

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 608
TITLE: Criminal Procedure – U Nonimmigrant Status Petitions
COMMITTEE: Judicial Proceedings
HEARING DATE: February 7, 2025
POSITION: **FAVORABLE**

Senate Bill 608 would make crucial changes to the U-Visa process by clarifying what qualifies as “helpful” assistance, aligning Maryland’s list of qualifying crimes with the federal guidelines, expanding the list of individuals authorized to certify that a crime has occurred and that a victim has cooperated, as well as removing the statute of limitations for U-Visa petitions relative to the crime committed. The Human Trafficking Prevention Project supports this bill because it will improve outcomes for crime victims and reduce re-victimization during the process of seeking this crucial form of relief.

Violent crime can affect anyone, regardless of race, gender, sexuality, income level, or citizenship status. However, undocumented victims are often reluctant to report crimes due to fear of deportation. This fear allows perpetrators to remain free and continue harming others. In our anti-trafficking work, the HTPP frequently witness traffickers exploiting this fear to silence and control victims. The U Nonimmigrant Status Petition (U-Visa) serves as a critical tool to counteract this dynamic by allowing victims and their families to remain in the United States for up to four years to assist in the prosecution of crimes committed against them.

Despite its importance, the U-Visa process currently lacks clarity regarding what qualifies as “helpful” assistance from victims and at what stage in the process that assistance must occur. As a result, law enforcement officers often find themselves making de facto immigration determinations rather than focusing solely on certification. This can lead to inconsistencies and unnecessary barriers for victims seeking justice. SB 608 provides essential clarification on the definition of “helpful,” ensuring a more straightforward process for both victims and law enforcement, ultimately leading to more effective investigations and prosecutions.

Additionally, Maryland’s list of qualifying crimes for U-Visa eligibility does not currently align with federal guidelines. SB 608 addresses this discrepancy, which we believe will streamline the U-Visa process—particularly in cases where crimes span multiple states. SB 608 also expands the list of individuals authorized to certify that a crime occurred and that the victim has been helpful. Trafficking victims are often conditioned to distrust law enforcement, making it difficult for them to come forward. By broadening certification authority, the bill ensures that victims have viable pathways to seek justice, even in cases where law enforcement involvement is a barrier.

Furthermore, SB 608 removes the statute of limitations for U-Visa petitions relative to the crime committed. This provision acknowledges the complex trauma that victims endure and grants them the necessary time to process their experiences and make the decision to report. Justice should never be time-barred.

For these reasons, the Human Trafficking Prevention Project supports Senate Bill 680 and respectfully urges a favorable report.

The Human Trafficking Prevention Project is dedicated to ending the criminalization of sex workers and survivors of human trafficking through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief.

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