

**TESTIMONY TO THE NEW JERSEY BLUE RIBBON  
PANEL ON IMMIGRANT INTEGRATION**

December 10, 2007

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# **Diana Autin, Executive Co-Director, Statewide Parent Advocacy Network**

## **Introduction**

The Statewide Parent Advocacy Network (SPAN)'s mission is to empower parents and inform and engage professionals to advocate on behalf of New Jersey's children and families, particularly those with the greatest needs due to poverty, disability/special healthcare need, discrimination, limited English proficiency, immigrant status, and other family circumstances. SPAN works to engage families in advocacy around their own children as well as in advocacy to change the systems that impact children and families, including early childhood, education, health and mental health, human services, child welfare, juvenile justice, etc. SPAN is a member of the New Jersey Immigration Policy Network and over the past several years has worked intensively with immigrant families to help them advocate for improved language access and better services for their children. It is based on our work with hundreds of immigrant families that we testify here today.

## **Facts and Figures: #/% of Immigrant & LEP Children in New Jersey:**

Immigration issues impact many New Jersey children and families. 6% of all New Jersey children under age 18 (130,000 children) were themselves born in another country; while 30% live in immigrant families (600,000). Almost 25% of children in New Jersey's immigrant households live in linguistically isolated households; 15% have difficulty speaking English themselves.

## **Poverty of Immigrant Children in New Jersey:**

New Jersey's immigrant families are disproportionately low-income. 31% of New Jersey's immigrant families earn below 200% of the poverty line compared to 24% of US-born families (and immigrant families tend to have larger families); from 2001-2004, there was a 28% increase in the number of immigrant children living below the federal poverty line and a 7% increase in the number living below 200% of the federal poverty line. Nearly 50% of New Jersey's low-income children have at least one parent born outside the US. This poverty has a negative impact on their quality of life: 6% of New Jersey's immigrant children live in over-crowded households compared to 1% of New Jersey's US-born children.

## **Health Care Status of Immigrant/LEP Children in New Jersey:**

New Jersey's immigrant children have limited access to health care. 31% of New Jersey immigrant children under age 18 didn't visit a doctor in the past year (double the rate for children who are citizens), even though immigrant/LEP parents are three times more likely than other parents to have a child in fair or poor health and twice as likely to have a child spend one or more days in bed with an illness. Almost 20% of New Jersey's Latino children have no health insurance.

In terms of children with special healthcare needs, the disparities between immigrant/Latino and white children are disturbing. 24% of Latino children with special health needs went without insurance sometime in the past year compared to only 6.5% of white children with special needs. 42% of foreign-born Latinos report being uninsured compared to 25% of

US-born Latinos, and 47% of LEP Latinos go without health insurance compared to 25% of English-speaking Latinos. 40% of Latino children with special health needs had insurance that was not adequate to meet their needs, compared to less than one-third of white children with special health needs.

Uninsured Latino children are twice as likely to lack a regular source of care and to receive medical care as uninsured white children. 30% of Latino children with special health needs had unmet needs for specific healthcare services, compared to only 15% of white children with special healthcare needs. Almost 40% of Latino children with special healthcare needs have health conditions that consistently and often affect their daily activities, compared to only 19.2% of white children. 43% of Latino children with special healthcare needs had difficulty getting a needed referral compared to only 17.5% of white children with special healthcare needs. 46% of Latino families of children with special healthcare needs said their employment was affected by their child's needs compared to only 27% of white families. Only 20% of New Jersey's Latino children were screened with state of the art tools to detect hearing loss prior to one month of age compared to 35% of white children.

### ***Education Status of Immigrant/LEP Children in New Jersey:***

New Jersey's immigrant children also face discrimination in our public school system. The ACLU of New Jersey conducted a nine-month survey and found that one in four New Jersey public schools illegally requested Social Security numbers or asked about other information that would reveal the immigration status of children seeking to enroll in school contrary to New Jersey law and a 1982 U.S. Supreme Court ruling prohibiting these practices.

There are growing numbers of immigrant and LEP students in New Jersey schools. In 2006-07, there were 286,870 New Jersey students identified as "language minority students," while 61,830 were identified as "limited English proficient;" these students speak 167 languages. There are over 39,000 elementary children identified as immigrants (in the US 3 years or less). There are 471 New Jersey districts serving limited English proficient students, but only 81 districts that have bilingual education programs (as opposed to English as a Second Language).

Latino children are under-represented in early intervention services for infants/toddlers with developmental delays, but over-represented in segregated special education settings (while 50% of white classified students spend 80% or more of the school day in general education classes, only 30% of classified Latino students are included to this extent; while only 11% of white classified students are segregated for more than 60% of the school day, 26% of classified Latinos are), and outcomes are dismal on state tests. Latino students drop out at three times the rate of whites. 40% of classified Latino students drop-out compared to 22% of classified white students, and only 59% of classified Latino students get a diploma compared to 76% of classified whites. (The state does not collect data on drop out rates of immigrant or LEP students). Classified Latino students are almost twice as likely as classified white students to be suspended or expelled.

## **Barriers for Immigrant/LEP Children and Families**

### ***Education Barriers***

*Barriers for Immigrant/LEP Families (see attached summary of SPAN/NJIPN Survey):*

Immigrant/LEP families face many barriers in participating in their children's education. Schools routinely fail to provide written information (notices about curriculum, discipline, bilingual/ESL programs; letters; Individualized Education Programs; evaluations, etc.) to families in their native language. **If information is provided in their language, the information is frequently too dense and professionalistic, and/or is poorly translated with many grammatical errors.** Schools routinely fail to provide oral interpretation services to families; often families must use their child as an interpreter at school to speak to a school staff member. Schools routinely ask parents to sign documents asking for their consent that are not in the parents' native language even when parents do not understand what they are signing. Too often, schools report immigrant/LEP parents to DYFS for child abuse or educational neglect when the parents disagree with the schools' proposed services, particularly special education services and placements.

*Barriers for Immigrant/LEP Students:*

Immigrant/LEP students face many barriers in accessing quality education services. Districts often provide only English as a Second Language classes even when students desperately need bilingual educational services. There are insufficient bilingual educators to teach immigrant/LEP students in their language. LEP students may be inappropriately identified as having special education needs when in reality they merely require bilingual education.

***Health Barriers***

*Barriers for Immigrant/LEP Families:*

Immigrant/LEP families face many challenges in participating in their children's healthcare. Doctors, clinics and hospitals often fail to provide written information to and oral interpretation services for parents in their native language, resulting in inaccurate information and/or lack of access to quality health care. A review of on-line NJ clinic information reveals that many of them do not offer translation services or inform families to bring their own translator; many hospital answering machines messages are only in English). According to a recent hospital survey conducted by the New Jersey Office of Minority and Multicultural Health, only 13% of the 58 responding hospitals (out of 122 hospitals contacted) reported having a formal interpreter services department. 80% of respondents had never offered training to medical staff on working with interpreters. Parents are too often asked to sign documents consenting to treatments that are not in their native language and do not understand what they are signing. Immigrant/LEP parents receive less information about treatment regimens and understand less of the instructions related to medication; are less likely to comply with treatment regimens because they don't understand them; are less likely to keep subsequent appointments; and are less likely to receive preventive services. Healthcare providers serving immigrant/LEP children encounter difficulties in making accurate diagnoses, meeting informed consent responsibilities (HIPPA), explaining care options to parents, and undertaking health education and awareness efforts.

It's not just language barriers that impact immigrant/LEP families, but also insufficient services. Immigrant families are often not eligible for public health insurance, particularly if they are not documented, and thus they and their children are less likely to access preventive services (even though Federally Qualified Health Centers will serve undocumented and other immigrants). Physicians and clinics are often located in places where families cannot reach them easily, particularly if they lack private transportation. Families that do use clinics often do not have the same pediatrician see their child at every visit, so they may lack consistency of care and follow-up. Office and clinic hours are not always convenient for working families. Immigrant/LEP families are not aware of existing services or how to access them; have difficulty making appointments and accessing basic information about the visit once they get there; and can't communicate adequately with healthcare providers and support staff.

*Barriers for Immigrant/LEP Families of Children with Special Needs*

Immigrant/LEP families of children with special needs face even more overwhelming challenges:

- *Isolation and lack of awareness of resources and supports:* Immigrant and non-English speaking families feel isolated from other parents and from resources that might be available to assist them. Language is a major barrier in communication with agencies on behalf of their children, and most do not know of available supports or how to navigate for supports and services for their children and themselves. Those who are familiar with resources often do not have positive experiences with them, and indicate that needed follow-up services are rarely provided.
- *Lack of family-professional collaboration:* Immigrant/LEP families indicate that the professionals working with their children – whether early intervention, school, or medical services – make all the decisions and do not offer them any options. In meetings with professionals, the professionals are discussing their child but they are not aware of the conversation and are not able to participate and share their information or insights or make decisions – they are put in the position of mere bystanders.
- *Parental Stress/Health Issues:* Many immigrant/LEP parents of children with special needs indicate that they often feel “depressed,” and that they neglect their other children because their child with special needs takes so much time and energy and there are so few resources available to assist them. They are often in NJ, or in the US, without other family members, and they feel abandoned. Not infrequently, mothers are on their own with their children because their child's father left when the child was born. Even faith-based community support is limited, especially as their children grow older and religious education programs do not welcome them. It's very difficult to take their children with significant special health care needs anywhere without resources or respite (which most of them do not have) and often their community is not welcoming. They are not confident making decisions about their children because they don't have the information and support they need. Too often, immigrant/LEP parents of children with special needs neglect their own health because they don't have any time for themselves, or because they have no health insurance due to their undocumented status.

## **Recommendations**

SPAN recommends that New Jersey take the following actions to improve access for immigrant/ LEP children and their families:

### ***Language Access:***

- *Publicize information* about existing legal rights to language access for immigrants and LEP children and families to families and professionals, including non-profit organizations. Provide family and professional development in language access laws including the Civil Rights Act of 1964, presidential Executive Order, and the NJ Law Against Discrimination, as well as provisions in state contracts (for example, Medicaid contracts). Provide technical assistance to agencies and organizations on conducting required language access self-assessments and developing and implementing language access plans.
- *Clarify legal rights* to language access (for example, specify the obligation for schools and healthcare providers to translate critical documents for families into their home language and to provide interpretation services for children and families)
- *Monitor implementation* of existing legal requirements and provide effective enforcement when non-compliance with legal requirements is identified.
- *Collect information* from families and advocates regarding gaps and need for additional laws or regulations to guarantee rights to language access.
- *Recommend additional protections as needed and advocate for their passage by the legislature and Governor.*

### ***Cultural Competence:***

- *Adopt a formal definition of cultural competence, guiding principles, and format for conducting organizational cultural and linguistic competence self-assessments* to guide the work of state agencies and their contract agencies. This definition of cultural competence should be included in all RFPs from all state agencies as well as in staff orientations for all state agency staff.
- *Require and fund comprehensive professional development on cultural competence* as a prerequisite for all state agency staff and contract agencies, and should fund ongoing technical assistance on cultural competence to support changes in practice.
- *Fund or conduct the periodic solicitation of feedback from a sampling of families regarding cultural competence and use the results as part of staff evaluation and contract monitoring.* Further, the State should work with its own staff, contract agencies, family advocates, advocates for underserved communities, and families to develop a system to use assessment and monitoring information to ensure accountability (including consequences for repeated failure to provide culturally competent services), and recognize and reward effective culturally competent practice.

### ***Immigrant/LEP Oversight and Advice:***

- *Institute an Office of Immigrant and LEP Affairs* as recommended by the NJ Immigration Policy Network. The Office should be advised by a Statewide Council on Immigrant

and LEP Affairs, and immigrants, LEP New Jerseyans, and immigrant/LEP advocacy organizations (including family advocates) should form a majority of the council membership.

- *Enforce all existing requirements for immigrant/LEP/bilingual advisory committees*, such as the mandated Bilingual Parent Advisory Councils required by New Jersey Education Code for any district providing bilingual education services.
- *Review every State Advisory Committee, Commission, Task Force, etc.* to ensure that there is representation from diverse immigrant/LEP families and advocacy organizations.

## **Conclusion**

New Jersey's immigrant families face numerous barriers to effective participation in decision-making in their children's education and healthy development, and their children often do not have access to the educational and health services they need to become productive, contributing members of our communities and society. SPAN urges the Governor's Blue Ribbon Panel on Immigrant Policy to adopt our recommendations, developed through focus groups and conversations with immigrant families and analyses of our technical assistance calls and meetings with immigrant families, and forcefully advocate for their implementation. We also urge the Panel to redouble its efforts with the New Jersey legislature to pass In-State Tuition for immigrant youth who have worked hard to graduate from high school and should have the same right as non-immigrants to access a post-secondary education in our state on a level playing field. We stand ready to work with you to make the dream of a bright future a reality for New Jersey's children and families.



# NEW JERSEY IMMIGRATION POLICY NETWORK/ STATEWIDE PARENT ADVOCACY NETWORK OF NJ

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## Language Access Survey for Parents

**Responses from 200 Immigrant/LEP New Jersey families in Summer 2007:**

1. School name

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2. Do you feel welcome at your child's school? Please circle one or more.  
Always: 10 (5%)      Sometimes: 123 (60%)      Never: 72 (35%)

3. Do you know if your child/children is/are in an ESL, bilingual, Special Education, or regular class?      Yes: 73 (35%)      No: 71 (35%)      I don't know: 61 (30%)

4. Do you have a Bilingual Parent Advisory Committee at your school?  
Yes      No: 75 (37%)      I don't know: 130 (53%)

5. Have you ever received school materials in your home language?  
Yes: 82 (40%)      No: 123 (60%)

6. How often do you receive the following in your home language?

Report cards . . . 62%	Always: 10%	Sometimes: 28%	Never: 62%
Progress reports . . . 62%	Always:	Sometimes: 38%	Never: 62%
Letters from the teacher . . . 62%	Always: 8%	Sometimes: 30%	Never: 62%
Letters from the school/principle . . . 62%	Always:	Sometimes: 38%	Never: 62%
Letters about your child's behavior . . . 62%	Always:	Sometimes: 38%	Never: 62%
Invitations to school events . . . 55%	Always: 15%	Sometimes: 30%	Never: 55%
Information about your child's classes . . . 62%	Always: 10%	Sometimes: 28%	Never: 62%
Information about the school system . . . 90%	Always:	Sometimes: 10%	Never: 90%
Information about community resources . . . 90%	Always	Sometimes: 10%	Never: 90%

7. Does the school offer you an interpreter when you visit?  
Always: 21 (10%)      Sometimes: 57 (28%)      Never: 127 (62%)



8. When someone from the school calls (for example, the nurse or receptionist) do they speak your home language? Always: 30 (15%) Sometimes: 98 (48%)  
Never: 77 (38%)

9. Does your child help interpret what people are saying at school meetings and conferences for you? Always; 21 (10%) Sometimes: 57 (28%)  
Never: 127 (62%)

10. Are you worried you are missing information because of the language barrier?  
Always: 49 (24%) Sometimes: 135 (66%) Never: 21 (10%)

## **James Barrood, Executive Director, Rothman Institute of Entrepreneurial Studies**

My name is James Barrood and I am the executive director of the Rothman Institute of Entrepreneurial Studies at Fairleigh Dickinson University's Silberman College of Business.

As the head of the leading entrepreneurship center in the state and one of the top 20 in the nation I'm here to impress on you the importance of developing strategies that leverage our current and future immigrants so that we can retain our competitive edge.

As you know, our state and our country's competitive edge are under attack from strong global competitors. Our last remaining advantage is our innovation and entrepreneurial strength. These two areas depend on attracting and retaining the best and the brightest.

Due to New Jersey's very smart and diverse population, our state is uniquely positioned. But we are at a disadvantage when it comes to global dynamics and federal policies. These policies restrict immigration and create a less than welcoming environment. The ill will caused by our foreign policy decisions, combined with surging foreign economies, repel rather attract highly educated immigrants.

Let me share with you a few personal experiences and follow with recommendations.

Immigrants are statistically the most entrepreneurial segment of our population. This has been the case historically. For example, when my grandfather came to this country at the turn of the century, he was first a peddler, then he opened a grocery store and raised 11 children in New Brunswick. Some of his children were also entrepreneurs – you may have seen Barrood Real Estate signs on your drive here today.

Research has shown that entrepreneurial immigrants instill a business spirit in their children that continues for generations, mostly in the form of family businesses that are the economic engines of our state and indeed the world economy (well over 70% of all businesses are family firms).

Immigrants also further innovation at New Jersey's larger companies. A cousin of mine who came to the state about 30 years ago became one of Johnson & Johnson's top inventors; his focus was on refining the vascular stent used to alleviate constricted and diseased arteries.

Lastly, I was recently talking with Fred Hassan, CEO of Schering-Plough, and when I asked him about the merger with Netherlands-based Organon and cultural fit, he said that his innovation-driven company resembles the United Nations and that reality would help make the merger successful. As you likely know, Fred emigrated here from Pakistan and has become one of the top CEOs in the state and nation.

Research shows that diverse teams and organizations nurture innovation. So perhaps we need to look at the innovation process and apply it to immigration policy as a way to leverage the resources our immigrants bring.

So let's keep the process simple: during the ideation stage, ideas are welcomed and nurtured. Second, the ideas are evaluated and developed. Then the ideas are commercialized and success is celebrated.

Being open to ideas is critical; similarly, welcoming immigrants is important. We need to create as open an environment as possible in New Jersey. In my opinion, the word tolerance is passé; we've had over 200 years to master this characteristic. Instead, we must engage and embrace immigrants and the diverse backgrounds they bring to our great state. This will take leadership from above and below; creating a culture of engagement among young and old alike takes constant work, education and communication.

Developing ideas involves collaboration. Similarly, our immigrants must be well educated and have all opportunities afforded to them. Leveraging their determination, we should make it easy for immigrants and international students to take advantage of our excellent educational resources so that they can succeed.

Research has shown that there is a good chance new graduates will remain in the state after completing college. A story about a Mexican immigrant who crossed the border was on the TV the other night. That young boy studied hard and is now one of the top brain cancer doctors at Johns Hopkins University. We all know there are thousands of similar stories.

Celebrating our success sounds easy, but it's not. Reaching out to immigrants to celebrate their successful integration and hard work is difficult. But it is critical. Similar to embracing and engaging immigrants, we need to hug immigrants. Again, leadership is critical but operationally, this takes considerable blocking and tackling, so to speak. But with collaboration among support groups, religious organizations and state agencies, I'm confident that this can be accomplished.

Remember, the only reason this state's population has grown, according to the recent Rutgers (Seneca/Hughes) report, is due to the immigrants that have chosen to live here. Imagine the budget crises and the decreased competitiveness of our corporations if they had not come. We are very lucky that the roots that immigrants have established are so resilient to the high cost of living here in the state. But we cannot afford to rest. There is work to be done.

Let me leave you with one last personal note. Two weeks ago my wife gave birth to our firstborn in a nearby hospital. I noticed that most of the nurses and doctors who helped deliver our daughter were immigrants or the children of immigrants from Asia, South America, the Middle East and Europe. I'm certain that the high quality of care we received would not have been possible without them.

In conclusion, with leadership and some creative benchmarking New Jersey can leverage and celebrate our immigrants on our path to greater economic, social and cultural strength. By building on the skills that immigrants bring to us, we can lead the rest of the nation and set an example. New Jersey can show the country how to be innovative and how to proactively sharpen our competitive edge. Where there are considerable challenges relating to immigration policy, there are outstanding opportunities.

I look forward to helping in any way I can, particularly in exploiting the opportunities at hand. It is a way to give back, honor my grandparents, and ensure the success and growth of our richly diverse state. In addition, I would really like our daughter and my family to remain in this healthy and robust state for another 100 years.

## **Milagros Camacho, President, Hispanic Bar Association of New Jersey**

My name is Milagros Camacho and I am the President of the Hispanic Bar Association of New Jersey and I am very proud to be an immigrant. I am a product of New Jersey's public school system, a product of New Jersey's ESL Program (English as a Second Language), have served as a judicial law clerk for a New Jersey Superior Court Judge, a county prosecutor, an Assistant United States Attorney (federal prosecutor) and like most immigrants, am law abiding.

According to the U.S. Department of Justice's Bureau of Justice Statistics, of the 2,186,230 persons incarcerated in federal and state prisons and jails in mid-year 2005, only 4.2% were non-citizens. Furthermore, numerous studies by independent researchers and government commissions over the past 100 years repeatedly and consistently have found that, in fact, immigrants are *less* likely to commit crimes or to be behind bars than are the native-born.

The vast majority of immigrants, whether or not legally in the U.S., are hard-working and law-abiding individuals. They have enriched the economy and culture of our country since the founding of the nation.

The Hispanic Bar Association of New Jersey recommends a campaign of community education that dispels the notion that immigrants are more likely to engage in criminal behavior than native-born U.S. citizens (akin to the efforts made immediately after September 11, 2001, to dispel the notion that all Muslims were terrorists). This would help purge some of the misconceptions, stigmas and stereotypes and alleviate some of the tension.

The Hispanic Bar Association of New Jersey stands ready to assist in the achievement of this endeavor and in identifying and discussing solutions to conflicts.

## **The Rev. Bruce H. Davidson, Director, Lutheran Office of Governmental Ministry in New Jersey**

The Lutheran Office of Governmental Ministry in New Jersey is one of 20 State Public Policy Offices of the Evangelical Lutheran Church in America (ELCA), organized to represent the official positions of the ELCA on issues important to this church body. As Director of this Ministry in New Jersey, I serve as part of the Staff of the New Jersey Synod – ELCA, under the leadership of Bishop Roy Riley. The New Jersey Synod includes over 270 clergy and other rostered leaders of our church, and the 190 ELCA congregations in this State.

The ELCA and the New Jersey Synod are deeply committed to ministry with and among immigrants, asylum seekers, and refugees. Attached to this testimony is our church's "Message on Immigration", which is the official policy base for ELCA action and advocacy on immigrant issues. Also attached to this testimony are the two latest actions of the New Jersey Synod – ELCA related to Comprehensive Immigration Reform. The attachment labeled "Resolution IX" was adopted by the Synod Assembly held on June 1 & 2, 2007. The other attachment "Resolution on Immigration Reform" was adopted at the Synod's 2006 Assembly.

Synod Assemblies are the highest legislative body of our synod. Each congregation may send at least three voting members to the Assembly, including their pastor. 60% of the voting members of the Assembly must be laity, with clergy making up no more than 40% of the voting members. Hence, these resolutions reflect the views of lay and clergy leadership in our congregations. Hopefully these official actions and documents convey the serious and intentional commitments of our church regarding justice for those who enter our country as refugees, asylum seekers and immigrants with or without United States Documentation.

As the resolutions and our synod's actions show we are deeply concerned that Government adopt policies that are "fair and generous" in relation to immigration and the treatment of those who are living in the United States as immigrants. We therefore ask the Panel to give serious consideration to the following issues:

- That immigrant people continue to have access to the basic services of health care, public education, human services, and police protection. This should apply to those who are in this country with proper documentation, and those who are not.
- That immigrant people who are employed in New Jersey have their rights protected, so that they are not exploited or intimidated by unscrupulous employers. The Panel needs to hear the stories, especially of undocumented people, who have worked without receiving payment, or who have been paid less than a legal wage.
- Serious consideration must be given to making sure that police in New Jersey do not have a role in the enforcement functions of the Federal Department of Immigration Control and Enforcement (ICE). It is important that municipal and State police not be diverted from their functions of providing protection and impeding serious criminal activity. Adequate Federal policing must be provided to uphold Federal policy. This

burden should not fall on the State's Law enforcement personnel, many of whom are already overburdened by their normal policing requirements.

- Deliberate attention must be given to the policies and practices of the detention of immigrants and asylum seekers in The Elizabeth Detention Center and in County Jails in New Jersey. The State needs to assure that the conditions of detention are humane, safe, and open to visitors and family members. Also, those being detained while their legal status is being determined must be accorded access to a speedy and just resolution of their case.
- In many instances immigrant people have been targeted by individuals falsely representing themselves as legal counsel. This practice needs to be examined and steps need to be taken to discourage it. Those who exploit immigrants, especially those who cause serious harm to their immigration status, must face legal penalties and consequences.
- There needs to be a close examination of ICE "raids" that are taking place in neighborhoods in which there is a significant population of immigrant people. Those living in this country with proper documentation are being threatened and intimidated by agents who question their status and disrupt their households. It is unjust to place every immigrant person under suspicion, or to cause them to live in constant fear of unjust and potentially dangerous police activity.
- It is essential that the Panel understand the realities of Refugee resettlement, and the challenges faced by non-profit groups who facilitate it. Partnership with state and local government is needed, as are policies that might assist in helping refugee people settle in New Jersey. Additional resources must be allocated to help those committed to providing shelter and support for refugee people.
- Children of undocumented immigrants who have been educated in this country for some period of time should be able to access a college education at a state or county college paying "in-state" tuition rates.

We encourage the Panel to make periodic reports and recommendations so that any egregious abuses uncovered can be addressed with all appropriate speed. As a Church Body, we believe that New Jersey needs and will grow from the contributions of our immigrant populations. This has always been the case in the history of our country, and has been facilitated when fair and just policies have been in place. We thank the members of the Panel for your diligent work, and willingness to listen to the concerns of the community.

## **Manavi, South Asian Mental Health Awareness (SAMHAJ), and South Asian American Leaders of Tomorrow (SAALT)**

Thank you for the opportunity to provide written testimony to the Governor's Blue Ribbon Advisory Panel on Immigrant Policy. Our three organizations conduct education, provide services, and engage in advocacy to highlight issues affecting the South Asian community in New Jersey.

Of the 2.5 million South Asians living in the United States, approximately 185,000 live in New Jersey.<sup>1</sup> The four largest South Asian groups in the state are Indian, Pakistani, Bangladeshi, and Sri Lankan. In fact, Indians alone comprise about 35% of the total Asian population statewide in New Jersey. South Asians are primarily concentrated in five counties in the state: Middlesex, Hudson, Bergen, Morris, and Somerset Counties. While many South Asians in New Jersey live comfortably, there are growing segments of the population facing challenges and obstacles that include limited English proficiency, lower income levels, and lack of access to basic services and benefits. Moreover, as South Asians possess a range of immigration statuses, immigration issues have a significant impact on the community.

The following statistics illustrate some of the often overlooked factors that lead to the marginalization of many South Asians within the state:

- *Income and Poverty*: Many South Asians in New Jersey do not meet the average income level and struggle in poverty to make ends meet. In Hudson County, for example, incomes for South Asians are up to one-third lower than the county average.<sup>2</sup> Statewide, one-fifth of the total Bangladesh population lives in poverty and Pakistanis have lower incomes levels than the state average.<sup>3</sup>
- *Limited English Proficiency*: Over one-third of South Asians in New Jersey report that they speak English "not well" or "not at all." More than half of all seniors within each South Asian group are limited English proficient (LEP).<sup>4</sup> South Asian students are now among the top ten student groups with the highest LEP enrollment statewide. Specifically, Gujarati LEP students ranked fifth on the list and Urdu LEP students ranked eighth.<sup>5</sup>
- *Immigration Status*: Over three-quarters of the South Asian population in New Jersey is foreign-born.<sup>6</sup> Many within the community are also living in society's shadows as undocumented immigrants.

<sup>1</sup> U.S. Census Bureau, Census 2000 Summary File 1. Figures calculated based on race alone.

<sup>2</sup> U.S. Census Bureau, Census 2000 Summary Files 2 and 4. Figures calculated based on race alone and in combination.

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Census 2000, Summary Files 1 through 4. Figures calculated based on race alone or in combination.

<sup>5</sup> State of New Jersey Department of Education, Bureau of Bilingual/ESL Education. *2006-2007 Languages with Highest LEP Statewide Enrollment* table.

<sup>6</sup> *Id.*

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With this backdrop in mind, we raise three primary concerns in this testimony, including:

- *The Need for Linguistic and Cultural Access to Benefits, including Legal and Mental Health Services*: Without adequate linguistic and cultural access to government services and benefits, many South Asians are unable to receive basic resources. For example, many South Asian survivors of domestic violence cannot avail themselves of legal information or the court system. Moreover, South Asians with mental health needs face obstacles in seeking assistance if the impact of cultural stigma is not understood. And victims of crime face



challenges in reporting information to the police.

- *Increase in Bias, Harassment, and Anti-Immigrant Sentiment:* The steady rise in racial tensions, coupled with the increased xenophobic atmosphere following September 11<sup>th</sup>, have had a tangible effect on minimizing the sense of safety and belonging on the part of the South Asian community in New Jersey. South Asians, particularly Sikhs and Muslims, continue to be harassed and assaulted for perceived connections with terrorism. South Asians have reported property damage and vandalism to restaurants, convenience stores, and to mosques, gurdwaras and temples, as well as employment discrimination at workplaces. SAALT has been tracking incidents of bias affecting South Asians in New Jersey. In February 2003, for example, seventh-grader Kabir Singh who wore a turban was hit twice on his head at his school in Marlboro while in school. As a result of the attack, he suffered injuries that left him bedridden for weeks. In August 2006, at a rally to protest incidents of police brutality in Edison, immigration agents took Raj Parikh into custody as he was about to exercise his right to free speech and address the audience. In addition, the group of South Asians who attended the rally were met by counter-protesters who made antiimmigrant and racist slurs such as, “How many of you are illegals? You’re all cockroaches! Go home!”

- *Curbing the Rights of Immigrants:* As cities and counties start to enforce immigration laws on the local level around the country, we are concerned that New Jersey municipalities have already begun to follow suit by considering ordinances that stem the rights of immigrants – particularly the undocumented. For example, Morristown Mayor Donald Cresitello, who governs a township with a significant South Asian population, has pushed for local police to make immigration checks during traffic stops and for minor crimes.<sup>7</sup> In addition, the August 2007 directive from the New Jersey Attorney General’s office, may have unintended negative consequences.<sup>8</sup> The directive raises concerns that any person of color – regardless of their immigration status – may be profiled and treated differently by local and state police. As a result of this directive and similar policies at the local level, many immigrants within the South Asian community, including those suffering from domestic violence or hate crimes, may

<sup>7</sup> “Mayor must limit immigration checks,” *Newsday*, August 25, 2007.

<sup>8</sup> The directive requires local law enforcement to report to immigration officials when someone is suspected of being an undocumented immigrant and is arrested for driving under the influence of alcohol or any indictable offense. “Attorney General Law Enforcement Directive 2007-3”, State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, August 22, 2007. Available at <http://www.nj.gov/oag/newsreleases07/ag-le-directive-2007-3.pdf>.

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be hesitant to reach out to the police for needed assistance out of fear that they may be placed in deportation proceedings.

We urge the Governor’s Blue Ribbon Advisory Panel to take the following steps as you begin to explore the experiences and situations of New Jersey immigrants:

- Convene ethnic-specific meetings/briefings with community-based leaders in the South Asian communities to learn more about the pressing concerns facing our communities
- Ensure that information about the South Asian community’s experience is included in any official reports or materials disseminated by the Panel
- Propose policy changes that will increase access to services and benefits and eliminate bias/harassment faced in the school system
- Convene briefings and hearings to understand the impact of local law enforcement of immigration laws on immigrants in New Jersey and the needs of limited-English proficient immigrants accessing basic services, including English

as a Second Language classes

Below is further information about our organizations. We look forward to working closely with the panel in the future.

*About Manavi*

*Manavi is a New Jersey-based women's rights organization that works to end all forms of violence against South Asian women living in the U.S. "South Asian" women are those who identify themselves as being from Bangladesh, India, Nepal, Pakistan, or Sri Lanka. Through a wide variety of programs, Manavi ensures that women of South Asian descent in the U.S can exercise their fundamental right to live a life of dignity that is safe and free from violence. Manavi provides services equitably to women from all South Asian countries and does not discriminate based on national, religious or sectarian grounds. Some of our services include individual counseling, legal clinics & referrals, support groups, court & medical accompaniments, and a transitional home.*

*About SAMHAJ*

*SAMHAJ (South Asian Mental Health Awareness in Jersey) seeks to improve the lives of South Asian Americans affected by mental illness through providing support for families, caregivers and individuals, by providing education on mental illness for the community, and advocating for the rights of those affected. SAMHAJ is a program from NAMI NEW JERSEY (National Alliance on Mental Illness of New Jersey).*

*About SAALT*

*SAALT is a national, non-profit organization dedicated to fostering civic and political engagement by South Asians in the United States using a social justice framework that combines policy analysis and advocacy, coalition building, community education and leadership development. SAALT's New Jersey Community Empowerment Project seeks to strengthen and coordinate local efforts to raise awareness of emerging needs and existing services for South Asians, and to engage in statewide policy discussions.*