

# State of New Jersey



## Report to Governor

**Jon S. Corzine**

**Submitted by:**

## **The Governor's Blue Ribbon Advisory Panel on Immigrant Policy**

### **EXECUTIVE SUMMARY**

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# **Executive Summary**

## **Governor's Blue Ribbon Advisory Panel on Immigrant Policy**

### **Introduction and Background**

On August 6, 2007, Governor Corzine signed Executive Order 78 creating the Governor's Blue Ribbon Advisory Panel on Immigrant Policy. The principal charge of the Panel was to make "recommendations for a comprehensive and strategic statewide approach to successfully integrate the rapidly growing immigrant population in New Jersey." The state is presented with significant challenges in immigrant policy and integration,<sup>1</sup> as immigrants make up more than 20 percent of the state's total population.<sup>2</sup>

The Panel's work focused broadly on the following themes: the role of the state in the delivery of social services and public benefits to the immigrant population; education issues involving children in early childhood settings, primary and secondary schools and college; immigrant workforce and labor; and state and local government best practices. The full Panel also identified two issues that fell beyond the scope of an individual subcommittee: in-state tuition at post-secondary institutions for immigrant students and the establishment of an Office of Immigrant Affairs.

The Panel heard testimony on a broad range of issues, including: the implementation of in-state tuition rates for undocumented students; education fairness and quality; access to health care; driving privileges; concerns with the enforcement of federal immigration laws by local governments; economic concerns and workforce issues.



In this report, the Panel addresses the myriad of issues raised during this assessment process, which is informed by the desire to achieve two principal goals:

- Advancing the political, social, civic, and economic integration of immigrants in New Jersey, and
- Ensuring that New Jersey maintains an equitable, just, and fair environment for people who are immigrants to this country.

### **New Jersey's Immigrant Population**

New Jersey is a gateway state for new immigrants, ranking with Texas, California, Illinois, Florida, and New York as the states that welcome the greatest number of immigrant newcomers. One in five New Jersey residents is foreign-born, and the immigrant population is highly decentralized throughout New Jersey.

A majority of the immigrants living in New Jersey in 2006 are relative newcomers having entered the United States in the past 20 years. Latin Americans comprise the largest percentage (45.9%) of immigrants to New Jersey, 30 percent of New Jersey immigrants are from Asia, and

18.6 percent are from Europe, although European immigration dropped by 7.6 percentage points from 2000 to 2006. While representing a smaller share of the New Jersey's total foreign-born population, Africa (4.5%), Northern America (1%), and Oceania (0.1%) contribute to New Jersey's immigrant diversity. Approximately 73 percent of the state's Asian and 47 percent of Hispanic population are foreign-born. India (9.9% of total NJ foreign-born), Mexico (7.2 %), China and the Philippines (4.7% each), and Columbia (4.1%) are the top five countries of origin for New Jersey's foreign-born immigrant population.<sup>3</sup>



New Jersey immigrants naturalize and become United States citizens at a faster rate than foreign-born residents do nationally.<sup>4</sup> Immigrants are more likely to be living in poverty than natives; however, naturalized citizens are less likely to be living in poverty than natives.

Immigrant households tend to be larger than native households. Nearly one-third of all children in New Jersey live in immigrant families, where at least one member is foreign-born. Children in New Jersey immigrant families whether both parents are present or in a female-headed household, are more likely to live in poverty than in native-born New Jersey families.

Sixty percent of New Jersey's foreign-born residents are working age. A study undertaken by Eagleton Institute of Politics' Program on Immigration and Democracy at Rutgers University discusses the current economic contributions of New Jersey immigrants and correlates their labor force engagement with such factors as skill sets and educational attainment. Highlights of Ira N. Gang and Anne Morrison Piehl's study show:

“Immigrants make up 28 percent of the New Jersey workforce. Foreign-born workers are overrepresented in critical occupations at both ends of the earnings distribution. Over 40 percent of the state's scientists and engineers with higher degrees are foreign-born.”

“According to the best analysis by economists, nationally immigrants have a negligible effect on the earnings of the native-born. Immigrants bring in almost 1/4 or 23 percent of all earnings statewide. Foreign-born entrepreneurs own 1/5 of the businesses in the state.”

“Immigrants yield a modest positive fiscal impact on the state budget. Just as immigrants are more likely to be employed, they are less likely to depend on public assistance or to be incarcerated. Unemployment rates for immigrants are similar to those of the native-born, but on average, immigrant workers earn less.”

The report now turns to consideration of the research findings and recommendations of the four advisory panel subcommittees.

## Social Services Recommendations

The Panel agreed upon the following overarching priorities:

- Ensuring access to needed social and health services for every person residing in New Jersey.
- Ensuring those services are delivered in a culturally and linguistically competent manner.

### Social Services Overview

The Panel has found that the lack of immigrant access to services can sometimes be attributed to *barriers to accessing available services*. Immigrants in New Jersey are vulnerable in almost all facets of life, facing particular challenges in the spheres of education, health, and with regard to domestic violence in their own families. The Panel learned of serious poverty and healthcare issues those immigrant families, especially immigrant children, experience: almost a third of NJ immigrant children didn't visit a



doctor at all in the past year, even though immigrant parents are three times more likely to have a child one or more days in bed with an illness.<sup>5</sup> Despite their disproportionate need, the Panel found that immigrants tended not to use the resources available to them.<sup>6</sup> Children in immigrant families are often eligible for NJ FamilyCare as citizens or qualified immigrants regardless of their parents' immigration status.<sup>7</sup> Lack of insurance coverage puts immigrant children at increased risk for poor health outcomes.<sup>8</sup> In a study of the efficacy of NJ FamilyCare, the New Jersey program which administers the federal State Children's Health Insurance Program (SCHIP), researchers found that "enrollment in NJ FamilyCare significantly increases the likelihood that children will have a medical home, will receive preventative care and prompt access to healthcare when ill, and that financial barriers will be less likely to prevent children from receiving medication."<sup>9</sup> In spite of this, few immigrant families have signed up for NJ FamilyCare. This raises the obvious question of why eligible immigrants are underutilizing social services and aid available to them when they are so obviously in need. What are the factors that have an impact on immigrant participation in social service programs?

### Social Services Research Findings

The Panel found that the following factors have played a significant role in limiting immigrant access to necessary social services:

#### 1. Language Barriers

One barrier that foreign-born New Jersey residents face in accessing services is that social service providers do not sufficiently account for immigrants' limited English proficiency. According to the 2005 American Community Survey, almost one-fifth of all NJ residents are foreign-born, and they constitute a highly diverse group, coming from virtually every region and country of the world and speaking more than 200 languages.<sup>10</sup> In addition to this diversity, NJ's foreign-born population is characterized by relatively low proficiency in English. Current social service providers are often ill-equipped to deal with linguistically and culturally diverse populations. Based on the need to provide linguistically appropriate health care services, the

New Jersey Legislature on March 24, 2005, required physicians to undergo cultural competency training as a condition of licensure in the State of New Jersey.<sup>11</sup>

## **2. Fear of Jeopardizing U.S. Residency**

Another barrier that prevents foreign-born New Jerseyans from taking advantage of social services for which they are eligible is fear of legal consequences: fear of deportation for undocumented immigrants and for legal immigrants, fear that acceptance of social services would affect their legal status in the United States. We also learned through public testimony presented before the Panel that immigrant women stay in abusive living situations because they do not feel that it is safe to ask for help given their immigration status.

## **3. Lack of Knowledge of Available Services**

Immigrants often do not know about social services for which they are eligible and also do not understand the rights to which they are entitled (e.g. right to be treated respectfully or right to be informed of medical procedures and the possible health complications that may arise to their full understanding before they give consent and undergo medical treatment). This prevents immigrants from easily accessing services and often leads to the violation of immigrants' human rights.<sup>12</sup> Some immigrants may also be concerned that they earn too much money to qualify for programs like NJ FamilyCare, which is available for children in households earning up to 200 percent of the federal poverty level are eligible for FamilyCare.<sup>13</sup>

## **4. Lack of Medical Interpreters**

For many healthcare providers, translation and interpretation is conducted on an ad hoc basis. However, because medical issues are often sensitive and/or technical in nature, simple fluency in a language is insufficient to assure accurate interpretation abilities. Medical interpretation is now a recognized discipline with training, certification and job opportunities in many medical settings. The Bureau of Labor Statistics reports a significant shortfall in the number of medical interpreters, however. New Jersey needs both to support the staffing of trained medical interpreters and to support the training and certification process itself.<sup>14</sup>

## **5. Gaps in the Medical Safety Net**

Although community health centers and clinics offer primary care services for uninsured immigrants and other uninsured persons, there remain major gaps in the basic provision of primary and specialist care to the uninsured. As the Panel learned in its public testimony process, many safety net providers cannot currently provide comprehensive ambulatory care. Gaps include: the provision of specialist care; diagnostic testing including radiology, pathology and blood testing; and nursing assessments that require registered nurses.



# **SOCIAL SERVICES RECOMMENDATIONS**

## **1. CULTURAL AND LINGUISTIC COMPETENCY IN THE SOCIAL SERVICES SECTOR**

As described above, a lack of linguistically and culturally competent services often prevents effective communication between the social service provider and immigrant clients. Currently,

social service providers are not always prepared to address the cultural diversity and linguistic needs of immigrants and Limited English Proficiency residents. The Panel recommendations would ensure that all social services funded through state contracts would be provided in a culturally and linguistically competent manner.

- 1.1 Define cultural/linguistic competency and establish performance standards.**
- 1.2 Standardize and include in Proposal (RFP) requirements on cultural and linguistic competency.**
- 1.3 Establish standard contract language.**
- 1.4 The State should develop an organizational self-assessment tool to measure cultural and linguistic competency. All state agencies and commissions should review their administrative capacity to work effectively with recently arrived immigrant populations and review their employee training programs for cultural competency in working with immigrant communities and limited or non-English speaking persons.**

## **2. ALLEVIATE IMMIGRANT FEARS BY USE OF A “CULTURAL NAVIGATOR”**

The Panel believes that a good way to dispel such fears and distrust of the government and enable immigrants to get the services they need is to use community navigators/cultural brokers.



The cultural navigator proposal represents a combination of two concepts. First, “patient navigators” are traditionally used in health care settings, specifically in cancer care and treatment, to help newly diagnosed patients navigate their multiple specialists, health insurance hurdles and other issues and concerns. Second, the term “cultural broker” is a broader concept used to denote individuals whose roles range from a basic ability to negotiate two or more cultures to more involved mediation and negotiation between and within

organizations, government, and communities.<sup>15</sup> Community-based cultural navigators could help immigrants find appropriate and available medical resources, while reassuring them that this will not jeopardize their citizenship status. Individual best suited to become community navigators/cultural brokers are those that already hold a position of trust in their respective neighborhoods.<sup>16</sup> Development of a community navigator program focusing on health and social services for immigrants would involve not only funding but development of training regarding available social services and how to access them.

- 2.1 Develop community navigators/cultural brokers.**

## **3. IMPROVE IMMIGRANT ACCESS TO HEALTH INSURANCE AND CULTURALLY AND LINGUISTICALLY COMPETENT HEALTH SERVICES**

The New Jersey Legislature and Governor Corzine enacted new legislation expanding NJ FamilyCare and establishing mandates for health care coverage of all eligible children. This very positive expansion of the state’s health care insurance program brings with it a greater opportunity to increase enrollment of immigrant families and their children. The legislation calls

for a \$1 million increase in funds dedicated to outreach and public awareness about NJ FamilyCare and for the establishment of a *New Jersey FamilyCare Expansion Work Group* to develop a comprehensive outreach plan to ensure that New Jersey's children and families who are eligible for the NJ FamilyCare are aware of this important health insurance program and sign up for the benefits, particularly eligible children.

- 3.1 Enhance targeted outreach to immigrant communities and families with limited English proficiency to increase enrollment in NJ FamilyCare.**
- 3.2 Promote training and certification of health care interpreters.**
- 3.3 Explore direct reimbursement for health care interpreter services by government contracted health plans and government agencies, including research on the cost of Interpreter Services.**
- 3.4 Enhance treatment capacity for uninsured persons.**
- 3.5 Better public health data collection regarding immigrant populations.**

#### **4. INFORM IMMIGRANTS OF THEIR RIGHTS AND AVAILABLE SOCIAL SERVICES**

- 4.1 Expand use of 2-1-1 by New Jersey immigrant communities.**
- 4.2 The state should establish a consistent internal process within New Jersey's Division of Youth and Family Services (DYFS) to ensure that all undocumented children eligible to petition the federal government for lawful permanent residency under the Special Immigrant Juvenile Status are identified and fully supported in processing their petition before they reach the age of 21.**
- 4.3 Domestic violence affecting immigrant women. The state, working with the statewide network of state-funded domestic violence (DV) shelters and agencies, should develop a comprehensive multi-lingual educational campaign to reach immigrant women of diverse ethnicities who are victims of to ensure that the women are aware of their legal right to confidentially access DV services, regardless of immigration status. The state should also support an assessment and review of best practices to reach immigrant women in a culturally and linguistically competent and effective manner.**
- 4.4 Address risk of children being left alone as a result of a U.S. Immigration and Customs Enforcement (ICE) raid. The state should take preemptive action to plan for and work with ICE to ensure that any immigration enforcement conducted in New Jersey does not result in children being left behind or abandoned.**

#### **5. MAXIMIZE ACCESS TO FUNDS TO SUPPORT IMMIGRANT SERVICES**

- 5.1 Federal funding available to support states with large immigrant populations. The state should conduct ongoing research to identify and apply for all viable federal funding sources which New Jersey may be eligible for to help defer rising health care costs to hospitals and other providers when servicing immigrant communities.**

## Labor and Workforce Issues Recommendations

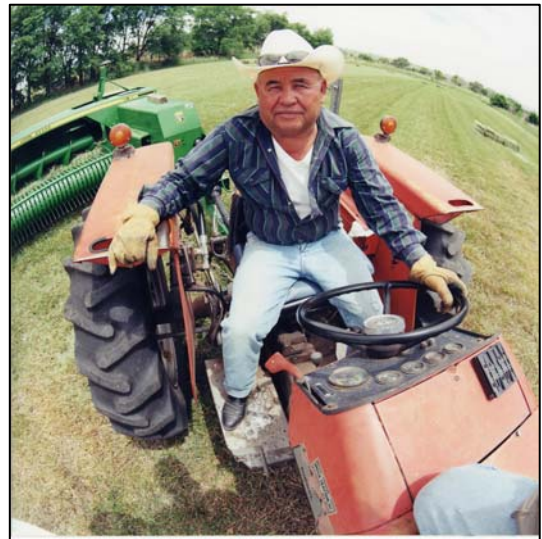
The Panel agreed on the following priorities:

- Opposition to requiring use of E-Verify under state law.
- Addressing worker exploitation and misclassification in the state which has a particular impact on vulnerable immigrant workers.
- Ensuring that Labor Standards and Worker Protection laws are followed and enforced for all workers in the state.
- Improving English as a Second Language and Adult Education training options.

The Panel has developed a number of specific recommendations to further these overarching priorities.

### Labor Overview

Immigrants are a vital and indispensable component of New Jersey's workforce. In 2006, foreign immigrants accounted for more than one-quarter, 26.5 percent, of the state's labor force. New Jersey's foreign immigrants had a higher labor force participation rate than the state's total population, 69.8 percent compared to 66.3 percent respectively. The median income of foreign immigrants was about 16 percent lower than that of the total population. The state's immigrants consisted of higher proportion of college graduates, 34.6 percent, than the total population 33.4 percent, but also included a larger portion of the "less than high school" educated persons, 22.3 percent than the general public, 13.9 percent.



New Jersey's foreign-born labor force was overrepresented in service, construction and extraction, production, and transportation and material moving occupations.<sup>17</sup> These immigrant workers, however, face various obstacles and difficulties when working and/or searching for work. At the same time, New Jersey has many laws in place to protect all workers, without regard to their immigration status. The state should take steps to maximize its effectiveness in protecting the state's workers, providing a level playing field to employers and promoting economic growth.

### Labor Research Findings

#### 1. E-Verify

E-Verify is a federal pilot program operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows employers to electronically verify the employment eligibility of their newly hired employees. Since its inception, E-Verify



experienced many problems, including concerns about the accuracy of data, increased burdens to employers, discrimination and profiling against legal workers and naturalized citizens, risks of identity theft, and the opportunity to fuel the growth of a cash underground economy. Mandating the state's businesses to enroll in an optional federal pilot program does not solve the problem of employers hiring undocumented workers, but worsens conditions for all workers. Since large differences in the error rates for U.S.-born and foreign-born employees remained in the Web Basic Pilot System, foreign-born citizens are more likely than noncitizens to have erroneous tentative non-confirmations. The erroneous tentative non-confirmation rate for work authorized foreign-born citizens between October 2004 and 2007 was approximately 10 percent.<sup>18</sup>



## 2. Misclassification and Exploitation of Workers

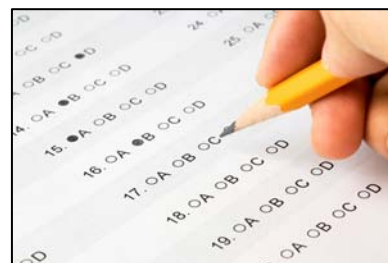
When workers are misclassified as independent contractors or paid in unreported cash wages, they are deprived of their proper coverage for social insurance, including Social Security, Unemployment, Workers Compensation and Disability benefits. While the state of New Jersey recognizes legitimate independent contractors that choose to not work long term, year-round, full-time with a single employer, employers that misclassify workers are able to evade state and federal taxes and can violate wage-and-hour and other worker protections. In 2007, the New Jersey Department of Labor and Workforce Development (LWD) identified more than 31,000 misclassified or non-reported workers, more than \$482 million in underreported wages and more than \$17 million in unpaid payroll taxes.<sup>19</sup> The practice of misclassifying workers as independent contractors is disproportionately common among immigrant workers.<sup>20</sup> Under Governor Corzine's initiative to prevent the misclassification of workers, five different agencies in three different Departments are now sharing audit information to cooperatively and efficiently ensure compliance with state law.

## 3. Labor Standards

Through worker misclassification or other labor standards violations, a growing population of workers is denied the employment-related benefits and protections to which these workers are entitled, including undocumented workers, workers with limited English proficiency, and workers who have low skill levels. The LWD Division of Wage and Hour Compliance, collected \$5,559,260 in back wages during fiscal year 2007, processing 7,406 complaints and securing back wages for 8,511 workers. The Division also cited 6,205 employers for various types of violations and performed 400-500 inspections per month throughout New Jersey.<sup>21</sup>

## 4. English as a Second Language Training (ESL) and Adult Education

The State of New Jersey recognizes the importance of making ESL training more accessible in order to strengthen employees' language skills on the job, increase their productivity, and enhance their career growth. This is especially important in light of the fact that 89 percent of the foreign-born Asians and 95 percent of Latino immigrants speak foreign languages at home. More than two-thirds (71%) of foreign-born Latinos and nearly one-half (49%) of foreign-born



Asians do not speak English “very well.”<sup>22</sup> The Workforce Investment Act Title II program served the adult basic skills, adult secondary education, English as a Second Language (ESL), and English language/civics education needs of 35,374 New Jersey residents during the fiscal year ending in June 2007, and the Workforce Learning Links centers located in the state’s One-Stop Career Centers assisted 6,402 customers.<sup>23</sup> The New Jersey LWD awarded \$4.5 million dollars in competitive grants to companies in New Jersey to train 6,752 incumbent employees in ESL skills in Fiscal Year 2007.<sup>24</sup>

## **5. Day Laborers**

Day labor is defined as labor that is sporadic and irregular and does not include professional or clerical employment. In the State of New Jersey, this type of labor is covered by labor standards that apply to all workers; however, these workers may not be aware of their rights and protections. Certain de facto employment agencies that place day laborers with third parties have engaged in practices that are detrimental to the workers, including but not limited to deducting transportation costs from their wages. The New Jersey Department of Labor and Workforce Development’s Division of Wage and Hour Compliance cited 6,205 employers for various types of violations, including but not limited to violations by employers of day laborers.<sup>25</sup>

## **6. Domestic Workers**

In the State of New Jersey, employment placement agencies for domestic workers are not specifically licensed by the Department of Law and Public Safety’s Division of Consumer Affairs. As is the case with day laborers, state law N.J.S.A.34:8-43 provides that the Division of Consumer Affairs in the Department of Law and Public Safety has oversight in this area. However, while domestic workers in New Jersey are covered by labor standards applicable to all other workers, these workers also may not be aware of their rights and protections.

## **7. Farm Laborers**

The State of New Jersey depends upon the estimated 15,000-18,000 migrant farm workers for seasonal labor and for the operation of the 9,924 farms.<sup>26</sup> Since January 1, 2008, the New Jersey LWD Division of Wage and Hour Compliance conducted 247 pre-occupancy housing inspections at farm labor camp sites in order to ensure compliance with farm labor housing requirements.<sup>27</sup> During the same time period, the Division found 58 violations at farm labor camp sites including crew leader/agent registrations, unpaid



wages, minimum wage, and record keeping requirements.<sup>28</sup> Under the New Jersey Wage and Hour Laws, N.J.S.A. 34:11-56a4 states “the payment to an employee of not less than 1 1/2 times such employee’s regular hourly rate for each hour of working time in excess of 40 hours in any week shall not apply to employees engaged to labor on a farm.”

New Jersey agricultural employers apply to the H2A program to recruit foreign workers through the Employment and Training Administration (ETA) of the United States Department of Labor. All pre-occupancy housing inspections required by the H2A program are conducted by New Jersey Department of Labor and Workforce Development under contract with the ETA. The

United States Department of Labor’s Wage and Hour Division signed a Memorandum of Understanding with the New Jersey Department of Labor and Workforce Development agreeing to work together to protect the rights of agricultural workers in the State of New Jersey through the enforcement of the New Jersey Crew Leader Registration Act, Migrant and Seasonal Agricultural Worker Protection Act (MSPA), and Field Sanitation and Temporary Labor Camp Regulations. The LWD Wage and Hour Division inspect camps built before 1980 using the Wagner-Peyser Act and all camps built after 1980 using the Occupational Safety and Health Administration’s Migrant Labor Housing regulations.

## **LABOR RECOMMENDATIONS**

### **1. E-Verify**

- 1.1 The state should not mandate that employers enroll in the optional federal E-verify program or any other similar mandate.**

### **2. Misclassification and Exploitation of Workers**

- 2.1 The recently enacted Construction Industry Independent Contractor Reform Law (N.J.S.A. 34:20-1 et seq.) should be expanded by deleting the term “construction” so that it applies to all industries.**
- 2.2 The state should enact administrative penalties to address the worker misclassification problem and curtail the underground cash economy as follows: enact legislation providing a penalty of up to 10 percent of wages paid in cash or estimated to have been paid in cash where the employer fails to properly account for and report these wages and a penalty of up to 5 percent of wages improperly classified as being paid to subcontractors following a determination that the correct employment classification should be that of an employee.**
- 2.3 The state Legislature should enact a law to provide for the revocation of the business charter of an employer found to have knowingly misclassified their workers or paid cash off-the-books.**
- 2.4 The New Jersey Department of Labor and Workforce Development should clarify that employers must pay into the Temporary Disability Insurance (TDI) system for all covered workers so that TDI benefits are available to all covered individuals.**

### **3. Labor Standards**

- 3.1 The state should form industry task forces, focused on problem industries where there are both tax violations and labor standards compliance violations, with a priority in industries with high complaint rates and high incidence of violations, in order to maximize the enforcement of labor standards.**
- 3.2 The New Jersey Department of Labor and Workforce Development should take a targeted approach in the investigation of industries with high incidences of labor standards violations but low complaint rates, including but not limited to low-wage industries employing large percentages of immigrants.**

### **4. English as a Second Language Training (ESL) and Adult Education**

- 4.1 The Department of Labor and Workforce Development should require its local WIA partners to develop benchmarks and report on their efforts to improve**

**flexibility in instructional delivery, responsiveness to shifting demographics, and recruitment strategies targeted at underserved communities in the delivery of English as a Second Language instructional delivery.**

- 4.2 Community-based organizations that would like to offer English as a Second Language or other training to their constituencies should be encouraged and assisted by the state in contacting their local area's Workforce Investment Board (WIB) to become partners in their local WIA Title II consortia.**

#### **5. Day Laborers**

- 5.1 The New Jersey Department of Labor and Workforce Development should conduct a public education and awareness campaign to educate the public that day laborers are covered by all the same labor standards and protections that apply to other workers in New Jersey.**
- 5.2 The state of New Jersey should use its existing authority to license day labor employment agencies under N.J.S.A 34:8-43 to provide greater protections and safeguards to day laborers.**

#### **6. Domestic Workers**

- 6.1 The New Jersey Department of Labor and Workforce Development should publish two guides in multiple languages, one for employers hiring domestic workers and one for domestic workers, that inform both the employer and the employee about their rights and obligations, including New Jersey's labor laws and regulations, tax information, federal laws, and other information, such as civil rights protections.**
- 6.2 The state of New Jersey should use its existing authority to license domestic worker employment agencies under N.J.S.A 34:8-43 to provide greater protections and safeguards to domestic workers, in order to prevent such agencies from subjecting these workers to abuse and exploitation.**

#### **7. Farm Laborers**

- 7.1 The State of New Jersey should conduct regular farm inspections to improve enforcement of farm labor laws.**
- 7.2 The New Jersey Department of Labor and Workforce Development should increase enforcement of migrant farm worker housing requirements, and if these inspections reveal that standards are not met, penalties should be administered by the Wage and Hour Division of the U.S. Department of Labor.**
- 7.3 The State should consider amending the Wage and Hour Law to provide farm workers with the same overtime pay protections as most other workers have.**

## Education Recommendations

The Panel has identified the following overarching priorities:

- Enhance the effectiveness of bilingual and English as a Second Language (ESL) programs for limited English proficient (LEP) students by identifying successful evidence-based program models and implementing evidence-based best practices;
- Eliminate discrimination in education by enforcing laws prohibiting school districts from using illegal methods to inquire into a person's immigration status. Also, provide the necessary protections within state government to assure complaints of discrimination in education are heard and addressed appropriately.
- Permit New Jersey immigrant students to benefit from the reduced tuition rate offered to students who are residents of New Jersey and who attend state two- and four-year colleges and universities.
- Improve the state's process for credentialing foreign professionals who were educated and certified in their fields in their countries of origin and are seeking to become credentialed in New Jersey.
- Ensure that high-quality academic resources are available for children of preschool age who may be English language learners.

### Education Overview

During the 2007-08 school year, 475 New Jersey public school districts enrolled approximately 62,000 students who have limited proficiency in English, an enrollment that has almost doubled in the past 20 years. Students, who are English language learners, come from 168 different language backgrounds. Seventy-nine school districts offered full or part-time bilingual instruction, and an additional 228 districts offered ESL-only programs, and 144 districts that enrolled fewer than 10 English language learners provided "English language services" students for those students. There is a need to more widely disseminate information on evidence-based characteristics found in effective bilingual and ESL programs and the practices that make these programs successful.



School districts are not allowed to ask for certain documents when students are being registered for school, such as a Social Security number, which the Department of Education reminded districts two years ago. However, many school districts in the state continue the practice, which has the effect of preventing some students from registering in their respective districts. It is imperative to not only ensure that school districts cease the practice of requiring certain unnecessary documentation during the registration process, but also to educate parents and guardians of school-aged children of their rights to an efficient public education.

Recent research shows that undocumented students are rarely able to attend college, due to substantial legal barriers and limited access to public services.<sup>29</sup> Providing unauthorized immigrant students with affordable, in-state tuition status would lower barriers somewhat --

although by no means completely -- and, in turn, give individuals the *opportunity to regularize their immigration status* and legally participate in the formal economy.

Foreign educated workers represent 14 percent of New Jersey's skilled workforce. Transferring those credentials for United States equivalency is a difficult and confusing process, with no nationally recognized or standardized method for evaluating foreign credentials. There is no central information depository, and no universal process for the evaluation of foreign credentials. Additionally, the state should also be concerned about the quality of private evaluation services to ensure that an evaluation model of "diploma-mills" does not develop.

Early childhood development is enhanced through early education programs. These programs are vital, because they help to build social and communication skills, as well as place children in structured environments at an early age. Early childhood education addresses issues of school readiness and language acquisition for immigrants and children of immigrants. Other concerns center on whether the pre-school experience provides a culturally supportive environment and the linguistic ability of pre-school teachers.<sup>30</sup>

## **Education Research Findings**

### **1. Bilingual/ESL programs**

School districts in New Jersey offer language assistance programs to help immigrant students learn English to bridge any gaps in their past schooling and gain access to academic subjects. *Bilingual education* programs aim to ensure that students continue to learn subject matters in their native language while learning English, so they can meet grade level academic standards and gradually transition to mainstream classrooms with their English speaking peers. New Jersey code also requires districts with bilingual programs to have Bilingual Parent Advisory Committees, which are generally underutilized. *English as a Second Language or ESL-only* programs aim to develop the English language skills of students so that they can access the curriculum in English. Students are provided up to two periods of ESL instruction daily taught by an ESL-certified teacher and receive subject instruction in English. *Dual language* programs integrate LEP students of a particular language and English dominant students for all or most of the school day and provide academic instruction in both English and the native language of the LEP students (usually Spanish). While traditional bilingual programs aim solely to develop the English language and academic skills of LEP students, the goal of dual language programs is to develop bilingualism and biculturalism in both LEP students and native speakers of English. "Research has clearly demonstrated that these different types of program options for LEP students vary in their effectiveness. Studies have found that heritage language maintenance programs and dual bilingual programs are effective. However, these two instructional program options are the least used and/or are often not available to LEP students. The other three instructional programs (immersion, ESL, transitional) are used most frequently with LEP students, but these programs have been shown to be less effective than maintenance and/or dual two-way programs."<sup>31</sup> The New Jersey Department of Education identifies districts with exemplary evidence-based bilingual and ESL programs to showcase practices and programs that can serve as models for other schools. Newcomer programs for secondary LEP immigrant students are becoming more widespread in New Jersey, as the enrollment of adolescent LEP

students with limited formal schooling in their country of origin and below-grade-level literacy grows.

## **2. Discrimination in Education**

The 1982 U.S. Supreme Court decision *Plyler v. Doe*<sup>32</sup> established the right of immigrant students, regardless of their immigration status, to a free public education in the school districts in which they live. Among other restrictions, public schools are prohibited from requiring Social Security numbers as a prerequisite for enrollment. A nine-month American Civil Liberties Union-NJ (ACLU-NJ) survey of schools from December 2005 to August 2006 revealed that one in four New Jersey public school districts illegally requested Social Security numbers or asked for other information that would reveal the immigration status of children seeking to enroll in school.<sup>33</sup> A family, who is familiar with the law, can file litigation against a district that engages in such action and bring the dispute before the Commissioner of Education. While this process is available to immigrants claiming discrimination, it is a difficult and lengthy process that would discourage the vast majority of immigrant families. A more accessible, investigative and less legally burdensome process are needed to discourage district noncompliance with the law. A policing mechanism to enforce the law and deter violations is probably necessary, since the current enforcement mechanism, with its paperwork and bureaucracy, can be cumbersome for families. Any enforcement mechanism, though, should be accompanied by an educational aspect and a means of ensuring that immigrant parents feel comfortable reporting violations, even if anonymously.

## **3. In-State Tuition**

The Panel supports the initiative embodied in current proposed legislation that would provide for charging the full in-state tuition rate to persons who meet specified NJ residency requirements, regardless of their immigration status under federal law. Although estimates of the high school-aged undocumented population in New Jersey are variable at best, by some estimates there may be close to 28,000 such students.<sup>34</sup> The Panel has examined the social and economic benefits of enabling academically qualified immigrant students who have lived in the state for much of their lives and who attended high school here to pay in-state tuition at New Jersey public institutions of higher learning. Denying undocumented students access to affordable, in-state tuition costs is detrimental to the State and society at-large. After reviewing current law and legal precedents for in-state tuition and examining models used in other states that grant certain immigrant students in-state status, the Panel has unanimously concluded that the expected benefits of a better-educated New Jersey population will far outweigh any fiscal or societal costs, and that New Jersey should quickly enact a solution substantially similar to those already introduced in the Legislature. The Panel therefore recommends law reforms that will enable New Jersey's student population to continue to maintain a strong and competitive edge both nationally and globally. As the country faces increasing pressure by its citizenry to develop ways to attract and keep jobs at home, New Jersey has realized that part of this effort includes maximizing educational opportunities for all students, regardless of their immigration status.

## **4. Professional Credentialing**<sup>35</sup>

Outlining a clear path to accreditation for immigrants who were professionals in their countries of origin would have an economic benefit to the state as a whole. Inaccessibility of information for incoming professionals creates unnecessary hurdles that discourage the foreign professional

from gaining licensure in New Jersey. This discouragement leads the foreign professional to accept work in positions in which they do not meet their full capacity.<sup>36</sup> Foreign professionals seeking credentialing in New Jersey face many challenges in fulfilling all necessary requirements. Access to credentialing information is not easy to find, if you do not know the exact organizations that regulate each profession. The State of New Jersey website does not provide this kind of information in an easy to find format and does not provide links to most of the organizations that the foreign professional needs to contact to achieve licensure.

## **5. Early Childhood Education<sup>37</sup>**

Early childhood education can address issues of school readiness and language acquisition for children of immigrants<sup>38</sup> and aid in the integration of children and their families into the American education system. Early education programs enable children of immigrants to enter elementary school with more developed English skills and prepare them to succeed in school. Special needs children in immigrant families benefit from early intervention programs that connect their families to additional support services. Family literacy programs and other parental involvement components can help immigrant parents learn English in order to gain employment skills and actively participate in their children's formal education from the beginning.<sup>39</sup> Until the age of five, many children of immigrants are less likely than children of U.S.-born citizens to participate in pre-school or other center-based care.<sup>40</sup> Effective early childhood education is culturally competent and addresses the diversity within the immigrant population.<sup>41</sup> A culturally supportive environment encourages a child's sense of security and self-concept.<sup>42</sup> Additionally, contact with people of similar ethnic and cultural backgrounds minimizes the stress and isolation experienced by many new immigrants.<sup>43</sup> Much of the immigrant community is excluded from essential systems of child care as a result of the inability of traditional service providers to connect effectively with immigrant children and their families. Language barriers, concerns regarding citizenship status, general distrust of the government and cultural stigma further undermine efficient delivery of early childhood educational services. Increased funding, targeted outreach to immigrant communities, coordinated services, appropriate translation services and improved parent engagement would begin to eliminate the barriers to accessing quality early childhood education.<sup>44</sup> Family child care programs are also ideal options for immigrant families.

## **6. Adult Education**

Adult immigrants come to New Jersey with different resources, strengths, and needs. Some have advanced degrees in their own countries. Indeed, adult immigrants in New Jersey have a higher, than immigrants in other states<sup>45</sup> however, there are immigrants who come to the state with limited education from their own country, and some have limited literacy skills in any language. Programs that offer English, literacy, citizenship, or job training classes are essential if immigrants are to realize their full potential, and if the state is to take full benefit of their commitment to making a new home in New Jersey. English proficiency also supports a stronger attachment to the workforce,<sup>46</sup> and parents who increased their English skills through family literacy programs were more actively engaged in their children's schools.<sup>47</sup> There are 373,000 adult immigrants in New Jersey who are on the path to citizenship, a key aspect of naturalization is mastering English, and 134,000 are soon to be eligible.<sup>48</sup>

The need for English classes outstrips the classes that are being offered. In 2006, statewide there were 747,018 working age adults who have limited English proficiency (LEP), or 13 percent of



all 18-64 year olds.<sup>49</sup> There are an estimated 25,265 adults currently enrolled in state-administered ESL programs.<sup>50</sup> There are reports of long waiting lists at programs that do offer ESL, however, immigrant participation in programs covered by Workforce Investment Act Title 1 is low.<sup>51</sup> Immigrants do not need to be convinced of the need to learn English or develop job skills – they need opportunities and access.

## **EDUCATION RECOMMENDATIONS**

### **1. Bilingual/ESL Education Programs**

- 1.1 The NJDOE should review evidence-based bilingual, ESL and world language programs as well as further explore dual language programs to help identify best practices in each type of program and disseminate them statewide.**
- 1.2 The New Jersey Department of Education should develop the database capacity to follow limited English proficient students from identification, through direct service to graduation. It should also include drop out data on limited English proficient students.**
- 1.3 As the Department of Education develops longitudinal data on limited English proficient students in special education, program evaluation should be conducted on the effectiveness of services and student outcomes.**
- 1.4 NJDOE should strengthen and enforce the requirement for Bilingual Parent Advisory Committees, including assisting districts in providing training to members and identifying specific areas in which the district should secure input from the members of the Bilingual Parent Advisory Committee.**
- 1.5 The New Jersey Commission on Higher Education should offer incentives to teacher education programs that increase the number of ESL/Bilingual teachers prepared, certified and employed in the New Jersey public schools.**

### **2. Discrimination in Education**

- 2.1 The state should establish an Ombudsman within the Division of Civil Rights in the Department of Law and Public Safety, which would be the entity to which school discrimination cases are reported.**
- 2.2 Prior to the district enrollment period, the NJDOE should send a memo on an annual basis reminding districts that they cannot request Social Security numbers from parents who are seeking to enroll their children in the district. The memo should also include information clarifying the rights of undocumented students to receive educational services and encourage districts to provide training to staff, particularly those involved with enrollment. The memo should indicate to districts that complaints from parents on these issues will be referred to the Division on Civil Rights in the Department of Law and Public Safety.**
- 2.3 When an allegation of discrimination is received from any source including individuals, community-based organizations, faith-based organizations, and immigrant advocacy groups, the Commissioner of Education should utilize the Office of Fiscal Accountability and Compliance in the Department to investigate complaints of districts requiring Social Security numbers or other unauthorized documentation before a child will be enrolled. Sanctions should be imposed accordingly.**

- 2.4 The department should, through regulation, require districts to adopt policies assuring non- discrimination against immigrant students. These policies should be verified by the county superintendent’s office.
- 2.5 The Department of Education should develop a document, available in multiple languages, that outlines the rights of immigrant children to attend school in New Jersey. This document would identify the information that may be requested to verify the student lives in the district, as well as the types of documents that schools may not require or request.

### **3. In-State Tuition**

- 3.1 The Governor’s Blue Ribbon Advisory Panel on Immigrant Policy recommends a change in the law so that immigrant students are eligible to attend two and four year public colleges and universities at the same tuition rate as resident students.
- 3.2 The Governor’s Blue Ribbon Advisory Panel on Immigrant Policy supports those bills pending before the New Jersey Legislature that would provide in-state tuition rates for immigrant students.
- 3.3 The Governor, Cabinet, other officials should implement all other necessary legislation and regulations that would allow for immigrant students to receive the benefit of in-state tuition rates.

### **4. Professional Credentialing**

- 4.1 The state should adopt standards for credential review of foreign training and academic degrees for all regulated professions in New Jersey.
- 4.2 The state should monitor private credentialing service quality to avoid the development of “credentialing mills.”

### **5. Early Childhood Education**

- 5.1 The state should encourage the development of family child care programs, which offer flexible hours with caregivers who are culturally and linguistically competent, by offering workshops and certification in early childhood development. Certified family child care providers should be eligible for public funding.
- 5.2 The state should support full funding for preschool education for three yearolds.
- 5.3 The state should support development of appropriate instructional programs for eligible preschool limited English proficient students.

### **6. Adult Education**

- 6.1 The state should work in partnership with immigrant communities to determine productive ways to respond to the needs of adult learners and potential adult learners. This may include offering courses at community-based organizations.
- 6.2 The state should conduct a comprehensive needs analysis, with the goal of identifying how much of the demand for English language education is being met and where there are gaps in programming.

## State and Local Government Recommendations

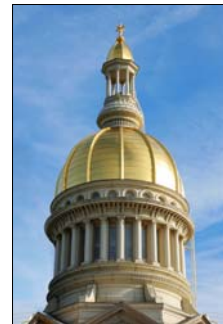
The Panel has discussed and agreed on the following overarching priorities:

- Recognize the critical role of the State of New Jersey and local counties and municipalities in community building by facilitating participation and representation of all residents, delivering services in a culturally and linguistically competent manner, and developing partnerships to encourage immigrant integration.
- Respect for fundamental democratic values and human rights.
- Ensure opportunity for immigrants and native-born persons to fully participate in the economic, social, cultural, political and civic life of New Jersey and their local community.
- Ensure the right of an immigrant to maintain his or her own cultural identity.

The Panel has developed a number of specific recommendations to further these overarching priorities.

### State and Local Government Overview

The lack of a cohesive national immigration policy has placed a great burden on state and local governments. State governments across the United States are experiencing economic, social, and political pressures due to the lack of a cohesive and comprehensive national immigration policy. In much the same way, local governments in New Jersey are feeling heightened uncertainty and anxiety in the absence of a systematic state approach to immigrant integration. Several conditions create challenges for local governments when responding to immigration, including: the influx of immigrants to many communities that are not historic destination locations; the diversity of countries from which recent immigrants come and the range of languages they speak; economic and budgetary constraints at the national and state levels; and the politicization of the discourse surrounding national immigration policy, particularly as it relates to post-September 11 concerns about borders and security. These conditions are only exacerbated by the absence of clear national or state policies.



“The state government, as well as each local government within the state, has a responsibility to be deliberate about the discourse surrounding immigration. In an environment of virulent and blatant anti-immigrant sentiment in the national media, it is important that the state not simply be neutral, but rather very positive about the economic, social, cultural, public safety, and public health benefits of immigrant integration, and that state and local policies and actions be grounded in empirical evidence rather than emotionally charged rhetoric. Indeed, the language of Governor Corzine’s Executive Order 78 reinforces this philosophy stating, in part, ‘A progressive and holistic approach by the state towards immigrant policy that leverages the skills and assets of its immigrants and directs state resources in accelerating immigrant integration will benefit the entire state.’<sup>52</sup> Discourse and policy initiatives that emphasize the positive benefits of immigration for all New Jersey residents, not just for the immigrants, helps frame the context of these recommendations.

Any effort to promote immigrant integration within New Jersey must consider the impact on recent immigrants, long-standing residents of New Jersey, and large and small employers throughout the state. In developing state policies, the impact on local communities is also an important consideration. As such, the development of state policies must include representatives from immigrant and native populations, employers, community and faith-based organizations, and local government officials. The core of the immigrant integration efforts at the local government and community level is relationship building. Critical to the effectiveness of sound local programs is recognition that newcomer immigrants arrive with pre-existing human capital and/or tangible assets and want to become contributing members of the community.<sup>53</sup> The role of the receiving community<sup>54</sup> is to provide appropriate external assistance in developing those assets and growing community-based leadership.<sup>55</sup>

## **State and Local Government Research Findings**

### **1. Immigrant Integration**

The establishment of more comprehensive national immigrant policy is just part of the story. True immigrant integration occurs at the local, neighborhood level and that is why it is critical that community-based organizations and local officials be significantly engaged in the integration process.

According to the June 2008 report presented to the Panel by Brenner and Rubaii-Barrett: “Although national and state policies are sorely needed, they will not change the reality that meaningful immigrant integration can only occur if local governments and community-based organizations play a role. People live, work and interact with others in their local communities, and it is at this level that there is the greatest opportunity for true integration. Long-standing residents and immigrants can get to know each other as people, and local government officials are in the best position to help recent immigrants learn through experience to trust government officials and agencies. Local governments are ideally positioned to promote integration and build trust among and between immigrant populations and long-standing residents, within a clearly articulated and coherent state policy and the resources to support their integration initiatives.”<sup>56</sup>

### **2. Immigrant Entrepreneurship**

A recent report from the U.S. Small Business Administration<sup>57</sup> finds that immigrants are 30 percent more likely than the native-born to transition from working for someone else to working for themselves. Currently one-fifth of New Jersey business income is generated from immigrant-owned business.<sup>58</sup> In New Jersey, 21.4 percent of all businesses are immigrant-owned,<sup>59</sup> and Indian immigrants headed 47 percent of all new NJ companies started by immigrants.<sup>60</sup> Since 1990, immigrants have founded one out of every four public, venture-capital-backed companies, according to a 2006 study commissioned by the National Venture Capital Association.<sup>61</sup> Six



percent of all public firms started by foreign-born immigrants are located in New Jersey.<sup>62</sup> These

are major firms that attracted significant venture capital investment. Yet, the current U.S. and state fiscal crises mean there are fewer venture capital dollars available to invest in immigrant- or native-owned firms. As the state works with Washington to craft ways to jump start the New Jersey economy, promoting immigrant entrepreneurship will be an important piece of addressing the state's economic recovery.

Immigrants own large shares of businesses in both the lowest- and highest-skill sectors; however, lower-skilled immigrants experience regulatory and financial barriers that can be difficult for newcomers to negotiate. Immigrant newcomers who move into distressed areas can help revitalize communities through small business development and general improvement to housing.<sup>63</sup> Because nationally, immigrant business owners comprise the largest share of least-educated business owners, their need to understand how the American business climate operates may be more acute. If business start-up concerns like access to capital and streamlining of the permitting and application processes can be addressed, then immigrant entrepreneurship holds the potential to significantly grow the state's economic base.

### **3. Cultural Competency Training and Access to Government Services**

In the course of fulfilling their daily responsibilities, state, local, and county employees interface with immigrant community members who may be unfamiliar with local ordinances or New Jersey laws. How the city or county interact with the immigrant community or individual immigrants can create and promote immigrant integration or exacerbate tensions.<sup>64</sup> Many training programs address diversity but may neglect to contextualize it regarding immigrants. Lack of cultural competency in government entities can have dire consequences for people with limited English proficiency.

### **4. Day Laborers and Informal Employment Services Locations**

There are few in our society as economically and otherwise vulnerable as recent immigrants to this country who toil as laborers, seek work on a day-to-day basis and have limited English proficiency.

As reported in "*On the Corner: Day Labor in the United States*," produced by the Los Angeles Center for the Study of Urban Poverty: "Day laborers are some of the state's most vulnerable citizens, especially day laborers who are also immigrants. They are contingent workers, primarily recent immigrants, employed in a variety of sectors and industries, including manual labor, construction, service industries, and factory work.<sup>65</sup> Most often, day laborers have limited English proficiency and other skill sets, and they seek jobs on street corners, in parking lots, and in public rights-of-way.<sup>66</sup> These temporary labor marketplaces have both real and perceived spillover effects on the host community, and in New Jersey, the informal portion of the day labor market is unregulated.

With the current economic crisis, the unregulated status of the day labor market is of great concern. Rising unemployment, a decreased number of jobs available across sectors, and a focus on cutting costs by using cheaper labor brings a heightened awareness of the public issues that come with day labor.<sup>67</sup> Immigrant integration policy, therefore, must take into account the competing desires of stakeholders, meeting the demands of the local labor market, addressing the concerns of community members and businesses, and respecting the dignity, human and labor

rights of day laborers. Political concerns and the sometimes emotional nature of immigrant relations in New Jersey demand a consensus-driven, community solution to the objective of regularizing and structuring certain aspects of the temporary labor market.

Worker centers are “community-based and community-led organizations that engage in a combination of service, advocacy and organizing to provide support to low-wage workers,” and offer a positive solution for municipalities seeking to regularize this often chaotic employment practice.<sup>68</sup> Worker centers establish a place for immigrant laborers and others to seek gainful employment; they serve as mediating institutions, which advocate for the low wage worker, and interface with the larger community,<sup>69</sup> and enable the temporary labor market to function in a more equitable and effective way, and serve an important role in integrating immigrants into the life of a community.”<sup>70</sup>

## 5. Affordable Housing

The lack of affordable housing in New Jersey is a problem for all New Jerseyans but can be of particular concern to immigrant populations who face language barriers, unfamiliarity with the systems that support access to housing and who face barriers to obtaining housing subsidies.

According to “*Immigrants and Affordable Housing*,” a paper presented at the Immigrant Policy symposium of Student Research, Rutgers University, December 2008: “The lack of affordable



housing in New Jersey is a huge burden on immigrant populations. In addition to problems with housing supply, New Jersey has the second highest median monthly housing costs in the country and the third highest median rental prices.<sup>71</sup>

Statewide, 46.1 percent of homeowners and 48.5 percent of renters spend more than 30 percent or more of their monthly incomes on housing costs.<sup>72</sup> When compared with the rest of the country, these percentages show New Jersey has the fourth highest mortgage costs and third highest rental costs, with averages nationwide at 37.5 percent and 45.6 percent, respectively.<sup>73</sup> Other factors exacerbate the problems of locating affordable housing including: discriminatory landlord practices; anti-immigrant ordinances; exclusionary zoning; overcrowding; and lack of access to credit.”

The paper continues,

“Federal government supplemental housing programs, such as Section 8 and public housing, are limited to U.S. citizens and those non-U.S. citizens with legal residency status. That means less educated immigrants whose job skills are less transferable in the New Jersey economy may have extremely limited resources to seek affordable housing. The housing they do find is sometimes overcrowded and substandard in quality. Additionally, immigrants from developing countries may not be familiar with housing codes and may unintentionally create fire hazards for themselves and others. Due either to their immigration status, lack of affordable housing options, or lack of familiarity with local municipal codes, such families will not complain to the proper authorities about unsafe living conditions.”<sup>74</sup>

## **6. Potential Implications of Municipal Ordinances That Affect Immigrant Populations.**

In 2006, Riverside, NJ, passed a local ordinance designed to penalize employers and landlords who hired or rented to an unauthorized immigrant. “Within months, hundreds, if not thousands, of recent immigrants from Brazil and other Latin American countries had fled.”<sup>75</sup> Faced with mounting legal bills<sup>76</sup> from two lawsuits filed against the municipality and the spillover effect of shuttered businesses that had substantial immigrant clientele, a year later the town of 8,000 rescinded the ordinance. In Lakewood, NJ, anti-immigrant rallies were organized in Fall, 2007 and May, 2008.<sup>77</sup> Signs reading “We’re not vigilantes, we’re undocumented border patrol agents,” demonstrate the strong rhetoric against unauthorized immigrants in some New Jersey communities. In Morristown, police were forced to separate the 500 protestors from both sides of the immigration issue that converged in August 2007, burdening the community with a combined local and county law enforcement bill of \$36,000 for the event.<sup>78</sup>

In light of these and other efforts by residents in some New Jersey communities to act on their frustration with the perceived failure of federal immigration enforcement, a pending federal lawsuit involving Hazelton, PA is especially pertinent to New Jersey. The city’s Illegal Immigration Relief Act sought to impose fines on landlords who rent to illegal immigrants, deny business permits to companies that give them jobs and require tenants to register and purchase a rental permit. The Hazelton law was struck down as unconstitutional.<sup>79</sup> This case, if upheld on appeal, should prove to be a landmark case in the area of the rights of undocumented immigrants and provide municipalities with clear guidelines and limits when attempting to regulate immigrant populations.

## **7. Disaster Preparedness**

There is a “unique subset of immigration-related issues that may arise whenever a state suffers from natural or man-made disaster.”<sup>80</sup> To help the victims of disasters, including immigrants, disaster preparedness planners must understand who they are and what their needs are likely to be. To do so, it is essential to understand and respect their culture.<sup>81</sup> Experiences in disaster evacuation, relief, and recovery reveal that racial minorities and immigrants are relatively more vulnerable in comparison to white Americans. In particular, socioeconomic differences, language barriers, minority preferences for particular information sources, and distrust of governmental authorities are significant factors that leave racial minorities and immigrants more vulnerable to disasters.<sup>82</sup> Currently, New Jersey’s ability to provide immediate translation of all emergency information in a rapid manner to limited English-proficient populations is limited and lacks coordination.

## **8. Immigrants and Public Safety**

Many immigrants are wary of the police because of negative experiences in their country of origin,<sup>83</sup> or because they fear bringing the attention of authorities to households which may include members with undocumented status.<sup>84</sup> Limited understanding of the U.S. legal system makes immigrants less likely to “assertively resist(ing) victimization or pursue(ing) grievances.”<sup>85</sup> This can hamper law enforcement efforts to resolve crimes committed in their community. The role of immigrant community organizations and cultural brokers is magnified in importance in these circumstances.<sup>86</sup>

The New Jersey Attorney General issued Law Enforcement Directive No. 2007-03 (the "Directive"), which "established the manner in which local, county and State law enforcement agencies and officers shall interact with federal immigration authorities."<sup>1</sup> Based upon experiences in the seventeen months following issuance of the Directive, we believe that it needs to be modified to advance legitimate law enforcement objectives and ensure civil rights protections.

### **9. Immigration and Customs Enforcement (ICE) Home and Workplace Raids**

According to a report by Janice Fine, Ph.D. submitted to the Panel in December 2008:

“In 2003, ICE began its Fugitive Operation Program to eliminate the nation’s backlog of immigration fugitives. ICE implements the Fugitive Operations Program through Fugitive Operations Teams (FOT). There are 75 such teams nationwide and 4 in New Jersey as of mid-2006. In 2005, the Department of Homeland Security (DHS) announced the Secure Border Initiative (SBI) to reduce illegal immigration. While the second phase of SBI seeks to deport “criminal aliens,” human smugglers and traffickers, and those who pose national security threats, it also seeks to increase and strengthen worksite enforcement in order to deter employment of undocumented workers.<sup>87</sup> In late May of 2006, FOTs began a nationwide fugitive apprehension program known as “Operation Return to Sender.” Since the escalation of *Operation Return to Sender* and the implementation of FOT quotas,<sup>88</sup> the number of individuals arrested by NJ FOT’s has doubled. In FY 2007, NJ FOTs apprehended 2,079 individuals, compared with 1,094 in FY 2006. Of the 2,079 arrested, 1,809 had no criminal history, but likely were collateral apprehensions during the raids. Media reports and numerous personal accounts suggest that FOTs executed many of these arrests in pre-dawn warrantless raids of immigrant homes across the state.<sup>89</sup>

Large numbers of children in New Jersey live in mixed-status families. There are approximately 40,000 undocumented children living in the State of New Jersey and approximately 75,000 U.S.-born children of undocumented parents living in New Jersey in about 70-80,000 families.<sup>90</sup> Fear of ICE raids has a direct impact on these children.

ICE reports over 10,000 referrals from New Jersey law enforcement agencies from September 2007 through January 2008. Of these, 1,417 people were charged with immigration violations, while another 1,468 people received detainers, allowing federal agents the right to hold into custody immigrants that finish their prison sentences.<sup>91</sup> At present, six counties in New Jersey, Hudson, Middlesex, Monmouth, Bergen, Passaic, and Sussex hold immigrant detainees. An additional facility in Elizabeth, managed by the Corrections Corporation of America, a private contractor, also holds immigrant detainees.<sup>92</sup> Currently, around 1,000 immigrant detainees are held in these facilities.<sup>93</sup> According to a report by the American Civil Liberties Union (ACLU) of New Jersey, detainees continually

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<sup>1</sup> See Directive at p. 1.



have difficulty accessing telephones and other means to contact outside sources for legal support from relatives, friends, or attorneys.<sup>94</sup> In addition, detainees who are separated from their children or other dependents have a hard time making the proper arrangements for them. Sometimes these children and dependents are left abandoned<sup>95</sup> and do not seek support for the ensuing distress related to their relative's detainment. Such trauma, including economic difficulties and psychological suffering, creates harmful and long-lasting consequences for families."<sup>96</sup>

## **10. Immigrant Detainees Held in County Jails and Privately Operated Correctional Facilities**

Federal ICE detainees held in county facilities do not have a right to a court-appointed attorney for immigration procedures. Nonprofit and faith-based organizations presently fill the gap by helping immigrant detainees gain access to legal representation for immigration procedures. Immigrants arrested by ICE for civil violations of federal immigration law are sometimes moved to detention facilities that are a great distance away from where they were living, thereby making access to family difficult, if not impossible.

The State of New Jersey does not have regulatory authority over county jails or private correctional institutions located in the state. Complaints about conditions of immigrant detainees at county jails are handled in-house, because the NJ Department of Corrections' jurisdiction comprises state prisons and sentenced inmates;<sup>97</sup> however, New Jersey Administrative Code 10A section 34 allows the state to set minimum standards for county and private correctional facility detention. Federal guidelines from the Department of Homeland Security were issued in Fall 2008, which specify new Performance Based National Detention Standards for immigrant detainees.<sup>98</sup> New Jersey county jails and privately-contracted jail facilities in the state are required to come into compliance with these standards, if they accept immigrant detainees.

As of December 2008, there were 297 immigrant detainees being held at the privately-run Elizabeth detention facility and 727 detainees at six county jails in northern New Jersey.<sup>99</sup> County jails are compensated by the US Department of Homeland Security on an intergovernmental contractual basis and receive between \$90 and \$105 per detainee per day.<sup>100</sup> In a sinking economy, immigration detention is a rare growth industry. Congress has doubled annual spending on it in the last four years, to \$2.4 billion approved in October as part of \$5.9 billion allotted for immigration enforcement through next September — even more than the Bush administration had requested.<sup>101</sup>

## **11. Driving and New Jersey's Immigrant Community**

An estimated 400,000 undocumented immigrants live in New Jersey, many of whom drive even though they are not permitted to obtain licenses. The Panel heard arguments, both moving and reasoned, as to why undocumented immigrants should be authorized to drive in New Jersey. Many argue that the hardships imposed upon working immigrants and their families by not being able to drive legally are disproportionate to the state's interest in reinforcing federal immigration laws by imposing the limitation. Among the most compelling reasons for licensing undocumented immigrants was the safety and welfare of *all* the driving public in New Jersey. Unlicensed drivers are not examined to assure their knowledge of the rules of the road, are not

checked to establish identity, and cannot procure liability insurance that protects other drivers and passengers in the event of accident. Thus, there may be significant costs and losses imposed on innocent third parties as a result of not bringing within our driver's license regulatory scheme those who, as a practical matter, are driving on our roads anyway. And it may also enhance safety, security and law enforcement efforts if state government has access to some basic information about the identity of undocumented immigrants.

Presently, the Motor Vehicle Commission bars applicants who cannot provide a valid Social Security number or proof of authorized immigration status from receiving New Jersey driver's licenses. The current policy also requires that licenses expire with an immigrant's visa. The result is that many New Jersey residents who do not qualify for these licenses are either driving without licenses or fleeing to other states with less restrictive licensing qualifications to obtain licenses. Implementation of REAL ID will solidify the lawful presence requirement as New Jersey will be mandated to have this requirement in order for New Jersey driver's licenses to be REAL ID compliant. The committee stands opposed to the REAL ID implementation. Implementation of the REAL ID act unreasonably targets the immigrant population as the act substantially hinders immigrant access to driver's licenses. The arguments in favor of licensing all persons in New Jersey who can establish their identity through credible documentation and by passing a driving exam are far more compelling than the arguments against it as immigrant access to driver's licenses increases national security and public safety, and maintain state fiscal responsibility.

Realizing the sensitive nature of granting driving privileges to those unable to establish lawful presence in the United States, the Panel agrees that such an action should only be taken after consultation with the federal Department of Homeland Security.

## **12. Access to Voting for Limited English Proficient Citizens**

In spite of joint efforts of the ACLU-NJ, Asian American Legal Defense and Education Fund, New Jersey Appleseed, New Jersey Citizens Coalition for the Implementation of the Help American Vote Act, and LatinoJustice Puerto Rican Legal Defense and Education Fund, alleged violations of the rights of voters and would-be voters continue to occur.<sup>102</sup> In July 2008, the U.S.

Department of Justice filed suit against officials in Penns Grove, Salem County, for violation of the Voting Rights Act of 1965. Among the violations noted in the lawsuit were: failure to print the election materials in Spanish; failure to recruit and train bilingual poll workers; and either prohibiting or interfering with family members, friends, and other assistants of the voters' choice from providing assistance to limited English



proficient Hispanic voters, as allowed under the Voting Rights Act of 1965.<sup>103</sup> Additionally, "many newly naturalized Asian Americans [*also*] require in-language assistance to facilitate their voter registration, and ultimately, their access to the vote."<sup>104</sup> Section 203 of the Voting Rights Act Reauthorization of 2006 allows assistance to be provided for U.S. citizens who have limited English proficiency. In some instances when the language-minority group comprises more than 10,000 persons or 5 percent of the local population and has a higher than average literacy rate,

the act requires communities to provide bi-lingual ballots. This threshold is rarely met in the State of New Jersey as each language group must individually qualify under the provisions of the act. However, another provision of Section 203, which allows oral assistance during the voting process, would benefit limited English proficient U.S. citizens living in New Jersey. New York City and Houston, which provide oral assistance to limited English proficient U.S. citizens, experienced significant increases in voting turnout by providing this accommodation.

### **13. Municipal Identification Cards**

Municipal residents may wish to become full participating members of the community but are held back by lack of personal identification. Communities, such as New Haven, CT and San Francisco, CA, found that resident municipal identification (ID) is a valid proof of residency for the particular community. With the municipal ID program individuals are able to obtain an ID that will allow them to participate in civic privileges like municipal pools, golf courses, or libraries as well as opening bank accounts within the community. Proponents of municipal identification are likely to cite these reasons for implementing such a program in the city: improving access of facilities and services that municipalities offer; improving public safety and increased civic participation. Opponents raise concerns about municipal identification programs: support sanctuary city concepts; undermines federal immigration law; personal identification from consular offices may be forged or otherwise abused; and historic unacceptability of ID cards.

## **STATE AND LOCAL GOVERNMENT RECOMMENDATIONS**

### **1. Immigrant Integration**

- 1.1 Establish state and local immigrant advisory councils.**
- 1.2 In addition to establishing immigrant advisory boards, local municipalities may want to consider establishing Cultural Diversity and Human Relations Boards, which would meet on a regular basis to discuss and resolve immigrant and community issues.**
- 1.3 Establish an immigrant welcome center, which could be either physical or virtual.**
- 1.4 Establish and promote open, transparent lines of communication between newcomers, established residents, city administrative personnel, and local elected officials.**
- 1.5 Municipalities develop, in conjunction with the Department of Community Affairs, New Jersey League of Municipalities, and local nonprofit and educational institutions a [City Name] 101 course to introduce newcomers, including immigrants, to public services in the community.**
- 1.6 Celebrate the diversity of immigrant newcomers and long-term resident populations.**
- 1.7 Establish appropriate language support for limited English proficient persons, so they can be civically engaged in local communities.**
- 1.8 Create a Governor's Commission on New Americans.**

### **2. Immigrant Entrepreneurship**

- 2.1 Strengthen programs that support immigrant entrepreneurship and access to capital.**

### **3. Cultural Competency Training and Access to Government Services**

- 3.1 The Department of Community Affairs, in conjunction with the League of Municipalities, New Jersey Association of Counties, and nonprofit, immigrant, and faith-based organizations, should develop an organizational self-assessment tool to measure cultural and linguistic competency and assist municipalities and counties in reviewing their administrative capacity to work effectively with recently arrived immigrant populations.**
- 3.2 All state agencies and commissions should review their administrative capacity to work effectively with recently arrived immigrant populations and review their employee training programs for cultural competency in working with immigrant communities and limited or non-English speaking persons.**
- 3.3 Counties and municipalities should review all employee training programs for cultural competency in working with their immigrant communities.**
- 3.4 Extend the New Jersey court interpretation guidelines to all municipal and administrative courts in New Jersey, establishing clear protocols regarding pre-trial or service-oriented interactions requiring language services. Vicinages should include cultural competency training for court personnel, and clarify the role of the ombudsman for limited English proficient persons coming before the court.**
- 3.5 The Administrative Office of the Courts should issue a directive that establishes a uniform way for all courts to inform LEP individuals of their right to an interpreter.**
- 3.6 The Administrative Office of the Courts should establish a continuing education program for court interpreters.**
- 3.7 The Administrative Office of the Court should establish a formal procedure for logging complaints against interpreters who may have either violated their ethics code or provided poor quality interpretation services.<sup>105</sup>**
- 3.8 Local communities should consider changes in signage and public notices, such as proposed zoning changes, to include information for multiple language groups, especially information that is critical to public safety.<sup>106</sup>**

### **4. Day Laborers and Informal Employment Services Locations**

- 4.1 Local municipalities should establish an official day labor hiring site or work center.**
- 4.2 Local municipalities that establish these work centers should recognize the importance of coalition building with concerned stakeholders, including local community members, businesses, community and faith-based organizations, immigrant advocacy groups, and day laborers.**

### **5. Affordable Housing**

- 5.1 Immigrants, regardless of their status, should be assured that they are entitled to seek and obtain housing assistance of any city agency without having to disclose their immigration status.**
- 5.2 Ensure fair and uniform enforcement of municipal codes in all neighborhoods to avoid racial or ethnic profiling. Municipalities may want to establish a team approach to code enforcement.**

- 5.3 Municipalities should establish and/or maintain and update an accurate database of rental property owners, especially absentee landowners who do not reside in the community, so they are available in the event they need to be contacted for problems related to overcrowding, illegal subdividing of structures, and other unsafe conditions.
- 5.4 Communities should oppose the enactment of any state law which is allegedly about overcrowding, but in fact allows a landlord who has profited from the overcrowding to transfer the full responsibility for overcrowded and/or substandard conditions to the tenant(s).
- 5.5 The state should support legislation, such as the “Second Unit Housing Authorization Act,” which encourages the increase of affordable housing and acts to reduce overcrowding in New Jersey.
- 5.6 The state should provide assistance for immigrants to obtain loans and establish credit history, thus increasing their opportunity to rent and purchases homes”.<sup>107</sup>

#### **6. Potential Implications of Municipal Ordinances that Affect Immigrant Populations.**

- 6.1 The State of New Jersey should support the previously filed amicus briefs that oppose the City of Hazelton’s attempt to prohibit both the employment and housing of undocumented immigrants under a city ordinance.

#### **7. Disaster Preparedness**

- 7.1 New Jersey Office of Emergency Management should update its basic workshop on emergency management curriculum to include plans and procedures for limited English proficient residents and make its webpage language accessible.
- 7.2 Local disaster service providers and public information officers should evaluate the language needs of preparedness education materials in their service areas.
- 7.3 Local providers should ensure simulation exercises incorporate the language needs of LEP community members. This includes an assessment of available language resources and their anticipated utilization during the course of a disaster, as well as awareness of de-coupling immigrant enforcement from humanitarian aid.
- 7.4 New Jersey should establish working groups with service personnel, nonprofit organizations serving immigrant communities and ethnic media on how to better promote preparedness materials.
- 7.5 New Jersey and local municipalities should create a baseline of minimal second language resources for diverse jurisdictions.<sup>108</sup>
- 7.6 Local municipalities and state offices responsible for disaster preparedness planning should conduct an assessment of the readability of emergency preparedness materials for less educated residents, including immigrants, and develop auditory risk and emergency preparedness materials for those who are not literate.
- 7.7 Federal, state and local agencies administering public benefits and other assistance programs should develop plans for relaxing ordinary documentation requirements in areas where a disaster has caused widespread destruction of documents.
- 7.8 It should be made clear to first responders, the immigrant community, and to the public in general that disaster relief is *not conditional on immigration status*.<sup>109</sup>

## **8. Immigrants and Public Safety**

- 8.1 Local police regularly work with and seek the opinions of immigrant community leaders/community liaisons.**
- 8.2 Municipalities should conduct citizen police academies that are designed to help immigrant community members become familiar with how police officers perform their duties and how the department serves the community.**
- 8.3 Municipalities could create a victims' assistance outreach callback program.**
- 8.4. The Attorney General should supplement, and where necessary, amend Law Enforcement Directive No. 2007.** That Directive governs the conduct of law enforcement when interacting with federal immigration officials. The Directive requires that when a law enforcement officer arrests an individual for an indictable offense or DWI and has a "reason to believe" that such person is not lawfully present in the United States, he or she must notify U.S. Immigration and Customs Enforcement. The "reason to believe" standard is too vague and subjective, and therefore a more objective standard should be included in the Directive. Additionally, the Directive does not currently govern typical police interactions (e.g., traffic stops) with members of the public regarding immigration issues. The Attorney General should supplement the Directive to include a broad statement that other than circumstances involving the arrest of an individual for an indictable offense or DWI, law enforcement inquiries into immigration status and notifications to ICE should be the exception rather than the norm. Greater efforts must also be made to collect more and accurate data, provide training to law enforcement officers and conduct community outreach programs to better inform immigrant communities of the Directive's reach and protections.

## **9. Immigration and Customs Enforcement (ICE) Home and Workplace Raids**

- 9.1 The Governor of New Jersey should recommend and work with the President and the federal Department of Homeland Security for a moratorium on home and workplace raids until such time as there is comprehensive immigration reform, for the following reasons:**
- 9.2 In order to minimize the suffering of detainees and their dependents, the State of New Jersey working in partnership with county and local governments and university and non-profit organizations should make its best effort, funding permitting, to provide the necessary measures to deal with the distresses associated with being detained.**
  - A. The State should take preemptive action to plan for and work with ICE to ensure that any immigration enforcement conducted in New Jersey does not result in children being left behind or abandoned.**
  - B. The State of New Jersey should make every effort to ensure that every detainee have immediate access to telephones to contact outside sources for legal support and to make arrangements for their dependants.**
  - C. The State of New Jersey, in partnership with county and local governments, university and non-profit organizations should explore the establishment of a Rapid Response team to deal with the immediate effects for detainees and their dependents.**

## **10. Immigrant Detainees Held in Municipal or County Jails and Privately Operated Correctional Facilities**

- 10.1** Counties and municipalities who operate jails or contract with private correctional firms should establish community-based jail advisory boards as another way of ensuring basic human rights for those who are arrested or detained.
- 10.2** Urge and encourage the New Jersey Supreme Court and Assignment Judges of each vicinage to include representation of detainees among the list of pro bono assignments to local counsel in each county.<sup>110</sup>
- 10.3** The State of New Jersey should work with the Department of Homeland Security and ICE to keep detainees in the general area where they were arrested, if detention space is available, so detainees can have access to family and humanitarian support.

## **11. Driving and New Jersey's Immigrant Community**

- 11.1** After consultation and cooperation with the federal Department of Homeland Security, New Jersey should implement a system that allows all individuals living in the state to obtain a driver's license (DL) or a driver's privilege card (DP).

## **12. Access to Voting for Limited English Proficient Citizens**

- 12.1** State, municipal, and county election workers at voting sites with a significant presence of limited English proficient U.S. citizens should receive training to understand how Section 203 of the Voting Rights Act applies during the election, with specific attention to provisions which permit oral assistance in voting.
- 12.2.** The State of New Jersey, municipalities and counties should partner with local nonprofit, faith-based and immigrant groups to educate limited English proficient U.S. citizens about their rights to have oral assistance in the voting process.
- 12.3** The State of New Jersey should apply for federal funds under the Help America Vote Act to underwrite the cost of training election workers and providing public education to limited English proficient U.S. citizens under Section 203 of the Voting Rights Act.

## **13. Municipal Identification Cards**

- 13.1** No recommendation.

## CONCLUSION

The recommendations that form the body of this document are undergirded by several broad themes, articulated in Brenner and Rubai-Barrett's 2008 report to the Panel, and which were expressed by subcommittee members and those who provided public testimony representing a range of New Jersey's non-profit, immigrant-serving, community, and faith-based organizations as well as business persons, attorneys, physicians, and academics.

- The diversity of immigrants strengthens the economic, social, and civic fabric of New Jersey.
- All newcomers to local communities in New Jersey, regardless of immigration status, deserve to be treated with dignity and respect. Immigrant integration efforts allow newcomers to become fully contributing members of the community.
- New Jersey state and local governments have a civic responsibility to set a positive and constructive tone for discourse and to lead community efforts to develop a shared civic identity.
- Collaboration in immigrant integration efforts between the non-profit sector, broadly defined, and government is critical as neither sector has the resources (including staff, finances, or facilities), cultural competence, or access to all of New Jersey's immigrant population groups to effectively do it alone.<sup>111</sup>





## Endnotes

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- <sup>17</sup> New Jersey Department of Labor and Workforce Development, Division of Labor Market & Demographic Research, January 2008.
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- <sup>19</sup> New Jersey Department of Labor and Workforce Development, Wage and Hour Division.
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- <sup>92</sup>"Immigration Detention Report Outlines Concerns of Abuse," May 15, 2007. <http://www.aclu-nj.org/news/immigrationdetentionreport.htm>
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- <sup>94</sup>"Behind Bars: The Failure of the Department of Homeland Security to Ensure Adequate Treatment of Immigration Detainees in New Jersey," American Civil Liberties Union, May 2007. <http://www.aclu-nj.org/downloads/051507DetentionReport.pdf>
- <sup>95</sup>Current ICE policy requires Fugitive Operation Team members to ensure minor children are not left unattended. Personal conversation with Scott Weber, Newark district director of ICE's Office of Detention and Removal, November 18, 2008.
- <sup>96</sup>Janice Fine, "Immigration and Customs Enforcement (ICE) Home and Workplace Raids," (paper presented to Governor Corzine's Blue Ribbon Panel on Immigrant Policy, Trenton, NJ, December 11, 2008).
- <sup>97</sup>Personal conversation with Ernest Lee, acting NJ Corrections Ombudsman, July 18, 2008.
- <sup>98</sup>ICE Performance Based National Detention Standards are available at <http://www.ice.gov/partners/dro/PBND/index.htm> Detainee handbook, available in English and Spanish, is available to <http://www.ice.gov/pi/dro/facilities.htm>
- <sup>99</sup>Nina Bernstein, "City of Immigrants Fills Jail Cells With Its Own," *New York Times*, December 26, 2008. The number of ICE detainees reported in the *New York Times* article is substantially larger than the estimate of 185-250 detainees in county jails given by Scott Weber, Newark district director of ICE's Office of Detention and Removal on November 18, 2008.

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<sup>100</sup> Personal conversation with Scott Weber, Newark district director of ICE's Office of Detention and Removal, November 18, 2008.

<sup>101</sup> Bernstein, "City of Immigrants," *NY Times*.

<sup>102</sup> American Civil Liberties Union and League of Women Voters in New Jersey. 2008. Voting Rights and Wrongs: A snapshot of 2008 presidential primary voting problems and recommendations for reform. June 2. [www.lwvny.org/news/Voting%20Rights%20and%20Wrongs%20Report%206-08%20v7%202.pdf](http://www.lwvny.org/news/Voting%20Rights%20and%20Wrongs%20Report%206-08%20v7%202.pdf) and Puerto Rican Legal Defense and Education Fund Press Release. 2008. LatinoJustice PRLDEF Calls on DOJ to Deploy Monitors to Protect the Latino Vote. October 9. [http://www.prldef.org/press/Press%20Releases/LatinoJustice\\_PRLDEF\\_calls\\_on\\_AG\\_to\\_Deploy\\_Federal\\_Monitors.pdf](http://www.prldef.org/press/Press%20Releases/LatinoJustice_PRLDEF_calls_on_AG_to_Deploy_Federal_Monitors.pdf)

<sup>103</sup> *United States of America v. Salem County and the Borough of Penns Grove, NJ et al.* [http://www.usdoj.gov/crt/voting/litigation/recent\\_208.php](http://www.usdoj.gov/crt/voting/litigation/recent_208.php)

<sup>104</sup> Alexander W. Saingchin, Esq., Director, New Jersey – Asian American Legal Defense and Education Fund. Written testimony to the Governor's Blue Ribbon Advisory Panel on Immigrant Integration.

<sup>105</sup> Kumara and Brenner, "Legal Requirements for Access to NJ Courts," p. 7.

<sup>106</sup> Brenner, Christine Thurlow. Structures and strategies of immigrant integration: Evidence from the new Latino destinations in the United States. *Journal of Public Management and Social Policy* 15 (2009) no. 1.

<sup>107</sup> Ibid.

<sup>108</sup> Mathew and Kelly. 2008. "Disaster preparedness in urban immigrant communities," p. 7.

<sup>109</sup> Dansbury, "Disaster and Emergency Preparedness and the Immigrant Community," p. 21.

<sup>110</sup> Personal email correspondence from Juan Cartagena, Esq., member of the Hispanic Bar Association of New Jersey. August 18, 2008.

<sup>111</sup> Brenner and Rubaii-Barrett, "Recommendations," p. 9-10.