



Testimony in SUPPORT of SB 553

Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness

Senate Judicial Proceedings Committee

February 7, 2025

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of SB 553 - Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness**. CASA is a national powerhouse organization building power and improving the quality of life in working-class: Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities.

With a membership of over 173,000 members, CASA creates change with its power-building model blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing much-needed services, helping to ensure that low-income immigrants can live rich and full lives.

For over two decades, CASA has provided a variety of legal services for low-income immigrants in housing, employment, and immigration matters. These include free legal consultation clinics and Know Your Rights presentations. At these consultations, many members have been identified as survivors of crimes committed in the United States and eligible for relief through the U-Visa process. In cases that CASA has been able to take on for further representation, CASA has supported members at the U-certification stage, in various jurisdictions across the state, as well as submission of U-visa applications before USCIS.

The U-Visa was created by Congress to encourage undocumented victims to come forward and assist law enforcement in investigating and prosecuting serious crimes - however, the process for obtaining certifications from law enforcement agencies in Maryland has been inconsistent, delayed or denied without clear justification. SB 553 addresses these issues by establishing a rebuttable presumption of helpfulness for victims and reducing certification processing times, ultimately strengthening the process of U-Visa certification for an immigrant victim or the victim's parent, guardian, or next friend willing to support law enforcement. SB 553 is critical for several reasons:

- **Strengthens Public Safety**
 - Immigrant communities are disproportionately affected by crime but are often reluctant to report due to fear of deportation or mistrust of law enforcement. Studies show that 77% of undocumented immigrants are less likely to report crimes due to deportation fears.¹ By clarifying the criteria for victim helpfulness and setting clear certification timelines, SB 553 ensures that more victims feel safe coming forward.
- **Supporting Survivors of Violence and Abuse**
 - The rebuttable presumption of helpfulness is essential because it shifts the burden of proof from the victim or the victim's parent, guardian, or next friend to prove helpfulness, and helps avoid a possibly unfair denial of certification due to misunderstandings, language barriers, trauma, or other barriers outside of the victim's control. This trauma-informed approach helps ensure that the victim or the victim's parent, guardian, or next friend know that they can come forth and provide support to law enforcement in keeping our State safe, without fear of deportation as a result.
 - Another barrier immigrant victims of crime face when seeking justice is support in their language. Approximately 49% of U visa applicants nationwide have limited English proficiency.² The bill's requirement for protocols for non-English speakers will help ensure equitable access to justice.
- **Faster Track to Justice**
 - Currently, processing times for law enforcement agency certifications can be as long as six months for individuals who are not in removal proceedings, with even more significant delays noted in some cases. Most recently, CASA attorneys secured a U-Visa certification from a Maryland law enforcement agency seven months after attorneys' initial request, and only after repeated attempts to expedite the process. While individuals with legal representation may have attorneys who can follow up as the deadline approaches, those without representation may be unaware of this option.
 - Note that the implementation of protocols for individuals with limited English proficiency will help address this gap. Additionally, some jurisdictions may face challenges due to staffing shortages, further contributing to delays. Survivors of crime should not have to wait such extensive lengths of time in their quest for justice and protection.

SB 553 aligns Maryland with best practices across the country and strengthens protections for crime victims, making communities safer for everyone. CASA urges the committee to pass this bill to remove obstacles for immigrant victims seeking justice.

¹ [American Journal of Public Health, 2021](#)

² [Migration Policy Institute, 2022](#)

CASA fully supports this bill and asks the committee for a favorable report.