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**RE: U visa applicants & ERO priorities - Searchlight NM**

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**Bennett, Danielle** <Danielle.Bennett@ice.dhs.gov>  
To: Lauren Villagran <lauren@searchlightnm.org>, ICEMedia <ICEMedia@ice.dhs.gov>  
Cc: "Zamarripa, Leticia" <Leticia.Zamarripa@ice.dhs.gov>

Fri, Apr 19, 2019 at 7:05 AM

Here is our policy:

U.S. Immigration and Customs Enforcement (ICE) policy memos "Prosecutorial Discretion: Certain Victims. Witnesses and Plaintiffs" and Guidance: Adjudicating Stay Requests Filed by U Nonimmigrant Status (U-visa) Applicants remain in effect. These policies are in intended to minimize the effect that immigration enforcement may have on the willingness and ability of victims and witnesses to call the police to report crimes or protect their safety.

ICE has long recognized the importance of victims and witnesses and the critical role they play in successful investigations and prosecutions.

ICE works closely with its state and local law enforcement partners to help make eligible individuals aware of, and pursue, U visas for victims of crimes including domestic violence and T visas for victims of human trafficking. ICE has an established victim assistance program which deploys victim assistance specialists who provide services to victims of crimes being investigated by HSI. HSI also has a Tipline where callers can provide information about on-going criminal activity while remaining anonymous.

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**From:** Lauren Villagran <lauren@searchlightnm.org>  
**Sent:** Thursday, April 18, 2019 6:36 PM  
**To:** ICEMedia <ICEMedia@ice.dhs.gov>  
**Cc:** Zamarripa, Leticia <Leticia.Zamarripa@ice.dhs.gov>  
**Subject:** U visa applicants & ERO priorities - Searchlight NM

Hello:

I write for journalism nonprofit Searchlight New Mexico and have a question regarding current federal policy governing Enforcement & Removal Operations as it pertains to "U visa" (Form I-918) applicants.

USCIS has a more than four-year backlog of applications to review. U visa applicants may have a criminal record and still qualify for the visa. But while they wait for their application to be processed, those who have a criminal conviction (such as a 1326 illegal re-entry) may also fall under ICE priorities for deportation, as local immigrant advocates are reporting.

Could you please describe ICE's current policy regarding that overlap? Can undocumented immigrants, applicants for a U visa, be targeted for deportation by ERO? Under what circumstances? (For example, for a criminal conviction)?

Thanks in advance for your help!

I am copying Leticia Zamarripa here in the local AOR, but as this is a question pertaining to nationwide policy, I'm reaching out directly to DC.

Cheers,

Lauren

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[Searchlight NM](#)

phone 505-235-6908

Twitter [@laurenvillagran](#)