



## **Written Testimony to Strongly Support HB21-1060**

My name is Karla Gonzales Garcia. I am the Policy Director for the Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR). COLOR works to engage and empower the Latino community to speak out about the policies that impacts our community.

We are committed to ensuring that Latinas and our families are able to make personal decisions about health, have access to affordable health services and that we are each able to live our lives with dignity. That means making sure that a piece of paper doesn't determine how you are treated and that regardless of documentation all people in our state are protected and ensured basic health, rights and dignity.

We strongly support House Bill 1060, which would update and provide clarity on the process and eligibility for a U nonimmigrant status (U visa) within Colorado. A U visa is meant to provide help is someone has been the victim of crime and yet too often the way in which people experience trying to obtain one puts a survivor in a position where they are almost treated like a criminal, that has little clarity and can further traumatize people who are seeking support and protection.

The federal government currently requires that people be helpful to the police or law enforcement. This can mean that a victim of sexual assault has to report. We are all too familiar that the criminal justice system is not always set up to respect or seek any real justice when rape has occurred. Many fear they will be blamed, disgraced, or defamed and do not want to put themselves through this process. Culturally, this is even worse when it comes to men who have been assaulted and are told this makes them less of a man.

Do we really want to force people to engage with a system they are afraid of and are unlikely to get any kind of true justice from in order to gain some sense of safety and the ability to move forward? House Bill 1060 will expand who can be considered a certifying agency to include departments of health and labor and ensures that language barriers be considered. There are states that have taken enforcement of the idea of "helpfulness" out of the process. We would contend that this is a better approach.

Currently, a U visa can take as much as year and a half to be approved. During this time, people have to jump through hoops to gain employment, which can be very difficult for parents and families. They are also prohibited from traveling outside the United States. Imagine if you are a survivor of domestic violence waiting on your application and a family member is ill. You can't visit them or be there for them in a time of crisis. This bill will require that people be informed of the time frame for response to

their application. It also specifies specific requirements for turnaround on different components of the process in order to ensure timely response.

This is beyond critical given that there are people who are going through this lengthy process who are being held in detention while waiting. Can you imagine surviving abuse or violence and then being caged while waiting to see if you are approved for this program? We would like to encourage that this be dealt with as part of this measure or future efforts.

Let's be clear. The federal immigration process is flawed. It is not about ensuring basic human rights, respect and dignity. It is broken and causes incredible harm. It must be completely rebuilt - not just reformed – but until that happens we can at least try to mitigate the pain that is caused to people in our state. House Bill 1060 is a good first step. We urge your support of this legislation. Thank you for your attention on this matter.

**Submitted by:** Karla Gonzales Garcia, Policy Director, Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR), 303-393-0382