

To: Judiciary Committee  
From: Enelsa Díaz, Managing Attorney  
Greater Hartford Legal Aid, Inc.  
Date: March 14, 2016  
Re: SB 427: An Act Concerning Children In the Juvenile Justice System And  
Guardianship Appointment

Senator Coleman, Representative Tong, and members of the Judiciary Committee, my name is Enelsa Díaz. I am an attorney at Greater Hartford Legal Aid where I represent victims of violence in both family and immigration cases. I am testifying today in support of Senate Bill 427.

The Committee on Judiciary has raised this proposal to amend the definition of minor child beyond the age of 18, for the specific purpose of assisting undocumented children facing deportation to obtain Immigration status. This bill seeks to extend the jurisdiction of the Probate court to an unmarried person, under the age of 21, who is dependent on a competent caregiver, and who consents to the appointment or continuation of a guardian after attaining the age of eighteen, so that they may have an opportunity to petition to the United States Citizenship and Immigration Services for special immigrant juvenile status. Under Immigration law, a child can petition for this relief up until age 21, but the Immigration process relies on state court findings. In Connecticut's current laws, the Probate court loses the jurisdiction to hear these cases and make the necessary findings needed for the Immigrant petition after a child turns 18, leaving these children unable to petition the court, and thus unable to file for Immigration relief.

To give you an example of the type of case this bill would address, I currently have a client who will be turning 18 in April. Henry entered the country as an unaccompanied minor in the summer of last year along with his younger sister. By the time he was re-united with his mother here in CT, set up for school, and connected with the appropriate resources, more than 6 months had lapsed. Now Henry is facing deportation back to a country where he will be placed in imminent risk of death. Henry's father and paternal grandfather were both murdered in Honduras by the same group of individuals, causing his mother to flee the country. When she left, she thought her children would be safe with their grandmother because they were so young, except that now that the children are adolescents they were also threatened by the same group of individuals. In fact, Henry and his sister were viciously assaulted while in Honduras and warned that if they didn't leave certain death would come to them. As a result, they stopped attending school and refused to leave their home in fear for their lives. Unbeknownst to their family, Henry and his sister decided to make the dangerous journey to the U.S. on their own and try to find their Mother. But now Henry, just a young boy himself, has little time left to seek the relief that is available to him under federal law because of his impending 18<sup>th</sup> birthday.

Unfortunately, Henry's situation is not uncommon. Many other children who have been abused, neglected, or abandoned often find themselves running out of time to apply for help because by the time they find help, they are nearing the age of 18. Please help Henry, and others like him, to be able to petition for the relief that is available under federal law so that he is not deported back to his home country where he will likely die a victim of violence.

We ask that you vote in favor of SB 427 so that we can help undocumented children facing deportation and with it, oftentimes certain death, to apply for Immigration relief.