

February 2, 2021

RE: HF 321 Certifications for Victims of Crimes

Dear Chair Becker-Finn and members of the Judiciary Finance and Civil Law Committee:

I, Julie Carlson, Esq., of Zimmer Law Group, support HF 321 and respectfully request that members of this committee support efforts to prevent the victimization of Minnesota residents especially in Greater Minnesota.

Our office currently is helping a client who was a victim of severe domestic abuse committed by her U.S. citizen ex-husband. As we analyzed her case strategy, we knew U visa certification was a possible avenue to eventually gain temporary status in the U.S. and then, eventually, permanent resident status. We initially decided to forego that option, however, because she has a removal order from decades ago that could be carried out at any time. In fact, her abuser used that fact to control her and continue his abuse against her by stating that he would call the authorities if she reported his abuse or tried to leave him. The more than five -year processing time to secure a U visa forced this possible applicant for a U visa to forego her ability to apply given the lack of availability for swift relief and protection. She was the victim of extreme domestic abuse. Instead, she has sought relief under the Violence Against Women Act, and tried to Reopen and Rescind her former deportation order, but, given the timelines for filing such Motions, it was denied. Therefore, VAWA relief for her that is more permanent has not been an avenue she has been able to secure. She is currently at risk of having her deportation order executed, despite her eligibility for a U visa. The protracted process for gaining a U certification followed by the waiting period for gaining the approval on the U visa led to our office, like many others, to leave it as a last resort when it is the most direct method to protect the victim of the crime.

This is a failure that goes against the entire purpose of the U Visa process: to better prevent and care for victims of crime and to encourage them to cooperate with law enforcement professionals by reporting the crimes. We hope that you will acknowledge the detrimental effect that delays in these cases cause to victims and how it actually arms the perpetrators with another tool to terrorize the victim. We hope that you vote in favor of HF 321.

Thank you for your consideration and your support.

Sincerely,



Julie M. Carlson, Esq.
JMC/al