

BILL NO: SB 608

TITLE: Criminal Procedure – U Nonimmigrant Status Petitions

COMMITTEE: Judicial Proceedings

HEARING DATE: February 7th, 2025

POSITION: FAVORABLE

The Prevention of Adolescent Risks Initiative, established in 2014, is a research center within the University of Maryland School of Social Work that furthers the mission to improve health and well-being outcomes for youth across Maryland, with particular attention to violence prevention and reproductive health. PARI has worked for over 10 years to identify, respond and prevent sex and labor trafficking of children, adolescents, and adults in Maryland.

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, we have seen how traffickers exploit 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. In Maryland, the approval rate for U visas fell from 87.8% in 2018 to 76.3% in 2020 (USCIS). **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 PARI believes 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.

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For these reasons, **the Prevention of Adolescent Risks Initiative (PARI) urges a favorable report on SB 608.**

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