TO:    Chair Prozanski
       Vice-Chair Thatcher
       Members of the Senate Judiciary Committee

FR:    Josh Nasbe, Legislative Director, Bureau of Labor and Industries

RE:    Bureau of Labor and Industries Workgroup Involvement, SB 597

February 6, 2023

The Bureau of Labor and Industries (BOLI) sometimes see an individual's immigration status used as a threat against a victim of crime and a tool in the commission of criminal activity. The threat of deportation or other immigration sanctions is used as a means of controlling individuals who are experiencing or know about unlawful activity. As a result, these victims are afraid to seek help, or to cooperate with a law enforcement investigation, for fear of immigration consequences. This impacts BOLI most often in labor trafficking.

The U-Visa program was created to facilitate a pathway to safety for victims, by providing that cooperating with law enforcement can protect against immigration sanctions and provide a pathway to lawful status. In providing this pathway to safety, the U-Visa program helps to improve law enforcement's ability to investigate and prosecute serious crime. This program is critical in ensuring that victims of domestic violence, sexual assault, and trafficking are not deterred from seeking help from law enforcement due to a fear of immigration sanctions.

In 2019, the Oregon Legislative Assembly enacted SB 962, which improved our state's support of crime victims seeking U-Visas in many ways. In addition, the legislation required agencies that certify U-Visas to report information about their certifications to Oregon's Criminal Justice Commission (CJC). As a result, CJC has published a report that provides valuable information on how the U-Visa certification is working in Oregon. This type of information is critical to ensuring our system is working and allows us to identify areas for improvement, if needed.

SB 597 will revive the reporting program and continue it until January 2, 2027. The Bureau of Labor and Industries has been an active member of the workgroup that has been working on this issue.