

February 25, 2025

Testimony in Support of House Bill 686
Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness

Dear Chair Clippinger, Vice-Chair Bartlett and Members of the Committee,

My name is Monica Mananzan, and I am a managing attorney at the Amica Center for Immigrant Rights, a nonprofit organization that provides free legal representation to immigrant community members in ICE custody. I was also previously a VAWA Immigration Attorney at Catholic Charities of Baltimore, where I represented immigrant survivors, mostly of domestic violence, who were applying for U visas. My work in both roles has given me direct experience with the challenges this bill seeks to address. I submit this testimony in strong support of House Bill 686, a critical measure that enhances protections for immigrant victims of crime in Maryland by amending the state's U visa certification process. This bill ensures that victims who cooperate with law enforcement receive timely and fair certification of their assistance, making it easier for them to pursue legal status and safety.

The U visa was created to encourage immigrant victims of crime to come forward and work with law enforcement without fear of deportation. In practice, many victims experience unjust delays or denials, leaving them vulnerable and without legal protection. House Bill 686 addresses these challenges by strengthening procedural safeguards and ensuring a fairer, more efficient process.

One of the most important provisions of the bill establishes a rebuttable presumption of helpfulness for victims who have not refused or failed to provide information and assistance when requested. **This amendment minimizes the risk of subjective or arbitrary decisions and ensures that victims are not unfairly penalized for factors beyond their control**, such as misunderstandings, trauma-related difficulties, or the discretion of individual certifiers. By shifting the focus to whether a victim has actively obstructed an investigation rather than placing the burden on them to prove their cooperation, the bill creates a more just and survivor-centered process.

Another critical amendment reduces the timeframe for certifying officials to process requests. Currently, victims can face prolonged delays of up to 90 days, leaving them vulnerable to continued harm or deportation. House Bill 686 reduces this period to 30 days in most cases and to just 7 days for victims who are in active removal proceedings. Timely certification is crucial to safeguarding victims and upholding the law's intent.



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This bill takes an important step in preventing unjust deportations by shortening the processing of U visa certification requests for individuals in removal proceedings. Under the current system, survivors frequently face deportation before they can secure certification, leaving them unable to apply for the U visa despite their eligibility. I have seen cases where individuals who were actively cooperating with law enforcement were detained and fast-tracked for removal simply because their certification request remained pending. By preventing bureaucratic delays from derailing survivors' cases, House Bill 686 keeps families together and ensures access to justice.

The bill also addresses a longstanding barrier by requiring certifying entities to develop protocols for petitioners with limited English proficiency. **Language barriers often prevent victims from fully understanding and complying with the certification process, leading to avoidable delays or denials.** A more victim-centered approach, such as the one taken by this amendment, acknowledges this challenge and ensures that language access is not an obstacle to obtaining the relief victims are entitled to under the law. Ensuring that all victims—regardless of their primary language—have access to a fair and understandable process is an important step toward equity and justice.

As an immigration attorney who provides legal representation to community members in ICE custody, I have seen firsthand how delays and inconsistencies in the U visa certification process across Maryland jurisdictions leave victims vulnerable to continued abuse, exploitation, and even deportation. The amendments proposed in House Bill 686 are not only necessary but urgent. They will provide clarity for law enforcement, ensure fairness for victims, and reinforce Maryland's commitment to protecting all survivors of crime, regardless of their immigration status.

I respectfully urge this committee to pass House Bill 686 and ensure that Maryland upholds its duty to support victims seeking justice and safety.

Thank you for your time and consideration.

Sincerely,

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