

Date of Hearing: April 7, 2026

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1994 (Alvarez) – As Introduced February 17, 2026

As Proposed to be Amended in Committee

SUMMARY: Requires every law enforcement agency (LEA) investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter, provide or make available to each victim an “Immigrant Victims Rights and Resources” card. Specifically, **this bill:**

- 1) Requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, inform each victim, the victim’s next of kin if the victim is deceased, or the victim’s parent or guardian if the victim is a minor, of the rights they may have under applicable laws relating to immigration relief.
- 2) Requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim, the victim’s next of kin if the victim is deceased, or the victim’s parent or guardian if the victim is a minor, of the criminal act, without charge or cost, an “Immigrant Victims Rights and Resources” card.
- 3) Authorizes the Immigrant Victims Rights and Resources card to be designed as part of, and included with, the Marsy Rights card, as specified.
- 4) Requires, the Attorney General (AG), by June 1, 2027, to design and make available in both English and Spanish a PDF or other imaging format to every LEA investigating a criminal act and every agency prosecuting a criminal act an Immigrant Victims Rights and Resources card, which shall contain information in lay terms about immigrant victims rights and resources, including, but not limited to, all of the following:
 - a) A statement about undocumented immigrants’ potential eligibility for immigration relief options such as a U-visa, T-visa, relief under the Violence Against Women Act (VAWA), or other immigration relief as a potential victim of a qualifying crime.
 - b) Notification that in order to remain eligible for a U-visa, qualifying victims must remain cooperative throughout the investigation or prosecution of the perpetrator.
 - c) A statement about how they can consult an immigration attorney to help determine their eligibility for immigration relief.

- d) A list of local organizations recognized by the U.S. Department of Justice Executive Office for Immigration Review as part of the Recognition and Accreditation program, along with the organization's contact information, as specified.
 - e) Notification that the list of organizations described above offers free or low-cost services.
 - f) A statement about undocumented immigrants' rights under the Fourth Amendment to the U.S. Constitution in the event of an encounter with immigration agents, including, but not limited to, the right to deny entry to their homes unless presented with a signed judicial warrant naming the individual or a person living at the same household, and the right to deny a search of their belongings unless presented with a signed judicial warrant.
 - g) A statement about undocumented immigrants' rights under the Fifth Amendment to the U.S. Constitution, including, but not limited to, the right to remain silent and the right to refuse to sign any documents in the event of an encounter with immigration agents.
 - h) A statement about undocumented immigrants' rights to speak to an attorney.
- 5) Removes the requirement that the AG provide information about federal immigration relief available to certain victims of crime from a provision of existing law, which is contingent on funding, which requires the AG to design and make available a "Victim Protections and Resources" card to specified LEAs that contains information about victim rights and resources.

EXISTING LAW:

- 1) Establishes the Victims' Bill of Rights in the California Constitution, which enumerates the rights of victims of crime, as specified. (Cal Const, Art. I § 28.)
- 2) Establishes specified statutory rights of victims and witnesses of crimes, including to be notified as soon as feasible that a court proceeding to which a victim or witness has been subpoenaed as a witness will not proceed as scheduled, as specified, and upon request, to be informed by the prosecutor of the final disposition of the case, as specified. (Pen. Code, § 679.02, subd. (a)(1)-(2).)
- 3) Provides that whenever an individual who is a victim of or witness to a crime, or who otherwise can give evidence in a criminal investigation, is not charged with or convicted of committing any crime under state law, a peace officer may not detain the individual exclusively for any actual or suspected immigration violation or turn the individual over to federal immigration authorities absent a judicial warrant. (Pen. Code, § 679.015, subd. (b).)
- 4) Gives every victim of crime the right to receive, without cost or charge, a list of the rights of victims of crime recognized in the California Constitution. (Pen. Code, § 679.026, subd. (b).)
- 5) Requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim of the criminal act without charge or cost a "Marsy Rights" card. (Pen. Code, § 679.026, subd. (c)(1).)

- 6) Requires the AG to design and make available to an agency investigating or prosecuting a criminal act a Marsy Rights card, which shall contain the constitutional rights of crime victims, information on the means by which a crime victim can access Marsy's Page, and a toll-free telephone number to enable a crime victim to contact a local victim's assistance office. (Pen. Code, § 679.026, subd. (c)(3).)
- 7) Requires every LEA that investigates criminal activity to, if provided without cost to the agency by a specified non-profit organization, make available and provide to every crime victim a Victims' Survival and Resource Guide pamphlet and/or video that has been approved by the AG, and requires the Victims' Survival and Resource Guide and video to include an approved Marsy Rights card, a list of government agencies, nonprofit victims' rights groups, support groups, and local resources that assist crime victims, and any other information which the AG determines might be helpful to victims of crime. (Pen. Code, § 679.026, subd. (c)(4).)
- 8) Authorizes an LEA investigating a criminal act or an agency prosecuting a criminal act to, in its discretion, design and distribute to each victim of a criminal act its own Victims' Survival and Resource Guide and video, the contents of which have been approved by the AG, in addition to or in lieu of, the materials described above. (Pen. Code, § 679.026, subd. (c)(5).)
- 9) Requires, commencing July 1, 2024, LEAs to provide crime victims with information about immigration relief, among other information, as follows, contingent on the availability of general fund moneys and if an appropriation is made to backfill the Restitution Fund.
 - a) Requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, inform each victim, or the victim's next of kin if the victim is deceased, of the rights they may have under applicable law relating to the victimization, including rights relating to housing, employment, compensation, and immigration relief. (Pen. Code, § 679.027, subd. (a).)
 - b) Requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim of the criminal act without charge or cost a "Victim Protections and Resources" card, as specified. (Pen. Code, § 679.027, subd. (b)(1).)
 - c) Authorizes the Victim Protections and Resources card to be designed as part of and included with the Marsy Rights card, as specified. (Pen. Code, § 679.027, subd. (b)(2).)
 - d) Requires, by June 1, 2025, the AG to design and make available to an agency investigating or prosecuting a criminal act a Victim Protections and Resources card, which shall contain information in lay terms about victim rights and resources, including, but not limited to, the following:

- i) Information about specified labor rights relating to employees and their family members who were victims of a crime. (Pen. Code, § 679.027, subd. (b)(3)(A).)
- ii) Information about specified tenants' rights relating to tenants and their family members who were victims of certain crimes. (Pen. Code, § 679.027, subd. (b)(3)(B).)
- iii) Information about specified tenants' rights relating to tenants and their family who experienced an act of abuse or violence, including information in lay terms about which crimes and tenants are eligible and under what circumstances. (Pen. Code, § 679.027, subd. (b)(3)(C).)
- iv) Information about federal immigration relief available to certain victims of crime. (Pen. Code, § 679.027, subd. (b)(3)(D).)
- v) Information about victim compensation, as specified, including information about the types of expenses the program may reimburse, eligibility, and how to apply. (Pen. Code, § 679.027, subd. (b)(3)(E).)
- vi) Information about the program providing name and address confidentiality to victims of domestic violence, sexual assault, stalking, human trafficking, child abduction, or elder or dependent adult abuse, as specified. (Pen. Code, § 679.027, subd. (b)(3)(F).)
- vii) Information about eligibility for filing a restraining or protective order.
- viii) Contact information for the Victims' Legal Resource Center, as specified.
- ix) A list of trauma recovery centers funded by the state, as specified, with their contact information, which shall be updated annually.
- x) The availability of community-based restorative justice programs and processes available to them, including programs serving their community, county, county jails, juvenile detention facilities, and the Department of Corrections and Rehabilitation (CDCR).

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "Victims of crime should never be afraid to contact law enforcement. This legislation encourages undocumented victims to report crimes and share information that supports law enforcement investigations, and ensures they receive guidance about the protections available through the U visa, T visa, or under VAWA."
- 2) **Immigration Relief Options For Crime Victims.** Under federal law, undocumented individuals who are victims of certain crimes may be eligible for specified visas. An undocumented individual who has been a victim of a severe form of human trafficking, is physically present in the U.S. on account of such trafficking, has complied with reasonable requests for assistance in investigating or prosecuting such acts of trafficking, and would

suffer extreme hardship involving unusual and severe harm upon removal, is generally eligible for a T-visa. (8 U.S.C. § 1101, subd. (a)(15)(T)(i).) A T-visa can also be provided to eligible family members of trafficking victims. (8 U.S.C. § 1101, subd. (a)(15)(T)(ii).) Among other benefits, a T-visa enables such persons to remain in the U.S. for an initial period of up to four years, as specified.¹ Similarly, an individual who has suffered substantial physical or mental abuse as a result of being a victim of certain crimes, including rape, trafficking, domestic violence, sexual assault, prostitution, murder, and manslaughter, possesses information concerning such criminal activity, has been helpful, is being helpful, or is likely to be helpful to the investigation and prosecution of the crime, and the criminal activity violated the laws of the U.S. or occurred in the U.S., is generally eligible for a U-visa. (8 U.S.C. § 1101, subd. (a)(15)(U).) Like the T-visa, this also encompasses certain eligible family members, such as the spouse and children of that person, as specified. (8 U.S.C. § 1101, subd. (a)(15)(U)(ii).) The Violence Against Women Act (VAWA) also provides a pathway to lawful immigration status for victims of domestic abuse, as specified. (8 U.S.C. § 1154.)

- 3) **Information For Crime Victims:** Existing law provides statutory rights to victims of crimes, including, among other things, the right to be informed of the final disposition; the right to be notified of any pretrial disposition in the case; the right to receive notice that the defendant has been convicted; and the right to receive information about civil recovery and the opportunity to be compensated from the Restitution Fund. (Pen. Code, § 679.02.) Every crime victim has the right to receive, without cost or charge, a list of the rights of victims of crime. (Pen. Code, § 679.026, subd. (b).) Further, every LEA investigating a criminal act and every agency prosecuting a criminal act must, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim of the criminal act without charge or cost a Marsy Rights card. (Pen. Code, § 679.026, subd. (c)(1).) The Marsy Rights Card enumerates the constitutional rights of crime victims, provides information to access Marsy's Page, and provides a toll-free telephone number to enable a crime victim to contact a local victim assistance office. (Pen. Code, § 679.026, subd. (c)(3).)

In 2022, the Legislature enacted AB 160 (Committee on Budget), Chapter 771, Statutes of 2022, which, modeled after the Marsy Rights Card, similarly required an agency investigation or prosecuting a crime to give crime victims a Victim Protections and Resources card. (Pen. Code, § 679.027, subd. (b)(1).) This card is required to contain additional information about victim-related rights, including rights relating to housing, employment, compensation, as well as "information about federal immigration relief available to certain victims of crime." (Pen. Code, § 679.027, subd. (b)(3)(D).) The Victims and Protections Resources Card was permitted to be designed as part of, and included with, the Marsy Rights card. (Pen. Code, § 679.027, subd. (b)(2).) However, these provisions, to become operative on July 1, 2024, were made contingent on the availability of General Fund moneys and upon an appropriation to backfill the Restitution Fund. (Pen. Code, § 679.027,

¹ U.S. Citizenship and Immigration Services, *Victims of Human Trafficking: T Nonimmigrant Status* (accessed March 29, 2026), available at: <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-t-nonimmigrant-status>

subd. (c).) This Committee has been informed that the requirements of this statute have not been funded.

- 4) **Effect of this Bill:** This bill is modeled after the other types of victim-information cards that must be distributed to crime victims. It requires every LEA investigating a criminal act and every agency prosecuting a criminal act to, at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim, the victim's next of kin if the victim is deceased, or the victim's parent or guardian if the victim is a minor, without charge or cost, an Immigrant Victims Rights and Resources card. Similar to the Victim Protections and Resources card created by AB 160 (Committee on Budget), Chapter 771, Statutes of 2022, this bill permits this card to be designed as part of, and included with, the Marsy Rights card. It requires the AG, by June 1, 2027, to design and make the card available in both English and Spanish for distribution to LEAs that investigate criminal acts or agencies that prosecute criminal acts.

This card must contain the following information in lay terms: 1) a statement about undocumented immigrants' potential eligibility for immigration relief options such as a U-visa, T-visa, relief under VAWA, or other immigration relief as a potential victim of a qualifying crime; 2) notification that to remain eligible for a U visa, qualifying victims must remain cooperative throughout the investigation or prosecution; 3) a statement about how they can consult an immigration attorney to help determine their eligibility for immigration relief; 4) a list of local organizations recognized by the U.S. Department of Justice Executive Office for Immigration Review as part of the Recognition and Accreditation program, along with the organization's contact information; 5) notification that the list of organizations described above offers free or low-cost services; 6) a statement about undocumented immigrants' rights under the Fourth Amendment in the event of an encounter with immigration agents, as specified; 6) a statement about undocumented immigrants' rights under the Fifth Amendment, as specified; and 7) a statement about undocumented immigrants' rights to speak to an attorney.

Additionally, this bill removes the requirement that the AG provide information about federal immigration relief available to certain victims of crime from the provision of law that requires the AG to design and make available a Victim Protections and Resources card to specified LEAs that contains information about victim rights and resources. As previously noted, this provision of law was conditioned on funding that was never appropriated. Removing this provision may help avoid duplicative provisions of law pertaining to providing victims with information relating to immigration relief.

This bill may lead to improved awareness of the avenues to secure lawful status that are available to certain crime victims, which could increase the number of undocumented persons who successfully secure T and U visas. For example, the card required to be distributed by this bill could prompt a human trafficking victim, who may not be aware of the federal immigration relief options associated with being a victim of this type of crime, to pursue a T-visa.

Notably, one of the categories of information that must be included in the Immigrant Victims Rights and Resources Card is “[n]otification that in order to remain eligible for a U visa, qualifying victims must remain cooperative throughout the investigation or prosecution of

the perpetrator.” However, a certain degree of cooperation is also an eligibility element of the T-visa. T-visa eligibility generally requires that the individual comply with reasonable requests for assistance in investigating or prosecuting such acts of trafficking, unless they are otherwise exempt. (8 U.S.C. § 1101, subd. (a)(15)(T)(i).) The author may wish to clarify that this cooperation requirement is not entirely limited to U-visas.

- 5) **Argument in Support:** According to the *County of San Diego, District 1*, AB 1994 “seeks to require local law enforcement to provide an Immigrant Victims Rights and Resources card to crime victims, in addition to the Marsy Rights card. This would ensure that all victims receive information about relief options, such as the U Nonimmigrant Status (U Visa), T Nonimmigrant Status (T Visa), or under the federal Violence Against Women Act (VAWA), a list of local accredited immigration legal service providers, and Know Your Rights Information.

“In 1982, California passed Proposition 8, known as the “Victims’ Bill of Rights,” to establish the right of victims to obtain restitution from any person who caused them to suffer a loss. It centered on the victims and ensured that their voices were heard as they made their path to recovery. Then, in 2008, California approved Proposition 9, the “Victims’ Bill of Rights Act of 2008: Marsy’s Law.” This law requires local law enforcement to provide victims with a card that outlines information regarding their rights and helpful resources. Marsy’s Law established a foundation for protections that are available to victims but currently does not include information about relief options. Many undocumented immigrant victims are unaware of the U Visa, T Visa, VAWA, and the protections that they provide.

“Undocumented immigrants are often vulnerable to serious crimes that undermine public safety. The fear of not knowing who to trust leaves them unprotected and susceptible to crime. Perpetrators take advantage of undocumented immigrants and their instability to prevent them from reporting crimes to law enforcement. According to the Human Rights Watch, abusers threaten undocumented victims with deportation, taking children away, and murder, to silence them. Informing crime victims about immigration relief options and connecting them to legal service providers would help rebuild the trust between local law enforcement and the communities they serve.

“AB 1994 would require local law enforcement to provide an Immigrant Victims Rights and Resources card to all crime victims. They would receive this card in addition to the Marsy Rights card at the time of initial contact, during a follow-up investigation, or within 14 days of a crime being reported. California would strengthen its commitment to protect all crime victims and support efforts to deter future criminal activity by informing victims of the U Visa, T Visa, and VAWA.”

- 6) **Argument in Opposition:** None submitted
- 7) **Prior Legislation:**
- a) AB 60 (Bryan), Chapter 513, Statutes of 2023, adds the availability of community-based restorative justice programs and processes to the type of information that must be included in the Victim Protections and Resources card that LEAs must give to crime victims.

- b) AB 160 (Committee on Budget), Chapter 771, Statutes of 2022, requires, contingent on funding, agencies investigating or prosecuting a criminal act to inform each victim, or the victim's next of kin if the victim is deceased, of the rights they may have under applicable law relating to the victimization, including rights relating to housing, employment, compensation, and immigration relief.
- c) SB 141 (Committee on Budget), of the 2021-2022 Legislative Session, was substantially similar to AB 160. SB 141 was never heard in the Assembly.
- d) SB 993 (Skinner), of the 2021-2022 Legislative Session, was substantially similar to AB 160. SB 993 was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

ACLU California Action
American Association of University Women - California
Chicano Federation of San Diego County
County of San Diego, Board of Supervisors - District 1
Immigrant Justice Law, Llp
Immigration Center for Women and Children
2 Private Individuals

Opposition

None submitted

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