



Daniel J. McLaughlin
Mayor, Village of Orland Park
Executive Board Chairman

Rahm Emanuel
Mayor, City of Chicago
Executive Board Vice Chairman

Jim Holland
Mayor, Village of Frankfort
Executive Board Secretary

July 6, 2015

Dear Mayor:

The Metropolitan Mayors Caucus' Diversity Issues Task Force creates opportunities for elected officials and municipal staff to discuss issues related to cultural and racial diversity across our region. The Task Force recently partnered with the Chicago Metropolitan Agency for Planning (CMAP) and the [Latino Policy Forum](#) to create an [Immigrant Integration Toolkit](#). Immigration across our region is increasingly affecting suburban communities and many municipalities are struggling with how to best address the needs of a changing population. The Toolkit is meant to serve as a resource for municipalities that want to be active in immigrant integration activities.

Our Task Force recently met to discuss President Obama's executive actions on immigration. As a result of that meeting, we have attached three memos in response to the executive actions and other related immigration issues and opportunities to better prepare local municipalities to be more responsive to their constituents. We thought you might find the information helpful to disseminate to your staff.

In November 2014, President Obama announced a series of executive actions on immigration to "*make our immigration system more fair and more just.*" These actions made changes to the enforcement of immigration laws, processing of immigration benefits, and provide temporary protection for certain immigrants. A [summary of the immigration accountability executive actions](#) and [the memos issued](#) can be found by clicking these links.

The attached memos provide detailed guidance for local municipalities in three key areas related to the executive action on immigration:

- 1) Increasing public safety through community policing efforts and the U Visa program
- 2) Municipalities' roles in providing documentation and potential support for Deferred Action for Childhood Arrivals (DACA 2012) and preparing for Deferred Action for Parents of Americans (DAPA) and DACA expansion
- 3) Addressing consumer protections through referral services and fraud prevention

If you are interested in participating in a regular dialogue on these issues with fellow elected

City of Chicago · DuPage Mayors and Managers Conference · Lake County Municipal League · McHenry County Council of Governments
Metro West Council of Governments · Northwest Municipal Conference · South Suburban Mayors and Managers Association
Southwest Conference of Mayors · West Central Municipal Conference · Will County Governmental League

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officials, we encourage you or a designated staff member to become a member of the Caucus' Diversity Issues Task Force. If you have any questions about the materials provided or are interested in joining the Diversity Issues Task Force please contact Allison Milld Clements at amilld@mayorscaucus.org or (312) 201-4507.

Sincerely,

Handwritten signature of Rodney S. Craig in black ink.

President Rodney S. Craig
Village of Hanover Park
Co-chair, Diversity Issues Task Force

Handwritten signature of Bill McLeod in black ink.

Mayor William D. McLeod
Village of Hoffman Estates
Co-chair, Diversity Issues Task Force

MEMO

RE: Increasing Public Safety by Increasing Community Cooperation and the U Visa Program

DATE: July 6, 2015

TARGET AUDIENCE: Police Departments, Sheriff Departments, Chiefs of Police

BRIEF SUMMARY

Two memos, released as part of the President's November 2014 executive actions which focused on changes in how the Department of Homeland Security (DHS) pursues immigration enforcement, are titled: *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants* and *Secure Communities*. The changes are reflected in DHS priority categories for detention and deportation of undocumented individuals. The memos also end the Secure Communities program, replacing it with the Priorities Enforcement Program (PEP). PEP continues to rely on fingerprint data submitted during bookings by state and local law enforcement agencies in order to identify those whom DHS wishes to pursue for deportation. Immigration and Customs Enforcement (ICE) has the discretion to pursue deportation of dangerous criminals or national security threats however, traffic-related offenses and other minor criminal offenses that used to produce "ICE Detainers" aka "ICE Hold Orders" by ICE may no longer occur.

The U Visa program was established in the 2000 Victims of Trafficking and Violence Prevention Act. This program was established in order to support law enforcement in investigating crimes as well as providing a mechanism for individuals without proper U.S. legal status who witness or are victims of crime to assist with the investigation of criminal investigations. Applying for a U Visa requires a victim to provide a certification (I-918 Supplement B) from law enforcement that attests to the victim's assistance with a criminal investigation.

OPPORTUNITIES FOR MUNICIPALITIES

Municipalities and law enforcement can lead with efforts to increase community policing strategies and implement policies to build trust and strong relationships between police and the community.

Complexity over immigration law requires extensive training and continuing education. Municipal leaders should use this opportunity to revisit current policies and provide relevant trainings to local law enforcement officers that reflect the new enforcement priorities. In addition, regular testing and auditing of practice will ensure system fidelity. Some municipalities and localities have enacted policies that explicitly limit the interaction between police departments and federal immigration authorities with the express purpose of increasing public safety.

A Police Department's willingness to review and certify appropriate U Visa I-918B forms provides cooperating crime victims and witnesses a chance to apply for federal immigration relief. Granting of the U Visa does not confer citizenship for the applicant. The I-918B certification is just one element of many that the federal government considers when determining whether or not to grant the visa to an applicant.

Studies¹ have found that there is great variation across localities in the provision of certifications by law enforcement for individuals seeking a U Visa. Moreover, agencies who utilize the U Visa tool regularly have found that it supports public safety and aids in community policing.

¹ DePaul University Asylum & Immigration Law Clinic. *Unequal Protection: Disparate Treatment of Immigrant Crime Victims in Cook, the collar counties & beyond.* 2015

ADDITIONAL INFORMATION

- Department of Homeland Security Memos: [Policies for the Apprehension, Detention and Removal of Undocumented Immigrants](#) and [Secure Communities](#)
- [Department of Homeland Security U Visa Law Enforcement Certification Resource Guide](#)
- [Form I-918 Supplement B, U Nonimmigrant Status Certification](#)
- USCIS: [U-Visa list of qualifying criminal activities](#)
- USCIS: Training for police departments on the use of U Visa is available to all police departments or designees by the Chief of Police. Contact 312-239-5914 and request a Community Relations Officer assistance for more information on trainings available.

MUNICIPAL BEST PRACTICES

Since 2009, the Bensenville Police Department has utilized the U Visa Program through its Community Oriented Police Division in order to increase community collaboration and cooperation with immigrant communities in Bensenville. During this timeframe there was a drop of over 70% in overall crime and over 90% in four buildings that normally experienced the highest police calls. Since 2009, 60% of the calls to the police department are “Crime Prevention” related.

[Village of Bensenville, Community Oriented Police Division](#)

MEMO

RE: Deferred Action for Childhood Arrivals (DACA) application documentation and preparation for Deferred Action for Parents of U.S. Citizens and Lawful Permanent Residents (DAPA)/DACA Expansion

DATE: July 6, 2015

TARGET AUDIENCE: Village/County Clerks, Police Departments, Human Services

BRIEF SUMMARY of DACA and DAPA/DACA Expansion

In 2012, President Obama, through the Department of Homeland Security, initiated policy to protect from deportation certain immigrants that arrived in the U.S. as children. Those applicants who qualify are granted a temporary deferment in deportation, are allowed to reside legally in the U.S., can obtain work authorization and, in most states, can be issued a driver's license. In Illinois, there are 81,000 individuals potentially eligible for DACA, with the largest share of eligible applicants residing in Cook, Lake, Kane, DuPage and Will counties.

As part of the November 2014 executive actions, the pre-existing DACA program was expanded and a new deferred action program, known as DAPA, was created for parents with children who are U.S. Citizens or legal permanent residents. A court injunction in mid-February 2015 blocked the expansion of DACA and implementation of DAPA and both programs continue to be on hold. However, the 2012 DACA program continues to accept applications.

OPPORTUNITIES FOR MUNICIPALITIES

Municipalities can play a role in the continued implementation of DACA as well as preparation for the possibility of future DAPA/DACA expansion through four primary ways: 1) Outreach 2) Documentation 3) Education 4) Protection from Fraud

1. **Outreach.** The State of Illinois has hosted meetings with stakeholders to coordinate efforts, share concerns and best practices, prevent misinformation and increase efficiency for DACA implementation. Through active publicity, information dissemination, and hosting events, municipalities can support constituents in finding help for immigration-related questions. Some municipalities have built strong relationships with their local public libraries to host DACA clinics and to train staff to assist with questions and referrals for individuals applying for DACA.
2. **Documentation.** Municipalities play a role in providing DACA applicants with the required documentation needed to apply for the program. This includes items such as proof of continuous residency, utility bills and school transcripts. Applicants have also requested "clearance checks" from municipal governments that assure a clear arrest record for constituents.
3. **Educational Requirements.** Localities can support efforts to ensure applicants are able to meet the DACA program's education requirements. DACA applicants must be over 15 years of age, have graduated from a U.S. high school, earned a GED or be enrolled in school on the date of application. ESL classes and vocational programs are examples of the types of programs that would enable a person to apply for DACA.
4. **Protection from Fraud.** Immigrants and limited English populations are often the target of fraudulent practices particularly when changes occur in immigration law and practice. Municipalities can provide protection and services to individuals who have witnessed or been a victim of these crimes. Additional resources on how to increase public safety through additional support to immigrant communities can be found in the following "Consumer Protections" memo.

ADDITIONAL RESOURCES

- USCIS: [Consideration of Deferred Action for Childhood Arrivals \(DACA\)](#)
- USCIS: [FAQs on DACA](#)
- Immigrant Legal Resource Center: [What documentation is required of applicants](#)
- Own the Dream: [Qualifying Alternative Education Programs \(PDF\)](#)
- iAmerica: Fact Sheet on [Criminal Records](#)
- Second Federal: [DACA loan program](#)
- County Resource Guide:
 - o [Kane County](#)
 - o [Lake County](#)
 - o [McHenry County](#)
 - o [Will County](#)

MUNICIPAL BEST PRACTICES

Centro de Información in Elgin hosts workshops at Elgin's Gail Borden Public Library and the Elgin Community College Education & Work Center in Hanover Park that seek to educate the community on DACA information and preparation. In addition, Centro has partnered with Congresswoman Tammy Duckworth, the Village of Hanover Park, Chicago Field Office of USCIS and other local community organizations to provide information on best practices for immigration services including U Visa certification, notario fraud, community policing, etc.

MEMO

RE: Consumer Protections: Referral Services and Fraud Prevention

DATE: July 6, 2015

TARGET AUDIENCE: Village/County Clerks, Consumer Protection Divisions/Departments

BRIEF SUMMARY

Due to the complexity of immigration law and a lack of high-quality, affordable immigration-related legal services, immigrants and limited English proficient populations are often targets and victims of fraudulent practices when they seek help with immigration matters. When federal or state governments announce a change in immigration benefits (such as the temporary visitor's driver's license in Illinois(TVDL) or the DACA program) unscrupulous practitioners have additional opportunities to take advantage of immigrants seeking to understand and apply for potential protections.

Municipalities can support their constituents by providing referrals to credible and reputable legal service providers. In addition, municipal staff can support and encourage witnesses or victims of fraudulent practice to anonymously report these crimes through the appropriate channels.

IMPLICATIONS FOR MUNICIPALITIES

Municipalities can provide information and referral services to constituents who need assistance in immigration-related matters such as DACA, state-based initiatives and any future legislation.

1. **Stay Informed.** For up-to-date information on the Immigrant Accountability Executive Action visit: www.adminrelief.org. This website also provides a search engine to locate free or low-cost nonprofit immigration legal service providers by zip code: <http://www.adminrelief.org/legalhelp/>
2. **Preventing Fraud.** Provide general information to constituents on how to avoid immigration fraud by seeking adequate and reputable legal support. The National Immigrant Justice Center provides tips on how to avoid becoming a victim of this crime: <https://www.immigrantjustice.org/how-avoid-immigration-fraud>
3. **Report Malpractice.** Encourage constituents who have witnessed or been a victim of immigration and/or notario fraud to report it to appropriate agencies. Through its Consumer Protection Division the [Illinois Attorney General](#) accepts consumer complaints from those who have been victimized. In addition, the IL AG office hosts the [Immigrant Assistance Program](#) that aims to “ensure state government is aware of the needs of Illinois’ immigrant populations.”

ADDITIONAL INFORMATION

- Illinois law regulating the unauthorized practice of immigration law and notary public advertising: [815 Ill. Comp. Stat. 2A](#)

MUNICIPAL BEST PRACTICES

In 2012, the City of Chicago updated and expanded its municipal code on immigrant services which requires those providing assistance for immigration matters to obtain a regulated business license with the City of Chicago. On March 6, 2013, the City established rules and regulations for immigration assistance providers:

[City of Chicago Business Affairs and Consumer Protection Immigration Assistance Providers Rules and Regulations - March 6, 2013](#)