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### MEMORANDUM

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**TO:** Honorable Sen. Prozanski, Chair

**FROM:** Aaron Knott, MCDA Policy Director

**SUBJECT:** Testimony in support of SB 597

**DATE:** 2/6/23

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#### BACKGROUND

In 2019, Senator Kathleen Taylor convened a workgroup to address inconsistency in the issuance of U-Visas across the state of Oregon. U-Visas are visas that are certified by law enforcement in exchange for a person's "helpfulness" in assisting in the prosecution of a designated crime. At that time, very little was known about the practical parameters that were guiding the decision of law enforcement to provide or withhold certification for a U-Visa. Because of the paucity of oversight or guidance, it was impossible to assess the factors being used to make the decision, as well as an inability to control against any bias that might be intentionally or unintentionally introduced into the process. Because of the nature of the U-Visa itself, applicants are non-citizens, frequently do not speak English as their first language, and often face vulnerability and barriers to justice.

After the passage of SB 962 in 2019, the Criminal Justice Commission was for the first time able to begin the process of accumulating reliable data to collect and analyze the rate of certification for U-Visas by individual law enforcement agencies, along with the rationale provided for any rejection of application. This led to the 2020 U-Visa Certification Report, which provided a first of its kind insight into how law enforcement handles U-Visa requests across Oregon.

This project remains in its infancy, however. The dataset collected since 2019, while useful, is still too small to draw the necessary trendlines both geographically and chronologically necessary to provide policy makers, advocates and law enforcement agencies with a nuanced sense of the best practices in this area. The program sunset in January of this year. Fortunately, this short gap in collection can be effectively remedied with the swift passage of SB 597, which would reinstitute the program as it previously existed. We urge the passage of this bill.

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