

Paschal Nwokocha & Chukwu

LAW OFFICES LLC

January 25, 2021

RE: HFXXX Certifications for Victims of Crimes

Dear Chair Mariana and members of the Public Safety and Criminal Justice Reform and Finance Policy Committee:

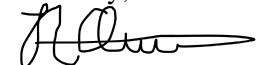
I, Nysha Operana, Attorney at Paschal Nwokocha & Chukwu Law Office support the proposed bill and respectfully request that members of this committee support efforts to prevent the victimization of Minnesota residents especially in Greater Minnesota. HFXXX promotes a streamlined certification process throughout the state of Minnesota which will provide guidance to law enforcement agencies when receiving such requests. This will be most beneficial to law enforcement agencies with fewer resources. For example, I worked with a minor child who reported to the police in City1 that he had been sexually assaulted by his guardian; after interviewing the child, who was no longer living with the guardian, the police learned the incident occurred in the guardian's home in a neighboring city. City2 used the information contained in the report made from City1 and decided not to move forward with the investigation. Neither city would sign the U certification. City1 said they didn't have jurisdiction of the case, and City2 said they didn't think they had authorization to sign because there wasn't enough for them to substantiate the claim. This 15 year old child, who had been sexually assaulted, was left in a catch-22 because neither City had the clarity they needed about who could sign (and they wouldn't take my word for it). HFXXX promotes the protection of crime victims and ensures that foreign national crime victims are available to assist in the prosecution of those accused of the crimes.

Currently, there is no standard certification process throughout Minnesota. Congress created the U visa to address the problem that immigrant women and children are often targeted to be victims of crimes committed against them in the United States, including domestic violence, sexual assault, involuntary servitude, being held hostage or being criminally restrained. However, unless and until this state develops a statewide certification process, the intent of congress to protect all immigrant victims of crimes cannot be fulfilled to the full extent of the law.

In my practice I have worked with several victims of drive by shootings. In one incident, a young child was struck with a bullet, leaving her paralyzed from the waist down. The child's mother worked with law enforcement and was an essential witness in the prosecution of the case. Through out the entire process she was terrified to testify in court because she feared the risk of detection by immigration officials. However, the incident occurred in the twin cities, so we were able to assure her that she need not worry. I can confirm that this mother would not have received the same reassurance and may not have had the courage to testify if this incident occurred 20 minutes north or south of the metro area.

Supporting HFXXX will allow communities throughout Greater Minnesota foster positive relationships with law enforcement ensuring more dangerous criminals are apprehended and prosecuted. Thank you for your consideration and your support.

Sincerely,



Nysha Operana