DEFENDER ASSOCIATION of PHILADELPHIA

Testimony in support of
Bill 260303 (U/T-visa certification procedures)

June 1, 2026

Good afternoon. My name is Chris Setz-Kelly and I am the Assistant Chief of Immigration in the Defender Association's Community Defense Unit. I appear here today to urge City Council to pass Bill No. 260303 in order to protect immigrant survivors of crime.

U nonimmigrant status, or a U Visa, is a form of lawful status that allows noncitizen survivors of crime to remain in the United States and obtain employment authorization, among other benefits. The U visa is intended to protect survivors of serious crimes who have gathered the courage to come forward to assist in an investigation. Similarly, the T-visa is intended to protect human trafficking survivors who are assisting investigators.

For years I worked with survivors of human trafficking who had often been targeted because their traffickers knew that their lack of legal status made them less likely to seek assistance from authorities. Reporting their experiences to law enforcement and obtaining U or T-visa status allowed my clients to escape further harm and begin rebuilding their lives while cooperating in an investigation.

For an immigrant survivor of crime to qualify for a U-visa, they must have a law enforcement agency sign a certification attesting to the survivor's cooperation. This certification is essential to the U visa application and is required by federal immigration law. Without it, no U-visa petition can be granted.

Although U-visa petitioners are required to submit a law enforcement certification, law enforcement agencies are not required by federal law to sign certifications, even when survivors are actively cooperating with investigations. This means that many immigrant survivors are arbitrarily denied a pathway to lawful status.

In recent years, many states have enacted U and T-visa legislation to assist eligible immigrants in obtaining certifications from law enforcement. These laws typically provide time limits for responding to a certification request; establish procedures for expediting requests when the survivor is in deportation proceedings; and require that local agencies provide a written explanation when they decline to sign a certification. Over 20 states have laws that provide procedures for consideration of U and T visa certification requests. Cities such as New York and Chicago have similar policies in place.

Unfortunately, Pennsylvania offers no such protections to immigrant survivors. This is why this bill is essential. The proposed law includes many of the procedural safeguards that have produced increased transparency in the certification process elsewhere. Adopting clear procedures for processing U and T-visa certification requests, will make survivors of crime feel more empowered to come forward in Philadelphia. This upholds the integrity of our justice system and ensures that immigrants do not disproportionately suffer from crimes such as domestic violence and human trafficking. On behalf of the Defender Association, I urge Council to pass this bill into law. Thank you.