I-918 Supplement B) certification request during calendar year 2016. In total, seven (7) U-Visa certification request were sent to our agency and all seven (7) were signed and returned to the applicant within the statutorily required 90 days.

Napa County (unincorporated)

No. of u-visa cert. request received	No. of u-visa certification request signed by agency authorized rep	No. of u-visa cert. request returned to applicant within 90 days
5	5	5

City of American Canyon

No. of u-visa cert. request received	No. of u-visa certification request signed by agency authorized rep	No. of u-visa cert. request returned to applicant within 90 days
2	2	2

Town of Yountville

No. of u-visa cert. request received	No. of u-visa certification request signed by agency authorized rep	No. of u-visa cert. request returned to applicant within 90 days
0	0	0

Respectfully,

Lt. Oscar Ortiz for

John R. Robertson, Sheriff

MAY 16 2017



CITY OF FULLERTON

Police Department

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Mr. Alvarez,

Enclosed please find the list of received/approved/denied U-Visa applications the City of Fullerton Police Department processed for 2016. We had a total of 13 applications received with no denials.

Sgt. Matt Rowe
City of Fullerton Police Department
237 W. Commonwealth Ave.
Fullerton, CA 92832

Scan 4

of

5

5-1 2187

Superior Court of California
County of Santa Clara

191 North First Street
San José, California 95113
(408) 882-2700

Chambers of
HON. PATRICIA M. LUCAS, Presiding Judge



JUL 10 2017

June 23, 2017

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 400
Sacramento, CA 95814

Re: U-Visa Report for Superior Court of California, County of Santa Clara

Dear Mr. Alvarez:

Please find the enclosed U-Visa Report from the Superior Court of California, County of Santa Clara. This report is submitted pursuant to Penal Code section 679.10(1) and Government Code section 9795.

Very truly yours,

A handwritten signature in cursive script that reads "Patricia M. Lucas".

Patricia M. Lucas
Presiding Judge
Santa Clara County Superior Court

Enc.

**Superior Court of California
County of Santa Clara**

191 North First Street
San José, California 95113
(408) 882-2700



June 23, 2017

U-Visa Report for Superior Court of California, County of Santa Clara

This report is submitted pursuant to Penal Code section 679.10(l) and Government Code section 9795.

Penal Code section 679.10(l) requires: "A certifying entity that receives a request for a Form I-918 Supplemental B certification shall report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested Form I-918 Form B certifications from the entity, the number of those certification forms that were signed, and the number that were denied. A report pursuant to this subdivision shall comply with Section 9795 of the Government Code."

The Santa Clara Superior Court has received approximately six requests for certification in connection with an application for a U visa, and no certifications were made.

A copy of this report is available at <http://www.scscourt.org/documents/u-visa/U-Visa.pdf> or by calling 408-882-2700.



DEC 15 2017



MONTCLAIR POLICE DEPARTMENT

FORM I-918 SUPPLEMENT B CERTIFICATION REPORT

December 11, 2017

The Montclair Police Department has authored the following report documenting Form I-918 Supplement B certification request information for the 2017 Calendar Year, as set forth in PC 679.10:

The following data for the 2017 calendar year is as follows:

- Total Number of Form I-918 Supplement B certifications received: 16
- Form I-918 Supplement B certifications approved: 10
- Form I-918 Supplement B certifications denied: 6
- Form I-918 Supplement B certifications pending: 0

A copy of this report can be found on the Montclair City website at:

<https://www.cityofmontclair.org/city-government/police-department/u-visa-form-i-918-sup-b>

A copy of this report may also be requested by calling our business office at 909-448-3610 during normal business hours. In compliance with GC 9795, a copy of this report has been provided to the Secretary of the Senate, the Chief Clerk's Office, and the Legislative Counsel.

For the Montclair Police Department,


Chief Robert Avels

CITY OF MONTCLAIR
5111 Benito Street, P.O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584



Mayor Paul M. Eaton • Mayor Pro Tem Carolyn Raft • Council Members: J. John Dutrey, Bill Ruh, Trisha Martinez • City Manager Edward C. Starr

Superior Court of California
County of Santa Clara

191 North First Street
San José, California 95113
(408) 882-2700

Chambers of
HON. PATRICIA M. LUCAS, Presiding Judge



JAN 2 2018

December 29, 2017

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 400
Sacramento, CA 95814

Re: U-Visa and T-Visa Report for Superior Court of California, County of Santa Clara

Dear Mr. Alvarez:

Please find the enclosed U-Visa and T-Visa Report from the Superior Court of California, County of Santa Clara. This report is submitted pursuant to Penal Code sections 679.10(l) and 679.11(l) and Government Code section 9795.

Very truly yours,

Patricia M. Lucas
Presiding Judge
Santa Clara County Superior Court

Enc.

**Superior Court of California
County of Santa Clara**

191 North First Street
San José, California 95113
(408) 882-2700



December 29, 2017

U-Visa and T-Visa Report for Superior Court of California, County of Santa Clara

This report is submitted pursuant to Penal Code sections 679.10(l) and 679.11(l) and Government Code section 9795.

Penal Code section 679.10(l) requires: "A certifying entity that receives a request for a Form I-918 Supplemental B certification shall report to the Legislature, on or before January 1, 2017, and annually thereafter, the number of victims that requested Form I-918 Form B certifications from the entity, the number of those certification forms that were signed, and the number that were denied. A report pursuant to this subdivision shall comply with Section 9795 of the Government Code."

Penal Code section 679.11(l) requires: "A certifying entity that receives a request for a Form I-914 Supplement B declaration shall report to the Legislature, on or before January 1, 2018, and annually thereafter, the number of victims who requested Form I-914 Supplement B declarations from the entity, the number of those declaration forms that were signed, and the number that were denied. A report pursuant to this subdivision shall comply with Section 9795 of the Government Code."

Since our previous report dated June 23, 2017, the Santa Clara Superior Court has received four requests for certification in connection with applications for a U visa, and four certifications were made. For the entirety of 2017, the Santa Clara Superior Court has received zero requests for certification in connection with applications for a T visa.

A copy of this report is available at <http://www.scscourt.org/documents/u&t-visa/U&T-Visa.pdf> or by calling 408-882-2700.

JAN 3 2018

Jud



COUNTY OF FRESNO

Lisa A. Smittcamp
District Attorney

December 29, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Room 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(1)

Dear Sir,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature . . . [regarding] the number of victims that requested Form I-918 Supplement B certifications" from the Fresno County District Attorney's Office. Enclosed is a CD with an electronic copy of the same.

For the 2017 calendar year, fifty-two (52) individuals requested Form I-918 Supplement B certifications, forty-three (43) requests were signed, and nine (9) requests were denied.

Very truly,

Steve E. Wright
Assistant District Attorney

Enclosure



COUNTY OF FRESNO

Lisa A. Smittcamp
District Attorney

December 29, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Room 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.11(l)

Dear Sir,

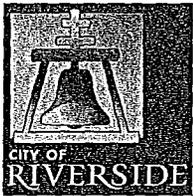
Pursuant to California Penal Code section 679.11, subdivision (l), please accept this "report to the Legislature . . . [regarding] the number of victims that requested Form I-914 Supplement B certifications" from the Fresno County District Attorney's Office. Enclosed is a CD with an electronic copy of the same.

For the 2017 calendar year, zero (0) individuals requested Form I-914 Supplement B certifications, therefore zero (0) requests were signed, and zero (0) requests were denied.

Very truly,

Steve E. Wright
Assistant District Attorney

Enclosure



Police Department

JAN 3 2018

City of Arts & Innovation

December 27, 2017

To: Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2017 U-Visa Reporting

Pursuant to reporting requirements of Penal Code Section 679.10(k) (l) and Government Code 9795, the following information is submitted for review.

The Riverside Police Department (RPD) received and investigated U-Visa requests in 2017. I have been designated by the head of my agency to consider U Nonimmigrant Status Certifications on behalf of the RPD. A supervisor in the Investigations Bureau conducted a thorough review of our documents and supporting materials that were submitted and the following actions were taken regarding Form I-918 Supplemental B:

U-Visa Requests	2017	Denial Reasons	2017
Approved	32	Refused Prosecution	10
Denied	49	Not Qualifying Crime	28
Referred to DA's Office	3	Uncooperative	3
Referred to Riverside Sheriff Department	5	Interfered w/Investigation-Arrest	0
Referred to Corona PD	1	Suspect	0
Referred to Other Dept	7	Other	8
2017 Total	97	2017 Total	49

Sincerely

Captain Frank Assumma
Investigation Division Commander
Riverside Police Department

FA/kv

cc: Chief Clerk of the Assembly
Office of Legislative Counsel



JAN 3 2018

Send



City of Palm Springs

Police Department

200 South Civic Drive • Palm Springs, California 92262
Tel: (760) 323-8116 • Fax: (760) 323-8178 • TDD: (760) 864-9527

December 26, 2017

I-918 Form B Reporting Stats for 2017

The Palm Springs Police Department has had 21 people apply. We filled out and signed 21 applications. We did not deny any.

Respectfully,

Stephanie Green
Police Services Supervisor
Palm Springs Police Department
760-323-8116 Ext. 8542

"The men and women of the Palm Springs Police Department, empowered by and in partnership with the community, are dedicated to providing professional, ethical, and courteous service to all."

Post Office Box 1830 • Palm Springs, CA 92263-1830



CITY OF SIMI VALLEY

Home of The Ronald Reagan Presidential Library

JAN 3 2018

December 19, 2017

RE: Immigrant Victims of Crime Equity Act Reporting Requirements

To Whom It May Concern:

In compliance with the Immigrant Victims of Crime Equity Act and Penal Code Section 679.10, the following data accurately represents the number of U-Visa Certification Requests received to date during calendar year 2017 by the Simi Valley Police Department and the status of those requests.

Requests Received:	8
Requests Approved:	5
Requests Denied:	2
Requests Referred:	1

Sincerely,

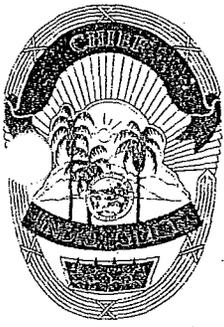
Joseph May
Deputy Chief

cc: Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Diane Boyer-Vine
Office of Legislative Counsel
925 L Street, Suite 900
Sacramento, CA 95814

Jud

INDIO POLICE DEPARTMENT



46-800 JACKSON STREET • INDIO, CALIFORNIA 92201
(760) 391-4057 PHONE • (760) 391-4036 FAX

"Our Community ... Our Commitment"

Mike Washburn
Chief of Police

December 22, 2017

JAN 3 2018

Via Email at agency.reports@lc.ca.gov

Daniel Alvarez, Secretary of the Senate
Capitol, Room 3044
Sacramento, CA 95814

Re: I-918 Form B Annual Reporting

Dear Secretary Alvarez:

In accordance with Section 9795 and 10242.5 of the Government Code, the Indio Police Department is reporting on the total number of I-918 Form B certification forms received, approved, and processed by our agency. In 2017, the Indio Police Department received a total of 30, I-918 Form B (U-Visa) certification requests. Table 1 provides you with a summary of this information:

Fiscal Year	Petitions Received	Approved	Pending	Denied
2017 Total	30	19	0	11

If you have any questions or concerns pertaining to this information, please contact me at (760) 391-4057.

Sincerely,

Handwritten signature of Judy Lee in black ink.

Judy Lee
Senior Records Specialist

Cc: dotson.wilson@asm.ca.gov
amy.leach@asm.ca.gov

Jed



City of Anaheim
OFFICE OF THE CITY ATTORNEY
Family Justice Center

JAN 3 2018

December 28, 2017

Secretary of the Senate
Daniel Alvarez
State Capitol, Room 3044
Sacramento CA 95814

Re: U-Visa Legislature Report 2017

Dear Sir:

I am the designated certifying official for U-Visa applications for the Anaheim City Attorney's office. Our office prosecutes misdemeanor violations of the California Penal Code that occur in Anaheim, California. Pursuant to Penal Code 679.10, I am writing to report to you the statistics regarding U-Visa applications received by our office in the calendar year 2017. To the best of my knowledge, our office received sixteen (16) U-Visa certification petitions during this period. Of these, fourteen (14) petitions were signed, and two (2) were denied.

Please contact my office at 714-870-8200 if you have any questions.

Thank you,

Adam A. Klugman
Deputy City Attorney III

AK/mh

JAN 3 2018

Jed



DAVID A. LINN
District Attorney

ANGELA J. HILL
Assistant District Attorney

County of Madera
209 W. Yosemite Avenue
Madera, California 93637

Telephone: (559) 675-7726
Facsimile: (559) 673-0430

OFFICE OF THE
DISTRICT ATTORNEY

December 29, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(1)

Dear Sir,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature...[regarding] the number of victims that requested Form I-918 Supplement B certifications" from the Madera County District Attorney's Office.

For the 2017 calendar year, twenty-one (21) individuals requested Form I-918 Supplement B certifications, seventeen (17) requests were signed, and four (4) requests were denied.

Very truly,

M. Todd Spangler
Supervising Deputy District Attorney

JAN 3 2018

Jud



DAVID A. LINN
District Attorney

ANGELA J. HILL
Assistant District Attorney

County of Madera
209 W. Yosemite Avenue
Madera, California 93637

Telephone: (559) 675-7726
Facsimile: (559) 673-0430

OFFICE OF THE
DISTRICT ATTORNEY

December 29, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(1)

Dear Sir,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature...[regarding] the number of victims that requested Form I-918 Supplement B certifications" from the Madera County District Attorney's Office.

For the 2017 calendar year, twenty-one (21) individuals requested Form I-918 Supplement B certifications, seventeen (17) requests were signed, and four (4) requests were denied.

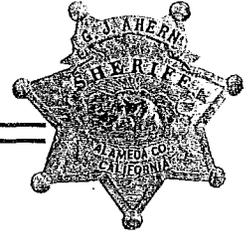
Very truly,

M. Todd Spangler
Supervising Deputy District Attorney

FEB 12 2018 Jul

Alameda County Sheriff's Office

Lakeside Plaza, 1401 Lakeside Drive, 12th Floor, Oakland, CA 94612-4305



Gregory J. Ahern, Sheriff

Director of Emergency Services
Coroner - Marshal

(510) 271-5198

February 7, 2018

Daniel Alvarez
Secretary of the Senate of California
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. Alvarez,

In compliance with Senate Bill 674, we are sending the following required documentation for U-Visa applicants on behalf of our Agency covering the year 2017:

- A Training Bulletin outlining Senate Bill 674; and
- A disc containing U-Visa Supplement B forms processed in 2017.

Please feel free to contact me if you need any further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald M. Buchanan', written over a horizontal line.

Donald M. Buchanan,
Division Commander

DMB:dmb

cc: Chief Clerk of the Assembly
Legislative Counsel Bureau

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

"Striving For Excellence Through Public Safety Education"

Alameda County Sheriff's Office
1401 Lakeside Drive, 12th Floor, Oakland, CA 94612
Phone: (510) 272-6878

TRAINING BULLETIN

"SENATE BILL 674 – IMMIGRANT VICTIMS OF CRIME EQUITY ACT" NUMBER 15-27

DATE: February 10, 2016

PURPOSE:

This training bulletin alerts members of the Alameda County Sheriff's Office (ACSO) to the passage of Senate Bill 674, called the "*Immigrant Victims of Crime Equity Act*" The bill was signed into law by California Governor Jerry Brown on October 9, 2015.

In essence, the bill was designed to reduce the threat of deportation for non-immigrant victims of certain qualifying crime(s). It would require state and local law enforcement agencies to provide non-immigrants or non-citizens (who have cooperated with investigations of those crimes), the necessary certification to apply for special visas, called "U-Visas," and encouraged them to report these crimes and cooperate with law enforcement agencies and authorities, without the fear of deportation or any other immigration violation consequences.

OVERVIEW:

In 2000, the United States Congress and the United States Citizenship and Immigration Services, created the *Victims of Trafficking and Violence Protection Act* to help combat human trafficking and violence, as well as prosecute violators under federal guidelines. Furthermore, it offered protection and assistance to victims of human trafficking, in the form of services and benefits, without the fear of immigration consequences or deportation.

Over time, law enforcement agencies encountered issues and problems with the investigation and prosecution of human trafficking crimes, mainly because victims were afraid to cooperate with law enforcement, because of consequences regarding their current immigration status. As a result, the U-Visa program was created to assist law enforcement with the investigation and prosecution of these cases, and help the victims and witnesses of these certain crimes.

The main theme of the U-Visa program, was to afford non-immigrant victims (of certain designated crimes), upon request, a temporary immigration designation to remain in the United States, while law enforcement agencies continue the investigation and prosecution of the crimes they were victims of. It established certain "rights" for victims of certain crimes, to include

notification, appearance rights for sentencing proceedings, and probation and parole information notifications for the convicted defendant of their case. It also allowed victims to receive assistance and possible compensation, based on certain federal guidelines.

The bill emphasized documentation and reporting requirement for certifying entities, such as law enforcement agencies. Agencies are to document whether the victim was helpful, has been helpful and is likely to be helpful, in the detection, investigation or prosecution of a certain qualifying crime.

SUMMARY:

Current existing federal law allows non-immigrant victims, who have been victims of certain qualifying crimes (listed above), the ability to request for *temporary* immigration benefits. The process is administered by the United States Citizenship and Immigration Services (USCIS), which provides a form (I-918 form) to be completed by the victim and submitted to the USCIS for review.

Furthermore, current state law establishes certain rights of victims and witnesses of crimes, including, among others, to be notified and to appear at all sentencing proceedings, upon request, to be notified and to appear at parole eligibility hearings, and, for certain offenses, to be notified when a convicted defendant had been ordered placed on probation.

The passage of Senate Bill 674 summarized that all "certifying entities," would indicate whether the victim was helpful, is being helpful, or is likely to be helpful in the detection, investigation, or prosecution of that qualifying criminal activity.

There are certain requirements that must be met, prior to the issuance and processing of this requirement. First, the member taking the report must be a "certifying entity," the crime in question must be a "qualified criminal activity," certain criteria and "legal requirements" must be met, and the final determination is made by the U.S. Citizenship and Immigration Services.

Certain other requirements of this law, include that all certifying entities process the application within 90 days of the victim's request, unless the non-citizen or non-immigrant is in removal proceedings. In such a case, the certification shall be processed within 14 days.

DOCUMENTATION:

The documentation of U-Visa applications are done on certain USCIS forms (i.e. I-918 forms) and for purposes of our Agency, are managed by the *Law Enforcement Services Division*.

It is very important to know that the victims of these qualifying crimes, will often contact a form of legal representation, to handle their case.

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

For purposes of our Agency, any qualifying victims listed in any Alameda County Sheriff's Office reports, will have their legal representation contact the Alameda County Sheriff's Office, Law Enforcement Services Division. The Law Enforcement Services Division handles *all* U-Visa reports, cases and documentation and are the only authorized division within our Agency to handle U-Visa documentation and reporting.

DEFINITIONS:

- U- Visa: A classification or designation created by the United States Congress, and under the control of the United States Citizenship and Immigration Services (USCIS), granted to non-immigrant victims of certain qualifying crimes, temporary legal immigrations status, to remain in the United States, while law enforcement agencies investigated and prosecuted the crimes the non-immigrant victims were involved in. a strict and formative application and vetting process is a precursor to the granting of a U-Visa.
- Non-immigrant: An alien or non-citizen who seeks temporary entry and stay in the United States, for a specific purpose. They must have a permanent residence aboard and qualify for the non-immigrant classification sought.
- Certifying Entity: Addendum to Penal Code 679.08 (Victim's Bill Rights), Penal Code 679.10 was added to list "Certifying Entities," to include:
 - A state or local law enforcement agency
 - A prosecutor
 - A judge
 - Any other authority that has the responsibility for the detection or investigation or prosecution of a qualifying crime or criminal activity.
 - Agencies that have criminal detection or investigative jurisdiction in their respective areas of expertise, including, but not limited to, child protective services, the Department of Fair Employment and Housing, and the Department of Industrial Relations.
 - A "certifying official" is any of the following:
 - The head of the certifying entity.
 - A person in a supervisory role who has been specifically designated by the head of the certifying entity to issue Form I-918 Supplement B certifications on behalf of that agency.
- Qualifying Criminal Activities:
 - Rape
 - Torture
 - Human trafficking
 - Incest

- Domestic violence
- Sexual assault
- Abusive sexual conduct
- Prostitution
- Sexual exploitation
- Female genital mutilation
- Being held hostage
- Peonage
- Perjury
- Involuntary servitude
- Slavery
- Kidnaping
- Abduction
- Unlawful criminal restraint
- False imprisonment
- Blackmail
- Extortion
- Manslaughter
- Murder
- Felonious assault
- Witness tampering
- Obstruction of justice
- Fraud in foreign labor contracting
- Stalking
- Other related crimes, or similar offenses. This also includes the attempt, conspiracy or solicitation of any of the offenses listed or offenses where *the elements of the crime* are substantially similar.

- Legal Requirements:

- The applicant must have been a victim of a qualifying criminal activity.
- The applicant must have suffered substantial physical or mental abuse, as a result of having been a victim of these criminal activities.
- The applicant must have information concerning that criminal activity.
- The applicant must have been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the crime.
- The criminal activity occurred in the United States or violated U.S. laws.
- The applicant is admissible to the United States current immigration laws and regulations. Those who are not admissible, may apply for a waiver on a form I-192 (Application for Advance Permission to enter as a Non-Immigrant).

- I-918 and I-918A Supplemental Form: A Department of Homeland Security – U.S. Citizenship and Immigration Services form, completed by the non-immigrant victim(s) of the listed qualifying crime. This form is to be completed in conjunction with the I918-B form (to be completed by law enforcement).

ALAMEDA COUNTY SHERIFF'S OFFICE
SHERIFF GREGORY J. AHERN

- I-918B Form: A Department of Homeland Security – U.S. Citizenship and Immigration Services form and certification, to be completed by the certifying entity or official, indicating that a non-immigrant is a victim of a certain qualifying criminal activity.

REMINDER:

For purposes of our Agency, all instances of U-Visa applications and generated reports, are to be forwarded to Commander D.M. Buchanan, of the Law Enforcement Services Division. Commander Buchanan is the Agency Coordinator and is responsible for the submission of reports to the Department of Justice.

Do NOT send any forms or reports directly to the USCIS. All U-Visa documents shall be forwarded to Commander Buchanan, via QIC Code 26008. For further submission information, you can contact the Law Enforcement Services Division at telephone # (510) 271-5198 or Tie Line 25198.

ATTACHMENTS:

For reference purposes, the following documents are provided as attachments. These forms are **SAMPLE FORMS ONLY, AND SHOULD NOT BE USED**:

Attachment 1: USCIS form I-918 (Petition for U-Visa, Non-immigrant Status)

Attachment 2: USCIS form I-918A (Supplemental form to I-918)

Attachment 3: USCIS form I-918B (U-Visa Non-immigrant Status Certification)

DISTRIBUTION "C"
PLEASE POST FOR THE ATTENTION OF ALL PERSONNEL

Alameda County Sheriff's Office

Date Rec'd	Date Mailed	Certified (Yes/No)	Applicant Name (Last, First, Middle)	DOB or Birthdate	Requesting Agency	Report No. Crime Section
12/27/16	01/04/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/27/16	01/04/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/17/17	01/17/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/20/17	01/23/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/27/17	01/27/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/27/17	02/01/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
01/31/17	02/01/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/07/17	02/07/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/09/17	02/09/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/15/17	02/15/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/24/17	02/27/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/27/17	03/01/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
02/27/17	03/01/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/09/17	03/09/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/09/17	03/10/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/13/17	03/14/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/15/17	03/15/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/17/17	03/20/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/27/17	03/28/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
03/29/17	03/30/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/04/17	04/04/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/06/17	04/06/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/06/17	04/06/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/10/17	04/11/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/11/17	04/11/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/13/17	04/13/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/25/17	04/25/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
04/14/17	04/26/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Date Rec'd	Date Mailed	Certified (Yes/No)	Applicant Name (Last, First, Middle)	DOB or Birthdate	Requesting Agency	Report No. Crime Section
04/26/17	04/27/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/05/17	05/17/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/01/17	05/17/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/26/17	05/30/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/26/17	05/31/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
05/26/17	05/31/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/06/17	06/08/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/01/17	06/08/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/21/17	06/21/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/22/17	06/26/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/26/17	06/27/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
06/19/17	07/17/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
07/18/17	07/19/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
07/25/17	07/26/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
07/26/17	07/26/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
07/20/17	08/15/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Date Rec'd	Date Mailed	Certified (Yes/No)	Applicant Name (Last, First, Middle)	DOB or Birthdate	Requesting Agency	Report No. Crime Section
07/12/17	08/15/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
08/16/17	08/18/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
08/16/17	08/18/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
08/18/17	09/06/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
09/12/17	09/12/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
09/19/17	09/20/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
09/01/17	09/20/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
09/27/17	09/27/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/03/17	10/03/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/09/17	10/10/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/09/17	10/10/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/11/17	10/12/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/11/17	10/12/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10/31/17	11/01/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11/08/17	11/13/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11/14/17	11/15/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11/14/17	11/15/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11/17/17	11/28/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
09/25/17	11/28/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/01/17	12/04/17	No	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/12/17	12/12/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/12/17	12/12/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/12/17	12/14/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/13/17	12/14/17	Yes ✓	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Column1
needed proof of name differences supplied by attorney
SECOND SET OF DOCUMENTS PROVIDED
attorney provided copy of deportation hearing set for 10/23/17
attorney request via telephone for updated docs - first set supplied 04/29/14
crime occurred in City of Oakland, not reported to ACSO, only to HACH medical staff
delay from 11-08 was that I was on vaction and out of office
delay--I was on vacation
delay--waiting on PC293 waiver from attorney/received on 11/27/17, response on 11/28/17
letter sent detailing what I need to make cert decision if he's eligible
cert docs provided to different attorney in 2016
cert docs provided to different attorney in 2016
all 2017 year reports: 2541, 8426, 14379, 21041

JAN 1 2018

J-1



ANAHEIM POLICE DEPARTMENT

December 31, 2017

Danny Alvarez, Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2017 U Visa Statistics

Dear Mr. Alvarez:

Below, you will find the 2017 U Visa statistics as required under California Law, SB 674. Please note that the entry under "Other*" is due to applications that we received in error or were returned to the legal representative or client for various reasons.

2017 Summary of I-918 Supplement B Applications received:

Total	Approved	Denied	Other*
236	154	34	48

Should you have further questions, please do not hesitate to contact me.

Warmest Regards,

Elaine Estrada, U Visa Coordinator
Anaheim Police Department
Orange County Family Justice Center
150 West Vermont Avenue
Anaheim, CA 92805

714.765.1571 (Office)
eestrada@anaheim.net

cc: Sergeant Jeffrey Dodd
Lieutenant Willie Triplett

425 S. Harbor Blvd
Anaheim, CA 92805

T: (714) 765-1900
F: (714) 765-1690

www.anaheimpd.org



OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

GREGORY D. TOTTEN
District Attorney

JAN - 5 2018

JANICE L. MAURIZI
Chief Assistant District Attorney

MICHAEL K. FRAWLEY
Chief Deputy District Attorney
Administrative Services

W. CHARLES HUGHES
Chief Deputy District Attorney
Special Prosecutions

MICHAEL R. JUMP
Chief Deputy District Attorney
Victim & Community Services

MICHAEL D. SCHWARTZ
Special Assistant District Attorney
Justice Services

R. MILES WEISS
Chief Deputy District Attorney
Criminal Prosecutions

MICHAEL BARAY
Chief Investigator
Bureau of Investigation

December 29, 2017

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: U Visa Certification Report

Dear Mr. Alvarez:

This report is submitted pursuant to the requirements of Penal Code section 679.10, subdivision (I), and Government Code section 9795. The Ventura County District Attorney's Office received requests for Form I-918, Supplement B, certifications in support of U Visa applications, which were handled as follows.

Requests received in 2016 that were resolved in 2017: 6

Signed: 5

Denied: 1

Requests received in 2017: 203

Signed: 146

Denied: 46

Referred to another agency: 2

Still pending: 9

Very truly yours,

MICHAEL D. SCHWARTZ
Special Assistant District Attorney

electronic copy to: Dotson.wilson@asm.ca.gov
Diane.boyer@legislativecounsel.ca.gov
Jim.Lasky@lc.ca.gov



Jnd

City of Pleasant Hill
Police Department

JAN - 5 2018

January 2, 2018

Secretary of the Senate
Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

RE: U Visa Annual Reporting 2017

To Whom It May Concern:

Pursuant to Senate Bill 674 agencies certifying U-Visas must report to the "Legislature" the number U Visas processed. Below is the U Visa data processed by the Pleasant Hill Police Department for 2017:

Total number of U Visas requests received by Pleasant Hill PD:	2
Total number of U Visas signed by Pleasant Hill PD:	1
Total number of U Visas denied by Pleasant Hill PD:	1

If you have any questions or need further information please feel free to contact me.

Sincerely

Lieutenant Scott Vermillion
Support Services Division Commander



R. SCOTT OWENS
DISTRICT ATTORNEY

PLACER COUNTY DISTRICT ATTORNEY

10810 Justice Center Drive • Suite 240
Roseville, CA 95678-6231
916 543-8000 • FAX 916 543-2550
www.placer.ca.gov

JW

January 4, 2018

JAN - 8 2018

State of California
Secretary of the Senate
State Capitol
Room 3044
Sacramento, CA 95814

Dear Secretary of the Senate:

Pursuant to Penal Code 679.10 (2) (I) our agency is providing the number of submitted, approved, and denied I-918 B Forms for the year 2017.

Total I-918 B Forms Submitted 2017:	37
Total I-914 B Forms Submitted 2017:	1
Total I-918 B Forms Declined 2017 :	17
Total I-914 B Forms Declined 2017 :	1
Total I-918 B Forms Approved 2017 :	20

If you have any further questions please contact me at (916) 543-8053.

Sincerely,

Jeff Wilson
Assistant District Attorney

DAVID A. LINN
District Attorney

ANGELA J. HILL
Assistant District Attorney



County of Madera
209 W. Yosemite Avenue
Madera, California 93637

Telephone: (559) 675-7726
Facsimile: (559) 673-0430

OFFICE OF THE
DISTRICT ATTORNEY

December 29, 2017

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.11(1)

Dear Sir,

Pursuant to California Penal Code section 679.11, subdivision (1), please accept this "report to the Legislature...[regarding] the number of victims that requested Form I-914 Supplement B certifications" from the Madera County District Attorney's Office.

For the 2017 calendar year, zero (0) individuals requested Form I-914 Supplement B certifications, therefore zero (0) requests were signed, and zero (0) requests were denied.

Very truly,

M. Todd Spangler
Supervising Deputy District Attorney

The County of Yuba

OFFICE OF THE DISTRICT ATTORNEY



PATRICK McGRATH
DISTRICT ATTORNEY

(530) 749-7770
FAX (530) 749-7363

JAN 12 2018

DATE: January 50, 2018
TO: Secretary of the Senate
Chief Clerk of the Assembly
Office of Legislative Counsel
FROM: Patrick McGrath
Yuba County District Attorney
SUBJECT: Annual Report – Penal Code section 679.10(l)
Form I-918 Supplemental B certifications

The following information is reported to the Legislature for calendar year 2017, pursuant to Penal Code section 679.10(l):

Total victims requesting Form I-918 certifications from this office:	3
Total Form I-918 certifications signed by this office:	0
Total Form I-918 certifications denied by this office:	1

*Two certification requests are pending cooperation from the applicants

CC: DA memo file
DA annual reports folder

Jd

ANNUAL REPORT OF SAN DIEGO SUPERIOR COURT
FORM I-918 AND I-914 SUPPLEMENT B CERTIFICATION REQUESTS

2017

During calendar year 2017, the San Diego Superior Court received and responded to 19 requests for Form I-918 Supplement B certifications. Of those:

12 certifications were signed

7 certifications were denied

No requests for Form I-914 Supplement B certifications were received in calendar year 2017.

This report can be downloaded from the Court's website, www.sdcourt.ca.gov.

A hard copy of this report can be requested by calling (619) 884-2478



VENTURA COUNTY SHERIFF'S OFFICE

Just

- **GEOFF DEAN**
Sheriff
- **GARY PENTIS**
Undersheriff
- **BILL AYUB**
Assistant Sheriff
- **ERIC DOWD**
Assistant Sheriff

800 SOUTH VICTORIA AVENUE, VENTURA, CA 93009 PHONE (805) 654-2380

December 22, 2017

JAN 12 2018

SENT VIA US MAIL

Daniel Alvarez

State Capitol, Room 3044

Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act- 2017 Required Reporting

Dear Mr. Alvarez:

Listed below are the Ventura County Sheriff's Office 2017 processed applications for Form I-918 Supplement B, Petition for U Nonimmigrant Status:

Requestor's Name	Date Received	Response	Status
	12/13/2016	1/5/2017	Denied
	1/19/2017	2/10/2017	Approved
	1/11/2017	1/24/2017	Approved
	1/18/2017	1/25/2017	Approved
	2/7/2017	2/21/2017	Approved
	2/2/2017	2/21/2017	Denied
	2/8/2017	2/21/2017	Denied
	2/21/2017	2/24/2017	Denied
	2/17/2017	2/24/2017	Approved

SPECIAL SERVICES
(805) 383-8791 Fax (805) 389-6549

PATROL SERVICES
(805) 494-8260 FAX (805) 494-8295

DETENTION SERVICES
(805) 654-2305 FAX (805) 654-3500

SUPPORT SERVICES
(805) 654-5134 FAX (805) 677-8715

Visit Us on the Web

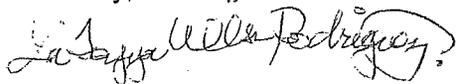
www.37cisd.org

	3/28/2017	4/5/2017	Approved
	3/28/2017	4/5/2017	Approved
	3/28/2017	4/5/2017	Approved
	3/21/2017	4/5/2017	Approved
	3/21/2017	4/5/2017	Denied
	3/21/2017	4/5/2017	Denied
	3/29/2017	4/5/2017	Approved
	4/18/2017	4/24/2017	Approved
	4/21/2017	4/28/2017	Approved
	4/25/2017	5/2/2017	Approved
	5/8/2017	5/19/2017	Denied
	5/26/2017	6/2/2017	Approved
	5/26/2017	6/2/2017	Denied
	6/13/2017	6/20/2017	Approved
	6/14/2017	6/20/2017	Approved
	6/20/2017	6/30/2017	Approved
	6/27/2017	7/11/2017	Approved
	6/30/2017	7/11/2017	Denied
	7/11/2017	7/31/2017	Denied
	7/11/2017	7/31/2017	Approved
	7/11/2017	7/31/2017	Approved
	7/27/2017	8/1/2017	Approved
	7/27/2017	8/8/2017	Approved
	8/17/2017	8/22/2017	Denied
	9/11/2017	9/19/2017	Approved

	9/27/2017	9/29/2017	Approved
	9/25/2017	9/28/2017	Denied
	9/28/2017	9/29/2017	Approved
	9/25/2017	9/29/2017	Approved
	9/25/2017	9/29/2017	Approved
	10/6/2017	10/11/2017	Approved
	10/11/2017	10/26/2017	Approved
	10/19/2017	10/19/2017	Denied
	10/20/2017	10/26/2017	Approved
	10/24/2017	10/31/2017	Approved
	11/8/2017	11/14/2017	Approved
	11/1/2017	11/14/2017	Denied
	11/28/2017	12/13/2017	Approved
	12/6/2017	12/13/2017	Approved

If you have any questions or concerns, you may contact me directly at (805) 654-3853.

Sincerely,



LaToyya Wilson-Rodriguez

Management Assistant II - HR

Jed



JAN 12 2018

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TULARE

Tim Ward, *District Attorney*

December 27, 2017

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

In compliance with California's Immigrant Victims of Crime Equity Act (Senate Bill 674) requiring certifying entities that receive a request for a Form I-918 Supplement B certification to report to the Legislature, on or before January 1, 2017 and annually thereafter the number of victims that requested Form I-918 B certification from the entity, the number of those certification forms that were signed, and the number that were denied.

The District Attorney's Office of Tulare County reviewed one-hundred and fifty-four I-918 Supplement B certifications. Ninety-two I-918 Supplement B certifications were completed and signed by our office. Sixty-two I-918 Supplement B certifications were denied by this office.

This office is dedicated to serve victims of crime regardless of their legal status. We will gladly continue to review I-918 Supplement B certifications.

Sincerely,

Kerri Lopez
Assistant District Attorney
Tulare County

jd



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF SPECIALIZED PROSECUTIONS

JACKIE LACEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
JOSEPH P. ESPOSITO • Assistant District Attorney

VICTORIA L. ADAMS • Director

JAN 12 2018

December 29, 2017

The California State Legislature
The Secretary of the Senate
The Chief Clerk of the Assembly
The Legislative Counsel

Re: U Visa Certification Requests for 2017

To the Secretary of the Senate, the Chief Clerk of the Assembly and the Legislative Counsel:

Pursuant to Penal Code section 679.10, subdivision (I), from January 1, 2017 to present, the Los Angeles County District Attorney's Office reports the following:

Number of U visa certification requests received:	526
Number of U visa certification requests approved:	177
Number of U visa certification requests denied:	137
Number of U visa certification requests pending:	212

Very truly yours,

JACKIE LACEY
District Attorney

By *Victoria L. Adams*

VICTORIA L. ADAMS, Director
Bureau of Specialized Prosecutions

rd

Jul



Superior Court

STATE OF CALIFORNIA, COUNTY OF FRESNO
1100 VAN NESS
FRESNO, CALIFORNIA 93724-0002

December 29, 2017

JAN 12 2018

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Form I-918 Supplement B certification annual report

The Superior Court of California, County of Fresno, received one Form I-918 Supplement B certification in calendar year 2017 for one victim. The certification was signed.



Jed

THE CITY OF SAN DIEGO

January 2, 2018

JAN 12 2018

Mr. Daniel Alvarez
Secretary of the Senate,
State Capitol, Room 3044
Sacramento, CA 95814

Dear Mr. Alvarez:

The San Diego Police Department is a certifying agency for U nonimmigrant visas. In compliance with California Penal Code section 679.10, I am providing you with the number of U nonimmigrant visa requests received. In addition, I am providing you the number of those requests which were certified or denied. The statistical information listed below reflects those requests received by the San Diego Police Department for the calendar year of 2017.

2017 Total Number of U nonimmigrant Visa Granted:	2017 Total Number of U nonimmigrant Visa Requests Denied:	2017 Total Number of U nonimmigrant Visa Requests:
224	146	370

Sincerely,

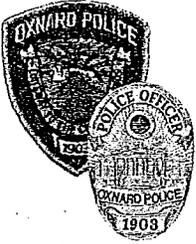
Lieutenant Kevin Mayer
San Diego Police Department
Family Justice Center

cc: Dotson Wilson, Chief Clerk of the Assembly
Jim Lasky, Legislative Counsel



Family Justice Center

1122 Broadway, Suite 200, MS 70, San Diego, California 92101-5376
Tel (619) 533-6020 Fax (619) 533-6049



OXNARD POLICE DEPARTMENT

Protecting Our Community with Exceptional Service

CHIEF OF POLICE
Scott Whitney

ASSISTANT POLICE CHIEF
Jason Benites

ASSISTANT POLICE CHIEF
Eric S. Sonstegard

251 SOUTH C STREET, OXNARD, CALIFORNIA 93030-5789 * (805) 385-7600 * <http://oxnardpd.org>

January 2, 2018

JAN 12 2018

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3004
Sacramento, CA 95814

Re: U Visa Certification Report for 2017

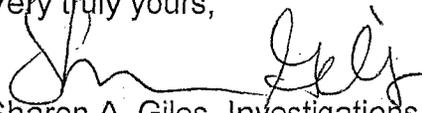
Dear Mr. Alvarez:

This report is submitted pursuant to the requirements of Penal Code section 679.10, subdivision (l), and Government Code section 9795. The Oxnard Police Department received requests for Form I-918, Supplement B, certifications in support of U Visa applications, which were handled as follows:

Requests received in 2017:	229
Signed:	125
Denied:	60
Referred to another agency:	42
Pending:	2

I hope this information is helpful. If you need to contact me for any reason I can be reached via email at Sharon.Giles@Oxnardpd.org or at my office at 805-385-7620.

Very truly yours,


Sharon A. Giles, Investigations Bureau Commander

Electronic copy to: Dotson.Wilson@asm.ca.gov
Diane.boyer@legislativecounsel.ca.gov
Jim.Lasky@lc.ca.gov



OFFICE OF THE
DISTRICT ATTORNEY
 ORANGE COUNTY, CALIFORNIA
 TONY RACKAUCKAS

5-11

JIM TANIZAKI
 CHIEF ASSISTANT D.A.

JOSEPH D'AGOSTINO
 SENIOR ASSISTANT D.A.
 GENERAL FELONIES/
 ECONOMIC CRIMES

MICHAEL LUBINSKI
 SENIOR ASSISTANT D.A.
 SPECIAL PROJECTS

JAIME COULTER
 SENIOR ASSISTANT D.A.
 BRANCH COURT OPERATIONS

SCOTT ZIDBECK
 SENIOR ASSISTANT D.A.
 VERTICAL PROSECUTIONS/
 VIOLENT CRIMES

PAUL M. WALTERS
 CHIEF
 BUREAU OF INVESTIGATION

JENNY QIAN
 DIRECTOR
 ADMINISTRATIVE SERVICES

SUSAN KANG SCHROEDER
 CHIEF OF STAFF

JAN 12 2018

December 28, 2017

Office of the Secretary of the Senate
 State Capitol, Room 3044
 Sacramento, CA 95814

**RE: SB 674(I)/CPC 679.10(I) Compliance for 2017
 by Orange County District Attorney's Office**

To Whom It May Concern:

Attached please find the report in compliance with SB 674(I)/CPC 679.10(I) prepared by the Orange County District Attorney's Office for calendar year 2017.

As a certifying entity that receives Form I-918 Supplemental B certification requests from U-Visa applicants, we have documented the number of victims that have requested certification from our office, the number of those requests that were signed and the number which were denied.

In summary, of the 515 certification requests received, 274 were signed and 180 were denied. The remaining 61 requests are pending review.

Sincerely,

Nikki Elkerton
 Deputy District Attorney
 U-Visa Designated Certifying Official
 Orange County District Attorney's Office

cc: Chief Clerk of the Assembly; Legislative Counsel

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: <http://orangecountyda.org/>

MAIN OFFICE
 401 CIVIC CENTER DR W
 P.O. BOX 808
 SANTA ANA, CA 92701
 (714) 834-3600

NORTH OFFICE
 1275 N. BERKELEY AVE.
 FULLERTON, CA 92632
 (714) 773-4480

WEST OFFICE
 8141 13TH STREET
 WESTMINSTER, CA 92683
 (714) 898-7261

HARBOR OFFICE
 4601 JAMBORREE RD.
 NEWPORT BEACH, CA 92880
 (949) 476-4650

JUVENILE OFFICE
 341 CITY DRIVE SOUTH
 ORANGE, CA 92668
 (714) 935-7624

CENTRAL OFFICE
 401 CIVIC CENTER DR. W
 P.O. BOX 808
 SANTA ANA, CA 92701
 (714) 834-3952



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS

JIM TANIZAKI
CHIEF ASSISTANT D.A.

JOSEPH D'AGOSTINO
SENIOR ASSISTANT D.A.
GENERAL FELONIES/
ECONOMIC CRIMES

MICHAEL LUBINSKI
SENIOR ASSISTANT D.A.
SPECIAL PROJECTS

JAIME COULTER
SENIOR ASSISTANT D.A.
BRANCH COURT OPERATIONS

SCOTT ZIDBECK
SENIOR ASSISTANT D.A.
VERTICAL PROSECUTIONS/
VIOLENT CRIMES

PAUL M. WALTERS
CHIEF
BUREAU OF INVESTIGATION

JENNY QIAN
DIRECTOR
ADMINISTRATIVE SERVICES

SUSAN KANG SCHROEDER
CHIEF OF STAFF

2017 REPORT PER SB 674(I)/CPC 679.10(I)

Number of Victims Requesting Form I-918 Supp B Certification:	515
Number of I-918 Supp B Certification Forms Signed:	274
Number of I-918 Supp B Certification Forms Denied:	180
Number of I-918 Supp B Certification Forms Pending Review:	61

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: <http://orangecountyda.org/>

MAIN OFFICE
401 CIVIC CENTER DR W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3600

NORTH OFFICE
1275 N. BERKELEY AVE.
FULLERTON, CA 92632
(714) 773-4480

WEST OFFICE
8141 13TH STREET
WESTMINSTER, CA 92683
(714) 896-7281

HARBOR OFFICE
4601 JAMBOREE RD.
NEWPORT BEACH, CA 92660
(949) 476-4650

JUVENILE OFFICE
341 CITY DRIVE SOUTH
ORANGE, CA 92668
(714) 935-7624

CENTRAL OFFICE
401 CIVIC CENTER DR W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3952

Scan 5

of

5

LOS ANGELES POLICE DEPARTMENT

Jed



CHARLIE BECK
Chief of Police

ERIC GARCETTI
Mayor

JAN 17 2018

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213) 486-7000
TDD: (877) 275-5273
Ref #: 1.8

January 3, 2018

The Honorable Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dear Secretary Alvarez:

In accordance to Penal Code Section 679.10(1), the Los Angeles Police Department is reporting the total number of requests for Department of Homeland Security, United States Citizenship and Immigration Services, Form I-918 Supplement B (I-918B), U Nonimmigrant Status Certification. The total number of requests include the applicants who submitted the I-918B form for the following period: January 1, 2017 to December 31, 2017.

TOTAL NO. OF I-918B CERTIFICATION REQUESTS	2,587
Requests signed	2,054
Requests denied	514
Requests open	19

Should you have any questions, please contact Detective Yvonne Ortiz at Detective Bureau at (213) 486-7000.

Very truly yours,

CHARLIE BECK
Chief of Police

JUSTIN EISENBERG, Deputy Chief
Chief of Detectives

24

JAN 17 2018 THE CITY OF POMONA

Office of the Police Chief



"Working Together Pomona's Future..."

January 8, 2018

Secretary of Senate
Attn: Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

REF: I-918 Form B 2017 Statistics

Dear Mr. Alvarez:

Below are the 2017 statistics for I-918 Form B submissions:

One hundred and nine (109) applications submitted. Out of those submitted, one (1) was not approved due to the applicant not being victim of the crime, thirteen (13) were not approved due to the victim (applicant) not cooperating with the investigation, one (1) was returned due to the form being incomplete. A total of ninety-four (94) I-918 Form B's were approved.

Please let me know if any further information is required.

Respectfully submitted,

Doreen Herring
Doreen Herring
Police Records Manager
(909) 620-2088



JAN 17 2018

CITY OF HAWTHORNE
POLICE DEPARTMENT

JANUARY 9TH, 2018

ATTN: DANIEL ALVAREZ
SECRETARY OF THE SENATE
STATE CAPITOL, ROOM 3044
SACRAMENTO, CA. 95814

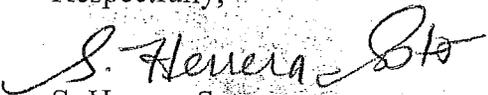
RE: 2017 U-VISA ANNUAL REPORT

Dear Mr. Alvarez,

Please find enclosed, our agency 2017 annual report for U-Visa application requests.

Should you have any questions or concerns, please call Hawthorne Police Department Detective Bureau at (310) 349-2820. Thank you.

Respectfully,


S. Herrera-Soto
Police Administrative Technician
Hawthorne Police Detective Bureau

xc: file



CITY OF HAWTHORNE
POLICE DEPARTMENT

HAWTHORNE POLICE DEPARTMENT

U-VISA 2017 ANNUAL REPORT

During the calendar year of 2017 the Hawthorne Police Department received a total of 68 submissions for the U-Visa Program. The status of those submissions are as follows:

- 68 submissions for 2017
- 41 approvals
- 27 denials

All denials were due to the reported crime, not meeting federal guidelines.

Requests for further information, please direct to the Hawthorne Police Department Detective Bureau Commander, Lieutenant Jim Royer.

Please call (310) 349-2820.

 #215
Lt. Jim Royer
Detective Bureau Commander
Hawthorne Police Detective Bureau

Jed



CORONA POLICE DEPARTMENT

730 Public Safety Way (P.O. BOX 940) Corona, California 92880-2002

JAN 17 2018

January 9, 2018

Secretary of the Senate
State Capitol
Sacramento, CA 95814

To whom it may concern:

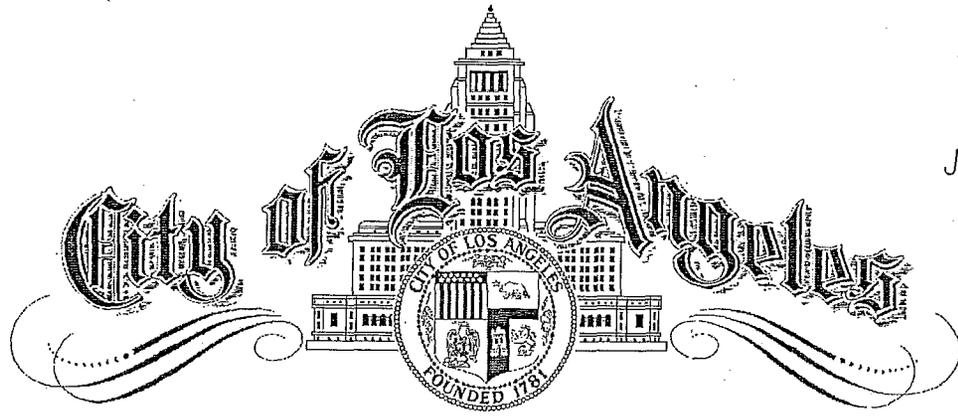
The following information is being submitted as a certifying entity that receives requests to certify the I-918 Supplemental B forms for the calendar year 2017.

- 1. The number of victims that requested Form I-918 Form B certifications: 35
- 2. The number of those certification forms that were signed: 31
- 3. The number that were denied: 4

Respectfully,

Silvia.C. Hernandez
Records Supervisor
951 279-3682

JAN 17 2018



MIKE FEUER
 City Attorney

January 9, 2018

Daniel Alvarez
 Secretary of the Senate
 State of California
 State Capitol, Room 3044
 Sacramento, CA 95814

Re: Report of the Los Angeles City Attorney's Office Pursuant to California Penal Code Section 679.10(l) (Form I-918, Supplement B Certifications)

Dear Secretary Alvarez:

Pursuant to the terms of Penal Code Section 679.10 (l), please find the number of Form I-918, Supplement B certification requests that were received, approved, denied and referred by this Office from January 1, 2017 through December 31, 2017 in the chart below.

REPORTING PERIOD	FORM I-918, SUPPLEMENT B U-VISA CERTIFICATION REQUESTS				
	RECEIVED	APPROVED	DENIED	REFERRED	PENDING
2017	158	76	25	51	6
Received 2016 - Processed 2017	10	4	1	5	0
TOTALS	168	80	26	56	6

Please do not hesitate to contact us if you would like further information or explanation.
 Thank you very much.

Sincerely,

Mike Feuer
 Los Angeles City Attorney
 Office of the City Attorney

Cc: Chief Clerk of the Assembly, E. Dotson Wilson (by email: dotson.wilson@asm.ca.gov, amy.leach@asm.ca.gov, agency.reports@asm.ca.gov)
 Cc: Legislative Counsel (by email: agency.reports@lc.ca.gov)

Just



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



JAN 17 2018

January 10, 2018

Daniel Alvarez, Secretary of the Senate
Secretary of the Senate
State Capitol, Room 3044
Sacramento, California 95814

Dear Mr. Alvarez,

Los Angeles County Sheriff's Department's 2017 U Visa Report

Pursuant to California Penal Code section 679.10(1), attached is the Los Angeles County Sheriff's Department's 2017 U Visa Report.

Should you have any questions, please feel free to contact Deputy Naomi Cabrera, Field Operations Support Services, at 323-890-5411 or email at nmcabrer@lasd.org.

Sincerely,

JIM McDONNELL, SHERIFF

Scott E. Johnson, Captain
Risk Management Bureau

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
2017 U VISA REPORT

The Los Angeles County Sheriff's Department's statistical information for U Visas for the year 2017 are as follows:

Total Requests Received	Number Certified	Number Denied
1065	956	109

90% of the U Visa requests received by the Los Angeles County Sheriff's Department were certified.

10% of the U Visa requests received by the Los Angeles County Sheriff's Department were denied.

Contact Information:

Los Angeles County Sheriff's Department
Field Operations Support Services
4900 Eastern Avenue, Suite 210
Commerce, CA 90040
323-890-5411

JAN 17 2018



The Valley of Opportunity

Police Department



January 10, 2018

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
(via U.S. Mail)

Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
Agency.reports@asm.ca.gov
(via electronic mail)

Diane Boyer-Vine
Office of Legislative Counsel
925 L. Street, Ste. 900
Sacramento, CA 95814-3703
Jim.Lasky@lc.ca.gov
Agency.reports@lc.ca.gov
(via electronic mail)

RE: Annual Report on Form I-98 Form B Certifications,
Cal. Penal Code Section 679.10(l)

Dear California Legislature:

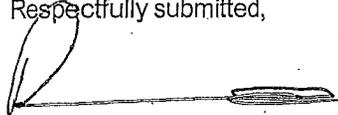
The above-referenced law requires a certifying entity, such as the El Cajon Police Department, to submit this annual report to the Legislature on the number and disposition of victim requests for Form I-98 Form B certifications. This report is submitted to the above-referenced entities in compliance with Cal. Government Code Section 9795.

Form I-98 Supplemental B Certifications 2016 Annual Report,
Cal. Penal Code Section 679.10(l)
El Cajon Police Department (ECPD), El Cajon, CA
January 1, 2017 to December 31, 2017

Number of victims who requested Form I-918 Form B certifications from the ECPD:	18
Number of certifications forms signed by ECPD:	18
Number of certification forms denied by ECPD:	0

If I can be of further assistance, please contact me.

Respectfully submitted,


Rob Ransweiler
Administrative Lieutenant
619-593-7567

Ransweiler@cityofelcajon.us City of El Cajon • 100 Civic Center Way • El Cajon, CA 92020

(619) 579-3311 • Fax (619) 444-8312

www.cityofelcajon.us



CITY OF PETALUMA

POST OFFICE BOX 61
PETALUMA, CA 94953-0061

Jrd

JAN 17 2018

David Glass
Mayor

January 10, 2018

Chris Albertson
Teresa Barrett
Mike Healy
Gabe Kearney
David King
Kathy Miller
Councilmembers

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Annual report of Form I-918 Supplement B certifications, as required by California Penal Code §679.10(I), submitted in compliance with Government Code §9795

The Petaluma Police Department respectfully submits the following data for calendar year 2017:

The number of victims that requested Form I-918 Supplement B certifications	<u>11</u>
The number of Form I-918 Supplement B certification forms that were signed	<u>8</u>
The number of Form I-918 Supplement B certification forms that were denied	<u>3</u>

Sincerely,
Ken Savano
Chief of Police

Paul Gilman
Investigative Sergeant

CC:
Chief Clerk of the Assembly, agency.reports@asm.ca.gov
Office of Legislative Counsel, agency.reports@lc.ca.gov

Police Department
69 Petaluma Boulevard North
Petaluma, CA 94952-6320

Phone (707) 778-4372
Fax (707) 778-4502

Email
policeadmin@ci.petaluma.ca.us



CITY OF
CHULA VISTA

Police Department

JAN 17 2018

Jed

January 10, 2018

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
(via U.S. Mail)

Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
Agency.reports@asm.ca.gov
(via electronic mail)

Diane Boyer-Vine
Office of Legislative Counsel
925 L. Street, Ste. 900
Sacramento, CA 95814-3703
Jim.Lasky@lc.ca.gov
Agency.reports@lc.ca.gov
(via electronic mail)

RE: Annual Report on Form I-98 Form B Certifications,
Cal. Penal Code Section 679.10(l)

Dear California Legislature:

The above-referenced law requires a certifying entity, such as the Chula Vista Police Department, to submit this annual report to the Legislature on the number and disposition of victim requests for Form I-98 Form B certifications. This report is submitted to the above-referenced entities in compliance with Cal. Government Code Section 9795.

Form I-98 Supplemental B Certifications 2016 Annual Report,
Cal. Penal Code Section 679.10(l)
Chula Vista Police Department (CVPD), Chula Vista, CA
January 1, 2017 to December 31, 2017

Number of victims who requested Form I-918 Form B certifications from the CVPD:	36
Number of certification forms signed by CVPD:	25
Number of certification forms denied by CVPD:	11

If I can be of further assistance, please contact me.

Respectfully submitted,

Shannel Honoré
Police Support Services Manager
619-476-2310
shonore@chulavistapd.org



OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

CHRISTOPHER G. MONEY
VICTIM WITNESS ASSISTANCE CENTER

DAN DOW
District Attorney

JAN 19 2018 ERIC J. DOBROTH
Assistant District Attorney

DIANA MCPARTLAN
Director, Victim Witness

January 16, 2018

SENT VIA US MAIL

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act – 2017 Required Reporting

Dear Mr. Alvarez:

Listed below are the San Luis Obispo District Attorney's Office 2017 processed applications for Form I-918, Petition for U Nonimmigrant Status:

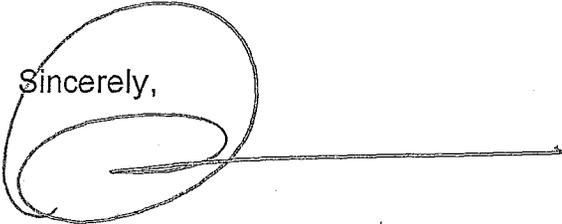
Date Request recvd	Date Certified/denied	Name of Victim	Charge	STATUS approved/denied
[REDACTED]	1/23/2017	[REDACTED]	PC281.5	approved
[REDACTED]	1/24/2017	[REDACTED]	PC235	approved
[REDACTED]	3/6/2017	[REDACTED]	PC261.5(c)	approved
[REDACTED]	3/7/2017	[REDACTED]	PC261.5(A)	denied
1/18/2017	3/6/2017	[REDACTED]	PC288(c)(1)	approved
1/18/2017	3/6/2017	[REDACTED]	PC288(c)(1)	approved
1/19/2017	2/9/2017	[REDACTED]	PC288.5	approved
2/1/2017	2/9/2017	[REDACTED]	PC240	approved
2/2/2017	3/15/2017	[REDACTED]	PC285	approved
2/14/2017	3/6/2017	[REDACTED]	PC243.4(A)	approved
2/15/2017	3/10/2017	[REDACTED]	PC296(A)	denied
2/16/2017	4/20/2017	[REDACTED]	PC288(A)	approved
2/28/2017	3/24/2017	[REDACTED]	PC245(A)(1)	approved
3/2/2017	5/22/2017	[REDACTED]	PC211	approved
3/3/2017	5/22/2017	[REDACTED]	PC243e1	approved

3/7/2017	3/10/2017		VC281539(A)	denied
3/17/2017	5/16/2017		PC243(E)(1)	approved
3/20/2017	3/28/2017		PC664	approved
3/28/2017	4/3/2017		P275.5	approved
4/10/2017	6/20/2017		PC273.5	approved
4/17/2017	6/20/2017		PC273.5	approved
4/19/2017	5/21/2017		PC243	approved
4/24/2017	6/20/2017		PC273.5(A)	approved
5/2/2017	6/6/2017		2889a)	approved
5/10/2017	7/10/2017		PC261.59(c)	approved
5/22/2017	7/27/2017		PC273.5(A)	approved
6/2/2017	8/8/2017		PC243(E)(1)	approved
6/2/2017	8/8/2017		PC273.5	approved
6/20/2017	8/30/2017		PC273.5	approved
6/26/2017	7/26/2017		PC2889a)	approved
6/26/2017	8/30/2017		PC243(E)(1)	approved
7/6/2017	9/6/2017		PC288(a)	approved
7/18/2017	7/25/2017	AI	PC273.5	approved
7/31/2017	8/28/2017		PC288	approved
8/21/2017	8/23/2017		PC422	approved
8/25/2017	9/6/2017		PC273.5(a)	approved
8/29/2017	8/30/2017		PC240	denied
8/29/2017	8/30/2017		PC242	denied
9/8/2017	11/6/2017		PC288	approved
9/8/2017	9/14/2017		PC261.5(c)	approved
9/8/2017	9/14/2017		PC2439(E)(1)	approved
9/8/2017	11/3/2017		PC459	approved
9/11/2017	10/16/2017		PC27.5(A)	approved
9/11/2017	11/9/2017		PC273.5	denied
9/11/2017	9/9/2016		PC245(a)(1)	denied
9/13/2017	9/14/2017		PC261.5(c)	approved
9/21/2017	10/2/2017		PC243(E)(1)	approved
9/21/2017	10/2/2017		PC417(A)(1)	approved
9/21/2017	10/2/2017		PC288(A)	approved
9/28/2017	10/4/2017		PC273.5	approved
10/10/2017	12/18/2017		PC240	approved
10/16/2017	12/19/2017		PC273.6(a)	denied
10/16/2017	10/18/2017		PC459	denied
10/30/2017	12/18/2017		PC275.5	approved
11/7/2017	12/4/2017		PC245(a)(1)	approved
11/9/2017	12/18/2017		PC647(l)	denied
11/13/2017	11/14/2017		PC243(e)(1)	approved
11/17/2017	12/18/2017		PC273.5	approved
11/28/2017	2/05/2017		PC246.3	denied
11/30/2017	12/18/2017		PC273.5	approved
11/30/2017	12/18/2017		PC484(A)	approved
11/30/2017	11/30/2017		PC24, PC242	denied
12/7/2017			PC273.5	pending
12/13/2017	12/21/2017		PC245	approved
12/20/2017			PC245	pending
3/16/2017	5/11/2017		PC288(A)	approved

3/16/2017	3/27/2017		PC273.5	approved
Approved 53				
Denied 12				
Pending 2				
Total 67				

If you have any questions or concerns, you may contact me directly at (805) 781-5800.

Sincerely,



Eric J. Dobroth
Assistant District Attorney
San Luis Obispo County

Jul



Stephen M. Wagstaffe, District Attorney COUNTY OF SAN MATEO

KAREN GUIDOTTI
CHIEF CRIMINAL DEPUTY

MORLEY PITT | ALBERT SERRATO
ASSISTANT DISTRICT ATTORNEYS

400 COUNTY CENTER, 3RD FLOOR | REDWOOD CITY | CALIFORNIA 94063 | TEL: (650) 363-4636

January 2, 2018

JAN 19 2018

✓ Secretary of the State
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code section 679.10(1)

Dear Sir or Madam:

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature... [regarding] the number of victims that requested Form I-918 Supplement B certifications" from the San Mateo County District Attorney's Office.

For the 2017 calendar year, two hundred eight (208) individuals requested Form I-918 Supplement B certifications, one hundred sixty-three (163) requests were signed, and five (5) were denied.

Very truly yours,

STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY

By Karen Guidotti
Karen M. Guidotti, Chief Deputy



Jul

U NONIMMIGRANT STATUS CERTIFICATIONS

LEGISLATIVE REPORT

JAN 23 2010

Calendar Year: 2017

Agency Name: Riverside County Sheriff's Department

Address: 4095 Lemon St, Riverside, CA 92501

Records Telephone Number: 951-955-2440

Website: riversidesheriff.org

PETITIONS FOR U NONIMMIGRANT STATUS FORM I-918

Total number of Certifications:	197
Certified:	140
Non-Certified:	57

PETITIONS FOR T NONIMMIGRANT STATUS FORM I-914

Total number of Certifications:	0
Certified:	0
Non-Certified:	0

SS:ym



City of Salinas

POLICE DEPARTMENT • 222 Lincoln Avenue • Salinas, California 93901 • (831) 758-7090

Pub

JAN 23 2018

January 18, 2018

Office of the Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Report to the Legislature – Form I-918

Dear Secretary of the Senate:

Pursuant to California Penal Code Section 679.10 (L) the following reflects the number of victims that requested Form I-918 Supplement B Certifications from the City of Salinas Police Department during the calendar year of 2017.

Requested: 115
Certifications Signed: 96
Certifications Denied: 19

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa N. Laycock".

LISA N. LAYCOCK
Police Records Coordinator

Jul

CITY OF MONTEREY PARK

POLICE DEPARTMENT



West Newmark Avenue • Monterey Park • California 91754-2896
(626) 307-1221 www.montereypark.ca.gov

Jim Smith

Chief of Police

JAN 25 2018

November 10, 2016

U.S. Citizenship and Immigration Services
Victims and Trafficking Unit Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001

Dear Sir or Madam:

I am the Chief of Police of the City of Monterey Park, California. In this capacity, I am the head of the Monterey Park Police Department, located in Los Angeles County, State of California. The Department is a local law enforcement agency that is responsible for investigating crimes committed in the City of Monterey Park, and therefore constitutes a certifying agency, as such term is defined in 8 C.F.R. §214.14(a)(2).

Pursuant to 8 C.F.R. §214.14(a)(3) and 8 C.F.R. §214.14(c)(2)(i), I hereby specifically designate Investigative Lieutenant Bill Cuevas, Investigative Sergeant Rick Munder and Administrative Lieutenant Steve Coday, all of whom have supervisory responsibilities, to sign 1-918 Supplemental B, U Non-immigrant Status Certification forms on my Department's behalf. To the extent permitted, this designation shall apply to these specific, supervisory positions within the Department, in the event the positions are later filled with other personnel. This specific designation shall remain in force until revoked in writing.

Sincerely,

JIM SMITH
CHIEF OF POLICE
Monterey Park Police Department

cc: Karl Berger, Assistant City Attorney

U-VISA - TOTAL PROCESSED FOR VICTIMS IN 2017
ALL WERE APPROVED AND SIGNED FOR THE VICTIM

Case Activity Status	Case ORI	Case Number	Received Date and Time	Completed Date and Time
U-VISA			11/13/2017 15:31:57	11/14/2017 15:31:00
U-VISA			11/13/2017 15:23:45	11/14/2017 15:23:00
U-VISA			11/13/2017 15:07:24	11/27/2017 18:25:00
U-VISA			10/17/2017 10:56:59	10/18/2017 10:56:00
U-VISA			07/26/2017 15:20:00	07/26/2017 15:19:00
U-VISA			07/26/2017 14:27:41	07/27/2017 10:00:00
U-VISA			04/17/2017 15:11:24	04/17/2017 15:11:00
U-VISA			03/15/2017 18:53:35	03/15/2017 18:50:00
U-VISA			03/01/2017 17:57:24	03/14/2017 12:22:00

TOTAL: 9

1/18/2018 3:24:04 PM

JJA

JAN 25 2018



NAPA COUNTY OFFICE OF SHERIFF-CORONER

1535 AIRPORT BOULEVARD
NAPA, CALIFORNIA 94558-6292
(707) 253-4501

Commitment to
Community

JOHN R. ROBERTSON
Sheriff - Coroner

January 1, 2018

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
(electronically)

Office of Legislative Counsel
Indexing Division
925 L St.
Sacramento, CA 95814-370

SUMMARY OF CONTENT:

Pursuant to California Penal Code 679.10, "The Immigrant Victims of Crime Equity Act (SB674)", our agency, Napa County Sheriff's Office, which provides law enforcement services for unincorporated Napa County, as well as the City of American Canyon (American Canyon Police) and the Town of Yountville (Yountville Police) through law enforcement services contracts, is submitting this report regarding U-Visa (I-918 Supplement B) certification request during calendar year 2017. In total, eight (8) U-Visa certification request were sent to our agency and seven (7) were signed and returned to the applicant within the statutorily required 90 days.

Napa County (unincorporated)

No. of U-Visa Certification request received	No of U-Visa Certification request signed by agency authorized rep	No of U-Visa certification Request returned to applicant within 90 days
5*	4	4

City of American Canyon

No. of U-Visa Certification request received	No of U-Visa Certification request signed by agency authorized rep	No of U-Visa certification Request returned to applicant within 90 days
3	3	3

Town of Yountville

No. of U-Visa Certification request received	No of U-Visa Certification request signed by agency authorized rep	No of U-Visa certification Request returned to applicant within 90 days
0	0	n/a

*

The one (1) case that was returned unsigned was accompanied by a letter to the legal representative of the immigrant applicant explaining the reason it could not be signed. The circumstances in that case involved mutual domestic violence in which both parties received minor injuries. There was no prosecution in the matter because u-visa applicant later admitted to lying to law enforcement on the night of the incident and stated she was not in fear of violence. Based on the requirement that the department head, or designee, sign the U-Visa certification "under penalty of perjury" certifying that the applicant was a "victim" of the qualifying crime, "based upon my investigation of the facts of the case," the legal representative was advised that we could not sign this U-Visa certification. It was the only U-Visa certification request that was denied during the 2017 calendar year.

If there are any questions, I can be reached at Napa Sheriff's Department Investigation's Bureau, 707-253-4591.

Respectfully,

Lt. Cullen Dodd for
John R. Robertson
Sheriff Coroner

Jed

**NEVADA COUNTY
SHERIFF'S OFFICE**



KEITH ROYAL
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Date: December 30, 2017

JAN 25 2018

From: Nevada County Sheriff's Department

To: The Secretary of the Senate, the Chief Clerk of the Assembly, and the Office of the Legislative Counsel.

Subject: Report of U nonimmigrant status (U visas) under the Victims of Trafficking and Violence Protection Act of 2000 and in Nevada County.

For calendar year 2017: Zero (0) applications for a U-Visa and Zero (0) applications for T-Visa were made to the Nevada County Sheriff's Office.

State or local agencies required to file reports with the Legislature shall submit a printed copy to the Secretary of the Senate, an electronic copy to the Chief Clerk of the Assembly, and an electronic or printed copy to the Office of Legislative Counsel.

Reports submitted to the Secretary of the Senate should be addressed to:

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Reports submitted to the Chief Clerk of the Assembly should be emailed

to: dotson.wilson@asm.ca.gov
cc amy.leach@asm.ca.gov

cc agency.reports@asm.ca.gov

Reports submitted to the Office of Legislative Counsel should be addressed to: Office of Legislative Counsel

Indexing
Division 925 L
St.

Sacramento, CA 95814-3703

Electronic copies may also be submitted to the Office of Legislative Counsel by email to:

agency.reports@lc.ca.gov



County of Fresno

SHERIFF'S OFFICE
MARGARET MIMS
SHERIFF-CORONER

FEB - 5 2018

January 17, 2018

Re: U-Visa Mandated Data Report per SB 674/PC 679.10

To whom it may concern,

I have been designated as the certifying official for the Fresno County Sheriff-Coroner's Office for all matters pertaining to the U-Visa process. This designation has been given to me by Sheriff Margaret Mims, Sheriff-Coroner of Fresno County.

This is to notify you that the Fresno County Sheriff-Coroner's Office received the following U-Visa certification requests from January 1, 2017 through December 31, 2017:

Total Certification Requests- 128
Total Certifications Signed- 99
Total Certifications Denied- 29

Should you need any assistance, I can be reached at (559) 600-8144 or via email at jeff.kertson@fresnosheriff.org.

Sincerely,

Jeff Kertson, Sergeant
Fresno County Sheriff-Coroner's Office

Serving You Since 1856

Jul

MONTEREY COUNTY

OFFICE OF THE DISTRICT ATTORNEY



DEAN D. FLIPPO
DISTRICT ATTORNEY

January 24, 2018

FEB - 5 2018

Office of the Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Report to the Legislature – Form I-918

Dear Secretary of the Senate:

Pursuant to California Penal Code Section 679.10 (1) the following reflects the number of victims that requested Form I-918 Supplement B Certifications from the Monterey County District Attorney's Office during the calendar year of 2017.

Requested	Certifications Signed	Certifications Denied
253	211	42

Sincerely,

DEAN D. FLIPPO
District Attorney


PAMELA J. PATTERSON
Victim Witness Assistance Program Manager

Jed

OCEANSIDE POLICE DEPARTMENT

FRANK S. McCOY
CHIEF OF POLICE
February 5, 2018

FEB 16 2018

CORE VALUES
Trust
Personal Responsibility
Quality Service
Partnership
Community Safety
Diversity

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
Attn: Daniel Alvarez

Subject: I-918 Supplemental B Request – Reporting Per 679.10(I)

Dear Secretary of the State

In compliance with SB 674/PC 679.10(I) the Oceanside Police Department is providing the following information in regards to receiving I-918 Supplemental B Request:

2017	
Received I-918 Supplemental B Request	57
Certified	54
Declined	3

If you have any questions please contact Records Manager Catherine Osgan
cosgan@ci.oceanside.ca.us or 760-435-4940.

Respectfully,

Frank S. McCoy
Chief of Police

Catherine Osgan
Police Records Manager

Cc:
Chief Clerk of the Assembly
Dotson.Wilson@asm.ca.gov
Amy.Leach@asm.ca.gov

Office of Legislative Counsel
Jim.Lasky@lc.ca.gov

✓ Jul

SACRAMENTO COUNTY



SHERIFF'S DEPARTMENT

SCOTT R. JONES
Sheriff

FEB 16 2018

February 5, 2018

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: 2017 Annual U Visa Report

The Sacramento County Sheriff's Department herewith transmits its report on the number of certification requests signed and denied in accordance with SB 674: Immigrant Victims of Crime Equity Act.

Sacramento County Sheriff's Department received 171 Form I-918 Supplement B requests - 153 have been certified and 14 denied. 4 requests are outstanding and in compliance with SB 674 as to within 90 day processing time.

Total Requests: 171
U Visas Certified: 153
U Visas Denied: 14

Very Truly Yours,

SCOTT JONES, SHERIFF

SRO I Sara Lind
Assistant to Sergeant Tess Deterding
Legal Advisor to the Sheriff

SL:sal

County of Santa Clara

Office of the District Attorney

County Government Center, West Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-7400
www.santaclara-da.org

FEB 16 2018



Jeffrey Rosen
District Attorney

February 6, 2018

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

Re: Report Pursuant to Penal Code section 679.10(l)

To Whom It May Concern:

Pursuant to California Penal Code section 679.10, subdivision (l), please accept this "report to the Legislature...[regarding] the number of victims that requested Form I-918 Form B certifications" from the Santa Clara County District Attorney's Office in 2017.

For the 2017 calendar year, five hundred six (506) individuals requested Form I-918 Form B certifications. We reviewed a total of five hundred eighty-four (584) requests in 2017, including some which were logged in 2016. We signed four hundred eighty-two (482) [82% of] requests. We declined to sign one hundred five (105) [18% of] requests.

Very truly yours,

Jeffrey F. Rosen
District Attorney
Santa Clara County

JFR/dm

31

City of Visalia

Police Administration

303 S Johnson Street, Visalia, CA 93291



(559) 713-4238 Fax (559) 713-4807

February 7, 2018

FEB 16 2018

Daniel Alvarez
Secretary of the Senate
State Capitol, Room 304
Sacramento, CA 95814

RE: U-Visa Statistics for 2016 & 2017

Dear Secretary Alvarez,

Below is the Visalia Police Department U-Visa statistics for the past two years.

YEAR	APPROVED	DENIED
2016	49	12
2017	51	12

If you require any further information please feel free to contact me directly by email at candido.alvarez@visalia.city or by phone at 559-713-4151.

Best regards,

JASON SALAZAR
CHIEF OF POLICE

Candido Alvarez
Professional Standards Bureau Lieutenant

CA/kl



✓ *End*

COUNTY OF SAN LUIS OBISPO
SHERIFF'S OFFICE
 Ian Parkinson *Sheriff-Coroner*

February 14, 2018

FEB 21 2018

SENT VIA US MAIL

Daniel Alvarez
 State Capitol, Room 3044
 Sacramento, CA 95814

Re: California Immigrant Victims of Crime Equity Act – 2016 Required Reporting

Dear Mr. Alvarez:

Listed below are the San Luis Obispo County Sheriff's Office 2017 processed applications for Form I-918, Petition for U Nonimmigrant Status:

Requestor's Name	Date Received	Date Completed	Status
[REDACTED]	08/01/2017	08/07/2017	Approved
[REDACTED]	02/10/2017	02/16/2017	Approved
[REDACTED]	08/11/2017	08/17/2017	Approved
[REDACTED]	09/06/2017	09/20/2017	Denied
[REDACTED]	09/06/2017	09/20/2017	Denied
[REDACTED]	03/01/2017	03/29/2017	Approved
[REDACTED]	03/21/2017	03/29/2017	Approved

If you have any questions or concerns, you may contact me directly at (805) 781-4546.

Sincerely,

Victoria O'Keeffe
 Sheriff's Records Manager



Superior Court of California County of Orange

Lamoreaux Justice Center
Family Law Division
341 The City Drive South
P.O. Box 14169
Orange, CA 92683-1569

FEB 26 2018

January 31, 2018

Re: Report on U Nonimmigrant Status Visa Petitions

Dear Mr. Daniel Alvarez

Pursuant to Penal Code § 679.11, U visas allow noncitizen victims of qualifying criminal activity to reside lawfully in the United States on a temporary basis. To qualify, noncitizens must establish that they suffered substantial physical or mental abuse, were the victim of a qualifying criminal activity, and were helpful in the investigation or prosecution of the criminal activity. Victims may request a U visa by completing *Form I-918 Supplemental B* and state court judges are required to fully complete and sign the form.

Effective January 1, 2017, and annually thereafter, a report must be submitted that includes:

- The number of victims that requested *Form I-918 Supplemental B* certifications
- The number of those certification forms that were signed, and
- The number that were denied

The Orange County Superior Court, Family Law Division received thirty-seven *I-918 Supplemental B* requests in 2017. Unfortunately, information on the total number of forms that were signed and denied is unavailable for the 2017 reporting period. Our case management system was recently updated to capture the number of requests that were received, signed, and denied. The required information and a copy of the 2018 report will be uploaded to our Court's public website in January 2019.

Should you have any questions, you may contact me at (657) 622-6128 or cbeltran@occourts.org.

Sincerely,

Cynthia Beltran
Administrative Analyst
Orange County Superior Court

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director

1515 Clay Street, 17th Floor

Oakland, CA 94612

Tel: (510) 286-7087 Fax: (510) 622-3265



MAR - 7 2018

March 6, 2018

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Division of Labor Standards Enforcement, Department of Industrial Relations U Visa
Certification Request Report (CY 2017) to the Legislature

To Whom It May Concern:

Enclosed is the annual U Visa Certification Request Report which was sent to your office via GSO on February 27, 2018.

According to the tracking number #539605242, it was received there on February 28, 2018. For reasons that are unclear, the report was then mailed from your office to the Department of Real Estate (address: 1515 Clay Street Suite 702, Oakland), who returned it to us here in the Office of the Director (Suite 1700).

Because it is unknown whether the report was received, we are re-sending it to your office.

Please let us know if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Yukako Matsunaga".

Yukako Matsunaga
Associate Governmental Program Analyst
Office of the Director
Department of Industrial Relations

DEPARTMENT OF INDUSTRIAL RELATIONS

Christine Baker, Director
Office of the Director
1515 Clay Street, 17th Floor
Oakland, CA 94612
Tel: (510) 286-7087 Fax: (510) 622-3265



February 26, 2018

Daniel Alvarez, Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

E. Dotson Wilson, Chief Clerk of the California State Assembly
State Capitol, Room 3196
P.O. Box 942849
Sacramento, CA 94249

Diane F. Boyer-Vine, Legislative Counsel
State Capitol, Suite 3021
Sacramento, CA 95814

Subject: Division of Labor Standards Enforcement, Department of Industrial Relations U Visa Certification Requests Report (CY 2017) to the Legislature

Pursuant to California Penal Code Section 679.10 (1) and SB 674 (2015), beginning in calendar year 2016 and annually thereafter, the Division of Labor Standards Enforcement is required to report the following data to the Legislature: (1) the number of requests we have received to provide "certification" for a U visa petition; (2) the number of certifications that were signed; and (3) the number of requests for certification that were denied. In response to this request, the Department of Industrial Relations is pleased to submit this report. Please contact us with any questions or feedback you would like to share.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christine Baker".

Christine Baker, Director

DEPARTMENT OF INDUSTRIAL RELATIONS

Headquarters Office
1515 Clay Street, Ste. 401
Oakland, CA 94612
Tel: (510) 285-2119 Fax: (510) 285-1365

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603



Julie A. Su
California Labor Commissioner
Division of Labor Standards Enforcement

January 2018

Pursuant to California Penal Code Section 679.10 (I), the Division of Labor Standards Enforcement of the Department of Industrial Relations submits the following report to the Legislature for calendar year (CY) 2017:

Division of Labor Standards Enforcement
U Visa Certification Requests (CY 2017)

Number of certification requests received in CY 2017	13*
Number of certifications signed in CY 2017	7
Number of requests denied in CY 2017	5

*This number includes any certification requests received in 2017 but still pending determination for signature or denial.

Respectfully submitted,

Julie A. Su
Labor Commissioner

Jul

CAL POLY

SAN LUIS OBISPO

University Police

MAR 22 2018

March 14, 2017

SENT VIA US MAIL

Daniel Alvarez
State Capitol, Room 3044
Sacramento, CA 95814

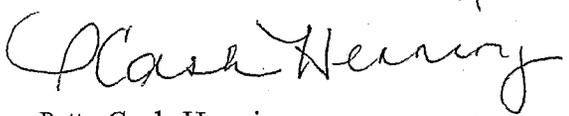
RE: California Immigrant Victims of Crime Equity Act – 2017 Required Reporting

Dear Mr. Alvarez:

I was informed by Chief George Hughes that Cal Poly State University San Luis Obispo Police Department processed one (1) application/petition for U Nonimmigrant Status for 2017. It was dated March 6, 2017. However, we did not receive it until March 8, 2017. Subject is _____ It was denied on March 16, 2017 after meeting with him and discussing the reasons for the denial with him.

If you have any questions, please contact me at (805) 756-6685

Sincerely,



Patty Cash-Henning
Communications & Records Manager
University Police Department

Jy

MAR 10 2018



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN
DISTRICT ATTORNEY

March 22, 2018

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report Pursuant to Penal 679.10(1)

Dear Sir or Madame,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature... [regarding] the number of victims that requested Form I-918 Form B certifications" from the Riverside County District Attorney's Office.

For the 2017 calendar year, the Riverside County District Attorney's Office processed one hundred and seventy seven (177) requested Form B certifications. Of those, one hundred and forty three (143) [81%] were certified and thirty four (34) [19%] were denied. Fifty six [56] applications were submitted with incomplete applications or insufficient information provided for us to process the request and were returned to the applicant with requests for additional information.

Very truly yours,

MICHAEL A. HESTRIN
District Attorney

JOHN AKI
Chief Assistant District Attorney

Jal

APR - 2 2018



Tulare County
SHERIFF

Proudly Serving Since 1852

Office of
MIKE BOUDREAUX
Sheriff-Coroner
2404 W. Burrel Ave
Visalia, CA 93291-4580
(559) 636-4716

February 26, 2018

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814
Attn: Daniel Alvarez
Subject: I-918 Supplemental B Request – Reporting Per 679.10(I)

Dear Secretary of Senate

In compliance with SB 674/PC 679.10(I) the Tulare County Sheriff Department is providing the following information in regards to receiving I-918 Supplemental B Requests:

2017

- Received I-918 Supplemental B Requests 122 Requests
- Certified 120
- Declined 2

- If you have any questions please contact Records Supervisor Lisa Brown lbrown@co.tulare.ca.us or 559 636 4738.

Respectfully

Mike Boudreaux,
Sheriff, Coroner

Lisa Brown
Records Supervisor

- CC:
- Chief Clerk of the Assembly
Dotson.wilson@asm.ca.gov
 - Amy.Leach@asm.ca.gov
 - Agency.reports@asm.ca.gov

Office of Legislative Counsel
Agency.reports@lc.ca.gov
Jim.lasky@lc.ca.gov

Jy

APR 10 2018



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE

MICHAEL A. HESTRIN
DISTRICT ATTORNEY

March 22, 2018

Secretary of the Senate
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report Pursuant to Penal 679.10(1)

Dear Sir or Madame,

Pursuant to California Penal Code section 679.10, subdivision (1), please accept this "report to the Legislature... [regarding] the number of victims that requested Form I-918 Form B certifications" from the Riverside County District Attorney's Office.

For the 2017 calendar year, the Riverside County District Attorney's Office processed one hundred and seventy seven (177) requested Form B certifications. Of those, one hundred and forty three (143) [81%] were certified and thirty four (34) [19%] were denied. Fifty six [56] applications were submitted with incomplete applications or insufficient information provided for us to process the request and were returned to the applicant with requests for additional information.

Very truly yours,

MICHAEL A. HESTRIN
District Attorney


JOHN AKI
Chief Assistant District Attorney

Todd D. Riebe
District Attorney
Robert R. Trudgen
Chief Assistant District Attorney

Criminal Division (209) 223-6444
Facsimile (209) 223-6304
Investigations (209) 223-6444
Victim Witness (209) 223-6474



April 23, 2018

Secretary of the State
California State Capitol, Room 3044
Sacramento, CA 95814

MAY - 3 2018

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code § 679.10(l)

To whom it may concern:

Pursuant to California Penal Code section 679.10, subdivision (l), please accept the following report from the Amador County District Attorney's Office regarding Form I-918 Supplement B certifications for the 2017 calendar year.

Requests: 0
Signed: 0
Denied: 0

Very truly yours,

TODD D. RIEBE
DISTRICT ATTORNEY


Robert R. Trudgen
Chief Assistant District Attorney

Jed



Whittier Police Department

Quality People - Quality Service

Serving the Communities of Whittier and Santa Fe Springs

April 24, 2018

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA. 95814

MAY - 3 2018

Dear Mr. Alvarez,

Pursuant to California Government Code 9795 and Penal Code 679.10(I), the Whittier Police Department is submitting this report to the California State Legislature stating we received 19 requests for Form I-918 Supplement B certifications (U-Visa) for 2017; 17 were signed and two were denied.

Should you have any additional questions pertaining to this information, please contact Lt. Michael Przybyl at (562) 567-9266 or by email at mprzybybl@cityofwhittier.org.

Sincerely,

Jeff A. Piper
Chief of Police



CITY OF TORRANCE

Jed

POLICE DEPARTMENT

EVE R. IRVINE
CHIEF OF POLICE

JUN - 5 2018

May 31st, 2018

The following information is pursuant to Penal Code §679.10 and Penal Code §679.11 regarding U Visa and T Visa reporting between January 1st, 2017 and December 31st, 2017.

T Visa:

Number of victims requesting the visa- 0

Number of signed visas- 0

Number denied- 0

U Visa:

Number of victims requesting the visa- 11

Number of signed visas- 9

Number denied- 2

For any additional information, please call (310)618-5570

Sincerely,

Sergeant Patrick Hunt # 17370

Detective Division

Crimes Persons Section

Jd



CITY OF FULLERTON

Police Department

David Hendricks, Chief of Police

JUN 12 2018

June 5, 2018

Daniel Alvarez, Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Dear Sir:

Enclosed please find a list of U-Visa certifications for 2017 that were requests made to our police department and the disposition of each request.

Sergeant John Ema
Family Crimes Unit
Fullerton Police Department
Office (714) 738-6580
jema@fullertonpd.org

Date	Case No	Last Name	First Name	Date Received	Granted X	Rejected X
1/12/2017	[REDACTED]	[REDACTED]	[REDACTED]	1/12/2017	X	
1/27/2017	[REDACTED]	[REDACTED]	[REDACTED]	1/27/2017	X	
2/3/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/3/2017	X	
2/3/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/3/2017	X	
2/9/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/9/2017	X	
2/10/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/10/2017	X	
2/10/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/10/2017	X	
2/13/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/6/2017	X	
2/13/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/13/2017	X	
3/6/2017	[REDACTED]	[REDACTED]	[REDACTED]	2/22/2017	X	
3/14/2017	[REDACTED]	[REDACTED]	[REDACTED]	3/14/2017	X	
3/15/2017	[REDACTED]	[REDACTED]	[REDACTED]	3/15/2017		X
3/22/2017	[REDACTED]	[REDACTED]	[REDACTED]	3/22/2017	X	
3/27/2017	[REDACTED]	[REDACTED]	[REDACTED]	3/27/2017		X
3/30/2017	[REDACTED]	[REDACTED]	[REDACTED]	3/30/2017	X	
4/7/2017	[REDACTED]	[REDACTED]	[REDACTED]	4/7/2017	X	
5/18/2017	[REDACTED]	[REDACTED]	[REDACTED]	4/24/2017	X	
6/12/2017	[REDACTED]	[REDACTED]	[REDACTED]	6/2/2017	X	
6/15/2017	[REDACTED]	[REDACTED]	[REDACTED]	6/15/2017	X	
6/15/2017	[REDACTED]	[REDACTED]	[REDACTED]	6/12/2017	X	
8/7/2017	[REDACTED]	[REDACTED]	[REDACTED]	8/7/2017		X
9/5/2017	[REDACTED]	[REDACTED]	[REDACTED]	9/5/2017	X	
9/5/2017	[REDACTED]	[REDACTED]	[REDACTED]	9/5/2017		X
9/7/2017	[REDACTED]	[REDACTED]	[REDACTED]	9/7/2017		X
9/28/2017	[REDACTED]	[REDACTED]	[REDACTED]	9/28/2017	X	
10/5/2017	[REDACTED]	[REDACTED]	[REDACTED]	10/5/2017	X	
10/5/2017	[REDACTED]	[REDACTED]	[REDACTED]	10/5/2017	X	
10/23/2017	[REDACTED]	[REDACTED]	[REDACTED]	10/23/2017	X	
11/7/2017	[REDACTED]	[REDACTED]	[REDACTED]	11/7/2017	X	
11/13/2017	[REDACTED]	[REDACTED]	[REDACTED]	11/13/2017	X	
11/21/2017	[REDACTED]	[REDACTED]	[REDACTED]	11/21/2017	X	
12/20/2017	[REDACTED]	[REDACTED]	[REDACTED]	12/20/2017	X	

5-1



JUN 12 2018

May 31, 2018

**City of Modesto
Police Department**
600 Tenth Street
Modesto, CA 95354
(209) 572-9500
(209) 523-4082 Fax

Daniel Alvarez, Secretary of the Senate
State Capitol Room 3044
Sacramento, CA 95814

Re : 2017 U-Visa Information, Modesto Police Department

*Hearing and Speech
Impaired Only
TDD (209) 526-9211*

Dear Mr. Alvarez,

It has come to my attention that the Modesto Police Department may not yet have reported U-Visa numbers for the year 2017. In the 2017 calendar year the Modesto Police Department received 75 U-Visa requests. Of these, 57 were approved and 18 were denied.

Office of the Chief
(209) 572-9501
(209) 572-9669 Fax

Respectfully,

Support Division
(209) 342-9164
(209) 572-9669 Fax

Brian Kleiber, Sergeant
Modesto Police Department Investigative Division

Operations Division
(209) 572-9565
(209) 572-9656 Fax

Investigations Division
(209) 572-9551
(209) 572-0741 Fax

Jud

JUL 12 2018

July 10, 2018

Superior Court of California, County of San Francisco
400 McAllister Street, Room 205
San Francisco, CA 94102
mcorriere@sftc.org
www.sfsuperiorcourt.org

Mr. Daniel Alvarez,
Secretary of the Senate
State Capitol, Room 400
Sacramento, CA 95814

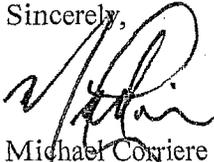
Dear Mr. Alvarez:

Pursuant to Penal Code sections 679.10 and 679.11, the San Francisco Superior Court, as a certifying entity that receives requests for U Nonimmigrant Status Visa petitions and T Nonimmigrant Status Visa petitions, hereby submits its attached annual reports on:

1. The number of Form I-918 Supplement B certifications requested, signed, and denied; and
2. The number of Form I-914 Supplement B declarations requested, signed, and denied.

This report can be found online at: <https://www.sfsuperiorcourt.org/divisions/criminal/uvisa>.

Sincerely,



Michael Corriere
Principal Management Analyst
Superior Court of California, County of San Francisco

Enclosures

CC: Mr. E. Dotson Wilson, Chief Clerk of the Assembly (via email)

San Francisco Superior Court U Nonimmigrant Status Visa Petition Form I-918 Supplement B Certifications

Year	Number Requested	Number Signed	Number Denied
CY 2016	0	0	0
CY 2017	3	3	0

San Francisco Superior Court T Nonimmigrant Status Visa Petition Form I-914 Supplement B Declarations

Year	Number Requested	Number Signed	Number Denied
CY 2017	0	0	0

Source: Superior Court of California, County of San Francisco

Jed

July 23, 2018

AUG - 1 2018



DISTRICT ATTORNEY
LARRY D. MORSE II

550 W. Main Street
Merced, CA 95340
Phone (209) 385-7381
Fax (209) 725-3669

Chief Deputy District Attorney
HAROLD L. NUTT

Chief Deputy District Attorney
ROBERT O. CARROLL

Director of Administrative Services
JEANNETTE M. PACHECO

INVESTIGATIONS

Chief Investigator
WILLIAM K. OLSON

VICTIM WITNESS
(209) 385-7385

Victim Witness Program Director
LISA DeSANTIS

LOS BANOS DIVISION

445 I Street
Los Banos, CA 93635
Phone (209) 710-6070
Fax (209) 827-2029

Secretary of the State
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

Re: Penal Code Section 679.10(1)

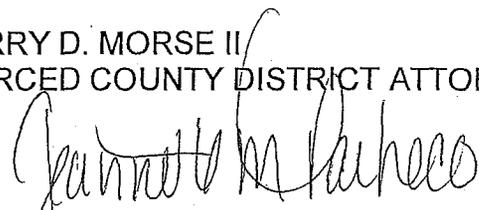
Dear Sir or Madam:

Pursuant to California Penal Code Section 679.10, subdivision (1), please accept this as our report to the Legislature regarding the number of victims requesting Form I-918 Supplement B certification from the Merced County District Attorney's Office.

In the 2017 calendar year, forty (40) individuals requested Form I-918; twenty-two (22) requests were signed and eighteen (18) were not signed.

Sincerely,

LARRY D. MORSE II
MERCED COUNTY DISTRICT ATTORNEY

By 
Jeannette M. Pacheco
Administrative Services Director

/jmp



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Jud

Diana Becton
DISTRICT ATTORNEY

September 10, 2018

RECEIVED

SEP 19 2018

Secretary of the Senate

Secretary of the State
California State Capitol, Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol, Suite 3021
Sacramento, CA 95814

RE: Report pursuant to Penal Code Section 679.10(1)

Dear Sir or Madam

Pursuant to California Penal Code Section 679.10, subdivision (1), please accept this "report to the Legislature regarding the number of victims that requested Form I-918 Supplement B Certifications" from the Contra Costa County District Attorney's Office.

We have a new case management system. Due to on-going growth and application of our newer Case Management System, we have had problems tracking statistics so our calculations regarding the number of Form I-918 Supplement B certifications received and approved and denied is not accurate.

For the 2017 calendar year, our records show that one hundred twenty-two (122) individuals requested Form I-918 Supplement B certifications. Twenty-two request were signed and six (6) were denied. Again, these numbers are not accurate.

We are continuing to work to improve our tracking system so that we will be able to provide more accurate information in the future.

Sincerely

Daniel J. Cabral
Assistant District Attorney

Jud



County of San Bernardino
Office of the District Attorney

MICHAEL A. RAMOS, District Attorney

November 9, 2018

Daniel Alvarez
Secretary of the Senate
California State Capitol
Room 3044
Sacramento, CA 95814

Chief Clerk of the Assembly
California State Capitol
Sacramento, CA 95814

Legislative Counsel
California State Capitol
Suite 3021
Sacramento, CA 95814

RECEIVED

NOV 26 2018

Secretary of the Senate

RE: annual U-Visa (federal Form I-918 Supplement B certifications) report per Penal Code 679.10(1) for 2017

Dear Sir of Madam:

Pursuant to California Penal Code section 679.10(1), please accept this "report to the Legislature...[regarding] the number of individuals that requested "federal Form I-918 Supplement B certifications" from the San Bernardino County District Attorney's Office.

For the 2017 calendar year, approximately one hundred and eighty-seven (187) individuals requested federal Form I-918 Supplement B certifications, one hundred and twenty-two (122) were signed, and forty-two (42) were denied.

Thank you.

Sincerely,

MICHAEL A. RAMOS
District Attorney

By 
Gary S. Roth
Assistant District Attorney

Criminal Law

Criminal Law

City, ZIP code, or county

FIND YOUR LAWYER

[FINDLAW \(HTTPS://WWW.FINDLAW.COM/\)](https://www.findlaw.com/) / [LEARN ABOUT THE LAW \(HTTPS://PUBLIC.FINDLAW.COM/\)](https://public.findlaw.com/) / [CRIMINAL LAW \(HTTPS://CRIMINAL.FINDLAW.COM/\)](https://criminal.findlaw.com/) / [CRIMINAL LEGAL HELP \(HTTPS://CRIMINAL.FINDLAW.COM/CRIMINAL-LEGAL-HELP.HTML\)](https://criminal.findlaw.com/criminal-legal-help.html) / [CALIFORNIA DISTRICT ATTORNEYS](#)

California District Attorneys

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State District Attorneys (or "D.A.s") are responsible for filing state criminal charges against suspects within their designated district -- typically one or more counties. When the D.A. files the "[information \(https://dictionary.findlaw.com/definition/information.html\)](https://dictionary.findlaw.com/definition/information.html)" or a grand jury decides to [indict a suspect \(https://criminal.findlaw.com/criminal-procedure/what-is-an-indictment.html\)](https://criminal.findlaw.com/criminal-procedure/what-is-an-indictment.html), the state's criminal case formally begins. In California, each county comprises a district.

If you're negotiating a [plea bargain \(https://criminal.findlaw.com/criminal-procedure/plea-bargains-overview.html\)](https://criminal.findlaw.com/criminal-procedure/plea-bargains-overview.html) or have other valid reasons to contact the D.A.'s office, it's best to do so with the advice and counsel of your attorney. After all, you don't want to give away your defense strategy or reveal anything that can be used against you at trial.

Below you'll find information about the California Attorney General and California District Attorneys, as well as contact information.

California Attorney General

The [California Attorney General \(https://oag.ca.gov/\)](https://oag.ca.gov/) (or "A.G.") is the highest ranking prosecutor and law enforcement officer in the most populous state in the union. While District Attorneys file criminal charges within their respective district, the A.G. represents the state in matters of litigation and enforces consumer protection laws, among other duties.

Directory of California District Attorneys

Each county in California is its own judicial district, with a D.A.'s office filing criminal charges against suspects. If you need more information about your local D.A. or need to get in touch with their office for any reason, click on the corresponding link below.

[Alameda County District Attorney \(http://www.alcoda.org/\)](http://www.alcoda.org/)[San Diego County District Attorney \(http://www.sdccda.org/\)](http://www.sdccda.org/)[Alpine County District Attorney \(http://www.alpinecountyca.gov/index.aspx?NID=189\)](http://www.alpinecountyca.gov/index.aspx?NID=189)[San Francisco County District Attorney \(http://www.sfdistrictattorney.org/\)](http://www.sfdistrictattorney.org/)

Amador County District Attorney (http://www.co.amador.ca.us/government/district-attorney).	San Joaquin County District Attorney (http://www.co.san-joaquin.ca.us/da/).
Butte County District Attorney (http://www.buttecounty.net/da/).	San Luis Obispo County District Attorney (http://www.slocounty.ca.gov/DA.htm).
IM/) Calaveras County District Attorney (http://districtattorney.calaverasgov.us/).	San Mateo County District Attorney (http://www.co.sanmateo.ca.us/smc/departments/da/home/0,,14094689_1409940)
Colusa County District Attorney (http://colusada.net/index.htm).	Santa Barbara County District Attorney (http://www.countyofsb.org/da/).
Contra Costa County District Attorney (http://www.contracostada.org/).	Santa Clara County District Attorney (http://santaclara-da.org/).
Del Norte County District Attorney (http://www.co.del-norte.ca.us/departments/district-attorney).	Santa Cruz County District Attorney (http://datinternet.co.santa-cruz.ca.us/).
El Dorado County District Attorney (http://www.edcgv.us/ELDODA/).	Shasta County District Attorney (http://www.da.co.shasta.ca.us/).
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Inyo County	Sheriff Jeff Hollowell	760-878-0383	http://www.inyocounty.us/Sheriff/
Kern County	Sheriff Donny Youngblood	661-391-7500	http://www.kernsheriff.org
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San Diego County	Sheriff William Gore	858-974-2240	http://www.sdsheriff.net
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Social Services

Reporting | Report Abuse | Child Protective Services | Report Child Abuse

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If you suspect that a child's health or safety is jeopardized due to abuse or neglect by parents or other caretaker who has custody of the child, contact the child protective services agency in your county. These 24-hour Hotlines are staffed by trained social workers.

If you are reporting suspected child abuse or neglect regarding children in another county please contact that county's child protective services agency.

California County Emergency Response Child Abuse Reporting Telephone Numbers

Alameda County	(510)-259-1800
Alpine County	(530)-694-2235
Amador County	(209)-223-6550 – Mon thru Thurs 8:00-5:00 (209)-223-1075 – After hours
Butte County	(530)-538-7882 (800)-400-0902 – 24 hours
Calaveras County	(209)-754-6452 (209)-754-6500 – After hours
Colusa County	(530)-458-0280
Contra Costa County	(925)-646-1680 – Central (510)-374-3324 – West (925)-427-8811 – East (877)-881-1116
Del Norte County	(707)-464-3191
El Dorado County	(530)-642-7100 – Placerville (530)-573-3201 – South Lake Tahoe
Fresno County	(559)-255-8320
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Kings County	(559)-582-3241 – 8:00-5:00 (559)-582-8776 – After hours (866)-582-8776
Lake County	(707)-262-0235 (800)-386-4090
Lassen County	(530)-251-8277 (530)-257-6121 (530)-310-3682 – After hours
Los Angeles County	(800)-540-4000 – Within CA (213)-639-4500 – Outside CA (800)-272-6699 – TDD Online Reporting: https://reportChildAbuseLA.org
Madera County	(559)-675-7829 (800)-801-3999
Marin County	(415)-473-7153
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Merced County	(209)-385-3104
Modoc County	(530)-233-6602 (866)-233-4424



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Nevada County	(530)-273-4291 – 24 hour
Orange County	(714)-940-1000 (800)-207-4464
Placer County	(916)-872-6549 (866)-293-1940
Plumas County	(530)-283-6300 – Sheriff Office (530)-283-6350 (800)-242-3338 – Toll free
Riverside County	(800)-442-4918 (877)-922-4453
Sacramento County	(916)-875-5437
San Benito County	(831)-636-4190 (831)-636-4330 – After hours Police
San Bernardino County	(909)-384-9233 (800)-827-8724
San Diego County	(858)-560-2191 (800)-344-6000
San Francisco County	(415)-558-2650 (800)-856-5553
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Sierra County	(530)-289-3720 (530)-993-6720
Siskiyou County	(530)-841-4200 (530)-842-7009 – 24 hour hot line
Solano County	(800)-544-8696
Sonoma County	(707)-565-4304 (800) 870-7064
Stanislaus County	(209)-558-3665 (800)-558-3665
Sutter County	(530)-822-7227
Tehama County	(530)-527-1911 (800)-323-7711
Trinity County	(530)-623-1314
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Police Quarterly

Municipal Contracting With County Sheriffs for Police Services in California: Comparison of Cost and Effectiveness

Peter J. Nelligan PhD, William Bourns, PhD

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Abstract

Rather than having a traditional, municipal police department nearly 30% of the 478 cities in California contract with their county sheriff for police services. The usual rationale is that contracting with the sheriff costs less than establishing and operating a city police department. This research investigates this issue by analyzing expenditure, crime, and other relevant data covering the 5-year period 2001-2005. It poses and answers the following questions: (1) Are the cities that contract (contract cities) similar to the cities that have their own police departments (department cities) on a range of characteristics that may affect the cost of policing? (2) Do statewide data show the claimed cost differential? (3) Are there differences in comparative costs between or within regions and counties in the state? and (4) Does contracting cost less because of less effective policing as measured by percentages of violent and property crimes cleared? Contract cities are newer, less populous, less dense, wealthier, have less business activity, have lower numbers and rates of reported crime, and have fewer arrests. It is suggested that there is less police work in the contract cities, and that may affect cost. Mean annual per capita police expenditures are much lower in the contract cities statewide, in both the northern and southern regions, and in three of the four southern California counties where contracting is most prevalent. Finally, contract cities have on average significantly higher clearance rates for violent crimes than department cities (especially in Los Angeles County) and the same clearance rates for property crimes. It does not appear that

contract cities are paying less because they are getting lower quality police service, at least as measured by crime clearances. Suggestions are made for further research on the contracting phenomenon.

Keywords

[police](#), [sheriffs](#), [contracting](#), [police consolidation](#)

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U-Visa

U-Visa Certifications: If You Have Been Denied U-Visa Certification During The Application Process, We Encourage You To Resubmit Your Application To The Oakland Police Department

What is a U-Visa?

The U-Visa was created to provide temporary immigration benefits to aliens who are victims of qualifying criminal activity, and to their qualifying family members, as appropriate.

The U-Visa is available to illegal immigrants who have met each of the five points below:

1. Has been the victim of one or more qualifying crimes;
2. Has suffered substantial physical or mental abuse as a result of having been a victim of one or more qualifying crimes;
3. Has useful information concerning the crime which occurred;
4. Has helped, or is likely to help, in the investigation or prosecution of the crime; and

5. The crime committed violated the laws of the United States or occurred in the United States.

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What Are Qualifying Crimes?

The serious crimes listed in the table below are qualifying crimes. If you have been a victim of one or more of these crimes and cooperate with authorities, you may be eligible to apply for a U-Visa.

<ul style="list-style-type: none"> * Abduction * Abusive sexual contract * Blackmail * Domestic violence * Extortion * False imprisonment * * Felonious assault * Female genital mutilation * Fraud in foreign labor contracting 	<ul style="list-style-type: none"> * Hostage * Incest * Involuntary servitude * Kidnapping * Manslaughter * Murder * Obstruction of justice * Peonage * Perjury 	<ul style="list-style-type: none"> * Prostitution * Rape * Sexual Assault * Sexual Exploitation * Stalking * Torture * Human Trafficking * Unlawful Criminal Restraint * Witness Tampering * Attempt, Conspiracy or Solicitation to Commit any of the above Crimes
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The U-Visa is a form of witness protection. It is a non-immigrant, temporary visa, which allows a victim who has suffered substantial physical or mental abuse from certain crimes (specified in federal law), and who provides information that has, is, or will assist law enforcement in the investigation or prosecution of the crimes, to remain in the United States for up to 4 years. An immigrant granted a U-Visa will subsequently be given legal status to live and work in the United States.

The City of Oakland and the Oakland Police Department have been staunch supporters of the U-Visa program since it started back in 2007. The U-Visa program furthers the City's humanitarian policies of providing refuge to victims of human rights violations and crimes abroad.

We would like to encourage community members, especially those who are non-documented and in fear of deportation, that they can come forward to report crime and seek our assistance with the U-Visa program.

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- The crime could have occurred in the United States to a victim who is a tourist or has some other type of limited duration visa.
- It could have been perpetrated on a person who has entered this country without a visa, as the City has seen in cases of "amigo checking" or child prostitution.
- The crime might even have completely occurred abroad, but violate the United States law, such as when a United States citizen engages in child prostitution or human trafficking while in a foreign country. In such a case,
- the victim would need to be brought to the United States to assist in the investigation or prosecution.



Need More Information? Contact OPD Youth & Family Services Section (510) 238-3641

What is the Purpose of a U-Visa?

The law gives law enforcement agencies the ability to investigate and prosecute certain types of criminal cases, including domestic violence, sexual assault, trafficking of aliens and other crimes, while at the same time offering protection to victims of such crimes.

The law also helps law enforcement agencies provide assistance to immigrants who are victims of crime.

How to Apply for a U-Visa

The U-Visa program normally begins with a request being received by OPD, usually through the victim's advocate and/or attorney. The Department's role is to certify that

- The U-Visa applicant is the victim of a qualifying crime
- The applicant is, has been, or is likely to be helpful in the investigation or prosecution of the criminal activity

U-Visa applications must be mailed (with a self-addressed stamped envelope) to:

**Special Victims Section
U-Visa Oakland Police Department
455 7th Street Oakland, CA 94607**

Depending on the final disposition of the assessment of "helpfulness," the Department will issue a Law Enforcement Certification (USCIS Form I-918) or deny the request. It is then up to the U-Visa applicant to submit his/her U-Visa application, including the Certification of Assistance, to the United States Citizenship and Immigration Service (USCIS) for processing.

All U-Visas must be filed by the applicant and filed with Immigration at the Vermont Service Center, 75 Lower Welden Street, St. Albans, VT 05479. The law enforcement agency does not submit the application.

What is a law enforcement certification?

An immigrant who is the victim of one of the listed crimes must obtain a certification from a federal, state, or local law enforcement agency, or a prosecutor, judge, or other authority, which is responsible for the investigation or prosecution of the crime. Other agencies such as Child Protective Services, the Equal Employment Opportunity Commission and the Department of Labor can also issue a certification.

You may obtain a Law Enforcement Certification from the Oakland Police Department.

Contact OPD Youth & Family Services Section (510) 238-3641

Is there a form for the law enforcement certification?

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Yes. The U Nonimmigrant Status (Form I-918, Supplement B) is a USCIS form which must be completed and signed by the agency or authority responsible for the investigation or prosecution. The person completing and signing the I-918 must either be:

- The head of the agency, or
- A supervisor designated by the agency and authorized to issue a certification on behalf of the agency.

Legal Contacts - Free to Qualifying Clients

API Legal Outreach 1121 Mission St. San Francisco, CA 94103 (415) 567-6255	Bay Area Legal Aid 1735 Telegraph Avenue Oakland, CA 94612 (510) 250-5270	Catholic Charities 433 Jefferson Street Oakland, CA 94607 (510) 763-3100
Centro Legal de la Raza 2501 International Blvd Oakland, CA 94601 (510) 437-1554	East Bay Sanctuary Covenant 2362 Bancroft Way Berkeley, CA 94704 (510) 540-5296	IIBA: Instituto Internacional 405 14th street, Suite 500 Oakland, CA 94612 (510) 451-2846
Immigration Center for Women and Children 3543 18th Street San Francisco, CA 94110 (415) 861-1449		

Are Family Members Eligible?

A family member of a U-Visa applicant cannot apply for a U-Visa on his or her own behalf. However, the U-Visa applicant can file a petition on behalf of family members:

- If the U-Visa applicant is less than 21 years of age, the applicant can file for or her spouse, children, unmarried siblings under 18, and parents.
- If the U-Visa applicant is 21 or older, he or she can file for his or her spouse and the applicant's children.

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The applicant must file Form I-918, Supplement A, for qualifying family members.

Can an Application be Made from Outside the United States?

Yes. Immigrants who are victims of a qualifying crime, and their family members, can apply for a U-Visa either from outside the United States, as long as the qualifying crime was committed either:

- while the immigrant was in the United States
- or by a United States citizen.

The immigrant and family members will file for the U-Visa with the U.S. Embassy or Consulate in the immigrant's country.

Is there a Limit on the Number of U-Visas Immigration Can Approve?

Yes. Immigration may grant no more than 10,000 U-Visas in any fiscal year (October 1 through September 30). The limit does not apply to spouses, children, parents, and unmarried siblings who are accompanying or following to join the principal alien victim.

If the cap is reached in any fiscal year before all petitions are adjudicated, Immigration will create a waiting list.

Applicants placed on the waiting list will be given deferred action (they will be eligible to apply for employment authorization and permitted to travel) until their petitions can be adjudicated after the start of the following fiscal year.

How long can an immigrant have a U-Visa?

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U-Visa status cannot exceed 4 years. After 3 years, an immigrant in U-Visa status can apply for permanent resident status (Green Card).

Can an immigrant granted U-Visa status eventually apply for permanent resident status (Green Card)?

Yes. The immigrant must have been physically present in the U.S. for a continuous period of at least 3 years since the date of the issuance of the U-Visa. In addition, Immigration must determine that the immigrant's continued presence in the United States should be granted on humanitarian grounds in order to keep family unity, or is otherwise in the best interest of the public.

Deadline?

There is no deadline for immigrants who are applying for U-Visa relief.

I am the victim of a crime with a deportation order issued by Immigration. Can I apply for a U-Visa?

Yes. You are still eligible to apply for a U-Visa even if you have a deportation order.

Once the U-Visa is approved, you will need to file a motion to reopen the deportation order with the Immigration Court. Alternatively, if you are about to be ordered deported, you must file a Stay to the deportation.

Are There Filing Fees?

No. There is no filing fee for applicants for the U-Visa or for qualifying family members. However, applicants and qualifying family members must pay the fingerprinting fee for each person ages 14 – 79 included with each petition. The fingerprinting fee is currently \$80 per person.

Petitioners who are financially unable to pay the fingerprinting services fee may submit an application for a fee waiver.

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Do I Need to File an Application Now If I Was Granted Interim U-Visa Relief Prior to 2008?

Yes. Immigrants granted interim U-Visa relief should have completed and filed Form I-918 prior to April 14, 2008. However, an immigrant granted interim relief does not have to file I-918 Supplement B (Certification from a Qualifying Agency).

U-Visa Appeals

The chart below shows the number of U-Visa applications approved and rejected by the Department each year. The audit found that as many as 25 of the 144 rejected certifications in 2017 may have been improperly rejected based on a misapplication of the legal standards governing U-Visa certifications.

If you have been denied U-Visa certification during the application process, we encourage you to resubmit your application to the Oakland Police Department.

Year	Number of Applications Received	Approved	Rejected
2008	79	76	3
2009	153	147	6
2010	215	199	16
2011	502	471	31
2012	1034	1030	4
2013	1108	1108	0
2014	1622	1614	8

2015	1170	1159	11
2016	1205	1069	136
2017	940	796	144

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311 or 510-615-5566

Relay Service 711

Whistleblower Report

1-888-329-6390

Oakland City Hall

1 Frank H. Ogawa Plaza

Oakland, CA 94612

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U.S. Citizenship
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Number of I-918 Petitions for U Nonimmigrant Status (Victims of
Certain Criminal Activities and Family Members) by Fiscal Year,
Quarter, and Case Status 2009-2016

Period	Petitions by Case Status											
	Victims of Criminal Activities ¹				Family Members ¹				Total			
	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ^{3,7}	Denied ⁴	Pending ⁵
Fiscal Year - Total⁶												
2009	6,835	5,825	688	11,863	4,102	2,838	158	9,275	10,937	8,663	846	21,138
2010	10,742	10,073	4,347	7,403	6,418	9,315	2,576	6,242	17,160	19,388	6,923	13,645
2011	16,768	10,088	2,929	10,184	10,033	7,602	1,645	8,329	26,801	17,690	4,574	18,513
2012	24,768	10,122	2,866	19,899	15,126	7,421	1,465	15,592	39,894	17,543	4,331	35,491
2013	25,432	10,030	1,829	33,540	18,263	8,198	1,440	24,956	43,695	18,228	3,269	58,496
2014	26,039	10,020	4,056	45,898	19,229	8,500	3,017	33,111	45,268	18,520	7,073	79,009
2015	30,106	10,026	2,715	63,762	22,560	7,662	1,965	46,541	52,666	17,694	4,680	110,303
2016	35,044	10,046	1,843	86,980	25,666	7,891	1,318	63,624	60,710	17,937	3,161	150,604
Fiscal Year 2016 by Quarter												
Q1. October - December	8,319	9,996	148	62,013	6,134	6,044	149	46,610	14,453	16,040	297	108,623
Q2. January - March	8,240	21	598	69,733	6,086	649	333	51,926	14,326	670	931	121,659
Q3. April - June	8,842	14	585	78,066	6,493	590	414	57,575	15,335	604	999	135,641
Q4. July - September	9,643	15	512	86,980	6,953	608	422	63,624	16,596	623	934	150,604

D Data withheld to protect petitioners' privacy.

- Represents zero.

¹ Refers to victims of certain criminal activities (U-1) and family members of victims (U-2,3,4,5).

² The number of new petitions received and entered into a case-tracking system during the reporting period.

³ The number of petitions approved during the reporting period.

⁴ The number of petitions that were denied, terminated, or withdrawn during the reporting period.

⁵ The number of applications awaiting a decision as of the end of the reporting period.

⁶ Data unavailable in the reporting system for previous fiscal years.

⁷ The U visa cap is against the principal only. The derivatives are not counted in the annual cap of 10,000. Congress has set a cap of 10,000 U visas for each FY. The cap was reached 1/4/2016. Completions in Q2 are denials.

NOTE: 1) Some petitions approved or denied may have been received in previous reporting periods.

2) The report reflects the most up-to-date estimate available at the time the report is generated.



U.S. Citizenship
and Immigration
Services

Number of Form I-918, Petition for U Nonimmigrant Status, by
Fiscal Year, Quarter, and Case Status 2009-2017

Period	Petitions by Case Status											
	Victims of Criminal Activities ¹				Family Members ¹				Total			
	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ^{3,7}	Denied ⁴	Pending ⁵
Fiscal Year - Total⁶												
2009	6,835	5,825	688	11,863	4,102	2,838	158	9,275	10,937	8,663	846	21,138
2010	10,742	10,073	4,347	7,403	6,418	9,315	2,576	6,242	17,160	19,388	6,923	13,645
2011	16,768	10,088	2,929	10,184	10,033	7,602	1,645	8,329	26,801	17,690	4,574	18,513
2012	24,768	10,122	2,866	19,899	15,126	7,421	1,465	15,592	39,894	17,543	4,331	35,491
2013	25,432	10,030	1,829	33,540	18,263	8,198	1,440	24,956	43,695	18,228	3,269	58,496
2014	26,039	10,020	4,056	45,898	19,229	8,500	3,017	33,111	45,268	18,520	7,073	79,009
2015	30,106	10,026	2,715	63,762	22,560	7,662	1,965	46,541	52,666	17,694	4,680	110,303
2016	35,044	10,046	1,843	86,980	25,666	7,891	1,318	63,624	60,710	17,937	3,161	150,604
Fiscal Year 2017 by Quarter												
Q1. October - December	8,050	3,021	312	92,586	5,670	1,872	174	67,761	13,720	4,893	486	160,347
Q2. January - March	9,277	3,124	511	97,746	6,300	2,291	395	71,065	15,577	5,415	906	168,811
Q3. April - June	9,589	3,866	668	103,045	6,543	2,970	477	74,295	16,132	6,836	1,145	177,340
Q4. July - September	9,615	20	637	110,511	6,642	562	599	79,850	16,257	582	1,236	190,361
Fiscal Year 2017 Total	36,531	10,031	2,128	110,511	25,155	7,695	1,645	79,850	61,686	17,726	3,773	190,361

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- Represents zero.

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² The number of new petitions received and entered into a case-tracking system during the reporting period.

³ The number of petitions approved during the reporting period.

⁴ The number of petitions that were denied, terminated, or withdrawn during the reporting period.

⁵ The number of petitions awaiting a decision as of the end of the reporting period.

⁶ Data unavailable in the reporting system for previous fiscal years.

⁷ The U visa cap is against the principal only. The derivatives are not counted in the annual cap of 10,000. Congress has set a cap of 10,000 U visas for each fiscal year. The cap was reached January 4, 2016. Completions in the second quarter of the fiscal year are denials.

NOTE: 1) Some petitions approved or denied may have been received in previous reporting periods.

2) The report reflects the most up-to-date estimate available at the time the report is generated.

Source: Department of Homeland Security, U.S. Citizenship and Immigration Services, Performance Report Tool, September 2017



Period	Petitions by Case Status											
	Victims of Criminal Activities ¹				Family Members ¹				Total			
	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ^{3,7}	Denied ⁴	Pending ⁵
Fiscal Year - Total⁶												
2009	6,835	5,825	688	11,863	4,102	2,838	158	9,275	10,937	8,663	846	21,138
2010	10,742	10,073	4,347	7,403	6,418	9,315	2,576	6,242	17,160	19,388	6,923	13,645
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2012	24,768	10,122	2,866	19,899	15,126	7,421	1,465	15,592	39,894	17,543	4,331	35,491
2013	25,432	10,030	1,829	33,540	18,263	8,198	1,440	24,956	43,695	18,228	3,269	58,496
2014	26,039	10,020	4,056	45,898	19,229	8,500	3,017	33,111	45,268	18,520	7,073	79,009
2015	30,106	10,026	2,715	63,762	22,560	7,662	1,965	46,541	52,666	17,688	4,680	110,303
2016	35,044	10,046	1,843	86,980	25,666	7,891	1,318	63,624	60,710	17,937	3,161	150,604
2017	36,531	10,031	2,128	110,511	25,155	7,695	1,645	79,850	61,686	17,726	3,773	190,361
Fiscal Year 2018 by Quarter												
Q1, October - December	8,823	2,818	472	117,738	6,001	1,973	437	83,541	14,824	4,791	909	201,279
Q2, January - March	9,083	4,206	608	122,309	6,229	3,030	453	86,504	15,312	7,236	1,061	208,813
Q3, April - June	9,190	2,891	687	128,079	6,592	2,410	582	89,999	15,782	5,301	1,269	218,078
Q4, July - September	7,451	D	640	134,967	5,295	377	612	94,263	12,746	382	1,252	229,230
Total	34,547	9,920	2,407	134,967	24,117	7,790	2,084	94,263	58,664	17,710	4,491	229,230

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- Represents zero.

¹ Refers to victims of certain criminal activities (U-1) and family members of victims (U-2,3,4,5).

² The number of new petitions received and entered into a case-tracking system during the reporting period.

³ The number of petitions approved during the reporting period.

⁴ The number of petitions that were denied, terminated, or withdrawn during the reporting period.

⁵ The number of petitions awaiting a decision as of the end of the reporting period.

⁶ Data unavailable in the reporting system for previous fiscal years.

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NOTE: 1) Some petitions approved or denied may have been received in previous reporting periods.

2) The report reflects the most up-to-date estimate available at the time the report is generated.

Source: Department of Homeland Security, U.S. Citizenship and Immigration Services, Performance Report Tool, accessed November 2018.



**U.S. Citizenship
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Number of Form I-918, Petition for U Nonimmigrant Status, by Fiscal Year, Quarter, and Case Status 2009-2019

Period	Petitions by Case Status											
	Victims of Criminal Activities ¹				Family Members ¹				Fiscal Year Total			
	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ³	Denied ⁴	Pending ⁵	Petitions Received ²	Approved ^{3,7}	Denied ⁴	Pending ⁵
Fiscal Year - Total⁶												
2009	6,850	6,045	661	11,740	4,102	2,838	158	9,275	10,952	8,883	819	21,015
2010	9,657	10,015	3,995	7,480	6,418	9,315	2,576	6,242	16,075	19,330	6,571	13,722
2011	14,647	10,025	2,007	10,250	10,033	7,602	1,645	8,329	24,680	17,627	3,652	18,579
2012	21,141	10,031	1,684	19,824	15,126	7,421	1,465	15,592	36,267	17,452	3,149	35,416
2013	25,486	10,022	1,840	33,409	18,266	7,724	1,234	24,480	43,752	17,746	3,074	57,889
2014	26,089	10,077	3,662	45,814	19,297	8,457	2,655	32,948	45,386	18,534	6,317	78,762
2015	30,129	10,060	2,440	63,779	22,636	7,649	1,754	46,507	52,765	17,709	4,194	110,286
2016	34,797	10,019	1,761	87,290	25,469	7,624	1,257	63,616	60,266	17,643	3,018	150,906
2017	37,287	10,011	2,042	112,272	25,703	7,628	1,612	79,971	62,990	17,639	3,654	192,243
2018	34,967	10,009	2,317	134,714	24,024	7,906	1,991	94,050	58,991	17,915	4,308	228,764
Fiscal Year 2019 by Quarter												
Q1. October - December	7,962	4,059	509	135,135	5,315	2,718	531	93,988	13,277	6,777	1,040	229,123
Q2. January - March	6,919	2,981	740	139,661	4,564	2,315	607	96,791	11,483	5,296	1,347	236,452
Q3. April - June	7,362	2,977	717	144,452	4,816	2,490	679	99,243	12,178	5,467	1,396	243,695
Q4. July - September												
Total	22,243	10,017	1,966	144,452	14,695	7,523	1,817	99,243	36,938	17,540	3,783	243,695

¹ Refers to victims of certain criminal activities (U-1) and family members of victims (U-2,3,4,5).

² The number of new petitions received and entered into a case-tracking system during the reporting period.

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⁵ The number of petitions awaiting a decision as of the end of the reporting period.

⁶ Data unavailable in the reporting system for previous fiscal years.

⁷ The U visa cap is against the principal only. The derivatives are not counted in the annual cap of 10,000. Congress has set a cap of 10,000 U visas for each fiscal year.

⁸ Family Member counts use Performance Reporting Tool data for fiscal years 2009-2012. System data is incomplete prior to 2013.

⁹ Per USCIS best practices, units of less than 10 beneficiaries are masked to limit the possibility of the de-anonymization of data. "D" represents data withheld to protect privacy. The letter "H" replaces the value from which one could deduce the value of "D".

Notes:

- 1) Some petitions approved or denied may have been received in previous reporting periods.
- 2) The report reflects the most up-to-date estimate available at the time the report is queried.
- 3) Counts may differ from those reported in previous quarters due to system updates and post-adjudicative outcomes.
- 4) The 'waitlisted pending' column has been removed from this report pending data verification.

Sources:

- 1) Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), CLAIMS3 Consolidated and Performance Reporting Tool, queried July 2019.

Victim visa roulette

Undocumented violent crime victims in the United States are eligible for a special visa if law enforcement verifies their cooperation. A Reuters investigation has found wide disparities among jurisdictions in how likely law enforcement is to certify a victim.

Click on columns to sort overall rankings. Click on rows to compare specific cities to each other.

City	U visa certifications (2009-2014)	Total Population (2010)	Percentage Foreign Born (2008-2012)	Violent Crime Incidents (2012)	Violent Crime Rate (per 100,000)
Los Angeles	4,585	3,792,627	39.1%	18,547	481
Oakland	2,992	390,719	27.5%	7,963	1,993
Chicago	1,975	2,695,598	21.2%	N/A	N/A
Minneapolis	1,924	382,578	14.6%	3,872	992
San Francisco	1,663	805,235	35.7%	5,777	704
San Jose	1,430	982,165	38.2%	3,547	363
New York	1,151	8,175,136	36.9%	52,993	693
Houston	1,150	2,097,217	28.3%	21,610	993
Austin	995	790,637	19.1%	3,405	409
Charlotte	986	735,780	15.1%	5,238	648
Phoenix	931	1,447,552	20.6%	9,458	637
San Diego	893	1,301,621	26.0%	5,529	413
Las Vegas	844	583,787	21.8%	11,598	784
Miami	783	399,508	58.1%	4,856	1,172
Indianapolis	751	820,442	8.4%	9,942	1,186
Portland	586	583,778	13.5%	3,093	517
Denver	572	600,024	16.1%	3,871	616
Seattle	557	608,660	17.5%	3,746	598
El Paso	526	649,138	25.1%	2,859	423
Nashville	520	603,527	12.0%	7,550	1,216
Fresno	492	496,009	21.2%	2,748	543
Dallas	442	1,197,833	24.5%	8,380	675
Atlanta	435	420,279	7.8%	6,027	1,379
Washington	397	601,767	13.5%	7,448	1,178
San Antonio	384	1,327,605	13.9%	6,943	503
Kansas City	349	459,787	7.6%	5,862	1,263
Tucson	333	520,116	15.2%	3,851	725
Fort Worth	323	742,066	17.7%	4,524	588
Little Rock	301	462,257	26.4%	2,705	576
Sacramento	300	466,488	22.1%	3,520	739
Philadelphia	292	1,526,006	11.8%	17,853	1,160
Raleigh	290	403,947	13.8%	1,780	423

Baltimore	224	620,961	7.4%	8,789	1,405
Boston	184	617,594	26.7%	5,266	835
Louisville	172	597,336	6.4%	3,989	599
Mesa	157	439,627	12.6%	1,804	400
Colorado Springs	156	416,433	8.1%	1,968	455
Memphis	153	646,889	6.1%	11,507	1,750
Milwaukee	135	594,740	10.0%	7,759	1,295
Tulsa	134	391,890	9.9%	3,949	990
Jacksonville	130	821,784	9.5%	5,189	617
Detroit	79	713,777	5.1%	15,011	2,123
Columbus	62	788,577	10.5%	N/A	N/A
Cleveland	57	396,814	4.6%	5,449	1,384
Wichita	57	382,373	9.8%	2,869	743
Oklahoma City	45	580,003	11.9%	5,474	919
Arlington	20	365,372	19.8%	1,909	503
Virginia Beach	13	437,994	8.7%	758	169

Methodology: In response to public records requests from Reuters, U.S. Citizenship and Immigration Services disclosed the ZIP code for each law enforcement agency listed on over 86,000 U visa verifications received by the federal government between 2009 and the end of May 2014. For the above table, Reuters took the most populous U.S. cities from the 2010 census, identified all of the ZIP codes within those cities, then matched those ZIP codes to the USCIS data. **Click here for the full list of U visa verifications disclosed by USCIS.**

The government also said it had received an additional 6,706 verifications with the location data blank during the same timeframe.

Sources: USCIS, FBI, U.S. Census Bureau, U.S. Postal Service



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ICE rule change on U visas sparks outrage

BY ZACK BUDRYK - 08/30/19 06:00 AM EDT

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The Trump administration has quietly altered its handling of visas granted to immigrants who cooperate with criminal investigations, allowing people to be deported even while they are waiting for their visas.

The change to U visas will make immigrants far less likely to report serious crimes, say immigration attorneys, who argue it also reflects the Trump administration's efforts to deport as many immigrants as they can from the United States.

"This is going to have a chilling effect," Eileen Blessinger, a Falls Church, Va.-based immigration attorney, told The Hill, because "by applying, you're essentially reporting yourself to ICE but now there's a risk that ICE might pick you up."

The change was announced in a revised Immigration and Customs Enforcement (ICE) [directive](#) released on Aug. 2.

The directive allows ICE to give permission for people to stay in the country as they await their U visas, which is a class of visa given to people who are cooperating with criminal investigations. But it also allows ICE to deport pending U visa applicants at their discretion.

Applications for U visas can take up to four years. The government issues 10,000 per year but puts no limit on the number of visas that can be issued to spouses and children of applicants or to parents of applicants who are themselves under 21.

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The directive reserves the right for the agency to "review the totality of the circumstances, including any favorable or adverse factors, and any federal interest(s) implicated and decide whether a Stay of Removal or terminating proceedings is appropriate."

ICE adds in the directive that it will "exercise its discretion" in determining whether to grant stay of removal requests, but cautions that the agency "no longer exempts classes or categories of removable aliens from potential enforcement."

In a statement to The Hill, an ICE spokesperson defended the change as necessary due to the volume of applications.

"As the number of U visa petitions submitted increased, this process became burdensome on both agencies and such determinations didn't reflect a qualitative assessment of any assistance provided to law enforcement," the spokesperson said.

Blessinger said the new directive piggybacks on another policy change that began about a year ago, when United States Citizenship and Immigration Services ended its practice of waiving fees for U visa applicants. This change cut down the number of people who could even seek out U visas.

While the application itself does not cost any money, applicants with past criminal or immigration violations must pay a \$585 fee to apply for a waiver.

Blessinger told The Hill that her firm, Blessinger Legal, had a client who had been deported twice before whose daughter was a victim of child sexual abuse and who had cooperated with the investigation.

The man was able to file for a U visa, which was eventually approved, and will be able to stay in the United States and continue to cooperate with the sexual abuse investigation.

If he had applied for the U visa under the terms of the new ICE directive, however, he could have been deported.



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Another of her clients, Blessinger said, is a Salvadoran immigrant and victim of domestic violence who came to the U.S. in 2004 and has been detained in Caroline Detention Facility in Fort A.P. Hill, Va., after failing to appear in court in El Paso, Texas, after receiving a notice to appear that Blessinger said did not include her hearing's date or time.

"She missed the court hearing and got a deportation order and the motion to reopen was denied, but while it was pending we were able to get U visa certification signed off saying she was a victim of domestic violence and cooperated with the investigation," Blessinger told The Hill.

"She's not a criminal, she's someone that in the past would be released on an ankle bracelet," added Blessinger.

"The U visa was created in 2000 by a bipartisan majority in Congress with two important purposes: one, to be a tool for law enforcement to investigate or prosecute criminal activity, and the other is to provide protection for immigrant survivors in coming forward and seeking protection," Cecelia Friedman Levin, senior policy counsel at ASISTA Immigration Assistance, told The Hill.

"What we see here with new ICE policies that impact the U visa program is that some of these changes really contravene the purpose that Congress created these protections for," she added.

Complicating the process further, Friedman Levin said, ICE has yet to publicly issue the full guidance for the new U visa policy.

"It's leaving everyone in the dark in terms of what they're actually supposed to do," she said, calling the change "just another way of just continued and deliberate erosion of access to protection."

Kristian Ramos, communications director at the immigrant advocacy group Define American, told The Hill the change was indicative of the administration's general handling of long-standing immigration policy.

"This administration's reckless changing of long-standing laws has very human casualties," Ramos told The Hill.

The client "came forward under the auspices that the law would protect her from deportation and it's incredibly unfair to literally just change the rules on someone who is just trying to get help," he added.

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Revision of Stay of Removal Request Reviews for U Visa Petitioners

FACT SHEET

August 2, 2019

QUESTIONS AND ANSWERS

Q: What has changed?

A: Under ICE Directive 11005.1, ICE was required to request a prima facie determination from USCIS. This determination was a simple confirmation that the petition was filed correctly and was not a substantive review of the petition. As the number of U visa petitions submitted increased, this process became burdensome on both agencies and often did not impact ICE's decisions. Now, under the ICE Directive 11005.2, ICE officers and attorneys will review the totality of the circumstances, including any favorable or adverse factors, and any federal interest(s) implicated and decide whether a Stay of Removal or terminating proceedings is appropriate.

Q: Will the changes negatively affect crime victims?

A: There are a number of features of the new Directive that are clarifying and beneficial to crime victims, including:

- It is ICE policy to comply with applicable law governing U visas and to encourage victims of crime to work with law enforcement.
- Assistance provided by a U visa petitioner to law enforcement, prosecutors, judges, or other officials in the detection, investigation, prosecution, conviction, or sentencing of criminal activity will generally be considered a significant favorable factor but is not necessarily dispositive.
- It is ICE policy to respect USCIS' grant of deferred action to a U visa waitlisted petitioner. Accordingly, ICE will not remove a U visa petitioner or qualifying family member whom USCIS has placed on the waiting list and granted deferred action unless a new basis for removal has arisen since the date of the waiting list placement or USCIS terminates deferred action.
- It is also permissible for ICE to join a motion to terminate proceedings for petitioners who have been waitlisted or approved.
- Convictions for crimes related to a petitioner's victimization will generally not be considered an adverse factor.
- The fact that a petitioner can continue to pursue a U visa adjudication from outside the United States is not alone a reason for ICE to deny a Stay of Removal request.

Q: Will ICE remove crime victims who are still assisting law enforcement with the investigation or prosecution of their cases?

A: ICE recognizes the significant law enforcement interest in active victim-witnesses remaining in the United States. ICE will exercise its discretion when determining whether to grant a Stay of Removal request based on the totality of circumstances, including consideration of the underlying assistance provided by a U visa petitioner to law enforcement. ICE no longer exempts classes or categories of removable aliens from potential enforcement. The revised guidance also allows for Stay of Removal requests to be granted to U visa petitioners who are assisting ICE investigations.

Q: Do immigration judges issue removal orders to pending U visa petitioners, and if so, what recourse do U visa petitioners have?

A: The U visa regulations do not prevent pending U visa petitioners from being removed. If removed, USCIS will continue to adjudicate the U visa petition. U visa petitioners have all recourse available to them that immigration law permits of anyone else in removal proceedings or with final removal orders.

Q: Why has there been such an exponential increase in U visa petitions from crime victims?

A: The U visa is now better known by immigration attorneys and law enforcement. The U.S. Government made a concerted effort through training and awareness to ensure that law enforcement was aware of this tool to encourage alien victims of crime to come forward.

Q: What happens if ICE removes a U visa petitioner from the United States and that person is then granted a U visa after he/she is already removed?

A: ICE defers to USCIS and the U.S. Department of State.

Q: What is the number of pending applications that end up receiving a U visa?

A: USCIS approves 10,000 principals annually which is the statutory cap.

Q: Will sponsoring law enforcement agencies and prosecuting offices be informed if potential witnesses are subject to removal?

A: ICE will follow routine notification procedures prior to effectuating the removal of a U visa petitioner whose request for a Stay of Removal has been denied. In the event that ICE denies a Stay of Removal request, ICE will reach out to the investigating agency and provide notification that the petitioner is being removed.

Q: If ICE determines that a U visa petitioner's Stay of Removal request will be granted, will that determination extend to qualifying family members who are included with the petition?

A: Yes, ICE Directive 11005.2 includes qualifying family members. Per statute and regulation, certain family members of a U visa petitioner may also apply.

Q: Why doesn't ICE comment on specific cases involving U visas?

A: Government officials, including those at ICE, are prohibited from disclosing any information which relates to an individual who has a pending or approved application for relief under 8 U.S.C. § 1367 (i.e., relief under the Violence Against Women Act, T or U visa). The broad language of this statute prohibits not only the disclosure of information relating to the individual's application or claim, but any other information about the individual. Therefore, no information may be released at all – either proactively or in response to a request. These restrictions extend to family members who are included on the individual's application.

[Revision of Stay of Removal Request Reviews for U Visa Petitioners](#)

Last Reviewed/Updated: 08/02/2019

NATIONAL

A Visa Program That Protected Domestic Violence Victims Is Now Putting Them At Risk Of Deportation

Sexual assault, domestic violence, and human trafficking victims are at higher risk of deportation under new policies affecting the U visa program.

By Albert Samaha

Last updated on October 30, 2018, at 7:45 p.m. ET

Posted on October 30, 2018, at 2:20 p.m. ET



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A Visa Program That Protected Domestic Violence Victims



Guatemalan immigrants deported from the United States arrive on a deportation flight on Feb. 9, 2017, in Guatemala City, Guatemala.

John Moore / Getty Images

Immigration attorneys and advocates have begun steering some undocumented crime victims away from a visa program intended to protect them from deportation because they fear applicants face a higher chance of being sent out of the country under President Trump's new anti-immigration policies. The shift primarily affects victims of sexual assault, domestic violence, and human trafficking, who represent around 75% of those granted the U visa, according to one survey.

Created by Congress in 2000 to encourage undocumented immigrants to report crimes, the program grants a path to permanent residency to victims of "mental or physical abuse." For most of the program's existence, judges have typically paused removal proceedings for those with pending U visa applications, and the agency that reviews the cases, United States Citizenship and Immigration Services (USCIS), has rarely passed information about applicants to Immigration and Customs Enforcement (ICE).

"In the past it was very different, because there was no harm in trying," said Evangeline Chan, director of the Immigration Law

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A Visa Program That Protected Domestic Violence Victims

denied the person just stayed at the status they were before. we weren't concerned ICE would take deportation proceedings against them."

But in recent months, that changed.

Now, Chan said, "Some people may be eligible for U visas, but it's too risky for them to apply. I don't remember a time when things were as risky as they are now."

Citing an executive order from the White House, USCIS in June said it would make it a priority to initiate deportation proceedings against certain undocumented immigrants, including those who have been

convicted of low-level crimes, who currently face charges, or who file incomplete visa applications. Going further than that, USCIS spokesperson Michael Bars told BuzzFeed News on Tuesday that the agency will "generally" send all denied applicants to immigration court for a deportation hearing. "It is expected that individuals who no longer have a lawful basis to remain in the United States will return to their home country," he said. "We're helping to protect the lawful immigration process and uphold the integrity of our system."

An August order by the Attorney General's Office narrowed judges' authority to delay processing deportation cases. The policies, along with incidents of ICE detaining crime victims before they've had a chance to apply for a U visa, have contributed to an atmosphere of fear that some police chiefs have blamed for a sudden drop in domestic violence reports in Latino communities. Now, many immigration attorneys and advocates worry that by advising their clients to seek U visas, they are unwittingly putting them in harm's way.

"I don't remember a time when things were as risky as they are

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"It has created unprecedented barriers for seeking safety," Katie Ray-Jones, CEO of the National Domestic Violence Hotline, said of the federal policies targeting previously protected immigrants. "We can't give them false promises. We just don't know what will happen."

USCIS said that it doesn't keep track of how many applicants it sends to removal proceedings or refers to ICE.

Defending the policy in a statement shortly after it was set, USCIS director L. Francis Cissna said that "for too long" agency officials had been "limited in their ability" to uphold immigration laws. The

updated guidances, he said, “support the enforcement priorities established by the president.”

This is the latest in a string of new policies imposed since Trump took office and aimed at curbing lawful paths to residency and citizenship. On Tuesday, he floated the idea of ending automatic citizenship for people born in the US to non-citizens, even though the US Supreme Court has ruled that this would violate the Constitution.

Under the administration’s aggressive immigration enforcement policies, local law enforcement officials worry that crime victims are less likely to come forward. In the first three months of 2017, the number of domestic violence reports in Houston dropped by 43% from the previous year among Latinos, but by just 8% across the board. Over that stretch in Los Angeles, Latinos reported 25% fewer sexual assaults than the previous year, a decline not present among any other demographic. The police chiefs in both cities said they believed deportation fears were the cause.

For years, local law enforcement officials have credited the U visa

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VIOLENCE SURVIVORS.





People who have been deported wait to be processed after their arrival in Guatemala City on Jan. 10.
Johan Ordonez / AFP / Getty Images

“There’s value in a program like this,” said Sgt. Armando Carbajal, of the Phoenix Police Department. “The whole point of the visa is that it would make someone more willing to help law enforcement.”

Every year since 2010, USCIS has filled the annual U visa quota of 10,000, a mark originally set by Congress in 2000. The number of annual applicants, and those deemed qualified for a U visa, has continued to rise even as the cap has remained the same. In 2017, more than 36,000 people petitioned for the visa; just 2,100 were denied, and the rest were added to a growing backlog. As of April 2018, USCIS counted around 122,000 pending cases. If you file an application today, it’ll be at least four years until the agency reviews it, according to USCIS’s latest estimate.

BuzzFeed News **A Visa Program That Protected Domestic Violence Victims**

the federal government without receiving any legal protections in exchange.

USCIS has the power to trigger deportation proceedings or forward cases to enforcement agents for anyone whose application is denied. But for years, this wasn’t much of a concern. More than a dozen immigration lawyers and advocates who spoke to BuzzFeed News said they couldn’t recall any instance of a person facing removal proceedings right after getting denied a U visa. They attributed this to the Obama administration’s policy of focusing enforcement on undocumented immigrants who have been convicted of serious crimes.

“In the past, the general understanding was that they reserve the right to do it, but they will not take any adverse actions if a case is denied,” Elise Griesmyer, an attorney with the St. Frances Cabrini Center for Immigration Legal Assistance in Houston, said of her conversations with USCIS agents. She’d previously assured her clients thinking about applying for U visas that they had nothing to worry about, she said, but now, “When we have encountered clients who fear putting their name on the board, we can make no guarantees about how their information is used.”

Some immigration lawyers told BuzzFeed News that, in this new landscape, they hesitate to send off applications that have anything more than the slightest chance of rejection — including for applicants who have been deported in the past, have even minor criminal records, or are unable to collect all the documents required. The concern is that the agent reviewing the application might classify any errors or omissions as evidence of “fraud or willful misrepresentation,” a deportable offense.

“Now we have to think twice about the types of cases we want to

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A Visa Program That Protected Domestic Violence Victims

already were.

Tim Isaacson, who runs Immigrant Hope Atlanta, an advocacy group that provides legal services, described the case of one client currently weighing whether to apply. A man robbed him, he reported the crime to police, and officers arrested the alleged assailant, who is awaiting trial. “He meets all the requirements,” Isaacson said, but there’s a chance he will get denied because the crime might not have been violent enough. “There wasn’t any blood.”

“What do you do?” Isaacson said. “Is it worth the risk?”

For some, the answer is no. One woman who'd recently fled an abusive partner was "too scared to even file a case" to police, Isaacson recalled. "Even though this is a way to get legitimate status, it was just too daunting for her to do."

In past years, undocumented crime victims had incentive to apply — and, by extension, report the crime to police — even if they weren't certain they qualified for a U visa. Putting their name on the list granted them, at minimum, the security of knowing that they'd get to stay in the country until their cases were heard, even if they were picked up by immigration authorities.



Attorney General Jeff Sessions speaks to incoming immigration judges on Sept. 10 in Falls Church, Virginia.

Alex Wong / Getty Images

"Having a case like a U visa pending was really helpful," Griesmyer said. "Judges would delay removal cases as long as necessary."

Following Attorney General Jeff Sessions' August directive to reduce immigration court delays, however, some judges have begun moving

these cases forward, declining to grant the continuances that had become the norm, according to attorneys in Texas, Georgia, New Mexico, and North Carolina.

While judges have disagreed over exactly how to interpret Sessions' directive, one reading is that it bars them from pausing a case merely because a defendant has a pending U visa application.

Lawyers are witnessing the consequences in the courtroom.

“What do you do? Is it worth the risk?” For some, the answer is no.

“All I see are denials [of continuances] for every U visa pending applicant in every situation,” said Maureen Abell, an immigration attorney at the Charlotte Center for Legal Advocacy. “The judges are affording it so much less weight.”

She said one of her clients, a 22-year-old who's lived in the US for five years, has had a pending application since 2015 but now faces deportation after a judge declined the request for a continuance in August, days after the Sessions directive.

“I don't know that I necessarily am saying you shouldn't apply for a U visa,” Abell said. “But I am certainly advising people that a pending U visa offers much, much less protection than it used to.”

It can be a difficult choice for those with few options to begin with. Garcia, the immigration attorney in New Mexico, said that while she has warned her recent clients about the new hazards associated with U visas, so far they've all decided to put their names on the list anyway.

“They might not think the risk is that much greater than the risk they already carry just moving around the city,” she said.

UPDATE

October 30, 2018, at 3:52 p.m.

This story has been updated to include a statement from USCIS provided to BuzzFeed News after publication.

TOPICS IN THIS ARTICLE

Immigration



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Rates and Patterns of Law Enforcement Turnover: A Research Note

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Jennifer Wareham¹, Brad W. Smith¹,
and Eric G. Lambert¹

Abstract

Law enforcement agencies invest substantial resources to recruit, hire, and train new police officers. Reducing officer turnover can save significant resources, yet little is known about the rates and patterns of turnover in law enforcement. Using data from the Law Enforcement Management and Administrative Statistics (LEMAS) survey in 2003 and the Census of State and Local Law Enforcement Agencies (CSLLEA) in 2008, this study establishes baseline rates of employee turnover for sworn police officers. In addition to national rates, variations in turnover were compared across states, regions, urbanity, agency size, and agency type. Nationally, the total turnover rate was 10.8% in both 2003 and 2008. There was much consistency in turnover rates between survey years. Turnover rates, however, were higher in smaller agencies, municipal agencies, those in southern regions, and those in rural areas. The turnover rate benchmarks reported here serve to inform future research on law enforcement turnover and retention.

Keywords

law enforcement, turnover, retention, police officers

The success of virtually any organization depends upon its employees, perhaps even more so in the human service fields. Agencies often invest a great deal of resources in recruitment efforts to attract a diversity of qualified applicants (Doerner, 1995). This is especially true for law enforcement agencies, which not only invest significant resources in recruiting, but also in screening and training of potential police officers

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Third, turnover rates were compared across states. Table 3 reports the weighted mean turnover rates for each of the 50 states and the District of Columbia by sample year. Overall, the average resignation (7.79% for 2003; 7.31% for 2008), retirement (0.92% for 2003; 0.90% for 2008), voluntary separation (8.72% for 2003; 8.21% for 2008), and total (10.82% for 2003; 10.76% for 2008) turnover rates appear to be consistent in the two samples; however, there is a great variability across the states. Rhode Island, Delaware, and Massachusetts are among the states with the lowest resignation, voluntary separation, and total turnover rates in both 2003 and 2008; while Vermont, West Virginia, and Wyoming are among the states with the higher of these rates. For total turnover, the average rates ranged from 1.87% (Rhode Island) to 24.13% (Wyoming) in 2003 and from 3.08% (Rhode Island) to 31.83% (Alaska) in 2008. It should be noted that there is great variability in the turnover rates reported within each state, which may not be easily detected when simply looking at the averages in 2003 and 2008. For example, there were 153 agencies (weighted) reporting turnover data in the 2008 CSLLEA in Colorado. The average total turnover rate was 17.19%, but the range of rates went from 0.00% to 62.50%. While *t*-tests were not conducted at the state level due to small sample sizes within states, examination of the rates reported reveals much variation. Most of this variation was minor, with percentages increasing or decreasing only slightly; but some variation was substantial. For example, in North Dakota the rates of resignation, voluntary separations, and total turnover doubled between 2003 and 2008. Wyoming experienced substantial decreases in resignation and increases in retirements in 2008, compared with 2003. The causes of state-level turnover changes are not investigated in this study, but the findings reported here highlight the need to examine such causes in detail at the state level.

Finally, in a geographical context, turnover rates were compared across the location of the agency in terms of being urban, suburban, and rural. As shown in Table 4, agencies located in rural areas, which are smaller in size and likely more influenced by the loss of one employee, reported the highest rates of resignations, voluntary separations, and total turnovers. Agencies located in predominately urban areas reported statistically significantly higher rates of non-medical retirements and lower rates of resignations, voluntary separations, and total turnover. There appears to be consistency in turnover trends when comparing 2003 LEMAS and 2008 CSLLEA rates. Mean comparisons within the urbanity categories across the two samples revealed significant temporal changes in the mean turnover rates (see the appendix). Among rural agencies, resignations and voluntary separations decreased significantly from 2003 to 2008. Among suburban agencies, all four turnover rates reported were statistically higher in 2008 than in 2003. Among urban agencies, all four turnover rates were significantly lower in 2008 than in 2003. Therefore, the turnover trends among law enforcement agencies appeared to be fairly consistent, but statistically different in magnitude between 2003 and 2008.

Mean differences, using ANOVAs, in turnover rates for law enforcement agencies were examined across two classifications of agencies, agency type and size of agency. Table 5 reports the mean comparisons across different types of law enforcement agencies (i.e., municipal, county, and state). The turnover trends appear to be consistent between 2003 and 2008 when looking at law enforcement agency type. Municipal agencies reported significantly higher resignations than state and county agencies in both 2003 and 2008. County agencies also reported significantly higher resignation rates than

Table 3. Mean Law Enforcement Turnover Rates by State.

State	n		Resignations (%)		Retirements (%)		Voluntary (%)		Total (%)	
	2003	2008	2003	2008	2003	2008	2003	2008	2003	2008
Alabama	345	321	10.36	9.98	1.49	0.28	11.85	10.26	18.09	12.87
Alaska	48	38	7.55	2.29	0.23	0.10	7.78	2.39	10.68	31.83
Arizona	129	81	4.67	6.73	0.42	1.90	5.10	8.63	6.06	11.25
Arkansas	278	361	10.23	7.81	0.09	0.00	10.32	7.81	12.37	11.91
California	394	369	3.88	3.99	1.28	1.50	5.16	5.48	9.19	8.28
Colorado	253	153	13.57	8.11	0.21	1.02	13.78	9.13	15.48	17.19
Connecticut	105	98	5.07	3.67	1.32	2.00	6.39	5.67	7.39	6.64
Delaware	33	42	1.43	1.05	0.16	3.10	1.59	4.15	2.98	4.17
District of Columbia	1	1	1.26	1.85	0.56	1.46	1.83	3.31	2.50	3.90
Florida	308	320	7.24	7.92	1.11	0.85	8.35	8.77	11.39	10.22
Georgia	451	511	11.62	10.77	0.27	0.29	11.89	11.06	15.33	14.35
Hawaii	4	4	2.88	4.38	2.10	1.18	4.98	5.56	6.98	6.60
Idaho	207	116	7.73	8.38	0.80	0.96	8.53	9.34	10.55	11.14
Illinois	969	781	7.11	8.10	1.08	0.80	8.19	8.90	10.05	9.94
Indiana	421	284	7.13	5.16	0.62	0.95	7.75	6.11	8.97	8.37
Iowa	466	487	11.42	8.20	1.99	1.67	13.41	9.88	15.59	11.79
Kansas	299	322	8.76	8.76	0.55	0.22	9.31	8.99	10.20	10.71
Kentucky	298	457	6.45	6.45	0.33	0.12	6.78	6.67	8.83	8.15
Louisiana	266	383	9.87	10.29	0.41	1.95	10.28	12.24	11.21	14.97
Maine	162	112	7.49	3.79	0.10	0.51	7.58	4.31	11.19	4.71
Maryland	150	79	5.94	12.41	0.47	0.59	6.41	13.00	7.88	14.97
Massachusetts	282	289	1.73	0.74	3.56	0.47	5.29	1.21	6.49	2.32
Michigan	513	514	1.29	6.11	2.60	1.58	3.89	7.69	5.65	8.70
Minnesota	573	490	6.07	3.02	0.27	0.52	6.33	3.55	7.45	4.08
Mississippi	208	257	8.33	8.05	0.40	0.09	8.74	8.14	9.47	14.89
Missouri	657	473	12.01	9.80	0.44	1.25	12.44	11.05	13.94	14.42
Montana	136	124	8.61	13.74	0.51	0.37	9.12	14.11	20.60	16.20

(continued)

Contract Law Enforcement Bureau



Contract Law Enforcement Services

**Los Angeles County
Sheriff's Department
Leroy D. Baca, Sheriff**

Revised January 2009

Contract Police Services Since 1954



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Introduction



Sheriff Leroy D. Baca

The Los Angeles County Sheriff's Department is one of the largest providers of contract law enforcement services in the world. The use of intergovernmental contract services in Los Angeles County dates back to 1954 when the City of Lakewood and the Sheriff's Department entered into the very first agreement for one government entity to provide services to another independent government entity. Known as the "Lakewood Plan", it has become a model for incorporation that has been adopted by 30% of California's cities and dozens more throughout the nation. The concept of contracting has proven so successful that forty (40) of the eighty-eight (88) cities in Los Angeles County contract with the Sheriff's Department for their complete municipal law enforcement services.

Since 1954, all but one of the cities incorporated in Los Angeles County have adopted the Lakewood Plan, and eighty percent of all new cities incorporating in California also now adopt the Lakewood Plan. Intergovernmental contracting in Los Angeles County has expanded to include other areas of law enforcement services as well, including transit policing, school policing, court security, and custody services.

As a national leader in law enforcement, the Sheriff's Department provides a wide and comprehensive range of services that are unsurpassed. The Sheriff's Department is regularly called upon to provide training and assistance to law enforcement agencies throughout Los Angeles County, the nation, and the world. This expertise is available to each and every one of our contract clients on a daily basis.

On behalf of the professional men and women of the Los Angeles County Sheriff's Department, welcome to Contract Law Enforcement.