



SENATE MAJORITY OFFICE

Oregon State Legislature
State Capitol
Salem, OR

NEWS RELEASE

April 24, 2019

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U Visas increase reports of crime, help law enforcement

SB 962: Creates a statewide process for consistency in handling these applications

SALEM – To truly and effectively crack down on human trafficking and other crimes, law enforcement needs witnesses who feel comfortable coming forward to report crimes.

The federal government created the U Nonimmigrant Visa Status Certification in 2000 to help with that issue, but it has been applied inconsistently across the state. [Senate Bill 962](#) – which passed with a 29-0 vote on the Senate floor today – establishes procedural requirements for certifying U Visas, as well as the essential data that must be collected in that process. The bill also creates a statewide system for approving the visas to keep the process fair and equitable. The bill is designed to achieve the following results in the criminal justice system:

- Increase reporting of violent crime;
- Assist law enforcement investigation of crimes and better hold perpetrators accountable;
- Improve trust and communication between crime victims and law enforcement;
- Increase awareness about the U Visa;
- Give crime victims predictability and clear expectations in the process;
- Ensure U Visa applicants receive timely responses to their requests; and
- Gather basic information on U Visa status certifications across all Oregon’s jurisdictions to allow for future process improvements.

“Crime victims should feel comfortable coming forward to report what happened to them without fear of being penalized,” said Sen. Kathleen Taylor (D-Milwaukie), who carried the bill

on the Senate floor. “This bill will establish a consistent and equitable system across the state for processing U Visas. With a transparent and fair process, we’ll be better able to seek justice for crime victims and hold offenders accountable for their actions.”

Congress created the U Visa with passage of the Victims of Trafficking and Violence Protection Act in 2000, intending to strengthen law enforcement agencies’ abilities to investigate and prosecute domestic violence, sexual assault, human trafficking and other serious crimes, while also protecting crime victims who have suffered substantial mental or physical abuse.

Because the U Visa program is federal, local law enforcement does not decide on granting the U visas, but acts as a certifier that the applicant meets criteria to apply. That information is collected on a form – which includes certain facts about the crime, whether the applicant was a victim and whether the person is likely to be helpful in investigating and prosecuting the crime – which then is provided to United States Citizenship and Immigration Services.

Across Oregon, U Visa applicants have experienced discrepancies among local jurisdictions in handling requests. Some jurisdictions process requests quickly and work collaboratively with applicants, while others may deny requests without review or take long periods of time to grant or deny certifications. Advocates, immigration attorneys, law enforcement and other stakeholders worked together for two years to create a transparent and consistent certification process for statewide adoption. Senate Bill 962 is the result of that work. The bill now goes to the House of Representatives for consideration.

“Currently, implementation of the program is inconsistent,” Oregon Law Center Director of Public Policy Sybil Hebb said, as part of written testimony supporting the bill. “Implementation of the new standards will deliver a message to survivors that there is help available to them, and their immigration status should not deter them from seeking safety. The bill will remove a tool of manipulation and abuse from the hands of domestic violence, sexual assault and trafficking perpetrators.”

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