



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

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SENT VIA EMAIL

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Re: Findings in VOICES Act Investigation of Chicago Police Department

Dear Mr. Spears:

The Illinois Attorney General's Office ("OAG") has concluded its investigation into allegations that the Chicago Police Department ("CPD" or "the Department") failed to comply with the Voices of Immigrant Communities Empowering Survivors Act ("VOICES Act"), 5 ILCS 825/1 *et seq.* Specifically, OAG received complaints alleging that CPD failed to timely respond to or improperly denied U-visa certification requests. OAG initiated this investigation on January 27, 2023, pursuant to 5 ILCS 825/30. Thank you for your willingness to work with OAG to address many of the issues that surfaced during the course of this investigation.

As detailed below, OAG concludes that it has reasonable cause to believe that CPD violated multiple provisions of the VOICES Act during the time period covered by the investigation (August 2, 2021, through the date of these findings). Since the initiation of this investigation, however, the Department has taken a number of significant steps toward ensuring current and future compliance with the Act. These steps include overhauling the Department's certification request tracking system and undertaking substantial revisions to U- and T-visa certification policies and procedures in collaboration with OAG. Given the Department's demonstrated commitment to working collaboratively with OAG during this investigation, and in light of the high volume of U-visa certification requests CPD receives annually, which makes it impractical

to provide an exhaustive accounting of past VOICES Act violations, this findings letter is largely forward-looking in nature. OAG focuses here on 3 areas for improvement in which CPD has made significant initial strides toward compliance since the apparent peak of its compliance problems around 2022, but where the investigation revealed additional room for improvement as recently as 2024¹: (1) failure to record information necessary to report on compliance with the Act; (2) untimely responses to U-visa certification requests; and (3) improper denials of U-visa certification requests for reasons not permitted under the Act (specifically, denials based on crime victims' alleged lack of helpfulness to law enforcement).

This letter outlines the legal authority and background of OAG's VOICES Act investigation, summarizes our findings in the above-mentioned areas, and concludes by identifying specific additional remedial measures for CPD to take both to address past violations and to ensure sustained compliance with the Act.

I. Statutory Framework and Legal Authority

Promoting public safety requires assistance and cooperation from the community so law enforcement can gather the information necessary to solve and deter crimes. Building this trust is particularly crucial in immigrant communities where community members may be reluctant to engage with their local police department if they are fearful that such contact could result in deportation for themselves, their family, or their neighbors. Public safety suffers when victims of (or witnesses to) violent crime do not feel comfortable or safe contacting law enforcement.²

Accordingly, federal law affords immigrant survivors of violent crimes the opportunity to apply for temporary humanitarian immigration relief in the form of a U-visa³ if, among other requirements, they suffer “substantial physical or mental abuse” as a result of the qualifying crime and are—or are likely to be—helpful to law enforcement in the investigation or prosecution of the crime.⁴ A T-visa⁵ provides a parallel form of relief to eligible survivors of human trafficking who meet a similar set of eligibility criteria.⁶ Notably, obtaining a signed U- or T-visa certification from a certifying agency does not guarantee eligibility for a U- or T- visa; decisions regarding visa eligibility are made solely by federal immigration authorities, specifically the Department of Homeland Security's U.S. Citizenship & Immigration Services (“USCIS”).⁷

As a prerequisite to applying for a U-visa, immigrant crime victims must obtain a

¹ These findings do not include an analysis of 2025 data. CPD is not required to submit data for calendar year 2025 to OAG until March 1, 2026.

² See Min Xie & Eric P. Baumer, *Neighborhood Immigrant Concentration and Violent Crime Reporting to the Police: A Multilevel Analysis of Data from the National Crime Victimization Survey*, 57 CRIMINOLOGY 249–52, 254–55 (2019) (observing lower rates of violence reporting in newer immigrant communities “consistent with theoretical arguments that emphasize” barriers faced by residents of immigrant neighborhoods in seeking police help).

³ Also known as U nonimmigrant status.

⁴ 8 U.S.C. § 1101(a)(15)(U).

⁵ Also known as T nonimmigrant status.

⁶ 8 U.S.C. § 1101(a)(15)(T).

⁷ See, e.g., DEP'T OF HOMELAND SEC., *T Visa Law Enforcement Resource Guide* 9, https://www.dhs.gov/sites/default/files/publications/t_lea_guide_10182021_v2_508_sp_508.pdf (on file with OAG) (“USCIS, not law enforcement, must determine the applicant's eligibility for T nonimmigrant status.”); DEP'T OF HOMELAND SEC., *U Visa Law Enforcement Resource Guide* 2, 10,

certification from the investigating or prosecuting law enforcement agency confirming that they were the direct or indirect victim⁸ of a qualifying crime⁹ and attesting to their past, present, or likely future helpfulness in the investigation or prosecution.¹⁰ Most immigrant trafficking victims applying for a T-visa are likewise required to demonstrate cooperation with reasonable requests for assistance or information from law enforcement.¹¹ Although a law enforcement certification form is not strictly required for a T-visa, it serves as useful evidence of certain eligibility criteria.

The VOICES Act specifies the procedures that law enforcement and all other certifying agencies or officials in Illinois must follow upon receiving a request for completion of a U- or T-visa certification form. The purpose of the VOICES Act—together with the Illinois TRUST Act (“TRUST Act”), 5 ILCS 805/1 *et seq.*, which generally prohibits local law enforcement from participating in federal civil immigration enforcement—is to build trust between law enforcement and immigrant communities and to encourage immigrant crime victims to report crimes and cooperate with law enforcement without fear of deportation. In 2021, the Way Forward Act (“the WFA”) expanded the protections afforded to immigrants under the VOICES and TRUST Acts and imposed new annual data collection and reporting requirements on all Illinois law enforcement

https://www.uscis.gov/sites/default/files/document/guides/U_Visa_Law_Enforcement_Resource_Guide.pdf (on file with OAG) [hereinafter “*U Visa Law Enforcement Resource Guide*”] (describing the “roles and responsibilities” of the victim, the certifying agency, and USCIS, and noting that the certifying “agency is not responsible for determining whether a person is eligible for an immigration status; this is the responsibility of USCIS.”)

⁸ Federal regulations provide that

the alien spouse, children under 21 years of age and, if the direct victim is under 21 years of age, parents and unmarried siblings under 18 years of age, will be considered *victims of qualifying criminal activity* where the direct victim is deceased due to murder or manslaughter, or is incompetent or incapacitated, and therefore unable to provide information concerning the criminal activity or be helpful in the investigation or prosecution of the criminal activity.

8 C.F.R. § 214.14(a)(14)(i) (emphasis added). Such individuals are known as “indirect victims.” Ariel Brown & Kate Mahoney, *Using Indirect & Bystander Victim Theories to Expand U Visa Eligibility for Families*, IMMIGRANT LEGAL RES. CTR. (Jan. 2025), <https://www.ilrc.org/sites/default/files/2025-01/Using%20Indirect%20%26%20Bystander%20Victim%20Theories%20to%20Expand%20U%20Visa%20Eligibility%20for%20Families.pdf> (on file with OAG).

⁹ Qualifying crimes for a U-visa include any of the following (or “any similar activity in violation of Federal, State, or local criminal law”):

rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in section 1351 of title 18); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes.

8 U.S.C. § 1101(a)(15)(U)(iii).

¹⁰ See *id.* § 1101(a)(15)(U)(i)(III); *id.* § 1184(p)(1).

¹¹ See *id.* § 1101(a)(15)(T)(i)(III)(aa); 8 C.F.R. § 214.208. Minors and those who are unable to cooperate due to “physical or psychological trauma” are exempt or excepted from this cooperation requirement. See 8 U.S.C. § 1101(a)(15)(T)(i)(III)(bb–cc); 8 C.F.R. § 214.08(e)(1)–(2).

agencies to ensure compliance with both Acts.¹²

The VOICES Act expressly grants investigative and enforcement authority to OAG.¹³ To facilitate compliance with the VOICES Act and its counterpart, the TRUST Act, OAG has issued detailed guidance regarding law enforcement interactions with immigrant communities. This guidance, most recently updated in 2025, is available on OAG's website.¹⁴

II. History of Investigation

Beginning in August 2022, OAG received complaints alleging VOICES Act violations by CPD, including complaints that CPD failed to timely respond to or unlawfully denied U-visa certification requests. On December 8, 2022, *Injustice Watch* published an article identifying several potential problems with CPD's U-visa certification request procedures and responses, including a failure to maintain records required by the WFA, unusually high certification request denial rates, and denials that appeared to be based on a lack of understanding of federal and state law certification requirements.¹⁵

Accordingly, on January 27, 2023, OAG initiated an investigation into CPD's compliance with the VOICES Act. Over the course of this investigation, CPD produced documents, data, and other compliance-related information dating back to August 2, 2021, including data regarding over 7,000 certification requests received by the Department from August 2021 through December 2024, as well as CPD's written responses to multiple requests for information from OAG.¹⁶ OAG also interviewed CPD officers responsible for drafting and implementing CPD's policies related to U- and T-visa certification requests.

Although CPD was cooperative in producing the data it had collected and maintained since the WFA reporting requirement went into effect, deficiencies in CPD's recordkeeping system delayed CPD's full response to OAG's initial Request for Information, as the Department had to manually verify data responsive to OAG's requests. The Department implemented a new U- and T-visa certification request tracking system in 2023, which has significantly improved, though not eliminated, CPD's recordkeeping issues.

III. Factual Findings and Analysis

OAG finds reasonable cause to believe that CPD repeatedly violated the VOICES Act by

¹² See 5 ILCS 805/25; 5 ILCS 825/20. OAG's website provides additional information on required reporting. See Ill. Att'y Gen., *Law Enforcement and Immigration*, <https://illinoisattorneygeneral.gov/Safer-Communities/Resources-for-Law-Enforcement/Law-Enforcement-And-Immigration/> (on file with OAG) (last visited Oct. 23, 2025).

¹³ 5 ILCS 825/30.

¹⁴ See Ill. Att'y Gen., *Guidance: Illinois Laws Governing Law Enforcement Interactions with Immigrant Communities* (last updated 2025), available at <https://www.illinoisattorneygeneral.gov/Page-Attachments/ImmigrationLawGuidanceToLawEnforcement.pdf>.

¹⁵ See Carlos Ballesteros, *Chicago Police Denied Scores of Undocumented Crime Victims a Path to Citizenship*, INJUSTICE WATCH (Dec. 8, 2022), <https://www.injusticewatch.org/project/u-visa/2022/chicago-police-u-visa-denials/> (on file with OAG).

¹⁶ The WFA went into effect on August 2, 2021. See Ill. Pub. Act 102-234. For purposes of this investigation, OAG's production requests to CPD covered records and information from that date onward.

failing to record all the information necessary to report on compliance with the Act in 2022 and 2024 and by failing to timely respond to between 3% and 12% of U-visa certification requests from August 2021 through December 2021, in 2022, and again in 2024. OAG also finds reasonable cause to believe that CPD violated the VOICES Act by denying U-visa certification requests for reasons not permitted under the Act (specifically, denying requests based on determinations regarding victims' lack of helpfulness to law enforcement) from at least 2022 through August 2024.

OAG recognizes that CPD has taken significant steps to bring the Department into compliance with the VOICES Act since the initiation of this investigation. First, CPD has twice revised its policy governing U- and T-visa certification request procedures. OAG provided technical assistance on the current iteration of CPD's policy, which went into effect on March 25, 2025, and incorporates a number of necessary revisions to ensure future compliance with the Act. Second, in August 2023, CPD implemented new tracking software to ensure accurate data collection in compliance with the Act's annual reporting requirements. Third, CPD certifying officials attended TRUST and VOICES Act training webinars put on by OAG in February 2024, June 2024, January 2025, and January 2026. In order to reinforce and support CPD's ongoing efforts to improve compliance with the VOICES Act—and to identify additional necessary corrective measures—OAG addresses in greater detail below each of the significant deficiencies identified during this investigation and the remedial steps CPD has taken in response.

a. CPD failed to record information necessary to report on compliance with the VOICES Act

OAG finds reasonable cause to believe that CPD violated the VOICES Act in 2022 and 2024 by failing to record all information necessary to satisfy its compliance reporting obligations under the Act.¹⁷ To ensure compliance with the VOICES Act, since 2022, the WFA has required law enforcement agencies to submit annual reports to OAG regarding all U- and T-visa certification requests received during the prior calendar year.¹⁸ These reports must contain specific data points including the date of receipt of the certification request,¹⁹ the date on which the law enforcement agency completed the certification request,²⁰ and whether the request was granted or denied.²¹ Even if a reporting agency receives no such requests during the reporting period, the agency must nonetheless certify and report that it received no such requests.²²

In 2022, CPD failed to maintain adequate records to submit a complete annual report to OAG regarding its compliance with the VOICES Act. That same year, CPD reportedly told *Injustice Watch* that “it doesn’t keep data on the number of U visa certification requests it receives or how many it denies.”²³ At OAG’s request, the Department manually compiled the data it did have for the period from August 1, 2021 through March 8, 2023 (the “August 2021-March 2023

¹⁷ CPD was not required to submit a WFA report for 2021; as previously noted, the WFA went into effect on August 2, 2021, and 2022 was the first required reporting year under the Act.

¹⁸ 5 ILCS 825/20.

¹⁹ 5 ILCS 825/20(a)(1).

²⁰ 5 ILCS 825/20(a)(2).

²¹ *Id.*

²² 5 ILCS 825/20(a).

²³ Ballesteros, *supra* note 14.

dataset,” Ex. 1), and provided it to OAG for review on March 10, 2023. CPD did not submit its annual WFA report for 2022 (the “2022 Report,” Ex. 2) until April 21, 2023, over a month and a half after the March 1 reporting deadline imposed by the Act. Even after CPD’s lengthy compilation and manual verification process, however, nearly 1 out of every 10 entries in the 2022 Report (at least 103 out of 1,158 reported U- or T-visa certification requests) contained incomplete or plainly incorrect data. This included 84 entries with no data regarding response dates and no information as to whether the request was granted or denied;²⁴ 9 additional entries without any response-date information; and 10 entries with a plainly incorrect response date (namely, a response date that occurred prior to the request submission date).²⁵ The data from CPD’s 2022 Report also failed to match the 2022 data previously provided by CPD in the August 2021-March 2023 dataset in response to OAG’s request for information.²⁶ OAG additionally learned during an interview that CPD lacked a standardized process for tracking appeals of prior certification request denials as well as the outcomes of those appeals.²⁷ CPD’s inadequate record-keeping in 2022, as reflected in the August 2021-March 2023 dataset, the official 2022 Report, and the numerous discrepancies between these records, made it impossible for OAG to verify CPD’s compliance with the Act in all instances, especially with respect to the Department’s compliance with the statutory deadlines for responding to certification requests and appeals of prior denials.

Notably, CPD implemented a GovQA software-based system for tracking U- and T-visa certification requests and appeals in August 2023, which—along with OAG’s initiation of this investigation—appears to have contributed to an immediate and dramatic improvement in

²⁴ For example, one entry in CPD’s 2022 report includes a date on which the request was submitted (April 27, 2022), but no record of the date of CPD’s response or whether the request was granted or denied. *See* CPD’s 2022 Report. The “Comments / Notes” column states in full, “PLEASE CORRECT I CAN’T FIND THE U-VISA RIGHT NOW.” *Id.* Without additional information, OAG cannot verify whether CPD issued any response at all to the 84 certification requests referenced herein, let alone whether such a response was timely and otherwise in accordance with the procedural requirements laid out in the VOICES Act.

²⁵ Although the August 2021-March 2023 dataset contained fewer incomplete entries than the 2022 and 2024 datasets, 58 entries for 2022 were still missing both a response date and information regarding whether the request was granted or denied. CPD stated the following regarding the missing information in the August 2021-March 2023 dataset: “There are several entries that do not reflect a response date and outcome. In these cases, the Department requested additional information from the requester and is awaiting a response, the response is pending review by the Department’s Office of Legal Affairs, the request is still within the 90-business day period for a response, there was a duplicate entry, or there was a test entry made to troubleshoot an issue with the database.” Further, OAG’s Way Forward Act reporting template includes a “Comments / Notes” column where relevant information about duplicate or test entries or extenuating circumstances (such as missing required information from the requester) may be provided. The 2022 Report provides no information in this section that would explain the missing response date and/or outcome for these entries. *See* CPD’s 2022 Report.

²⁶ Although the data CPD provided in March 2023 contained the same total number of entries for 2022 as the official 2022 Report submitted by CPD a month later, a comparison of the datasets revealed significant discrepancies both with respect to reported response dates and the type of response (granted or denied) reported, if reported at all. Out of the first 200 entries for 2022, 32 of those entries were inconsistent as between the August 2021-March 2023 dataset and CPD’s official 2022 Report. *Compare* August 2021-March 2023 dataset, *with* CPD’s 2022 Report. Unless otherwise specified, the data for 2022 and 2023 referenced in this Findings letter comes from CPD’s official WFA report for the relevant reporting year, as opposed to the August 2021-March 2023 dataset.

²⁷ Although law enforcement agencies are not expressly required to separately identify and report on appeals of prior U- or T-visa certification denials, *see* 5 ILCS 825/20(a), the Act does require certifying agencies to accept and respond to all appeals within 30 business days. 5 ILCS 825/11(a). To ensure compliance with this 30-business-day response requirement, certifying agencies need a centralized way to track—at least internally—appeal receipt and response dates.

recordkeeping. Even though the reported annual number of certification requests increased from 1,158 in 2022 to 1,841 requests in 2023, CPD's 2023 WFA Report (the "2023 Report," Ex. 3) contained no incomplete entries.²⁸ CPD did not entirely keep up its recordkeeping momentum in 2024, however: nearly 3% (105) of the 3,670 U- and T-visa certification request-related entries contained in CPD's 2024 WFA Report (the "2024 Report," Ex. 4) are missing response date information. It is worth noting here that CPD experienced a twofold increase in the number of certification requests received for 2024 as compared to 2023. The increasing number of certification requests received by CPD makes it even more important for the Department to continue to evaluate and improve upon its current recordkeeping system and related training.

Failing to record certification response dates or other required information in an annual WFA report itself constitutes a violation of the VOICES Act.²⁹ The omission of response date information is a particularly significant violation from an accountability and compliance perspective because OAG cannot verify a certifying agency's compliance with the Act's 90-business-day deadline for responding to certification requests without information regarding response dates.³⁰ OAG recognizes that CPD receives by far the largest volume of U- and T-visa certification requests of any state or local law enforcement agency in Illinois. Especially in light of this reality, OAG appreciates the advancements CPD has made with respect to certification request recordkeeping and reporting since the initiation of this investigation in January 2023. Nonetheless, CPD's 2024 Report demonstrates ongoing room for improvement in this area, especially as certification request numbers continue to rise.

b. CPD failed to respond to certification requests within the mandated 90 business days

OAG finds reasonable cause to believe that CPD also violated the VOICES Act in 2021 and 2022 by failing to respond within the mandated 90 business days to approximately 6% of certification requests received by the Department from August 2021 through December 2021 and between 3% and 12% of certification requests received in 2022. Although CPD showed significant improvement in 2023, CPD again failed in 2024 to timely respond to between approximately 3% and 6% of requests.

The VOICES Act sets forth specific deadlines for certifying agencies to respond to U- and T- visa certification requests.³¹ Generally, the statute requires all certifying agencies to complete and return a U- or T-visa certification form for a victim of qualifying criminal activity within 90

²⁸ OAG notes here, however, that the format of the 2023 Report deviates from OAG's required reporting format by separating data on approved and denied certification requests into separate data sheets, entitled "2023 U-Visa Granted" and "2023 U-Visa Denied." See CPD's 2023 Report. OAG's reporting template, by contrast, contains a single data sheet for reporting all certification requests received, regardless of the outcome. It is not clear from the format of CPD's 2023 Report where CPD would have reported any certification requests received for which the Department did not record an approval or denial. Although the 2023 Report contains no incomplete entries, OAG identified 3 entries for which the request and response dates were reversed. *Id.*

²⁹ 5 ILCS 825/20(a)(1) ("Th[e] report *shall* include . . . the date on which the law enforcement agency provided the completed certification form to the requester or provided written notice explaining why the available evidence does not support a finding that the requester is a victim of qualifying criminal activity." (emphasis added)).

³⁰ See *infra* Section III.b (discussing CPD's failure to respond to certification requests within the mandated 90 business days).

³¹ 5 ILCS 825/10.

business days³² of receiving the request (“the 90-business-day deadline”).³³ The 90-business-day deadline can be extended only upon written agreement by the requester or requester’s representative.³⁴ Requests to expedite must be made in writing by the requester.³⁵ The VOICES Act additionally provides that “[a] certifying official who issued an initial certification form shall complete and reissue a certification form within 90 business days of receiving a request from a victim to reissue.”³⁶

Out of a total of 433 U-visa certification requests CPD reported receiving from August 1, 2021, through December 31, 2021, the Department failed to respond to the requester within the 90-business-day deadline on 25 occasions (6%). In 19 of those 25 instances, CPD reported taking more than 150 business days to respond, and in 3 particularly concerning instances, the Department reported taking over 300 days.

Although, as previously noted, CPD’s 2022 recordkeeping deficiencies prevent OAG from obtaining a full picture of the Department’s response times for that year, a review of the 2022 data provided by CPD revealed a number of instances in which it failed to respond to certification requests within the 90-business-day deadline. Of the 1,158 requests CPD reported receiving between January 1, 2022, and December 31, 2022, CPD’s records show that it failed to timely respond in at least 37 instances. In most of these instances, according to CPD’s records, CPD took more than 100 business days to respond, which translates to at least a 2-week delay beyond the 90-business-day response deadline mandated by the VOICES Act. In addition, as discussed above, entries regarding at least 103 certification requests reported by CPD in 2022 contained incomplete or inconsistent data, thereby preventing OAG from determining whether CPD responded prior to the 90-business-day deadline in those instances. This means that anywhere from 3% to 12% of the certification requests reported by CPD in 2022 received no response within the timeline prescribed by the VOICES Act.

CPD’s data for calendar year 2023 showed significant improvement in certification request response timeliness. Even though, as previously noted, the number of reported U- and T-visa certification requests increased from 1,158 in 2022 to 1,841 in 2023, CPD reported only 9 requests for which the Department took more than 90 business days to respond. In only 5 of these 9 requests did CPD take longer than 100 business days to respond, with the longest wait for a response being 126 business days.³⁷

Despite CPD’s demonstrated improvement in certification request response times in 2023,

³² 5 ILCS 825/10(d).

³³ The 90-business-day deadline is expedited to 21 business days in the following circumstances: (1) if the requester is in federal immigration removal proceedings or detained; (2) if the children, parents, or siblings of the requester would reach an age before the 90-business-day deadline that would make them ineligible for certain benefits under federal law (if they would reach that age within the 21-business-day period, then the certifying official has just 5 business days to complete and provide the certification form to the requester); or (3) if a person seeking recertification has a deadline to respond to a request for evidence from USCIS. *See* 5 ILCS 825/10(d)(1)-(3), (e).

³⁴ 5 ILCS 825/10(d)(4).

³⁵ 5 ILCS 825/10(d).

³⁶ 5 ILCS 825/10(e). This deadline is shortened to 21 business days “[i]f the victim seeking recertification has a deadline to respond to a request for evidence from United States Citizenship and Immigration Services.” *Id.*

³⁷ In that case, CPD reported receiving the request on January 24, 2023, and granting it 6 months later, on July 25, 2023. CPD did not provide any justification for these 9 delayed responses. The VOICES Act provides for an extension

the Department once again failed to sustain the same level of compliance in 2024. As previously noted, CPD received far more U- and T-visa certification requests in 2024 than it had in past years.³⁸ Along with this larger volume of requests came more untimely responses: CPD reported 118 instances (out of 3,670 total requests) in which it took more than 90 business days to respond to an initial U- or T-visa certification request (approximately 3% of total requests). CPD took longer than 100 business days to respond to over half (63) of these 118 untimely requests, with the longest wait coming in at 165 business days.³⁹ In addition to the 118 self-reported untimely responses, as noted above, the 2024 Report also contains an additional 105 entries that are missing a response date. Accordingly, for 2024, the true number of untimely responses could be as high as 223 (over 6% of the total).

Failures to timely respond to certification requests not only violate state law but also harm immigrant crime victims and reduce community trust in law enforcement. Because obtaining a signed certification form is a prerequisite to filing a U-visa application, undue delays in the certification process unnecessarily prolong a crime victim's wait for humanitarian immigration relief.⁴⁰ Such delays further risk undermining the relationship between immigrant crime victims and the law enforcement agencies to whom they have entrusted highly sensitive information, both about their immigration status and about the details and effects of the crime they suffered. Although OAG recognizes that the high volume of certification requests creates unique challenges for CPD in this area, the Department's outstanding certification response timeliness in 2023, per its 2023 Report, demonstrates what is possible here. In order to build upon the Department's 2023 improvements in this area—and to prevent further backsliding of the kind evidenced in the 2024 Report—it is essential that CPD continue to evaluate and improve upon its certification tracking

beyond the regular 90-business-day deadline only by written agreement from the requester. CPD did not provide any documentation of extensions sought or granted by 2023 requesters.

³⁸ CPD reported receiving 3,670 requests in 2024, compared to 1,158 in 2022 and 1,841 in 2023. CPD's 2022 Report; CPD's 2023 Report; CPD's 2024 Report.

³⁹ This request was reportedly submitted on February 3, 2024, but not denied until October 1, 2024.

⁴⁰ U-visa applicants already contend with long application processing times because Congress has authorized USCIS to issue no more than 10,000 U visas per fiscal year, 8 U.S.C. § 1184(p)(2), even though USCIS has received well over 10,000 new U-visa applications in each year from 2011 onward. *See* USCIS, *Number of Form I-918 Petitions for U Nonimmigrant Status* and *Number of Form I-918, Petition for U Nonimmigrant Status, Bona Fide Determination (BFD) Reviews (Fiscal Year 2025, Quarter 1)* (Feb. 2025), https://www.uscis.gov/sites/default/files/document/data/i918u_visastatistics_fy2025_q1.xlsx (on file with OAG) [hereinafter "*Form I-918, FY 2025, Q1 Report*"]. The annual statutory cap on the number of U visas, along with increasing numbers of U-visa applications, has resulted in a backlog of more than 246,000 pending U-visa applications as of December 31, 2024. *Id.* For that reason, the time between submission of a U-visa application and issuance of a final decision has ballooned to approximately 8 years. *See* USCIS, *I-918, Petition for U Nonimmigrant Status*, <https://www.uscis.gov/I-918> (on file with OAG) ("As of Sept. 9, 2025, USCIS met the fiscal year 2025 statutory cap of 10,000 aliens who can be issued U-1 nonimmigrant visas or granted U-1 nonimmigrant status per fiscal year. . . . When the new fiscal year begins on Oct. 1, 2025, we will resume approving eligible principal petitions for U-1 nonimmigrant status starting with petitions filed on or before April 30, 2017, prioritizing the oldest petitions."). The growing backlog of pending applications suggests that wait times will only increase in the future; between September 30, 2019, and December 31, 2024, the number of principal U-visa applications pending before USCIS increased by over 94,000, from 151,758 to 246,137. *See Form I-918, FY 2025, Q1 Report*. Thus, a 6-month delay in the issuance of a U-visa certification could translate into a significantly longer delay for an eligible immigrant crime victim to obtain a decision on an application and—if that application is successful—for legal immigration status. *See, e.g., Ballesteros, supra* note 14.

and response procedures, as well as related training.

c. CPD denied U-visa certification requests for reasons not permitted under the Act

Finally, OAG also finds reasonable cause to believe that CPD violated the VOICES Act by denying U-visa certification requests for reasons not permitted by the Act from at least 2022 through August 2024.⁴¹ Although the Act generally requires certifying agencies in Illinois to complete a certification form for “any victim of qualifying criminal activity” upon request,⁴² 2022 reporting from *Injustice Watch* describes multiple instances of CPD impermissibly denying certification requests based on a victim’s alleged failure to cooperate with law enforcement.⁴³ Additionally, OAG’s review of a batch of 50 U-visa certification request denial notices issued by CPD from April 2024 through August 2024 revealed 3 instances in which CPD cited a victim’s purported lack of cooperation as the sole basis for the denial. Language contained in the Department’s certification policies from 2019 through March 2025 provides additional support for this finding.

As explained below, these improper denials based on the Department’s determinations regarding qualifying crime victims’ lack of helpfulness to law enforcement appear to stem from CPD’s failure to consistently distinguish between eligibility for completion of a U- or T-visa certification form, which is governed by the VOICES Act, and overall eligibility for immigration relief in the form of a U- or T-visa, which is a determination made by federal authorities, specifically USCIS, in accordance with federal law.⁴⁴

A crime victim’s eligibility for completion of a U- or T-visa certification form under the VOICES Act is not coextensive with overall eligibility for a U- or T-visa. An applicant may ultimately be found ineligible for a U- or T-visa for any number of reasons⁴⁵ under federal law—including for refusing to provide assistance reasonably requested by law enforcement or for not having suffered substantial harm as a result of the crime—but the VOICES Act specifies that, upon the submission of a U- or T-visa certification request “to the certifying official for any certifying agency that detected, investigated, or prosecuted the criminal activity upon which the request is based,”⁴⁶ the “certifying official *shall* complete the certification form *for any victim of qualifying criminal activity*.”⁴⁷ The Act further provides that any denial of a U- or T-visa certification request

⁴¹ CPD’s 47% U-visa certification denial rate for 2022 far exceeded the denial rates reported by other major metropolitan police departments for the prior calendar year. *See* CPD’s 2022 Report; *see also* Ballesteros, *supra* note 14. The denial rate dropped dramatically—to 8%—in 2023. *See* CPD’s 2023 Report. OAG notes that, although the *Injustice Watch* article, *supra* note 14, suggests that CPD likely also violated the VOICES Act in 2022 by improperly denying certification requests based on certifying officials’ opinions that certain domestic violence victims did not suffer “substantial harm” as a result of the reported domestic abuse, none of the April 2024 to August 2024 denial notices provided to OAG cited lack of substantial harm as a reason for the denial.

⁴² 5 ILCS 825/10(d).

⁴³ *See* Ballesteros, *supra* note 14.

⁴⁴ *See supra* note 6 and accompanying text.

⁴⁵ *See generally* sources cited *supra* note 6.

⁴⁶ 5 ILCS 825/10(b).

⁴⁷ 5 ILCS 825/10(d) (emphasis added). For purposes of the VOICES Act, “victim of qualifying criminal activity” “means a person described in Section 1101(a)(15)(U)(i)(I) of Title 8 of the United States Code, in the definition of ‘victim of a severe form of trafficking’ in Section 7102(14) of Title 22 of the United States Code, or in any implementing federal regulations, supplementary information, guidance, and instructions.” 5 ILCS 825/5.

must be accompanied by “written notice . . . explaining why the *available evidence does not support a finding that the person is a victim of qualifying criminal activity*.”⁴⁸ Accordingly, under the VOICES Act, a certifying agency may deny a U- or T-visa certification request only if it determines—and explains in writing—(1) that the crime at issue does not constitute “qualifying criminal activity” as defined by the Act,⁴⁹ (2) that the requester was not a “victim” of such activity, or (3) that the qualifying criminal activity was not “detected, investigated, or prosecuted” by the agency for another reason.⁵⁰ A certifying agency’s opinion that a requester fails to meet certain *federal* eligibility requirements for a U- or T-visa, including requirements related to helpfulness to law enforcement, is not a valid ground for an Illinois agency to deny a certification request.⁵¹ Rather than serving as the basis for a denial of a certification request, such information must instead be included in Part Four of the completed certification form, entitled “Helpfulness Of The Victim,” in the case of the U-visa certification form, or “Cooperation of Victim,” in the case of the T-visa certification form.⁵²

Relatedly, the VOICES Act requires all certifying officials to apply a rebuttable presumption of helpfulness when completing a certification request.⁵³ This means that in completing a certification form for a victim of qualifying criminal activity, certifying officials in Illinois must assume “that [the] 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.”⁵⁴

OAG’s investigation revealed that CPD violated the VOICES Act both in policy and in

⁴⁸ 5 ILCS 825/11(a) (emphasis added).

⁴⁹ “‘Qualifying criminal activity’ means any activity, regardless of the stage of detection, investigation, or prosecution, designated in Section 1101(a)(15)(U)(iii) of Title 8 of the United States Code, any implementing federal regulations, supplementary information, guidance, and instructions.” 5 ILCS 825/5.

⁵⁰ The fact that a crime occurred outside the certifying agency’s jurisdiction does not necessarily mean that it was not “detected” or “investigated” by the certifying agency if that crime was originally reported to or otherwise detected or investigated by that agency.

⁵¹ As stated throughout this letter, it is important to distinguish between the completion of a certification by a certifying agency, like CPD, and the ultimate determination of U- or T-visa eligibility by federal immigration authorities. *See supra* note 6 and accompanying text. Federal immigration authorities—not certifying agencies, like CPD—are ultimately responsible for determining whether an applicant meets U- or T-visa eligibility criteria. *U Visa Law Enforcement Resource Guide, supra* note 6, at 2, 10. Law enforcement certification forms provide information that can help federal immigration authorities make a determination with respect to certain eligibility requirements, but do not purport to address all U- and T-visa eligibility criteria. *U Visa Law Enforcement Resource Guide, supra* note 6, at 2, 10.

⁵² USCIS Form I-918, Supplement B, *U Nonimmigrant Status Certification* 3, <https://www.uscis.gov/sites/default/files/document/forms/i-918supb.pdf> (on file with OAG); USCIS Form I-914, Supplement B, *Declaration for Trafficking Victim* 3, <https://www.uscis.gov/sites/default/files/document/forms/i-914supb.pdf> (on file with OAG). The VOICES Act does not otherwise limit the manner in which a certifying official may describe whether a victim “has cooperated or been helpful to the agency,” nor does it restrict a certifying agency’s ability to share any additional information believed to be “relevant to a federal immigration officer’s adjudication of a U or T visa application.” 5 ILCS 825/10(f). Furthermore, “[i]f, after completion of a certification form, the certifying official later determines the person was not the victim of qualifying criminal activity or the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity . . . the certifying official may notify [USCIS] in writing.” *Id.*

⁵³ *See* 5 ILCS 825/10(d).

⁵⁴ *Id.*

practice by allowing certifying officials to deny U-visa certification requests based on CPD's own determinations regarding victims' lack of helpfulness to law enforcement in the investigation or prosecution of the qualifying crime.⁵⁵ As explained above, although helpfulness to law enforcement is generally part of the overall federal U- and T-visa eligibility criteria, it is not an eligibility requirement for completion of a certification form. CPD's failure to consistently distinguish between victims' eligibility for completion of a U- or T-visa certification form under the VOICES Act and their ultimate eligibility for a U- or T-visa under federal law is reflected in prior versions of the Department's written certification policy.

Specifically, although since at least January 2019, CPD's policy has stated that "[i]t is the exclusive responsibility of federal immigration officials to determine whether a person is eligible for a U visa,"⁵⁶ prior versions of the policy inaccurately suggested that certifying officials should consider a victim's cooperation with law enforcement in determining eligibility for completion of a certification request.⁵⁷ The current policy, revised in consultation with OAG, remedies this problem by clearly stating the following:

If the Certifying Official determines that the applicant was the victim of qualifying criminal activity, the Certifying Official *will complete the certification form and describe the nature of the applicant's cooperation*, including if the person has cooperated, is likely to cooperate, or explicitly states that they will not cooperate with or support the ongoing criminal investigation.⁵⁸

Until February 2026, CPD's standard form for U-visa certification request denials, entitled "Notice of Non-Eligibility for U Nonimmigrant Status Certification," included the following as possible reasons for denying a U-visa certification request, even though neither constitutes a permissible basis for denying a certification request under the VOICES Act:

- "The victim has not been cooperative in the investigation or prosecution of the criminal activity."
- "Since the initiation of cooperation, the victim has refused or failed to provide

⁵⁵ Ballesteros, *supra* note 14; Chicago Police Department April 2024–August 2024 Notices of Non-Eligibility for U Nonimmigrant Status Certification (Ex. 5). OAG obtained these denial notices, which were produced by CPD in response to a third-party FOIA request, in the context of an August 2024 press inquiry.

⁵⁶ Chicago Police Department, Special Order S02-06 *U Visa Nonimmigrant Status Certification* 2 (Jan. 9, 2019) [hereinafter "2019 Certification Policy"]; Chicago Police Department, Special Order S02-06 *T Visa and U Visa Nonimmigrant Status Certification* 2, 4 (May 12, 2023) [hereinafter "2023 Certification Policy"].

⁵⁷ See 2019 Certification Policy, *supra* note 56 at 3 ("The Records Division will review all available Department records after receiving the USCIS Form I-918, Supplement B, U Nonimmigrant Status Certification request and will make a determination on each of the following: . . . c. Helpfulness of the Victim: Determine whether the victim was, is, or is likely to be helpful to the Department's investigation of the qualifying criminal activity."); 2023 Certification Policy ("The below listed criteria for determination of eligibility status will be considered by a certifying official during the review of the certification application. The areas to consider include the following: . . . D. If the person has cooperated, will cooperate, or explicitly states that they will not cooperate with or support the ongoing criminal investigation.").

⁵⁸ Chicago Police Department, Special Order S02-06 *T Visa and U Visa Nonimmigrant Status Certification* 5 (March 24, 2025) [hereinafter "2025 Certification Policy"].

assistance reasonably requested in the investigation or prosecution of the criminal activity.”

Because the VOICES Act does not permit a certifying agency to deny a certification request based on a determination that the victim of a qualifying crime was insufficiently helpful to law enforcement in the investigation or prosecution of that crime, neither of the above should have been listed as a possible justification for denial of a certification request. Additionally, from a compliance perspective, the first reason suffered from an additional infirmity: by suggesting that a lack of affirmative cooperation may form the basis of a denial of a U-visa certification request, it appeared to ignore the Act’s requirement that certifying officials apply a rebuttable presumption of helpfulness, which is overcome only by evidence that the victim actually refused or failed to respond to law enforcement’s reasonable requests for information or assistance. On this latter point, OAG could not assess from its limited review of specific U-visa certification request denial notices whether CPD failed to apply the Act’s rebuttable presumption of helpfulness in practice. But out of 50 denial notices issued by CPD on this form between April 2024 through August 2024, as previously stated, 3 cited the victim’s refusal to cooperate in the investigation or prosecution of the crime as the sole basis for the denial of the U-visa certification request.

As of February 10, 2026, at OAG’s request, CPD has revised its “Notice of Non-Eligibility for U Nonimmigrant Status Certification” to address these concerns. The revised version of the form reflects that the only valid reasons for denying a U-visa certification request under state law are: (1) the victim was not a victim of qualifying criminal activity, or (2) the criminal activity was not detected, investigated, or prosecuted by CPD.

IV. CPD’s Changes to its Policies and Practices Since 2022

To the Department’s credit, CPD has taken several steps to correct the above-identified issues during the course of this investigation, working collaboratively with OAG. First, between December 2022 and early 2023, the Department internally reviewed select U-visa certification request denials, including 16 denials brought to the Department’s attention by the Mayor’s Office and an additional, unspecified number of denials issued between December 2022 and the end of February 2023.⁵⁹ CPD ultimately reversed course and issued certification forms for 12 of the 16 requests identified by the Mayor’s Office and did the same for what the Department described as a “small” number of other requests denied from December 2022 through February 2023.⁶⁰

Second, in February 2023, CPD issued a draft of a revised U- and T-visa certification policy intended to replace the policy that had been in effect since January 2019. On May 12, 2023, CPD formally rescinded the January 2019 U-visa certification policy and adopted the new policy, which included a detailed process through which a Legal Affairs Division supervisor would review any

⁵⁹ CPD was unable to provide OAG with specific information regarding this internal review and related outcomes. The CPD official interviewed estimated that the Department reviewed approximately 150 denials issued between December 2022 and February 2023.

⁶⁰ The CPD Records Unit official who conducted the informal internal review of denials issued between December 2022 and February 2023 was initially unable to provide OAG an estimate of how many of those denials CPD ultimately reversed; although CPD later estimated that number at just 6, the Department was unable to provide any corroborating documentation. According to CPD, all 6 of these later-corrected denials involved qualifying crimes of domestic violence that had been classified as simple assaults because they did not involve reportable injuries.

determination to deny a U- or T-visa certification request prior to sending out a written denial. Unfortunately, as previously mentioned, this May 2023 policy suffered from a number of infirmities, including—most notably for purposes of these findings—a failure to clearly distinguish between the eligibility criteria for a U- or T-visa (which, again, is determined solely by USCIS) and eligibility for a U- or T-visa *certification* under the VOICES Act (a much narrower and more straightforward question). OAG provided CPD written feedback on this policy in May 2023, shortly after the policy was finalized. In January 2024, OAG discussed recommended policy revisions at length with the CPD official tasked with revising the policy; at that time, CPD informed OAG it planned to revise the policy within the coming months. Following CPD’s public notice and comment procedure, and additional recommended revisions from OAG, CPD published its most recent version of its U- and T-visa policy on March 24, 2025.⁶¹ Notably, CPD’s revised policy specifically includes the statutory deadlines required by the VOICES Act and clarifies the criteria CPD certifying officials must adhere to in responding to U- and T- visa certification request forms.⁶² On February 10, 2026, CPD also revised its U-visa certification denial form pursuant to OAG’s recommendations, as outlined above.

Finally, certifying officials from CPD have attended all OAG-run TRUST and VOICES Act training webinars since at least 2024, including trainings put on in February 2024, June 2024, January 2025, and January 2026.

Whether as a result of CPD’s increased scrutiny of certification request denials, initial policy revisions, additional training for certifying officials, or some combination of all these measures, the Department’s overall certification request grant rate has increased sharply since 2022 (see Appendix A). While CPD reported granting 59% (257 out of 433) of the certification requests it received from August 2021 through December 2022,⁶³ and just 46% (528 out of 1,158) of requests received in 2022,⁶⁴ the Department granted 92% (1,690 out of 1,841) of the U- and T-visa certification requests received in 2023.⁶⁵ This grant rate held more or less steady from 2023 through 2024, with CPD reporting that it granted 87% (3,188 out of 3,670) of certification requests received in 2024.⁶⁶ This marked increase in CPD’s certification request grant rate since the beginning of 2023 is reflective of the significant progress the Department has made during the course of OAG’s investigation with respect to reducing or eliminating unlawful certification denials under the VOICES Act. As previously noted, however, OAG recommends that CPD commit to taking additional steps to build upon the progress made during this investigation and to ensure continued compliance with the VOICES Act.⁶⁷

⁶¹ Chicago Police Department, *T Visa and U Visa Nonimmigrant Status Certification*, <https://directives.chicagopolice.org/#directive/public/6153> (on file with OAG) (last visited Oct. 23, 2025).

⁶² *Id.* at 4–8.

⁶³ August 2021–March 2023 Dataset.

⁶⁴ 2022 Report. CPD failed to record an outcome for 84 reported certification requests. As previously noted, CPD’s certification denial rate for 2022, which was described by immigration attorneys and legal advocates as “unprecedented,” far exceeded the denial rates reported by other major metropolitan police departments, including New York and Los Angeles, for the prior calendar year. Ballesteros, *supra* note 14.

⁶⁵ 2023 Report.

⁶⁶ 2024 Report.

⁶⁷ See *infra* Part V.

V. OAG's Recommended Additional Remedial Measures

To address OAG's findings and ensure CPD's present and future compliance with the VOICES Act, OAG recommends the below remedial measures. These measures are intended to build upon the steps CPD has already taken, both on its own initiative and in collaboration with OAG, since the initiation of this investigation.

1. Ensure that CPD responds to U-visa certification requests within the mandated deadlines:

- a. Train staff to promptly process certification requests:** To ensure compliance with all relevant VOICES Act deadlines, CPD should regularly train and conduct refresher trainings for its certifying officials, officers, and administrative staff about the relevant statutory deadlines and how to promptly process and track U- and T-visa certification requests in accordance with those deadlines. CPD may develop training internally or contract with another organization to provide this training.
- b. Review system for tracking deadlines and hold officials accountable for missing deadlines:** CPD should review its internal deadline tracking system to ensure compliance with relevant VOICES Act deadlines for all requests for certification and requests for reissuance of certifications. CPD should also create or maintain accountability measures for identifying and addressing internal failures to meet the statutory deadlines under the VOICES Act.

2. Make information regarding CPD's procedures for U- and T-visa certification requests publicly available for victims of qualifying criminal activity and their representatives: The VOICES Act requires all certifying agencies to make publicly available "information regarding the agency's procedures for certification requests."⁶⁸ Although CPD's policies, including its current U- and T-visa certification policy, are technically available to the public, this information is not easily accessible to crime victims and their representatives. CPD should create a dedicated U- and T-visa webpage for the public that contains information about how to submit a U- or T-visa certification request or appeal to the Department, along with relevant Department policies, procedures, and VOICES Act requirements. The webpage should be made available in English, Spanish, and other commonly spoken languages within the City of Chicago⁶⁹ and should be located in a prominent location on CPD's website.

3. Provide an opportunity for anyone who believes CPD improperly denied their U-visa certification request between January 1, 2022 and February 10, 2026 to resubmit

⁶⁸ 5 ILCS 825/10(a)(2).

⁶⁹ City of Chicago Ordinance 2-40, "Citywide Language Access to Ensure the Effective Delivery of City Services," requires "[a]ll City departments that provide direct public services shall ensure meaningful access to such services by taking reasonable steps to develop and implement department-specific language access plans regarding LEP [limited-English proficiency] persons." Chi., Il., Municipal Code ch. 2-40, §020(a). According to the Municipal Code, CPD "shall ... provide services in any non-English language spoken by a limited or non-English proficient population that constitutes 5% or 10,000 individuals, whichever is less, in Chicago." *Id.* at § 020(b)(3).

their request for redetermination: In light of OAG’s finding that CPD denied U-visa certification requests for reasons not permitted under the VOICES Act—and the fact that CPD itself has not conducted a comprehensive review of denials issued during the relevant time frame—CPD should allow victims whose certification requests may have been improperly denied an opportunity to resubmit their requests. On the public U- and T-visa certification webpage referenced above, CPD should include a notice (1) acknowledging that CPD may have improperly denied or otherwise failed to respond to certain U- and T-visa certification requests and appeals submitted to the Department between January 1, 2022 and February 10, 2026, and (2) expressly inviting resubmission of any certification request or appeal previously denied by CPD (or otherwise submitted to CPD and not later granted) during the relevant time period, along with any additional supporting documentation. CPD should conduct a fresh review of all received certification requests or appeal resubmissions and timely respond in accordance with the VOICES Act.

- 4. Improve required training through partnerships with community-based organizations and additional written training materials:** The VOICES Act requires all certifying agencies to arrange regular training for certifying officials.⁷⁰ OAG is encouraged by CPD certifying officials’ attendance at OAG’s January 2025 training webinar.⁷¹ In addition to requiring attendance at OAG VOICES Act trainings, CPD can help ensure future compliance with the VOICES Act by developing high-quality internal and external training opportunities for certifying officials and requiring them to attend annually. OAG recommends that CPD:

- a. Create or maintain training partnerships with community-based organizations that have experience providing services to immigrant crime victims, including legal aid organizations and other immigration legal service providers. Such organizations have extensive practical experience with the U- and T-visa certification and application process and may also serve as a helpful resource for training on best practices for interacting with immigrant survivors.
- b. Provide all certifying officials with additional written training materials, including the most recent versions of the U.S. Department of Homeland Security’s U and T Visa Law Enforcement Resource Guides.⁷² Because these guides to the U- and T-visa certification process are intended for a nationwide audience, they lack information about the additional state-level certification requirements imposed by the VOICES Act. Nonetheless, they provide helpful explanations about who qualifies as a victim for purposes of a U- or T-visa and how to determine whether a given crime may be considered a “qualifying criminal activity.” A better understanding of the information provided in these guides—in combination with additional VOICES-Act-specific training and information—will help CPD reduce

⁷⁰ 5 ILCS 825/25.

⁷¹ Twenty CPD officers and administrators attended OAG’s January 8, 2025, training webinar titled “IL TRUST, VOICES, and Way Forward Acts,” including training on how to submit annual reports to the Office.

⁷² See *supra* sources cited note 6. The most recent versions of these guides, along with additional law enforcement resources created by USCIS, may be found here: <https://www.uscis.gov/tools/information-for-certifying-officials-law-enforcement-judges-and-other-agencies> (last visited Oct. 23, 2025)..

the number of improper certification denials issues by the Department.

- c. Provide internal training to certifying officials on GovQA usage and procedures to ensure complete and accurate tracking of all data required to comply with the CPD's WFA reporting obligations (including certification request and response dates). Accurate and complete data is essential to compliance.

VI. Conclusion

OAG finds that it has reasonable cause to believe that CPD violated multiple provisions of the VOICES Act during the time period covered by the investigation (August 2, 2021 through the present). Since the initiation of this investigation in January 2023, the Department has taken important steps toward VOICES Act compliance. These voluntary corrective measures include overhauling the Department's certification request tracking system and substantially revising its U- and T-visa certification policies and procedures in collaboration with OAG. While OAG appreciates and acknowledges these corrective actions, which have unquestionably led to overall improved compliance with the Act, there are 3 areas in which CPD has not fully sustained the level of improvement initially shown from 2022 to 2023. First, as recently as 2024, CPD failed to consistently maintain complete records of information necessary to report on compliance with the VOICES Act. Second, CPD also failed in 2024 to consistently respond to U-visa certification requests within the time frames mandated by the Act. Third, CPD continued to issue at least some denials of U-visa certification requests for reasons not permitted under the Act (specifically, denials based on crime victims' alleged lack of helpfulness to law enforcement) through at least August 2024.

Non-compliance with the VOICES Act not only creates barriers to humanitarian immigration relief for qualified crime victims, but it also undermines public safety by eroding trust between law enforcement and immigrant crime victims. By adopting the additional remedial measures outlined in this letter, CPD will build upon the significant progress it has already made toward compliance with the VOICES Act and further demonstrate its commitment to improving public safety by fortifying immigrant communities' trust in local law enforcement. OAG appreciates CPD's cooperation during the course of this multi-year investigation, and we look forward to further collaboration with the Department as it works to implement the above recommendations.

Respectfully,

KWAME RAOUL
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Appendix A: U-Visa Certification Request Approval Rates (2021–2024)

Figure 1. CPD Certification Responses (Aug. 2021–Dec. 2021)

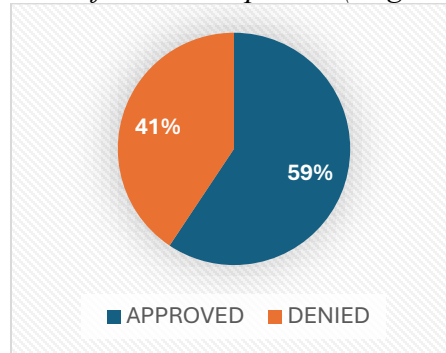


Figure 2. CPD Certification Responses (2022)

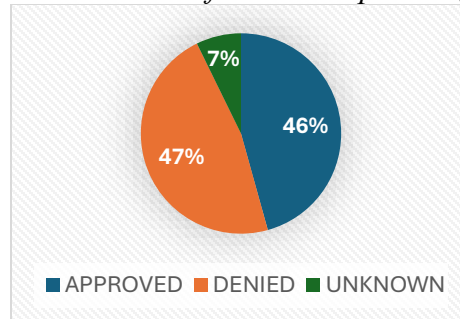


Figure 3. CPD Certification Responses (2023)

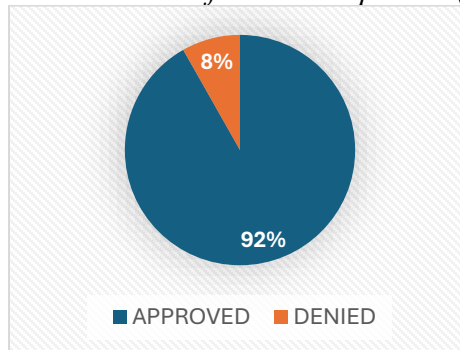


Figure 4. CPD Certification Responses (2024)

