

MAR - 7 2024

SENATE RESOLUTION

URGING THE DEPARTMENT OF LAW ENFORCEMENT TO DEVELOP AND
IMPLEMENT A U VISA CERTIFICATION POLICY.

1 WHEREAS, Congress enacted the Victims of Trafficking and
2 Violence Prevention Act of 2000 to encourage immigrant victims
3 to report crimes and contribute to investigations and
4 prosecutions and support law enforcement efforts to investigate
5 and prosecute crimes committed against immigrant victims by
6 creating the U visa certification policy; and
7

8 WHEREAS, the United States Department of Homeland Security
9 has created the U Visa Law Enforcement Certification Resource
10 Guide to assist local government jurisdictions to create their
11 own U visa certification document; and
12

13 WHEREAS, the Orange County Sheriff-Coroner Department of
14 the State of California has already implemented a U visa
15 certification policy under Policy 609; and
16

17 WHEREAS, the U visa is an immigration benefit for immigrant
18 victims of certain crimes who will assist, are currently
19 assisting, or have previously assisted law enforcement in the
20 investigation or prosecution of a crime; and
21

22 WHEREAS, the U visa provides eligible immigrant victims
23 with nonimmigrant status to temporarily remain in the United
24 States while assisting law enforcement, allowing these
25 individuals to legally remain and work in the United States; and
26

27 WHEREAS, immigrant victims who do not have legal
28 immigration status may be reluctant to help in the investigation
29 or prosecution of criminal activity for fear of removal from the
30 United States; and
31



S.R. NO. 35

1 WHEREAS, immigrants, especially women and children, can be
 2 particularly vulnerable to crimes like human trafficking,
 3 domestic violence, sexual assault, and other types of abuse; and
 4

5 WHEREAS, any eligible immigrant victim may apply for a U
 6 visa, which must first be certified by a qualifying federal,
 7 State, or certifying agency, such as the Department of Law
 8 Enforcement, before being reviewed and acted upon by the United
 9 States Citizenship and Immigration Services; and
 10

11 WHEREAS, while the certifying law enforcement agency does
 12 not have the authority to grant or guarantee a U visa, this step
 13 is necessary for a U visa, as the certification verifies that a
 14 qualifying criminal activity occurred and that the victim was
 15 helpful or will be helpful in the investigation or prosecution
 16 of the qualifying crime; and
 17

18 WHEREAS, the State currently does not have a U visa
 19 certification policy in place; and
 20

21 WHEREAS, the State would benefit from having a U visa
 22 certification policy to ensure that victims of certain crimes
 23 have a safe opportunity to report these crimes without fear of
 24 deportation; now, therefore,
 25

26 BE IT RESOLVED by the Senate of the Thirty-second
 27 Legislature of the State of Hawaii, Regular Session of 2024,
 28 that the Department of Law Enforcement is urged to develop and
 29 implement a U visa certification policy; and
 30

31 BE IT FURTHER RESOLVED that the Department of Law
 32 Enforcement is requested to submit:
 33

- 34 (1) An interim report on the development of a U visa
 35 certification policy, including any proposed
 36 legislation, to the Legislature no later than twenty
 37 days prior to the convening of the Regular Session of
 38 2025; and
 39
- 40 (2) A final report on the implementation of the U visa
 41 policy, including any proposed legislation, to the



S.R. NO. 35

1 Legislature no later than twenty days prior to the
2 convening of the Regular Session of 2026; and

3
4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the Governor and Director of Law
6 Enforcement.

7
8
9

OFFERED BY: 

