

Testimony by CDR Richard L. Jurgena, USN, Ret., against HB 0677, Correctional Services - Immigration Detention - Prohibition (Dignity Not Detention Act) Feb. 25, 2020.

Good Morning Ladies and Gentlemen of the House of Delegates Judiciary Committee. On Feb. 11th I appeared before you and asked you to table HB 388, 403, and 677 and look into the U immigration (U visa) program. Those of you who did, or asked your staff to do so, congratulations. I am sure you found some problems with the program, which I would like to discuss this morning.

Those of you who did nothing to follow up, quite frankly, I question your true interest in helping the Hispanic Community, legal or illegal. This program needs your help. It is designed to help the victims of personal crimes against undocumented immigrants and get the criminals, who commit those crimes either jailed or deported or both. Who among you can be against that?

Obviously, some of you are or we would not be here discussing the merits of HB 0677, Correctional Services - Immigration Detention - Prohibition (Dignity Not Detention Act) to which I am opposed because this law will take away options certain Sheriffs have to hold illegal immigrants who have either committed or are believed to have committed crimes against the public safety of the citizens of Maryland.

I am here again to ask you to spend your valuable time working on something that will help undocumented immigrants who have been the victims of personal crimes like rape and murder. Who among you can be against that right? That is what the U visa was designed to do; protect the undocumented victims, who have been victims of personal crimes and want to report and participate in the prosecution of the perpetrator without fear of being deported because in the process they have outed themselves as in this country illegally. There are two major problems in making this program successful; both of which you make a difference in correcting.

Sheriffs will tell you, in addition to fear of deportation, the problem with the undocumented victim coming forward is fear of retribution. When you pass laws like the ones we are discussing today and two weeks ago, you are putting the perpetrators back on the street without consideration of the fear of those victims of retribution which should be unacceptable to anyone who cares about the victim's safety. You can solve this directly by killing laws like HB677.

The second problem is a problem the US Congress and President need to hear from you and all of us who care about the victims of crime. The U Visa program has a CAP. When the law was passed back in 2000 a cap of 10,000 U Visas per year was set. Today, there are about 35,000 applications for the U Visa per year. About 80% of those applications are approved, between 20 – 25,000 approvals. The result is 10 – 15,000 backlog for visas being issued. We currently have victims who have been approved for the U Visa by the court and have been waiting for 4 years. Needless to say, this is completely stifling the use of the U Visa by law enforcement to

encourage undocumented victims to report and assist in the prosecution of the criminals taking advantage of their illegal status. What needs to be done?

Your Congressional Representatives will listen to you if you contact them and ask for this CAP on U Visas to be raised 30,000 per year. You can also influence your constituents to call or write to support this program to increase the CAP.

So, in summary, I am asking you to stop wasting your time on these bills to protect criminals and start concentrating on how you can support the victims of these criminals.

Respectfully Submitted,

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