



SB 674: Immigrant Victims of Crime Equity Act

SB 674 is a new California law that took effect on January 1, 2016 to ensure that all immigrant crime victims can access the U Visa



Why was SB 674 necessary?

- Because of the lack of a statewide standard or protocol for issuance of U visa certifications by local entities, immigrant crime victims have been treated differently based solely on where the crime took place
- Because a certification from law enforcement is required to apply for a U visa, many crime victims were completely foreclosed from applying for immigration status through the U visa

U visas are a special form of immigration status for people who have been victims of certain crimes in the U.S. To be eligible, the person must:

- ✓ have been a victim of a qualifying crime in the U.S. (or that violated U.S. laws)
- ✓ have suffered substantial physical or mental abuse as a result
- ✓ have information about the crime and have been helpful, be helpful, or be likely to be helpful to law enforcement in the investigation or prosecution of the crime
- ✓ be admissible to the U.S. or qualify for a waiver



What does SB 674 do?

- Creates a "rebuttable presumption" that a victim meets the helpfulness requirement if there is no evidence that the victim refused or failed to provide information and assistance reasonably requested by law enforcement
- Requires certifying entities throughout CA to sign U visa certifications when the individual is eligible
- Mandates that agencies respond to certification requests within 90 days (or 14 days if the person is in removal proceedings)
- Requires law enforcement agencies to report back to the legislature on the number of certification requests signed and denied



What can advocates do?

- Submit a certification again for any client who you think was erroneously denied in the past
- Help track compliance with the law using the U Certifier database at icwclaw.org/services-available/icwc-u-travel-and-certifier-database/