



**Office of the Attorney General of the State of Illinois**  
**Way Forward Act Annual Compliance Report**  
**2023 Summary Statistics**  
**Civil Rights Bureau of the Illinois Attorney General's Office<sup>1</sup>**  
December 10, 2024

This is the second Way Forward Act report by the Illinois Attorney General's Office on law enforcement agencies' annual reporting on compliance with the Illinois TRUST Act and Voices of Immigrant Communities Empowering Survivors ("VOICES") Act. This report summarizes the compliance data received for 2023 and offers a brief overview of the Civil Rights Bureau's investigative and enforcement activity under the Way Forward Act. It also includes a list of detailed data appendices in Excel format for each law enforcement agency's 2023 compliance data, which can be downloaded from the Illinois Attorney General's Office website.

As detailed in this year's report, highlights include:

- **Increased high rates of reporting:** 865 Illinois law enforcement agencies submitted their data for 2023, including 101 of the 102 county sheriff's departments. This improves on the already-high 2022 reporting rate, which exceeded the rates for other state law enforcement reporting requirements.
- **Most U and T visa certification requests granted:** More than 3,200 certification requests for U and T visas were reported by 172 agencies statewide in 2023, far more than reported in 2022. Agencies reported granting 87% of these requests in 2023 – up from 66% in 2022.
- **Investigations and technical assistance aided compliance:** Over the past year, the Civil Rights Bureau has issued findings in an investigation of one agency's compliance, sent letters to investigate or aid compliance in other agencies, and provided technical assistance regarding best practices in policies and trainings to comply with the Way Forward Act.

## **I. Background**

Law enforcement has long recognized that a strong relationship with the community encourages individuals who have been victims of or witnesses to a crime to cooperate with the

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<sup>1</sup> This report was prepared by Civil Rights Bureau Chief Amy Meek and Assistant Attorneys General Alexandra Reed and Angelys Torres McBride, with data analysis support from Data Analyst/Statistician Franklin Joseph. This analysis reflects the information received and processed by OAG as of July 1, 2024, and may be subject to correction or change. Each reporting law enforcement agency is responsible for certifying the accuracy of its own data upon submission to the OAG.

police. Building trust is particularly crucial in immigrant communities where residents 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.<sup>2</sup> This is true of not only undocumented individuals who may be concerned about their own immigration status, but also U.S. citizens who may be worried about their parents, their children, or other members of their family who immigrated to the United States.

With this goal in mind, Illinois law enforcement agencies are subject to two important state laws designed to build trust with immigrant communities:

- The Illinois TRUST Act (5 ILCS 805/5) helps bolster community trust and cooperation by affirming that law enforcement agencies in Illinois are largely prohibited from participating in non-criminal immigration enforcement.
- The Voices of Immigrant Communities Empowering Survivors (“VOICES”) Act (5 ILCS 825/1) sets forth specific procedures that Illinois law enforcement officers must follow to support immigrants victimized by violent crime or human trafficking who help law enforcement investigate or prosecute criminal activity and who are seeking U or T visa certification.

In 2021, the Illinois General Assembly expanded the protections and obligations in both these laws through a new law, the Way Forward Act. Among other things, the Way Forward Act tasks the Illinois Attorney General’s Office (the “OAG”) with investigating possible violations and enforcing compliance with the TRUST Act and the VOICES Act. In order to ensure compliance, the Act also requires each law enforcement agency in Illinois to provide an annual report to the Illinois Attorney General’s Office (the “OAG”) with information related to its compliance with the Illinois TRUST Act and the Illinois VOICES Act.

There is no single official list of all law enforcement agencies within the state of Illinois or their contact information. For the inaugural Way Forward Act reporting year in 2022, the Civil Rights Bureau used state and federal data sources to compile a contact database which currently includes approximately 960 law enforcement agencies in Illinois. The Civil Rights Bureau regularly updates the list as it receives information regarding changes in agency personnel and contact information as well as agency mergers, dissolutions, and/or closures. For example, the Civil Rights Bureau received information from 25 municipalities in 2024 indicating that their respective law enforcement agencies had disbanded or merged with other agencies.

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<sup>2</sup> 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 2 (May 2019) (observing much lower rates of violence reporting in newer immigrant communities).

The information collected by the OAG under the Way Forward Act falls into three categories: (1) requests from federal immigration authorities regarding civil enforcement, (2) immigration detainers and civil immigration warrants, and (3) requests for certification forms for U- and T-visas. Requests from federal immigration authorities includes any request from the U.S. Department of Homeland Security (“DHS”), including requests from U.S. Immigration and Customs Enforcement (“ICE”), related to participation, support, or assistance in any immigration agent’s civil enforcement operation.<sup>3</sup>

Each law enforcement agency must collect all required reporting information on a calendar year basis (January 1 through December 31 of each year), and report to the OAG the following March 1. Compliance with the Act’s reporting requirements is mandatory, and failing to submit a report or submitting an incomplete report is a violation of state law.<sup>4</sup> The OAG has statutory authority to conduct investigations and seek legal remedies for violations of the Act.<sup>5</sup>

## **II. Compliance Reporting for 2023 and Data Analysis**

In its second reporting year, the Civil Rights Bureau’s efforts increased the already-high level of compliance in statewide law enforcement reporting. For 2023, a total of 865 Illinois law enforcement agencies submitted an annual compliance report, including 101 of the 102 county sheriff’s departments. This is an increase from the previous year, for which 838 Illinois law enforcement agencies submitted 2022 annual compliance reports, including 100 of the 102 county sheriff’s departments. These numbers continue to exceed the number of law enforcement agencies reporting for other comparable statewide annual reporting requirements, such as the Illinois Uniform Crime Reporting Program<sup>6</sup> and the Illinois Traffic and Pedestrian Stop Study.<sup>7</sup>

Reporting agencies also considerably improved their timeliness in submitting Way Forward Act data to the Civil Rights Bureau, compared to the first reporting year. Approximately 56% of agencies that reported 2023 data did so by the March 1 deadline, compared to only about 16% of reporting agencies that met the deadline for 2022. A list of non-reporting entities for calendar year 2023 is provided at the end of this report.

Each reporting law enforcement agency was responsible for certifying the accuracy of its own data upon submission to the OAG. Below are some summary statistics based on OAG’s analysis of the data provided by law enforcement agencies to date.

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<sup>3</sup> See [IL OAG TRUST Act and VOICES Act Annual Reporting Instructions for Law Enforcement Agencies](#) for additional reporting information details.

<sup>4</sup> 5 ILCS 805/25, 5 ILCS 825/20.

<sup>5</sup> 5 ILCS 805/30.

<sup>6</sup> For 2023, 641 law enforcement agencies reported crime statistics to the Illinois State Police. Illinois State Police Crime in Illinois Website, <https://ilucr.nibrs.com/CrimePublication/CrimeinIllinois> (last accessed October 2, 2024).

<sup>7</sup> For 2023, 806 law enforcement agencies reported traffic and/or pedestrian stop data to the Illinois Department of Transportation. Illinois Department of Transportation, Illinois Traffic and Pedestrian Stop Study 2023 Annual Report: Traffic Stops (2024) at 3, available at <https://idot.illinois.gov/content/dam/soi/en/web/idot/documents/transportation-system/reports/safety/traffic-stop-studies/2023%20Illinois%20Traffic%20Stop%20Study%20-%20Part%20I.pdf>.

### A. U- & T- Visa Certification Requests

In 2023, 172 law enforcement agencies in Illinois reported that they had received at least one request to complete a U or T visa certification form regarding the helpfulness of an immigrant victim of crime with respect to the investigation or prosecution of those crimes – up from 120 agencies that reported receiving such requests in 2022. The total number of certification requests reported by these agencies also increased dramatically, from 2,019 requests in 2022 to 3,229 requests in 2023. It is not clear how much of this increase may be due to improved recordkeeping and reporting procedures by agencies as they implement Way Forward Act requirements, rather than an actual increase in certification requests. For example, the number of certification requests reported by the Chicago Police Department increased nearly 60%, from 1,158 in 2022 to 1,841 in 2023, during a time when the agency changed its directive on responding to these requests.<sup>8</sup>

Timely and lawful responses to U and T visa certification requests serve an important public safety purpose for law enforcement. Federal law affords immigrant survivors of violent crimes and human trafficking the opportunity to apply for temporary humanitarian immigration relief—in the form of a U or T visa—if, among other requirements, they cooperate with reasonable requests for assistance from law enforcement in investigating or prosecuting those crimes. At the state level, the VOICES Act specifies the procedures that law enforcement and all other certifying agencies in Illinois must follow upon receiving a request for completion of a U or T visa certification form. The certification request process offers an important opportunity for law enforcement agencies to build trust with local immigrant communities and reinforce the importance of reporting and assisting in the investigation and prosecution of criminal activity.

For 2023, nearly every one of the 3,229 requests for certification received a response of some kind from law enforcement; only 10 certification requests were reported as receiving no response within the year (a 99.7% response rate). This is a notable improvement from 2022, for which agencies reported a 96.2% response rate (with 82 agencies receiving no request that year). It does not necessarily indicate whether responses were timely, as the VOICES Act generally requires that law enforcement agencies respond to *all* certification requests within 90 business days of receipt (or sooner in some circumstances), except by written agreement with the requester or their representative.<sup>9</sup>

For the second year in a row, agencies in Illinois reported granting most of the certification requests that they received. In total, agencies reported granting 87% of the requests received in 2023, up from 66% in 2022. Notably, the Chicago Police Department reported granting 92% of

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<sup>8</sup> See, e.g., Chicago Police Department (CPD) Directive on T Visa and U Visa Nonimmigrant Status Certification (issued February 8, 2023), available at [https://home.chicagopolice.org/draft\\_policy/t-visa-and-u-visa-certification-directive/](https://home.chicagopolice.org/draft_policy/t-visa-and-u-visa-certification-directive/). In January 2023, the OAG opened an investigation into CPD's compliance with the VOICES Act, which is currently ongoing.

<sup>9</sup> This report does not attempt to calculate the overall timeliness of responses by law enforcement because in some instances VOICES Act deadlines may be shorter than 90 business days, and in other instances may be longer if the requester or their representative has agreed in writing to extend the deadline.

their certification requests in 2023, compared to 2022 when they granted less than half of such requests. While requests to the Chicago Police Department made up most of the total number of U- and T-visa certification requests reported in Illinois, most certification requests were granted elsewhere in the state as well. Not counting the Chicago Police Department, 81% of certification requests reported by other Illinois agencies in 2023 were granted.

<b>2023 U and T Visa Certification Requests Reported to OAG</b>	<b>Requests reported as received</b>	<b>Requests reported as granted</b>	<b>Approval rate</b>
All reporting agencies	3,229	2,808	87%
Chicago PD	1,841	1,690	92%
All reporting agencies, other than Chicago PD	1,388	1,118	81%

Over the past year, OAG’s Civil Rights Bureau provided trainings and technical assistance to assist law enforcement to facilitate a timely and lawful response to U and T visa certification requests. Based on complaints and data analysis, the Civil Rights Bureau has also opened investigations into departments where there appeared to be potentially systemic issues with VOICES Act compliance. In 2024, OAG issued findings in its investigation of Joliet Police Department’s compliance with the VOICES Act.<sup>10</sup> After OAG opened its investigation in December 2022, Joliet Police Department made changes to the personnel responsible for overseeing the U- and T-visa certification process, implemented a system for tracking VOICES Act deadlines, amended its training bulletin and screening template according to OAG’s recommendations, and updated its public-facing website. In 2023, the Joliet Police Department reported that it successfully timely responded to all U and T visa certification requests within the mandated 90-business-day period. To date in 2024, OAG has sent letters to investigate or aid VOICES Act compliance in two other agencies and has seen promising initial responses, such as the issuance of overdue certification forms; further results will be discussed in a future report.

Overall, most law enforcement agencies in Illinois have shown a recognition of the value U- and T-visa certifications provide to public safety and community trust, and eagerness to comply with the requirements of the VOICES Act. OAG’s Civil Rights Bureau will continue to provide technical assistance to law enforcement and to investigate and address potentially systemic issues with VOICES Act compliance as they arise.

*B. Immigration Detainers and Civil Immigration Warrants*

Few reporting agencies in Illinois reported receiving immigration detainers or civil immigration warrants. The TRUST Act prohibits local and state law enforcement agencies in

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<sup>10</sup> <https://illinoisattorneygeneral.gov/Page-Attachments/JPDVoicesFindingsLetter.pdf>

Illinois from complying with immigration detainers or civil immigration warrants.<sup>11</sup> Holding detainees past their scheduled release for ICE pick up could expose the reporting agency to civil liability.<sup>12</sup> For 2023, there were 27 agencies that reported to OAG that they received civil immigration detainers or civil immigration warrants, with a total of 523 detainers or warrants received statewide. While this is an increase from 2022, receipt of a detainer or warrant does not mean that the agency complied with it.

After examining 2022 and 2023 data on detainers and warrants for possible TRUST Act compliance issues, the Civil Rights Bureau opened an investigation into a county sheriff's office that reported transferring a total of 12 individuals into ICE custody following the receipt of a civil immigration detainer or civil immigration warrant in 2022 and 2023. The investigation is ongoing and, once concluded, will be discussed in a future report.

### *C. Requests from Federal Immigration Authorities*

As with detainers and warrants, few reporting agencies reported receiving requests from federal immigration authorities regarding civil enforcement, and the significant majority of such requests were rejected. The TRUST Act generally prohibits local law enforcement from sharing information with federal immigration agents, including a prohibition on providing non-public information in response to an immigration agent's inquiry or request for information regarding any individual in law enforcement custody. Local law enforcement may provide these types of assistance only in two narrow circumstances: when they are presented with a federal criminal warrant, or when otherwise required by a specific federal law.<sup>13</sup>

For 2023, there 31 agencies that reported to OAG that they received any requests from federal immigration authorities such as DHS, including requests from ICE, related to participation, support, or assistance in any immigration agent's civil enforcement operation. OAG's data shows that of the 503 total DHS requests reported to have been received in the state of Illinois, only 58 requests were reported as accepted (meaning that 88.5% of the requests were rejected). After reviewing 2022 and 2023 data on these requests for possible TRUST Act compliance issues, the Civil Rights Bureau determined that requests that were reported by agencies as accepted largely fell into the following two categories:

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<sup>11</sup> 5 ILCS 805/15. In some states, local law enforcement may enter into formal agreements with the federal government to detain people who have been apprehended for violating federal civil immigration law. See 8 U.S.C. § 1103(a)(11)(B). Illinois law, however, also prohibits law enforcement agencies and officials from entering into any "agreement to house or detain individuals for federal civil immigration violations." 5 ILCS 805/15(g)(1). See *McHenry County v. Raoul*, No. 21-cv-50341, ECF No. 41 at \*8 (N.D. Ill. Dec. 6, 2021).

<sup>12</sup> *Santos v. Frederick County Bd. of Comm'rs*, 725 F.3d 451, 464–65 (4th Cir. 2013); see also *Villars v. Kubiawski*, 45 F.Supp.3d 791, 801–03 (N.D. Ill. 2014) (denying motion to dismiss claims against village police department for detaining individual post-bond); *Galarza v. Szalczyk*, 745 F.3d 634, 645 (3rd Cir. 2014) (finding county liable for unlawful detention pursuant to Immigration Detainer).

<sup>13</sup> 5 ILCS 805/15(h).

- **Requests for public records or Freedom of Information Act (FOIA) requests:** Several agencies reported that they complied with requests from federal immigration authorities under FOIA or more generally for public records such as arrest reports or booking photographs. Providing public information or public records in response to a federal immigration agent’s request does not generally conflict with the TRUST Act and may be required by other applicable laws such as the Illinois FOIA statute.<sup>14</sup>
- **USCIS background check requests:** At least one agency reported all background check requests it received from USCIS in this category. USCIS conducts background checks on criminal records when it evaluates applications seeking naturalization or some immigration-related benefits, as required by federal law.<sup>15</sup> Providing information required by a specific federal law is not a violation of the TRUST Act.

The Civil Rights Bureau continues to review and evaluate the data submitted by law enforcement agencies for compliance with the Way Forward Act. More detailed data can be found in the appendices.

### **III. Conclusion**

The OAG’s Civil Rights Bureau encourages law enforcement agencies and members of the public to reach out with questions, concerns, or additional information regarding the TRUST Act and VOICES Act compliance.

Information for law enforcement agencies can be found at:

<https://illinoisattorneygeneral.gov/Safer-Communities/Resources-for-Law-Enforcement/Law-Enforcement-And-Immigration/>

The Civil Rights Bureau’s webpage, including information on filing a complaint, is at: <https://illinoisattorneygeneral.gov/Rights-of-the-People/civil-rights/>

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<sup>14</sup> See, e.g., 5 ILCS 140/2.15 (governing public release of arrest reports and criminal history information under Illinois FOIA).

<sup>15</sup> 8 U.S.C. § 1101 et seq.

**IV. Non-Reporting Agencies for 2023 (as of July 1, 2024)**

*Non-Reporting County Sheriff's Office for 2023*  
Crawford County Sheriff's Office

*Non-Reporting Municipal Police Departments for 2023*

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|-------------------------|-------------------|--------------------------------------|-------------------------|
| 1. Aroma Park           | 27. Forest View   | 53. Lenzburg                         | 77. Rutland             |
| 2. Ashkum               | 28. Freeman Spur  | 54. Liberty                          | 78. Saint Francisville  |
| 3. Bayview Gardens      | 29. German Valley | 55. Ludlow                           | 79. Shannon             |
| 4. Bradford             | 30. Gifford       | 56. Mansfield                        | 80. Shawneetown         |
| 5. Brocton              | 31. Gladstone     | 57. Marissa                          | 81. Sheffield           |
| 6. Buffalomechanicsburg | 32. Grand Tower   | 58. Markham                          | 82. Sheldon             |
| 7. Bureau               | 33. Greenup       | 59. Mascoutah                        | 83. Shiloh              |
| 8. Cairo                | 34. Hampton       | 60. Minooka                          | 84. Sidell              |
| 9. Cedarville           | 35. Hardin        | 61. Murrayville-<br>Woodson          | 85. Spaulding           |
| 10. Centreville         | 36. Henning       | 62. Nashville                        | 86. Stewardson          |
| 11. Chadwick            | 37. Hillsdale     | 63. Neponset                         | 87. Thayer              |
| 12. Chapin              | 38. Hindsboro     | 64. Niantic                          | 88. Thompsonville       |
| 13. Chesterfield        | 39. Hurst         | 65. North Chicago                    | 89. Tonica              |
| 14. Chicago Heights     | 40. Indianola     | 66. Oakwood                          | 90. Valier              |
| 15. Creal Springs       | 41. Irving        | 67. Orangeville                      | 91. Valmeyer            |
| 16. Danvers             | 42. Irvington     | 68. Orient                           | 92. Vermont             |
| 17. Dolton              | 43. Johnston City | 69. Percy                            | 93. Viola               |
| 18. Donnellson          | 44. Jonesboro     | 70. Plymouth                         | 94. Walnut              |
| 19. Dowell              | 45. Junction City | 71. Rankin                           | 95. Wamac               |
| 20. East Saint Louis    | 46. Keithsburg    | 72. Raymond                          | 96. Washington Park     |
| 21. Easton              | 47. Kilbourne     | 73. Robbins                          | 97. West City           |
| 22. Elkhville           | 48. Kinmundy      | 74. Rockford                         | 98. White Hall          |
| 23. Enfield             | 49. La Harpe      | 75. Round Lake Area<br>Park District | 99. Winslow             |
| 24. Ewing               | 50. Lakemoor      | 76. Royalton                         | 100. Zion Park District |
| 25. Fillmore            | 51. Leaf River    |                                      |                         |
| 26. Fithian             | 52. Lebanon       |                                      |                         |



**V. List of Data Appendices for 2023**

Appendix A: U- and T-visa certification request data for each agency that reported requests for 2023

Appendix B: Civil immigration detainer and warrant data for each agency that reported receiving detainees or warrants in 2023

Appendix C: Federal immigration authority requests for each agency that reported receiving such requests in 2023

Appendix D: Lists of agencies that reported they received no U- and T-visa certification requests, no civil immigration detainees or warrants, and/or no requests from federal immigration authorities in 2023