

ONE HUNDRED FOURTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 549

Introduced by Garrett, 3; Pansing Brooks, 28.

PURPOSE: U nonimmigrant status, also known as U visa status, was created by the federal Victims of Trafficking and Violence Protection Act of 2000, Public Law 106-386, which included the Battered Immigrant Women Protection Act of 2000. U visa status is designed to provide temporary lawful status to noncitizen crime victims who have suffered substantial physical or mental abuse as a result of having been a victim of certain criminal activity and who are willing to assist law enforcement in the investigation and prosecution of that criminal activity.

Congress created the U visa status to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, human trafficking, and other crimes and to offer protection to victims of such crimes. The legislation was also intended to help law enforcement to better serve such victims.

Nationwide, however, some law enforcement agencies have failed to certify any victims of crime as eligible for U visa status, either for political reasons or due to a lack of understanding of the law.

The purpose of this study is to examine issues relating to utilization of the U visa program in Nebraska. The study shall include the following:

(1) A review of Nebraska law enforcement policies and practices to determine whether Nebraska law enforcement agencies are certifying cooperating individuals as eligible for U visa status;

(2) A review of Nebraska law enforcement agencies' policies relating to identifying possible victims of human trafficking and their eligibility for U visa status; and

(3) An examination of whether any legislation is needed to encourage or

require Nebraska law enforcement agencies to utilize the U visa program and certify victims as eligible for U visa status.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.