

# SENATE BILL REPORT

## SB 5648

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As of February 17, 2005

**Title:** An act relating to the immigration status of crime victims, witnesses, and others seeking assistance from law enforcement personnel.

**Brief Description:** Limiting the authority of law enforcement to inquire about immigration status of crime victims and witnesses.

**Sponsors:** Senators Kline, Prentice, Franklin, Fairley, McAuliffe, Shin and Kohl-Welles.

**Brief History:**

**Committee Activity:** Judiciary: 2/16/05.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Aldo Melchiori (786-7439)

**Background:** There is a concern that some crime victims or witnesses may be reluctant to contact officers or agencies that provide public safety services out of concern that their immigration status may be unfairly scrutinized. In 2003, the Clear Law Enforcement for Criminal Alien Removal Act (CLEAR) was introduced in the congress. The bill would have provided America's over 600,000 local and state law enforcement officers with the clear authority to enforce immigration laws.

**Summary of Bill:** Washington law enforcement officers and agencies must not inquire about the immigration status of crime victims, witnesses, or others approaching the officers for assistance. Other officers or agencies that provide safety services must not request specific documents for the sole purpose of determining immigration status. Immigration documents may be relied upon to establish an individual's identity if they are voluntarily offered in response to a general request for identification.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** When police are not trusted, crimes go unreported and unsolved. It is rare for immigrant victims to go to law enforcement for help out of fear that they, or some family members, may be asked for immigration papers. This bill will promote public safety. Crime victims can qualify for special "U" visas in some cases under federal law. This bill will bring Washington law in conformity with federal "U" visa provisions.

**Testimony Against:** If immigrants obeyed our laws they would not need to worry. Potential terrorist may escape apprehension.

**Who Testified:** PRO: Neha Chandola, Lisa Powell, NW Immigrant Rights Project; Lisa Seifert, American Immigrant Language Association; Grace Huang, Washington State Coalition Against Domestic Violence.

CON: Tom Brandt.

Signed in, Unable to Testify & Submitted Written Testimony: Pramila Jayapal, Hate Free Zone Washington.