
HOUSE CONCURRENT 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
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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
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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
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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
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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
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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



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2 WHEREAS, immigrants, especially women and children, can be
3 particularly vulnerable to crimes like human trafficking,
4 domestic violence, sexual assault, and other types of abuse; and
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6 WHEREAS, any eligible immigrant victim may apply for a U
7 visa, which must first be certified by a qualifying federal,
8 State, or certifying agency, such as the Department of Law
9 Enforcement, before being reviewed and acted upon by the United
10 States Citizenship and Immigration Services; and
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12 WHEREAS, while the certifying law enforcement agency does
13 not have the authority to grant or guarantee a U visa, this step
14 is necessary for a U visa, as the certification verifies that a
15 qualifying criminal activity occurred and that the victim was
16 helpful or will be helpful in the investigation or prosecution
17 of the qualifying crime; and
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19 WHEREAS, the State currently does not have a U visa
20 certification policy in place; and
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22 WHEREAS, the State would benefit from having a U visa
23 certification policy to ensure that victims of certain crimes
24 have a safe opportunity to report these crimes without fear of
25 deportation; now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Thirty-second Legislature of the State of Hawaii, Regular
29 Session of 2024, the Senate concurring, that the Department of
30 Law Enforcement is urged to develop and implement a U visa
31 certification policy; and
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33 BE IT FURTHER RESOLVED that the Department of Law
34 Enforcement is requested to submit:
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- 36 (1) An interim report on the development of a U visa
37 certification policy, including any proposed
38 legislation, to the Legislature no later than twenty
39 days prior to the convening of the Regular Session of
40 2025; and
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1 (2) A final report on the implementation of the U visa
2 policy, including any proposed legislation, to the
3 Legislature no later than twenty days prior to the
4 convening of the Regular Session of 2026; and
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6 BE IT FURTHER RESOLVED that certified copies of this
7 Concurrent Resolution be transmitted to the Governor and
8 Director of Law Enforcement.
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OFFERED BY: _____



MAR - 6 2024

