

SB 597 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Patricia Pascone, LPRO Analyst

Meeting Dates: 2/6, 2/13

WHAT THE MEASURE DOES:

Requires law enforcement agencies to submit data annually to the Criminal Justice Commission regarding nonimmigrant visa certification requests received, denied, or pending for qualifying crime victims who are helpful to law enforcement investigations or prosecutions. Requires that agencies who receive no certification requests also report that information. Sunsets on January 2, 2027. Takes effect on 91st day following adjournment sine die.

REVENUE: No revenue impact

FISCAL: Has miniman fiscal impact

ISSUES DISCUSSED:

- Immigrants' heightened vulnerability to trafficking crimes
- Labor Trafficking Task Force recommended continuation of program
- For 2021, 145 agencies submitted reports; three District Attorney offices and 45 law enforcement agencies made no report
- Approximately 70% of crime victim helpfulness certification requests were granted

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The U-visa is a nonimmigrant visa granted to a victim of qualifying criminal activity who is helpful to law enforcement in the investigation or prosecution of the crime. Senate Bill 962 (2019) defined the certification request process and criteria in Oregon. SB 962 further required all certifying agencies to provide reports on U-visa requests to the Criminal Justice Commission, beginning June 1, 2021, and continuing annually, including information about numbers of certification requests received, denied, and pending. The Commission then reports the information to the legislature, including identification of any agencies that did not submit a required report to the Commission. A sunset provision ended the reporting requirement on January 2, 2023.

The Commission delivered its first report on January 6, 2022, regarding certifications issued or denied in 2020. The report identified eight county District Attorney offices and 61 county and local law enforcement agencies that submitted no data. The report stated that the Commission made contact with each but was unable to confirm whether those certifying agencies failed to report on requested certifications or did not submit data because they received zero certification requests.

Senate Bill 597 would reinstate the obligation that U-visa certifying agencies submit data to the Criminal Justice Commission about certification requests they received, and it would add a requirement that agencies must report whether they received no certification requests.