

MAR - 7 2024

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

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

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

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

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

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

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

- (1) An interim report on the development of a U visa certification policy, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and



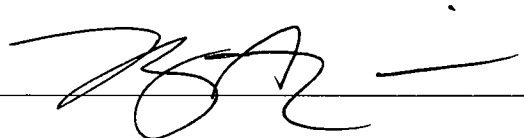
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(2) A final report on the implementation of the U visa policy, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and

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

OFFERED BY:



A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be the initials 'RJA' followed by a flourish.

