



Oregon Commission For Women

Advocating for Equity and Diversity throughout Oregon

Chair Prozanski, Vice Chair Thatcher, and members of the Senate Committee on Judiciary,

I am Natasha Haunsperger, a Co-Chair of the Oregon Commission for Women (OCFW), and in my other role, I am also a Portland Police Officer.

OCFW works for the implementation and establishment of economic, social, legal, and political equity for all women in the state of Oregon and to maintain a continuing assessment of issues and needs confronting women in this state. OCFW has several statutory duties, all of which revolve around advocacy and equity.

I firmly express my support and endorsement of SB 597 directing law enforcement agencies that certify U-visas to provide annual reports to the Oregon Criminal Justice Commission. Specifically, requesting that all certifying agencies include reporting documentation on victim helpfulness demonstrated during the certification process.

Because of the passage of SB 962 in 2019, the Oregon Criminal Justice Commission was able to collect and analyze the 2020 U-visa certification data submitted by certifying agencies.^[1] This was the first report of this kind in Oregon that allowed for a more comprehensive data-informed assessment of the scope of the U-visa related trends. Based on the 2020 U-Visa Certification Report, appropriate stakeholders and evaluators gained more insights into law enforcement practices in handling U-visa requests, including the number of granted or denied U-visa requests.

For the last seventeen years of my Portland Police career, I have been serving many immigrant crime victims and assisting in their process of navigating the criminal justice system and advocacy services. Being an immigrant myself, I have an intimate and in-depth understanding of cultural, linguistic, societal, and legal barriers. Many immigrant crime victims, especially undocumented ones, face many structural barriers that U.S.-born victims of crime do not. The Violence Against Women Act (VAWA) of 1994 clearly outlined a comprehensive federal response to serving the immigrant victims and ensuring their rights to safety and protection from deportation – including U-Visa immigration protection and relief.

It is critical to obtain necessary data on law enforcement practices, frequency, and reasoning to deny a U-visa request based on the “helpfulness” perimeters. When a victim is deemed “not helpful,” it is essential to justify what factors, attitudes, and barriers were taken into account for that decision. Another perspective that I want to share is that building and earning trust with immigrant crime victims is a process that takes time, investment, and compassion.

Oregon Commission for Women

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<https://www.oregonadvocacy.org/> 

503.302.9725 

oaco.mail@oregon.gov 

PO Box 17550, Portland, OR 97217 



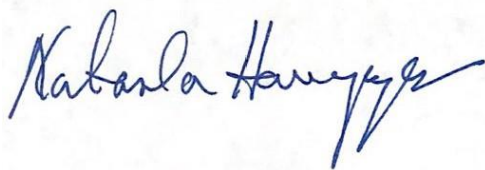
Even when an immigrant victim of crime reports or attempts to report their victimization to the police for criminal investigation, these structural barriers remain and can serve as a continuous obstacle in how the local law enforcement views and interpreters the victims' degree of helpfulness or lack thereof.

Collecting data on victims' helpfulness would inform social scientists and policymakers to develop systems and culturally responsive and tailored protocols, education, and training of agencies tasked with the certification process.

Anecdotal evidence and scholarly research highlight that many immigrant victims are fearful of reporting their victimization to local law enforcement due to complex issues such as fear of the police, negative experiences with the police, not having timely access to police, etc.^[2] Edna Erez, a professor in the Department of Criminology, Law, and Justice at the University of Illinois, is a leading scholar on violence against immigrant women. Erez contends that both documented and undocumented immigrant victims face monumental institutional and structural barriers that prevent them from reporting abuse or creating additional challenges to navigating the criminal justice and legal system. She posits that victims' cultural, linguistic, and socio-economic backgrounds, compounded by the lack of understanding of their rights and U.S. laws, are often barriers to reporting victimization and seeking assistance.^[3]

SB 597 would create and foster a culture of enhanced awareness of immigrant crime victims and an improved understanding of existing structural and institutional barriers, attitudes, and "cultural blinders" that directly/indirectly impede timely access to justice, resources, and support as outlined by the VAWA.

On behalf of OCFW, and as a concerned citizen who has dedicated her life to making our state safer, I urge the Committee to pass SB 597 to ensure immigrant crime victims' rights.



Natasha Haunsperger


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Sources:

1. Siobhan McAlister and Angel Jenkins, "U Visa Certification Requests in Oregon, 2020 Per Senate Bill 962 (2019)" (Oregon Criminal Justice Commission, January 2022).
2. Giselle Hass et al., "Barriers and Successes in U Visa for Immigrant Victims: The Experiences of Legal Assistance for Victims Grantees," *Arts and Social Sciences Journal*, n.d., <https://doi.org/10.4172/2151-6200.S1-005>.
3. Edna Erez, Madelaine Adelman, and Carol Gregory, "Intersections of Immigration and Domestic Violence: Voices of Battered Immigrant Women," *Feminist Criminology* 4, no. 1 (January 2009): 37, <https://doi.org/10.1177/1557085108325413>.



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oaco.mail@oregon.gov 

PO Box 17550, Portland, OR 97217 