

Climate Assessment

Office of Legislative Oversight

Expedited Bill 26-24: Police – U visa Law Enforcement Certification Policy (The “U V.I.S.A” Act)

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 26-24 will have no impact as the bill seeks to remove barriers to obtaining a U visa, which has no implications on the County’s contribution to addressing climate change.

BACKGROUND AND PURPOSE OF EXPEDITED BILL 26-24

Established under the Victims of Trafficking and Violence Protection Act of 2000, the nonimmigrant visa, or “U visa,” grants temporary legal status to victims of certain crimes who have suffered substantial mental or physical abuse and actively assist law enforcement in the investigation or prosecution of criminal activity.¹ The purpose of the federal legislation, according to the Council memorandum, is “to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of noncitizens and other crimes, while also protecting victims of crimes who become humanitarian/material witnesses.”²

Federal and state law set no time limit on when a crime must have occurred for victims to qualify for U visas. However, the County’s current policy imposes additional eligibility requirements, including a ten-year cap for felonies. According to the sponsors of Bill 26-24, these requirements “effectively create[] unnecessary barriers for victims of crime who may have been traumatized years ago, but whose cases are still under investigation or who may still be assisting law enforcement.”³

The purpose of Bill 26-24 is to remove these barriers and align County policy regarding U visas with federal and state law. It attempts to do so by requiring “any policy directive regarding U visa certification by a law enforcement officer to be consistent and no more restrictive than allowed under federal immigration law.”⁴

The Council introduced Expedited Bill 26-24, Police – U visa Law Enforcement Certification Policy, on November 19, 2024.

ANTICIPATED IMPACTS

As the bill seeks to remove barriers to obtaining a U visa, which has no implications on the County's contribution to addressing climate change, OLO anticipates Expedited Bill 26-24 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁵ OLO does not offer recommendations or amendments as Expedited Bill 26-24 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ McCartney-Green, Ludeen. *Memorandum: Expedited Bill 26-24, Police – U visa Law Enforcement Certification Policy*. Montgomery County Council, November 14, 2024. See [Introduction Staff Report](#) for the Bill.

² Ibid.

³ See memorandum from the Bill's sponsors in the [Introduction Staff Report](#) for the Bill, p. 8.

⁴ [Introduction Staff Report for Expedited Bill 26-24](#).

⁵ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022