

**INTEGRATING IMMIGRANTS IN NEW JERSEY:
LOCAL PERSPECTIVES**

Woodrow Wilson School of Public and International Affairs
Policy Task Force Report

Devon Ahearn
Jordan Blashek
Angela Cai
Katherine Fallon
Kelley Francis Fenelon
Cindy Hong
Amy Liang
Alexandra Thomas
Jiwon Yhee

with the assistance of

Marta Tienda
Task Force Director

Julia Brower & Aaron Spolin
Senior Commissioners

Princeton University
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Introduction:

The decentralized and rapidly changing immigrant population in New Jersey poses particular challenges for policy-makers at the local and state level. Historically, New Jersey has been an example of “immigrant exceptionalism.”¹ Unlike other high-immigrant states in the 1990s, New Jersey never saw the growth of an anti-immigrant grass movement or experienced a wave of anti-immigrant legislation such as Proposition 187 in California, “English-as-the-official-language” bills, or proposals to ban illegal immigrant children from public schools. Rather, New Jersey has a strong tradition of responsiveness to and tolerance of its immigrant population. While New Jersey’s elected officials, community leaders and citizens deserve credit for the exemplary example set by the state, certain unique characteristics of New Jersey’s immigrant population – its diversity, higher level of education and higher rates of legal documentation² – also played an important role in the success of immigration in New Jersey. In the last decade, however, the makeup of New Jersey’s immigrant population has changed. Immigrants are increasingly coming from Latin America, have lower levels of education and are more likely to be undocumented. And anti-immigrant sentiment, most famously evident in the 2005 Riverside ordinance, is beginning to emerge across the state. What new issues have New Jersey’s changing immigrant population created? What should the policy response be to these issues? And how can New Jersey retain its tolerant tradition in meeting these challenges?

This report investigates these questions by studying local responses to New Jersey’s immigrant population in the nine counties with the fastest-growing immigrant populations. Local governments and communities are the institutions faced most immediately with the obligation to respond to the needs of immigrant populations and the changes caused by their presence. However, no comparative study has been undertaken to date to investigate the issues immigrant populations

¹ Espenshade, T. J, “New Jersey in Comparative Perspective” In *Keys to Successful Immigration* (Washington, D.C.: Urban Institute Press, 1997): 6.

² Espenshade, 7.

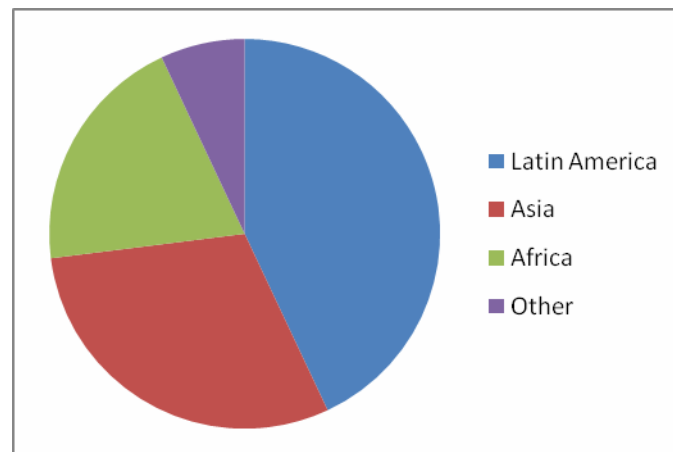
pose for local communities in New Jersey or evaluate how these communities have responded to these challenges. In the following sections, this report takes the first step in addressing this lack of data. Section I of the report describes the recent changes in New Jersey's immigrant population and locates these changes in historical perspective. In Section II, changes in the percent foreign born in each of the nine case study counties are presented. Section III addresses a recent policy trend, the creation of statewide Offices of Immigrant Affairs. After discussing the functions of two existing models of such offices, a brief argument is presented for the need for such an office in New Jersey. Section IV presents each of the nine county case studies grouped by a major issue facing the county – education, healthcare, crime and public safety, and “sanctuary city” legislation. Each case study takes a similar format. A major issue the county faces with respect to its immigrant population is identified, the issue is examined through a comparison of several case study towns mainly within the county, major findings are presented, and then based on these findings, policy recommendations are offered to both the local/county level and, if applicable, to the State.

I. New Jersey Immigrant Data, 1980-2006

The state of immigrants in New Jersey is relatively unique compared to the experiences of immigrants in other states. This is because of the immigrant population's size, diversity, recent growth trends, and decentralization. New Jersey is a state of approximately 8.7 million people spread over 21 counties. The population is the densest in the nation, and its economy is closely linked to its neighbor states and two major nearby cities, New York and Philadelphia. As one of the most diverse states in the nation, it provides a laboratory for analyzing how certain public policies function in heterogeneous populations. Nonetheless, these unique attributes specific to New Jersey serve as challenge to lawmakers in a state where there cannot be a "one size fits all" immigration policy.

Out of the 50 states, New Jersey has the sixth largest immigrant population. Approximately 1.7 million immigrants live in the state, making 20% of the population foreign born.³ Only five states have larger immigrant populations: California, New York, Texas, Florida, and Illinois. The state also has a particularly large population of undocumented immigrants, at approximately 400,000 residents according to a 2004 estimate (5% of the population).⁴ Much like undocumented populations in other large states, New Jersey's undocumented immigrants struggle to understand the law, access crucial services, and provide for their families. Additionally, unlike the immigrant populations in some of the other large states, New Jersey has a particularly diverse immigrant population with no one “modal” group. Forty-five percent of foreign born residents in New Jersey are from Latin America. Thirty percent are from Asia, another thirty percent are from Africa, and seven percent are from various other regions.⁵

Figure 1: Regions of origin of New Jersey foreign born (2005)



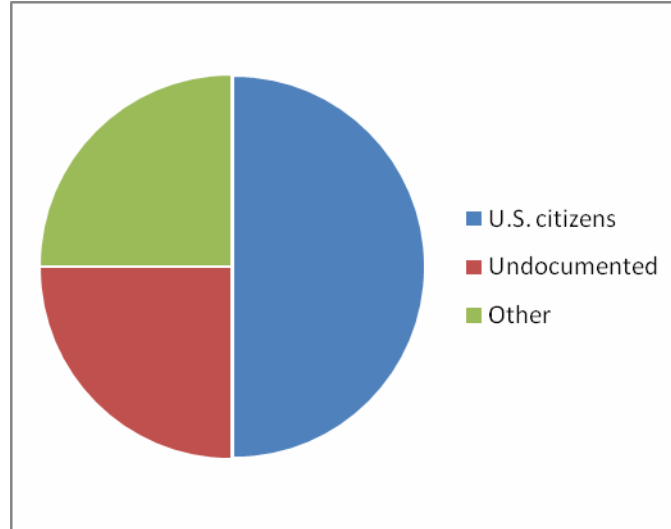
Source: U.S. Census Bureau, 2005 American Community Survey (ACS)

³ U.S. Census Bureau, 2006 American Community Survey (ACS)

⁴ Passel, Jeffrey S et. al. “Estimates of the Legal and Unauthorized Foreign-born Population for the United States and Selected States, Based on Census 2000,” *Sabre System, Inc.* 46pp. (2004) 13 May 2008
<http://members.aol.com/copafs/Passel.pdf>.

⁵ U.S. Census Bureau, 2005 American Community Survey (ACS)

Figure 2: Legal status of New Jersey foreign born (2005)



Source: U.S. Census Bureau, 2005 American Community Survey (ACS)

New Jersey's immigrant population has changed significantly in the past decade. While New Jersey immigrants are from various regions of the world, the demographic breakdown of the country of origin has shifted to Latin America in the past decade and a half. Particularly since 1990, more and more immigrants have come from Latin American countries, with a large portion of these immigrants coming from Mexico.⁶ Additionally, the new immigrant population is more undocumented and less educated than the incoming immigrants of the earlier decades.

The size of the immigrant population in New Jersey also contributes to a consistent need for English language assistance. Over 900,000 (10%) of New Jersey residents are less than fluent in English, with 56% of these non-fluent residents speaking Spanish.⁷ The limited English proficiency among such a large portion of the population creates a need for bilingual government workers, translation services, non-English government documents, and English language proficiency training.

⁶ U.S. Census Bureau website, "View Population Trends..." American FactFinder. Available at http://factfinder.census.gov/home/saff/main.html?_lang=en.

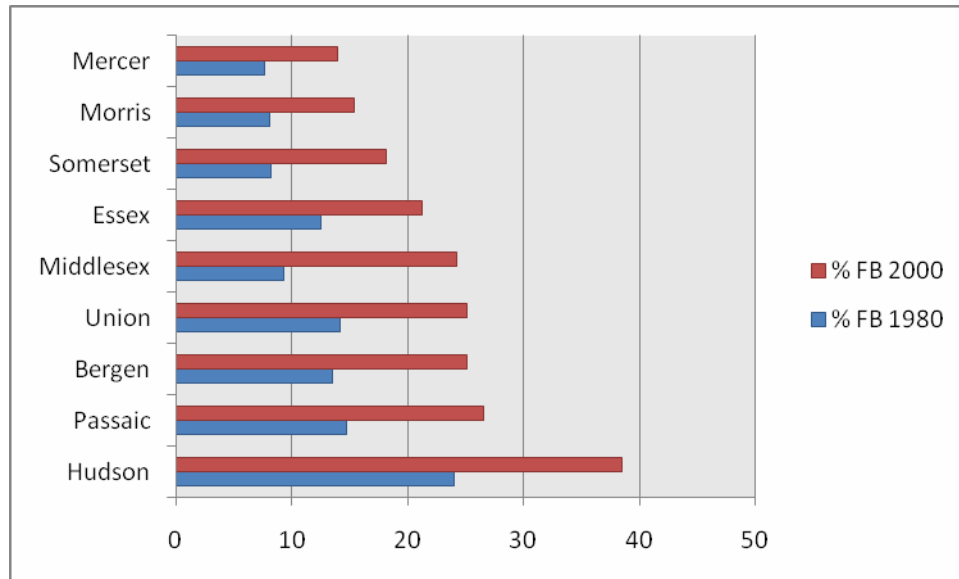
⁷ U.S. Census Bureau, 2006 American Community Survey (ACS).

While many immigrant-related challenges are not unique to New Jersey, the issue of decentralization is. Four out of five of the larger immigrant-receiving states have a significant portion of their recently arriving immigrants concentrated in one or two major cities (New York immigrants in New York City, California immigrants in Los Angeles and San Diego, Florida immigrants in the Miami area, and Illinois immigrants in Chicago). New Jersey, however, has a particularly decentralized immigrant population, with the immigrants spread throughout several counties and nearly a dozen cities. This makes a "comprehensive" approach to immigrant problems particularly challenging, as the relevant policy-makers are spread throughout dozens of municipal and state agencies. It is for these reasons that New Jersey may have a great deal to gain from a state-level agency with the role of coordinating immigrant integration efforts, as will be discussed in Section III.

II. County-level Data & Trends

New Jersey's immigrant decentralization means that various disparate counties have significant amounts of immigrants. This task-force studied the nine New Jersey counties with the highest percentage of foreign born residents, which happened to also be the same counties with the highest percentage change in foreign-born population since 1980. The tables and figures below help to demonstrate the considerable rate of immigrant growth in the nine counties of interest.

Figure 3: Studied New Jersey counties and their percent foreign born, 1980 & 2000



Source: New Jersey County Data, 1980 to 2000, U.S. Census Bureau, compiled by Marta Tienda.

Table 1: Changes in the foreign-born population composition of New Jersey by county, 1980-2000

County	% FB 2000	% FB 1990	% FB 1980	% Point change FB 1980-2000	% Recent FB 2000	% Recent RB 1990
Hudson	38.5	30.6	24.0	14.5	9.4	7.7
Passaic	26.6	19.4	14.7	11.9	5.7	5.0
Bergen	25.1	18.0	13.5	11.6	5.3	4.2
Union	25.1	18.4	14.2	10.9	5.4	4.1
Middlesex	24.2	14.2	9.3	14.9	6.8	3.5
Essex	21.2	15.6	12.5	8.7	5.1	3.9
Somerset	18.1	10.9	8.2	9.9	4.6	2.1
Morris	15.4	10.6	8.1	7.3	3.9	2.3
Mercer	13.9	8.7	7.6	6.3	4.0	2.2

Source: New Jersey County Data, 1980 to 2000, U.S. Census Bureau, compiled by Marta Tienda.

III. Office of Immigrant Affairs

The decentralization of New Jersey’s immigrant population poses particular challenges for lawmakers looking for a comprehensive approach to integration policy. An approach taken in other states has been to create citywide or statewide offices of immigrant affairs or other similar multipurpose agencies. Two main goals underlie the creation of these entities. First, proponents

hope to improve the coordination of service provision to immigrant communities and raise immigrant awareness of available services. Second, proponents argue that opening an office of immigrant affairs would also have an important symbolic value, highlighting the city or state's stance regarding immigration and immigrants' rights.

Existing Models

This report considers two models of existing offices of immigrant affairs – the Illinois Office of New Americans Policy and Advocacy and the New York City Mayor's Office of Immigrant Affairs (MOIA). The Illinois Office is currently touted as the best example of a state-level entity, and the MOIA is widely considered the best model of a city-level body. While both can lend insight into potential functions of a New Jersey office, however, neither can provide empirical support for the likely effectiveness of a New Jersey office. The Illinois Office was only created in 2005, so many of its proposed functions remain “promissory notes;” there is no data available with which to evaluate its effectiveness. While the MOIA has been effective, the coordination function it performs on a municipal level in New York City is not comparable to coordination that would be necessary across the state, county and municipal levels in New Jersey.

Established in 2005 by Governor Blagojevich's New Americans Executive Order, the **Illinois Office of New Americans Policy and Advocacy** is housed in the Office of the Governor. It currently has a staff of two – a Director and a Policy Director – and an annual budget of \$150,000.⁸ The Office works closely with a statewide Interagency Task Force (the first of two created by the Executive Order) comprised of representatives from the nine state agencies with purview over healthcare, education, and human services. The Interagency Task Force is tasked with

⁸ Gillers, Heather, “Reaching out to 'new Americans'; State hopes to steer immigrants toward health care assistance, other services,” *Aurora Beacon News* (30 January 2006) <http://icirr.org/stories/gillers.htm>.

developing a statewide, systematic approach to serving Illinois' immigrant population.⁹ The Executive Order also established a privately-run New Americans Immigrant Policy Council, composed of 24 immigrant leaders and policy experts, staffed by the Illinois Coalition for Immigrant and Refugee Rights and funded by several foundations.¹⁰

The Office's main function is "to coordinate policies and programs to help newcomers fully assimilate to the state, provide more and better services to the growing numbers of immigrants living in Illinois, and to study the impact of immigration policy on the state."¹¹ The Office monitors the state agencies' compliance with the Interagency Task Force's recommendations for how to improve service provision and outreach to immigrant communities.¹² It is also responsible for developing a cultural competency training curriculum to be adopted as part of continuing professional development in state agencies.¹³ In terms of its own outreach efforts, the Office maintains a web-based accessible document library including translated information on citizenship services, English language instruction programs, health care, workers rights, education opportunities, and child care for immigrants.¹⁴ Finally, the Office is also tasked with monitoring federal immigration policy, advising the Governor on policy developments and acting as a liaison and advocate for Illinois families negatively affected by federal immigration policy.¹⁵

A recent initiative of the Task Force and Office has been the creation of "Welcoming Centers." The centers are a "one-stop" location for immigrants and refugees to access services in the communities in which they live. Welcoming Centers' staff is bilingual in English/Spanish, and has

⁹ "Immigrant Integration: Improving Policy for Education, Health and Human Services for Illinois' Immigrants and Refugees," New Americans Interagency Task Force Report (Office of Governor Rod. R. Blagojevich: Illinois, December 2006): 7.

¹⁰ New Americans Interagency Task Force Report, 6.

¹¹ Office of New Americans Policy and Advocacy, *State of Illinois* (2008) <http://www.immigrants.illinois.gov/NewAmericans.htm>.

¹² New Americans Interagency Task Force Report, 13.

¹³ New Americans Interagency Task Force Report, 16.

¹⁴ New Americans Interagency Task Force Report, 17.

¹⁵ New Americans Interagency Task Force Report, 6.

access to multilingual interpreters and translators. Immigrants can access relevant state agency services in one location,¹⁶ obtain information and referrals to non-state services,¹⁷ and attend workshops and orientation sessions in a range of topics.¹⁸ The centers also aim to ease the acclimation process for immigrants and to be a “safe, open, non-threatening space where resources will be provided.”¹⁹ To date, only one center has been established, but Illinois eventually hopes to develop a statewide network of such centers.

The **New York City Mayor’s Office of Immigrant Affairs** is housed within the Office of the Mayor. For the fiscal year 2009, the MOIA has a budget of \$623,000 and a staff of 8.²⁰ The MOIA works with three groups: immigrants, community-based organizations serving immigrants, and New York City agencies and officials.²¹ It serves primarily to help immigrants identify city services they can receive and the government offices and community-based organizations able to address their needs. MOIA has a working directory of city services, and a centralized directory of community-based organizations offering services to immigrants. The 311 hotline for information on services available to all individuals is also accessible in 171 languages. This hotline can also be used to report violations of city law, such as immigration fraud. Its website includes links to other city offices--the Affordable Housing Resource Center, for example--and community-based organizations that deal specifically with issues frequently encountered by immigrants (e.g. housing discrimination).

¹⁶ The Illinois Department of Human Services (DHS) lists the following state-run programs: Food Stamps, Medicaid, All Kids Health Insurance, Family Care, Unemployment Insurance, Employment Counseling, Small Business Center, and Specialized Assessment for Rehabilitation Services (“Illinois Welcoming Center – DHS 4006,” *Illinois Department of Human Services* 2008 <http://www.dhs.state.il.us/page.aspx?item=37453>).

¹⁷ According to the Illinois DHS, this includes: local food pantries, English classes, citizenship classes, legal assistance, aging services, developmental and rehabilitation services, health screenings, and energy assistance (“Illinois Welcoming Center – DHS 4006”).

¹⁸ According to the Illinois DHS, this includes: housing and financial literacy, predatory lending, health and nutrition, mental health issues, adolescent development, parenting skills, and substance and domestic abuse (“Illinois Welcoming Center – DHS 4006”).

¹⁹ “Illinois Welcoming Centers,” *Governor’s Office of New Americans and Illinois Department of Human Services* 2008 www.icirr.org/naeo/related/il_welcoming_center.ppt.

²⁰ Bloomberg, Michael R, “The City of New York: Executive Budget Fiscal Year 2009 Supporting Schedules,” (The City of New York: 2008): 18.

²¹ Mayor’s Office of Immigrant Affairs, New York City (2008) <http://www.nyc.gov/html/imm/html/home/home.shtml>.

Finally, MOIA educates city agencies about best practices for reaching immigrant communities; identifies community-based organizations serving specific immigrant communities for these agencies to contact; teams with city agencies to provide bulletins and advisories in multiple languages and to assist them in accessing translation services; and offers expertise to the mayor regarding issues important for immigrants.²²

The Case for New Jersey

The data of the nine county case studies included in Section IV does not enable a comprehensive, detailed recommendation for a New Jersey Office of Immigrant Affairs. However, several of the county-level case studies do demonstrate key gaps in immigrant integration efforts – in the areas of coordination and outreach, data collection and analysis, and oversight – that could be addressed by such an office. In most cases, identifying an existing state or county-level body that could perform the needed function was not possible. Specific recommendations for functions of a statewide Office are included in the case studies in Section IV. This section provides a brief overview of these findings.

The overall recommendation of this report regarding the creation of a New Jersey Office of Immigrant Affairs is that there is enough evidence of the need for coordination and outreach, data collection and analysis, and oversight to merit serious further consideration of this policy option.

Specifically:

(1) Governor Corzine’s Blue Ribbon Panel should consider the following issues in order to determine whether a statewide Office of Immigrant Affairs should be established in New Jersey:

- the likelihood that NJ could replicate IL and NY’s results
- the structural placement of the Office
- the costs and benefits for the state and for its immigrant population (1 in 5 New Jersey residents)
- whether county-level counterparts are warranted

²² Mitnik, Pablo, Jessica Halpern-Finnerty and Matt Vidal, “Cities and Immigration: Local Policies for Immigrant-Friendly Cities,” *Center on Wisconsin Strategy* (January 2008) http://www.cows.org/pdf/rp-cities_and_immigration.pdf.pdf.

Coordination and outreach:

A key function of both the Illinois Office of New Americans and the NYC Mayor’s Office of Immigrant Affairs is to identify the services available to immigrants provided by government agencies and community-based organizations (CBOs), make immigrants aware of these services, and coordinate among government agencies and CBOs to enable uniform and effective provision of these services to immigrants. The case study of Middlesex County demonstrates that there is an information and communication gap between county and municipal governments, service providers, and immigrants which limits the effectiveness of government-support programs aimed to make immigrants integrated, self-sufficient individuals.^{23,24} The Somerset County case study demonstrates a similar need for “getting the word out” to immigrant communities about how to enroll their children in NJ Family Care. The Bergen County case study finds that there is a need for county and state-level coordination in establishing adult literacy programs to ensure that they are offered in areas with the most unmet need. Finally, the Passaic County case study recommends coordinated outreach to immigrant organizations to enable them to become more civically engaged, as this is often a predictor of positive immigrant sentiment.

At the very least, a New Jersey Office of Immigrant Affairs could serve as an information hub (e.g. to which each county reports on existing services) and a central liaison to local level immigrant organizations to easily recognize unmet need for immigrants in New Jersey. The NYC MOIA provides a relatively low-cost model for this function – the maintenance of a website and/or hotline service, and referral of inquiries to the appropriate state body or CBO – because it capitalizes on existing state and local organizations. The Office’s main costs would be incurred in its outreach

²³ Middlesex County Department of Human Services, “2005 Middlesex County Priority Populations Plan” (December 2004).

²⁴ Middlesex County Hispanic Affairs Commission, “Assessment of County-Supported Community Services for Hispanics,” Community Planning Support and Development Initiative, Edward J. Bloustein School of Planning and Public Policy, 2008.

efforts. The Office would need to partner with county and municipal organizations to actually contact immigrants and identify best practices.²⁵

Data collection and analysis:

While not discussed in the “Existing Models” section since it has yet to be passed, the proposed California Office of Immigrant Affairs is tasked with facilitating and conducting “data-driven policy analysis.”²⁶ The need for better data collection and analysis to evaluate effective policies cuts across the county-level case studies that examine education, healthcare and crime and public safety. These needs include better tracking of English and content-proficiency of LEP students, more data on barriers to insuring immigrant children, ongoing tracking of the diversification of immigrant populations and English proficiency levels statewide, data on ICE referrals during arrests, and data on the effects of 287(g) legislation. In general, it would not be feasible or efficient for the Office to collect this data by itself, although in some circumstances its participation may be useful (see the Bergen County case study recommendations). However, the Office could monitor the data collection efforts of relevant agencies to ensure their compliance. If relevant agencies are also required to submit periodic reports analyzing the results of their data collection to the Office, it could also facilitate cross-subject analysis of immigrant policy issues, an approach that is becoming increasingly necessary to develop effective immigrant integration policies.

Oversight:

The Illinois Office of New Americans partly functions as a watchdog agency to ensure compliance of state agencies with the Interagency Task Force recommendations. A New Jersey Office of Immigrant Affairs could certainly perform a similar function with regard to any of the

²⁵ The county analyses in Middlesex reflect the local nature of effective outreach. (Eagleton Institute of Politics Center for Public Interest Polling. “United Way of Central Jersey Compass Needs Assessment.” 2002: <http://eagletonpoll.rutgers.edu/proj.htm>.)

²⁶ California SB 1094 (2008), available online at http://info.sen.ca.gov/pub/07-08/bill/sen/sb_1051-1100/sb_1094_bill_20080114_introduced.html.

eventual recommendations of Governor Corzine’s Blue Ribbon Panel. The county-level case studies also find a similar need for a watchdog agency; however, this need is most pressing in the area of crime and public safety. The Morris County case study illustrates a distressing confusion in how the Attorney General’s Directive 2007-3 is being implemented on the local level. The Union County case study also finds evidence of police inappropriately questioning the immigration status of witnesses and victims. Accurate and comprehensive reporting of law enforcement violations of these rules is crucial to ensure that these problems are addressed and trust maintained between the immigrant communities and law enforcement. A function of the Office could be to collect reports of violations and then channel these reports to the appropriate state agency, such as the Attorney General or Public Advocate. The Office could collect information about violations in several respects. If it has established connections with local level immigrant organizations, the Office could encourage these organizations to approach their local immigrant communities to learn of violations and pass along this information. Alternatively, the Office could emulate the MOIA’s 311 hotline for reporting of violations of immigration fraud, and broaden its mandate to include law enforcement violations. Regardless of how information on violations is collected, the Office’s ability to effectively perform this function is dependent on it being given sufficient authority to compel the body to which it delivers this information to act upon it.

Comments on structural placement

The data of the county case studies does not enable a recommendation for the specific placement of a New Jersey Office of Immigrant Affairs within the state government. However, the preceding functions identified for the Office suggest two preliminary alternatives. If the Office’s responsibilities are primarily coordination, outreach and data collection, and analysis, the Office could be located within the Department of Community Affairs. This department already has several divisions – the Division of Community Resources, the Division of Local Government Services, and

the Center for Hispanic Policy, Research and Development (CHPRD) – that could help facilitate these functions. The CHPRD, whose primary mission is “to empower the Hispanic community in New Jersey through the process of inclusion in policy development and direct social services,”²⁷ could be an important resource for developing contacts with local level immigrant advocacy organizations and CBOs. The products of its policy research division would also likely be relevant for the Office’s data collection and analysis functions. If the Office’s primary responsibility is oversight, the Office could be located in the Department of the Public Advocate (DPA). This would facilitate and streamline the reporting of violations, regardless of whether the DPA or the Attorney General is ultimately designated as the main body that should receive information from the Office.

IV. The Case Studies

A comparative examination of the nine counties offers an opportunity to examine four key policy areas of local level responses to immigrants – education, healthcare, crime and public safety, and “sanctuary city” legislation. The nine case studies below include summaries of the findings as well as excerpts from policy briefs written by the case study authors.²⁸ The conclusions and data sources for the case studies are all cited explicitly in the full reports. Therefore, for the specific source of any given claim, it would be best to consult the footnotes in the full case studies themselves. The data sources used in these case studies include census data, interviews with key informants and local stakeholders, secondary sources, and newspaper coverage analysis.

²⁷ The CHPRD’s general mandates include: the administration of grant dollars to Hispanic community-based organizations; technical assistance and referral services aimed at empowering Hispanic community-based organizations; creating training/employment opportunities for Hispanic college interns; conducting and supporting research on Hispanics in New Jersey; developing public/private partnerships that would enrich the CHPRD’s programs and initiatives and provide additional resources; and recognizing the contributions of the Latino community in New Jersey (Center for Hispanic Policy and Research Development, *New Jersey* 2008 <http://www.nj.gov/dca/chprd/>).

²⁸ The case study authors are the principal participants in the Woodrow Wilson School task-force: Devon Ahearn, Jordan Blashek, Angela Cai, Katherine Fallon, Kelly Francis Fenelon, Cindy Hong, Any Liang, Alexandra Thomas, and Jiwon Yhee.

EDUCATION

Education serves a crucial function in the lives of immigrants and their children.

Approximately 27% of all New Jersey children are foreign born or the children of foreign born parents. Thus, immigrant-focused education efforts impact a significant portion of New Jersey's school-age population. Schools and educational programs help to integrate immigrant children and—just as importantly—help to draw parents into the community. For adult immigrants, learning to speak, read, and write in the English language is crucial to their ability to function effectively as leaders and caretakers of their families, as members of their communities, and as workers. The following three counties provide education case studies on efforts and possibilities for first and second generation immigrants.

Mercer County: Immigrant integration in K-12 public schools

This case study examines immigrant integration efforts in public schools in three cities in Mercer County that each have over 20% foreign born residents²⁹ – West Windsor, East Windsor and Hightstown. Despite struggles with overcrowding, involving immigrant parents, and engaging with the social and emotional needs of immigrant and second-generation immigrant students, the West Windsor – Plainsboro Regional School District (WWPRSD) has been able to pass its budget with relative ease, provide academic and social services, and maintain high academic achievement scores. In contrast, the East Windsor – Hightstown Regional School District (EWRSD) has had difficulty meeting the needs of its English Language Learners (ELLs) passing its school budget, hiring teachers and meeting the No Child Left Behind (NCLB) Act's adequate yearly progress requirements for academic achievement.

²⁹ U.S. Census Bureau, Census 2000 Summary File 3 – Sample Data, generated using the American Fact Finder <<http://factfinder.census.gov>> (April 10, 2008).

Three explanations are identified to account for this contrast in school performance and immigrant reception between the communities: (1) West Windsor is wealthier, and therefore not only has more resources to invest in school services and programs, but also receives immigrants of higher social and educational status who are better able to support their children academically; (2) East Windsor and Hightstown's immigrant populations are largely recent arrivals; therefore, East Windsor and Hightstown have had less time to adapt to the influx of newcomers; and (3) West Windsor has successful programs in place for immigrant integration and academic achievement.

Policy Recommendations

In light of the reality that most communities, unlike West Windsor, are stretched for funding and face difficulties in hiring well-qualified teachers, the following recommendations focus on the lower-cost successful elements of the WWPRSD programs. Moreover, based on evidence that WWPRSD spends about the same amount of money per pupil as EWRSD, and that the major difference between WWPRSD and EWRSD is parent and teacher involvement rather than per pupil expenditure, these recommendations focus on how parents, teachers, administrators and local community members can be involved in immigrant integration efforts.

(1) Mandate that teachers from schools receiving waivers from the Bilingual Education Act take training in content teaching. New Jersey Department of Education (NJDOE) should mandate that for schools requesting waivers from the NJ State Bilingual Education Act (N.J.S.A. 18A:35-15 and P.L. 1974, c.197) to opt out of hiring bilingual teachers, these schools' regular subject-area teachers must take training in teaching content to LEPs, such as the training detailed in the ExC-ELL program.³⁰

(2) Compendium of best practices: The New Jersey Department of Education (NJDOE) should publish a list of successful immigrant integration initiatives from different schools. Each entry, submitted by individual schools or school districts, can describe which school/district hosted the event/program, why it was successful, and what steps to take so that another school/district can host the same event/program. After each event/program, each school/district should use a web-based survey to assess the success of the event/program. Some entries might be:

³⁰ Calderón, Marita, *Teaching Reading to English Language Learners, Grades 6-12: A Framework for improving achievement in content areas* (Thousand Oaks, CA: Corwin Press, 2007).

For parents – A health fair held at the local elementary school on a weekend where low-cost health insurance programs and volunteer doctors, nurses and nutritionists can set up booths to give parents free information and health advice. A school information night where parents learn about how the school system works and how to help their child succeed.

For teachers and administrators – A monthly book discussion where teachers and administrators all read a book about the immigrant integration experience and discuss the issues. A professional development meeting that invites immigrant parents to speak about their culture, and about how schools in their country differ from schools in the America.

For community volunteers - A free, school-based volunteer-staffed program that provides homework help and student mentoring with minimal paperwork required of parents.

Bergen County: Adult literacy skills programs

This case study analyzes barriers to accessing and successfully completing adult literacy skills programs in three cities with the highest foreign-born populations in Bergen County—Garfield, Hackensack, and Fort Lee. As New Jersey has recently consolidated existing literacy skills programs and created county consortia to develop a more efficient and unified adult education program, the three cities are serviced by the same countywide literacy skills programs. Three barriers are identified as most significant. First, the cost of classes provided on a tuition basis (such as those run by Bergen Community College BCC and the Bergen County Technical Schools BCTS) is often too expensive for unskilled workers to afford. Second, the free state-funded programs currently in existence are physically inaccessible to a large fraction of the immigrants since there is not a wide range of branches or centers where literacy instruction can be provided. The strict eligibility restrictions of many programs – for example that immigrants be unemployed or on welfare – prevent many immigrants from accessing programs, and many local-level programs usually provide classes for only an hour or so once a week, an inadequate amount of time to learn English effectively. Third, the free state-funded ESL classes do not take into consideration the indirect costs of coming to class that immigrants face. Immigrants usually work long hours, sometimes at two or more jobs, and often

have children to care for.³¹ They cannot attend English class everyday for the four or five hours required by intensive ESL courses offered by BCC and BCTS.

Policy Recommendations

The following recommendations are made to increase the efficacy of literary services in these towns. These recommendations also provide a good checklist of best practices for other NJ communities facing similar circumstances.

(1) The Office of Immigrant Affairs should use data from the American Community Survey (ACS) to track diversification of immigrant populations and English proficiency levels statewide. In order for policymakers to adequately address future literacy needs of New Jersey's immigrants, it is crucial that they have an accurate understanding of English language instruction needs in New Jersey. This study, out of necessity, focuses on the foreign-born population that is *already present* in Garfield, Hackensack, and Fort Lee as reported by the 2000 census. This is because it is difficult to predict the growth and the characteristics of foreign-born populations in the future that may impact literacy needs. In addition, any attempts to predict the characteristics of future immigrants and predict future English language instruction would be quickly outdated, as the educational conditions in countries sending New Jersey's future immigrants improve and immigration flow shifts over time. It is therefore necessary to analyze English language instruction needs of immigrants to find accurate data that policymakers need to make appropriate decisions in providing for literacy needs of the foreign-born population. Thus, the Office of Immigrant Affairs, if established, should use data from the American Community Survey (ACS) to track diversification of immigrant populations and English proficiency levels statewide.

(2) The Department of Labor and Workforce Development (LWD) should work in tandem with the Office of Immigrant Affairs to identify community-based centers where the Workforce Learning Link program can be established. The Workforce Learning Link program is an interactive training program that uses digital television technology, streaming video, computer software, and the Internet. Though it was originally designed to deliver workforce training programs to welfare registrants and workers identified by the Department of Workforce Development (LWD), the Workforce Learning Link program has an important English language instruction component that has been proven effective in teaching adult ESL students in the past. By the end of the program, "most students are able to decode multi-syllable words at an eighth grade level or beyond."³² In locations where it is difficult for immigrants to access ESL classes due to distance, time, and high tuition costs, the presence of Workforce Learning Link programs can help immigrants grow more proficient in English.

Unfortunately, the Workforce Learning Link program has been underutilized in New Jersey. In Bergen County, the program is only available in two locations, both of which are located in Hackensack. LWD should therefore collaborate with the Office of Immigrant Affairs to identify

³¹ Montalto, N, *Out of the Many, One: Integrating Immigrants in New Jersey* (Washington, DC: National Immigration Forum, 2006): 13.

³² "Reading Horizons," *Workforce Learning Link*, NJ Department of Labor and Workforce Development (30 Mar. 2008) <http://www.njn.net/workforce/workforcelearninglink/readinghorizons.html>.

appropriate community-based centers where the Workforce Learning Link program can be established to best meet immigrant English language instruction needs.

Hudson County: Bilingual/ESL programs

This case study compares the different approaches to bilingual/ESL programs in four cities in Hudson County – Union City, Jersey City, Hoboken, and North Bergen – to understand their varying levels of success. These four districts were chosen because all have high poverty and/or a high foreign-born population, suggesting that their divergent performance cannot be explained solely in terms of a single economic or demographic characteristic. Union City (59% foreign-born), Jersey City (34% foreign-born), and Hoboken (15% foreign-born), all Abbott districts, run the gamut from beating state averages on test scores of LEP students (Union City) to falling far behind state averages (Jersey City). North Bergen provides an interesting comparison to these districts because it has the highest LEP-student proficiency scores in the county and also has the second largest percentage of LEP students behind Union City, though its poverty level is much lower than that of Jersey City or Union City.

Education research and interviews with county and state officials reveal several practices that may improve the academic success of LEP students. Several types of programs, used in some but not all of Hudson County’s districts, seem to improve the educational outcomes of LEP students: pre-K programs, dual-language programs, and standardization of teaching materials. Optional pre-K programs are already funded for all Abbott districts as well as in North Bergen. The literature supports this use of funding, e.g. Knudsen et al.’s paper (2006), which cites biological and economic reasons why early childhood education is the most efficient way to raise educational achievement. Dual-language programs, used in both Jersey City and Union City, foster greater integration between LEP students and non-LEP students and emphasize a “push-in” rather than “pull-out” approach, which seems to yield educational benefits for both parties. Also, North Bergen was the only district of the four to use the same textbooks for LEP students and mainstream students, which was cited as

a major factor in their superior test scores. Obviously, these few strategies are not sufficient to explain the differences in performance among the districts. Assessment of the benefits of each of these approaches requires more precise data on LEP students.

Policy recommendations

While the following recommendations to the New Jersey Department of Education arise from an analysis of Hudson County, nearly all of them apply to bilingual instruction in the rest of New Jersey as well; in some ways, the difficult situation faced by Hudson County districts can serve as the most stringent test of the effectiveness of a program. Though low-LEP areas will surely have different challenges and need to find some different best practices than Hudson County, the data collection and resource allocation recommendations apply equally well across the state.

(1) Track English and content-proficiency of LEP students by type of bilingual/ESL program through graduation. Ideally, the state should have a complete picture of what programs LEP students participate in and how well they perform. In order to assess what aspects of bilingual education programs are successful, it is essential to have separate measures of *English proficiency* and *content proficiency*; New Jersey has recently begun to do this, with the improvement of its content-proficiency test. In addition, it is currently impossible to compare drop-out rates of the LEP population with that of the rest of the population because former LEP students are only tracked for two years after leaving bilingual/ESL programs. To remedy this problem, the performance of LEP students should be *monitored until graduation*. It is also critical to *collect this data according to the specific programs* in which these students have participated so that the relative efficacy of the programs can be assessed. These data should be used to *allocate federal Title III funds* to critical programs and sensitive age groups.

(2) Create a state-wide mechanism by which best practices are shared. The findings about the districts' potential best practices demonstrate that some programs are more effective than others, so it is imperative that these successful programs replace the less-effective ones. Because the state assesses each of its districts, the Department of Education is well-positioned to make recommendations about programs that take into account the experience of New Jersey as a whole. Once the state has data about which programs are the most effective, it can use these findings to standardize best practices across districts. *A statewide meeting of representatives from Local Education Agencies (LEAs) responsible for ELLs* would allow this data to be shared and would also foster transfer of best practices between high- and low-performing districts.

(3) Standardize the identification and placement of LEP students according to criteria that best estimate the need for bilingual/ESL services. Currently, LEP students are identified and placed into a level and type of program according to a wide range of criteria, some of which are arbitrary and informal. Schools will best be able to serve the needs of LEP students if students are put in the most appropriate classroom for

their needs. By *comparing methods of ELL identification with academic performance measures*, the state can identify which methods most accurately track limited English proficiency.

HEALTHCARE

Public health is a particularly important issue for foreign born populations in New Jersey. As a higher proportion of immigrant families are below the poverty line compared to native-born residents, immigrants are less likely to be covered by insurance. This problem is exacerbated by the fact that many undocumented immigrants work in low-paying jobs without health or dental benefit packages. Significantly, without doctors and medical coverage to facilitate the use of preventative medication, some of these low-income immigrants create greater long-term costs for themselves and for hospital emergency rooms. The following case study provides evidence and analysis on the issue of health care for immigrant populations.

Somerset County: Insurance for the children of immigrants

This case study uses data from Somerset County, New Jersey and the U.S. national averages to understand why children of immigrants have such a low insurance rate and illustrate the problems posed by their lower insurance rate. This population is 3 times more likely to be uninsured than children with native parents, despite the fact that approximately 75% of these children are citizens and therefore eligible for state funded insurance through NJ Family Care. In Somerset County, the number of uninsured children (both native and immigrant) reached 2.9% in 2006. The first finding of this study is that the immigration status of these children's parents is the main barrier to their ability to obtain public insurance – primarily in the form of language differences, negative immigrant community perceptions, and enrollment difficulties. Simple access to care is no longer a primary issue because of NJ's recent expansion of the state insurance program, NJ Family Care, through a partnership with Horizon: Blue Cross Blue Shield.

The second major finding of this study is that this growing population of uninsured children has substantial economic and social ramifications for Somerset and NJ, adding substantially to the

economic strain on the State and public health facilities. Yearly costs manifest themselves in Emergency Department (ED) expenditures and loss of life. First, 20% of uninsured children use the ED as their main source of care, as opposed to 3% of insured children. Additionally, only 50% of uninsured children receive regular care to both prevent illnesses and manage chronic conditions, as opposed to 12% of insured children in 2006. In total, according to the case study's analysis, 48% of 2005 ED visits in NJ could have been prevented with regular medical care. This is significant because ED costs are extremely high in Somerset County, totaling \$14 million in 2007 for the County Health Center, a quarter of which went to the treatment of children. The State compensated only \$1 million of this total through Charity Care payments, leaving the hospital and county with a large debt to pay in the form of taxes, decreased services provided, and an increase in medical costs. Second, studies estimate that 10-20% of premature mortalities could be prevented by extending insurance to all children. While we cannot assign a fiscal price to the lives of these children, it is an important consideration for NJ policy makers to keep in mind. Future costs manifest themselves in public health problems and human capital loss. Due to delayed or denied healthcare, children who did not receive appropriate care at an early age are more likely to develop future health problems. Every \$1 spent on a vaccine now saves \$14 in public health expenditures later.

Policy Recommendations

Given the high costs of not insuring children, the main recommendation of this study is to promote child enrollment in health insurance through the removal of language barriers, negative perceptions, knowledge gaps, and enrollment difficulties. These actions are both economically and politically necessary, especially because of the cost-saving involved. Projected savings from insuring children in NJ are approximately \$1.9 - \$3.9 million yearly, as the case study finds.

(1) To the State Department of Health and Human Service: The State should provide funding for PHPs. The state has mandated that each county create a Community Health Improvement Plan (CHIP) to target, research, and improve the public health system. In many counties including Somerset County, the County Health Department has established a County

Governmental Public Health Partnership (PHP) to facilitate the create of CHIP. A major focus of CHIP's recommendations has been removing barriers to insurance enrollment for all children, especially those with immigrant parents. Because of their connections to community health organizations, PHPs are advantageously positioned to implement these recommendations to increase the number of children enrolled. To date, however, this mandate is unfunded, and its recommendations have not been implemented. The State should provide each county with funding beyond the current allocations for staff payments. Across each of New Jersey's 21 counties, funding should be allotted on a sliding scale, based on the percentage of immigrants and uninsured children in the county. This expenditure should be offset by the immediate savings of \$182 million that insuring children would provide.

(2) To the County Health Department and PHP: Maintain PHP's Role as Research Driver.

Information is one of the most important assets for increasing the number of children with insurance. Information can help the state and the county better target and evaluate their health programs. PHP has already demonstrated its ability to organize and execute county wide research. PHP should continue community-based research in coordination with community public health organizations and hospitals. Information should then be analyzed and distributed among county and state officials in order to maintain effective health coverage for communities.

(3) To the County Health Department and PHP: Eliminate Barriers to Enrollment through expanded Publicity, Education, and Outreach Programs Coupled with School Systems.

A) Improve Targeting, Enrollment, and Information Dissemination Through Education Centers: 60% of all uninsured children in NJ participate in the National School Lunch program. This program appears to be a particularly efficient vehicle for identifying uninsured children who are eligible for insurance. Coordinating with schools to target these children will help PHP to enroll children currently without insurance; this information can be provided by schools without any cost.

B) Improve Outreach and Education with a Case Management Worker in Elementary Schools: PHP should provide counties with a case management worker to help all parents, especially immigrant parents, with insurance procurement for their child. Additionally, this case management worker should provide seminars, information sessions, information packets on the health care system, and instruct children and teenagers about the importance of healthcare. These efforts can be implemented in conjunction with school nurses, who often already know the school community.

Elementary schools are an excellent vehicle for outreach because all children, regardless of parental legal status, are required to attend school. Additionally, elementary schools are locally based, allowing parents to travel to these locations easily. Schools have a vested interest in providing students with healthcare, as the students without healthcare are 25% more likely to miss school frequently. The total cost of this would be relatively low. Case workers would most likely be paid \$50,000-\$80,000 yearly. Promotion and publicity for these events would be minimal, in the form of mailings, internet postings, and word of mouth. All costs are covered by yearly savings.

(4) To PHP and County Health Department: Decrease Language Barriers through Employment Aid for bi-lingual staff and Translators:

While most health organizations in Somerset County are already attempting to increase their bi-lingual staff, PHP should work to encourage these efforts through employment aid. This would entail publicizing job openings to bi-lingual residents through community organizations such as schools, religious institutions, etc. As PHP has already established relations with these groups, this would require simply passing information through paths of contact and expanding PHP's role as a disseminator of information.

CRIME & PUBLIC SAFETY

The policies that law enforcement agencies adopt can have a significant effect on immigrants and public safety. While some law enforcement policies can create trust and rapport with immigrant communities, which facilitates integration, other policies can alienate foreign born individuals by causing them to fear and distrust local and county police departments. Moreover, policies that target immigrant communities can limit the effectiveness of all branches of local government in terms of public safety and service provision. The following three counties provide law enforcement case studies on the dangers and lessons from several municipal policies.

Morris County: The effect of the Attorney General's Directive 2007-3

This case study examines the implementation and effects of New Jersey State Attorney General Anne Milgram's August 2007 directive 2007-3 in Dover and Morristown, the two towns in Morris County with the largest percent of Hispanic immigrants (58% and 27% of each city's total population). The directive requires local law enforcement officers to inquire about the immigration status of arrestees of felonies and drunk driving offenses, and to report individuals suspected of being undocumented immigrants to the federal agency, Immigration and Customs Enforcement (ICE), as well as the prosecutor's office and the court. In the six months since issuing the directive, local law enforcement officials statewide have referred 8,874 cases to ICE. From September 2006 to February 2007, only 4,589 cases were referred.³³ Some immigrant rights advocacy groups argue that the directive is discriminatory because it presumes that immigrants are prone to crime; however, in reality, the rates of homicides and robberies nationally have decreased while the influx of Hispanic immigrants has dramatically increased the foreign-born population from 1994 to 2003. In Morris County, the increase in immigration has also seen either no change or a decline in the rate of violent crime. Dover and Morristown, both of which have comparable total populations and demographics,

³³ Farim, Kareem, "Immigration Referrals by Police Draw Scrutiny," *The New York Times* (23 March, 2008).

both saw a decline in violent crime from 1990 to 2006. Dover, which is less affluent and has larger percentage of Hispanic immigrants, has a much lower violent crime rate than Morristown.

The first finding of this study is that, as a result of its vague wording, the directive is not implemented uniformly across towns in practice. The directive prohibits asking about victim and witnesses' immigration status except in special circumstances. However, there are no instructions on how to deal with minor offenses and routine traffic stops, and currently the arrest and detention of people who have done nothing wrong is alarming advocates across the state because there is little public reasoning for why those individuals deserve to be handed over to ICE. Dover police captain Peter Ugalde said that his police officers do not ask for immigration status on victims or witnesses, and also not on traffic "road stops, field interviews," or any other misdemeanors. In Morristown, however, the police chief Peter Demnitz said that the lowest offense meriting question did not have to be a felony or DWI, but rather, could be something like "a seatbelt violation," which may lead to checking the NCIC, which may lead to an outstanding warrant, and then the officers would "check with the authorities to indicate it was an individual wanted by ICE." The operative philosophy behind the department's approach to crime in general, Demnitz said, was the "Broken Windows" theory of rounding up minor offense to prevent future crimes, a theory that the full case study explains in depth.

The second major finding of this study is that the Directive may leave open the door for profiling. Though the directive warns strongly against profiling, there are no enumerated methods for evaluation or stated consequences; the policy "has no teeth" when it comes to confronting a real potential danger. Giving police leeway to pick out whomever they believe to be an illegal immigrant in routine traffic stops and jaywalking citations is more prone to potential – albeit perhaps unintended – profiling than in cases of serious felonies where police have little room to choose whether to bring an individual into custody. Finally, because undocumented immigrants and others

who fear the police are very likely to avoid reporting crimes or information out of fear of deportation or discrimination, the ability of the law enforcement officials to make a difference within the community has been dramatically diminished by the directive. The most important impact of the erosion of trust between the community and the police is the potential for victims and witnesses to fear contact with authority so much that they do not come forward to report crimes. This is significant since the likelihood of victimization in both the recent foreign-born Latino female and male communities is very high.

Policy Recommendations:

(1) The AG's office should clarify that immigration status can only be asked for felonies and DWIs and not for any other criminal arrestees. The AG's office should establish sanctions for violations of this requirement.

(2) Local law enforcement should be required to include in their data submission to the Uniform Crime Report the following additional information for every applicable arrest: a) whether the individual was referred to ICE and b) what was the documented reason for believing the individual is an illegal immigrant.

(3) In areas like where many residents have limited proficiency in English and a large percentage of the population speak Spanish (or any other particular language), the police department should offer optional Spanish language training courses for its officers.³⁴ In addition, the department should ensure there are enough Spanish speaking dispatchers available for the population in a pre-determined ratio (X Spanish-speaking dispatchers for every Y number of limited English/Spanish only residents).

(4) Racial profiling data should always consider Hispanics as a discrete group, since many past studies lump all non-white minorities or all non-blacks into one category, which greatly hinders the effort in finding out the best information possible about discrimination towards Hispanics.

Essex County: 287(G) legislation

The August 2007 murders in Newark prompted many to call for the adoption of 287(g) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), which authorizes local police to “identify, process, and when appropriate, detain immigration offenders they

³⁴ "Police Chiefs guide to immigration issues," *International Association of Chiefs of Police* (July 2007): 24.

encounter during their regular, daily law-enforcement activity.”³⁵ To assess the effectiveness and appropriateness of this legislation, this case study evaluates why it has been adopted in other cities and what the consequences of such legislation has been based on the experiences of three cities: Durham, North Carolina; Framingham, Massachusetts – both of which have passed 287(g) legislation – and New Haven, Connecticut – which experienced a brief outcry for anti-immigrant policies but did not end up adopting 287(g).

The first finding of this study is that the adoption of 287(g) is largely driven by public opinion. An examination of the news articles in the towns of Durham, North Carolina and Framingham, Massachusetts demonstrates that 287(g) legislation coincides with increased anti-immigration sentiment in the towns. In 2006 and 2007, higher numbers of articles with the words “illegal immigrant” and “crime” appeared in these towns, mostly in letters to the editor. A triggering event seems to be the national debate on immigration reform sparked by activities on Capitol Hill in early 2006. Crime statistics in these towns suggest that there is no correlation between increased immigrant crime and increased anti-immigrant sentiment. In contrast, *The New Haven Register* had far fewer articles with the words “crime” and “illegal immigration” than either the *Metrowest Daily News* or the *Herald-Sun*. This suggests that 287(g) is related to perceptions of crime. The case of New Haven also demonstrates that alternatives to 287(g) exist that also provide security and assuage anti-immigrant sentiments. New Haven has adopted an ID program, where all residents are issued an ID card. The Mayor diligently educated his constituents about the program. Since the program went into effect, the number of articles with “crime” and “immigration” decreased.

Finally, the case study finds that consequences of 287(g) are economic and oppose public safety. In Framingham, the local Brazilian population has left in droves. Businesses have started to close, leaving empty storefronts in the downtown area. In Durham, people have questioned the

³⁵ U.S. Immigration and Customs Enforcement, <http://www.ice.gov>.

redistribution of resources in order for the local police to accommodate the provisions of 287(g).

Anecdotal evidence of undocumented immigrants hesitating to report crime to police is also appearing in Durham where a community of illegal immigrants took three hours to phone in a shooting recently. These reports, while only anecdotal, help identify potential consequences of 287(g) that require further research.

Policy Recommendations:

(1) The New Jersey Office of the Attorney General must require the establishment of a Task Force on 287(g) before adopting it. Since 287(g) appears to have unintended consequences on the economy, community, and local culture, towns should set up task forces that will make an assessment of impacts on the local community. They need to examine:

- The prevalence of crimes actually committed by both legal and undocumented immigrants
- The expected out-migration of immigrant groups
- The impact of migration on local business

(2) The New Jersey Office of the Attorney General should require a checklist of other procedures that need to be considered before 287(g) can be enacted. These shall include ID cards and methods that prevent arrested persons with prior violent criminal records from being let out on bail. Alternatives to 287(g) appeal to the public's perceptions of safety. The Framingham case shows that the main purpose of 287(g) is to take pre-emptive action towards criminals. Towns should consider other ways to ensure public safety such as issuing ID cards. Educating the public about the effects of these alternative methods is important to then appease anti-immigrant sentiments.

(3) Governor Corzine's Blue Ribbon Panel should evaluate existing 287(g) towns nationwide for the effectiveness and impact of the law on those towns. In the long run, further research is required to gauge the precise effects of 287(g) on local communities. Data should be collected on:

- The number of people arrested with 287(g)
 - o How many of these people committed violent crimes?
- Changes in crime and arrest rates
- The redistribution of policing resources towards 287(g)
- The number of immigrants who leave a town
- The under-reporting of crimes in immigrant neighborhoods

Union County: Bias crimes & immigrant vulnerability

This case study examines the Hispanic immigrant experience of the city of Plainfield, in which situational factors have led to immigrant vulnerabilities and a series of violent assaults against immigrants, some labeled as bias crimes. It will offer recommendations to lessen the incidence of

such assaults by reducing immigrant vulnerabilities, refining police policies, and integrating Hispanic immigrants. The first noticed string of attacks in Plainfield took place in 2004; 17 attacks on Hispanic immigrants occurred, most within a few summer months. Attacks followed in 2005 and 2006, culminating in a murder in the winter of 2007. Plainfield's immigrant population consists almost entirely of Hispanics, many of whom have arrived recently and live in segregated neighborhoods. Hispanic immigrants in Plainfield are most likely to live in neighborhoods with low educational attainment, high poverty rates, and a large amount of unemployment. The ethnic composition of the neighborhoods – generally African American majority and large Hispanic minority, with one Hispanic-majority exception – sets the two groups uncomfortably side-by-side within these educational and economic conditions. One-fourth of Plainfield's residents speak Spanish at home, contributing to the cultural separation. These factors combine to create a situation that is ripe for perceived threat, in which Hispanic immigrants' presence is noticed, their labor competition likely, and their cultural differences palpable. This geographic tension is heightened by the revitalizing effect Hispanic immigrants have had on Plainfield's previously vacant downtown and dwindling housing values; some African Americans feel that Hispanic immigrants have displaced them economically. Although these systemic issues cannot be solved quickly, a more specific and preventable cause of the attacks – the opportunity vulnerable Hispanic immigrants present – exists.

First, this case study finds that immigrants in Plainfield are vulnerable in several specific ways. They are often reluctant to report crimes perpetrated against them out of fear of the police due to cultural reasons or their own undocumented status and an inability to communicate with dispatchers and officers due to a lack of English language skills. These vulnerabilities are compounded by their economic situation. Many of Plainfield's Hispanic immigrants work as day laborers, are paid in cash at predictable times – which they often carry on their person, having no means to acquire a bank account – and cannot afford means of transportation other than biking or

walking. Finally, Plainfield has a high incidence of violent crime (nearly 12 per 1000 citizens in 2006) and an increasingly pervasive gang culture.

Second, this case study finds that local officials and Hispanic activists alike have professed reluctance to declare all – or even most – of the assaults bias motivated. Evidence suggests that criminals do not necessarily target Hispanics in Plainfield out of ethnic tension, but rather because of what their victim’s ethnicity signals: an easy target. Finally, this study concludes that as a group, Hispanic immigrants in Plainfield are ill equipped to combat targeted assaults or work towards a voice in the larger community. Hispanics may make up a sizeable minority in Plainfield, but numbers do not translate into political power – or, in fact, even a political presence. Attempts to insert Hispanics into Plainfield’s political process occur rarely and have been without success since the late Ray Blanco’s brief tenure on the city council.³⁶ African Americans hold many of the prominent local government positions, including the office of mayor and five of seven seats on the city council.

Policy Recommendations:

The Plainfield government has an obligation to hear and protect the safety of all residents:

(1) To the city council: The Hispanic Affairs Commission³⁷ should be staffed and given duties, specifically: investigating and reporting on Hispanic/Hispanic-immigrant specific problems in Plainfield; planning cultural events and education that encourage cultural understanding; and opening a dialogue among local Hispanic groups and local government branches to alleviate miscommunication and work towards common goals. The native and immigrant Hispanic population of Plainfield needs a voice in and attention from the local government as a means of addressing their issues and integrating them into Plainfield’s larger community. Government representation will afford them a means of conveying their concerns, needs, and suggestions that turns perceived adversaries into allies for the greater good of Plainfield. One of the first issues addressed should be the possibility of undocumented immigrants receiving bank accounts or some equivalent means of safely storing their earnings.

(2) To the new civilian Police Director: Implement and make public knowledge police enforcement policies and witness/victim protection assurances to gain transparency and the trust of the immigrant community. The first of these policies should be to provide a clear demarcation between the duties of Immigration and Customs Enforcement and the Plainfield Police Department, effectively removing immigration enforcement from the Department’s duties. In this

³⁶ 2004-2006, during which he became Council President.

³⁷ Created by Ray Blanco and never activated.

same vein, Department should not officially comply with the Attorney General’s recent directive³⁸ until proper training and further instruction from the Attorney General are available to ensure that the directive’s scope is not transgressed. Secondly, the Department should undertake an official policy prohibiting the questioning of victims or witnesses as to their immigration status. The police department must also recruit from within the Hispanic community and make it a firm policy to always have at least one bilingual dispatcher and officer on duty.

(3) To the Attorney General: Demand that state and local police respect the crime witness and victim protection required by the recent immigration enforcement directive by not asking about their immigration status. Implement a system to monitor those protections, and issue public statements and press releases explaining this provision of the directive, targeting state and local immigrant groups to facilitate trust among law enforcement and immigrant communities.

(4) To the city council and police department: Extend an invitation to the Union County Prosecutor’s Office Bias and Hate Crimes Unit to provide instruction on combating bias crimes to the police force and educate the city on bias and hate crimes through open forums and visits to local schools

“SANCTUARY CITY” LEGISLATION

“Sanctuary status” cities (also called “safe haven” cities) choose to foster a high level of trust between the immigrant community and law enforcement officials in a given municipality. Cities adopting this type of system generally do not ask whether immigrants are documented. Additionally, these sanctuary cities often refuse to discriminate against undocumented individuals when it comes to the provision of city services. The following two case studies analyze the effects of sanctuary status and the situations in which it is appropriate.

Middlesex County: “Sanctuary city” legislation and service provision

This case study assesses the effects of demographic change on attitudes toward immigrants within two cities in Middlesex County – New Brunswick and Perth Amboy – and evaluates approaches taken to address service provision to immigrants, a major driver of anti-immigrant sentiment. This includes the “sanctuary city” legislation to ensure immigrant access to public

³⁸ Directive instructing state and local police to question those arrested for drunk driving or felonies about their immigration status.

services that was proposed and defeated in Perth Amboy in August 2007.³⁹ Latino foreign born populations are concentrated in the county's two poorest and most urban municipalities, New Brunswick and Perth Amboy. Recently arrived Latino cohorts are predominately Mexican and have settled mainly in New Brunswick, where the Mexican population has increased from 1% to 15% between 1990 and 2000. Perth Amboy, on the other hand, has a historically large Latino population comprised of Puerto Rican individuals (who are citizens by birth). Perth Amboy has nonetheless experienced increases in its foreign-born Mexican population.

The first finding of this case study is that community responses to demographic change in Middlesex County – measured through opinion pieces published in local newspapers – demonstrate anti-immigrant sentiment. Most tensions were caused by perceptions of undocumented immigrants' disproportionate use of public services. Indeed, major challenges facing policymakers in the county involve new, increased demand for public services, namely education (specifically language instruction), healthcare, and transportation. The second set of findings address the measures taken to address service provision to immigrants. Middlesex County has taken several steps to respond to changing demographics and attitudes toward immigrants. A county-level Hispanic Affairs Commission was formed in 2006 and published an assessment of the accessibility of county services to Hispanic populations in 2008. Major findings included a lack of peer outreach to Hispanic communities from county-supported services and language barriers between service providers and clients. The County Department of Human Services (which houses the Hispanic Affairs Commission) has acknowledged immigrants as a priority population and has produced a report of services available to immigrant communities. Yet local integration initiatives remain imperfect: community actors note that the gap between policy responses and input from the immigrant community makes these policies ineffective in promoting access to existing services. Moreover,

³⁹ Services include: police and fire; public, mental, prenatal, and child health; transportation; children's services; shelter; disaster relief.

many services are provided by community-based organizations that are not included in the Hispanic Commission's review of county initiatives.

Finally, the case study argues that the failure of the sanctuary city legislation (modeled on Trenton's City-Wide Privacy Policy Concerning Immigrant Access to City Services) in Perth Amboy in 2007 – largely the result of the widespread media attention and vitriol in the aftermath of the August 2007 Newark murders – illustrates two major problems of the unenforceable legislation. First, the Trenton model serves as a mere *reminder* to city officers that all individuals can access selected public services (namely transportation, child services, and emergency services); it does not include mechanisms to monitoring access to services. Second, the initiative is directed specifically at city officers providing city services, rather than populations seeking to use them. Sanctuary legislation is one-sided in addressing fears among immigrants that bar them from accessing city services.

Policy Recommendations

(1) To the Middlesex County Department of Human Services: Middlesex County should establish the proposed Office of Hispanic Affairs within the Department of Human Services. The Hispanic Affairs Commission offers a means of collaboration between county freeholders and leaders in the local Latino and Latino immigrant communities. This interaction is necessary to bridge county initiatives with input from the Latino community and to spread information throughout the Latino immigrant community. This office could be funded through public grant funds directed toward regular assessment of county-level services.

(2) To the Middlesex County Department of Human Services: The County should maintain its partnership with the United Way of Central New Jersey to regularly update the existing database of services available to immigrants. United Way's New Americans Program provides easily accessible information on existing services in both English and Spanish. The County can facilitate dissemination of this database by providing printed copies and information for accessing the online resource handbook to targeted places. These places include public schools with high populations of English language learners and local churches.

(3) To the New Jersey State Office of Immigrant Affairs: Create a statewide database of existing agencies providing services for immigrant communities. This database would be modeled on the resource handbook created by United Way's New Americans Program. The United Way has already created a second resource handbook for Mercer County. With sufficient funds from both county-level organizations and the state body, this database, once established, would be a low-cost means of identifying areas of unmet need in the state.

(4) To the New Jersey State Office of Immigrant Affairs: The statewide immigrant affairs office should appoint an Outreach Coordinator to facilitate state-level outreach to immigrant communities. The Outreach Coordinator should use the agency database to identify key actors in areas of unmet need to improve and facilitate access to public services. The Outreach Coordinator could also serve to provide uniform information on measures affecting immigrants to the entire state. Specifically, should municipalities consider sanctuary city legislation, the State Office of Immigrant Affairs could provide a concise and clear definition of the measure to the media. The Outreach Coordinator should also ensure that necessary documents are translated into the appropriate languages for the state's diverse immigrant population.

Passaic County: Evaluating the effects of “Safe Haven” legislation

This case study evaluates a certain type of local pro-immigrant ordinances, called “Safe Haven” or “Sanctuary City” legislation, using three cities in Passaic County – Passaic, Paterson and Clifton. Together, these three cities contain 60 percent of the county population and all three counties have large percentages of foreign born populations. In 2000, the foreign born population of Passaic, Paterson and Clifton were 48%, 33% and 29 % respectively, while the state average was 17% and in 2006 rose to 20%. On September 11, 2007, the city of Passaic passed a safe haven ordinance, which prohibits city officials from asking residents about their immigration status. Despite their similar characteristics, Paterson and Clifton did not enact similar legislation. Why did Passaic enact safe haven legislation, while the other cities did not? And after enacting such legislation, what was the effect of the safe haven policy on the city of Passaic and its undocumented population?

The case study identifies two factors to explain why Passaic passed safe haven legislation. First, in the city of Passaic, the large foreign born population and a 62% overall Hispanic population (both foreign born and native), provides a critical mass that contributes to the pro-immigrant sentiment within the city, since the vast majority of immigrants are Hispanic in Passaic. And second, a key feature in Passaic City is the high level of civic engagement within the immigrant community, which creates an environment particularly supportive of immigrants and thereby conducive to the passage of the safe haven legislation.

In Paterson, which has also has a large foreign born population and a 50% Hispanic majority, two factors appear to have prevented the city from passing safe haven legislation. First, the large racial, ethnic and national diversity in the city, which is segregated by neighborhood into these different groups, may lead to greater competition and less solidarity among these groups, resulting in less pro-immigrant sentiment for immigrants as a whole in the community. Second, the Passaic County Jail, located in Paterson, detained large numbers of undocumented Arab immigrants following September 11th, which became the central focus of immigrant rights groups, detracting from their concern for other undocumented immigrants in the Paterson community.

In Clifton, three unique features of its immigrant population likely prevented the introduction or passage of safe haven legislation. First, the levels of the foreign born and Hispanic populations, 29% and 20% respectively, are not as high as in the other two cities. Second, Clifton is a more residential municipality with a population that is less densely concentrated, wealthier and better educated. Most importantly, the foreign born population is concentrated in one (northern) section of the city, unlike Paterson and Passaic whose foreign born are evenly dispersed throughout the cities. Segregation of the foreign born community makes it more likely to be perceived as an out-group, potentially inducing anti-immigrant sentiment.

Finally, Looking at Passaic's specific safe haven ordinance, the legislation initially succeeded in improving the safety of the city and welfare of the whole community. According to several key immigrant activists, immigrants were noticeably more trusting of the police and city officials. However, an ICE raid on 19 February 2008, in which Passaic City Police participated, severely eroded the trust between undocumented immigrants and the police that had been gained from the safe haven ordinance. As a result, some of the benefits of the safe haven legislation have been voided.

Policy Recommendations:

(1) For City Councils considering “Safe Haven” legislation, safe haven legislation may not be the best option if any of the following conditions are present:

- **Segregation of the foreign born community in a specific location within the city**
- **Negative media focus on specific immigrant populations or issues within the city**
- **A popular perception in a large or vocal segment of the community that immigrants are using city services disproportionately or unfairly**

The safe haven ordinance in Passaic City was beneficial to the city by creating trust and cooperation between police and undocumented residents, which encouraged the reporting of crimes and improved safety. However, in a town like Clifton that otherwise has anti-immigrant sentiment due to geographical and demographic factors, a safe haven ordinance would not likely win public support and could possibly provoke even greater anti-immigrants reactions. Thus, safe haven legislation should be enacted on a case-by-case basis depending on the specific conditions in a given city.

(2) If safe haven legislation is enacted, local law enforcement must be prohibited from accompanying ICE agents on raids against undocumented residents. Legally, city police are not required to cooperate with ICE agents. While safe haven legislation cannot prevent ICE raids by the federal government, the city must clearly show that local police are not involved with any such raids. In Passaic, the safe haven ordinance led the immigrant community to believe that city police would not be a part of raids against undocumented immigrants. By participating with ICE agents, the city police eroded the trust gained by the safe haven ordinance and nullified the improved safety that had resulted from that trust.

(3) The New Jersey Office of Immigrant Affairs should encourage state and local immigrant rights groups to focus on increasing the civic engagement of immigrants and immigrant communities by forming local associations and community organizations. As shown in Passaic, high levels of civic engagement by immigrant communities produce positive benefits by improving the image of the immigrant community, providing a support network for undocumented residents and increasing services and political support by city officials. The civic engagement of the immigrant residents in Passaic also produced tangible benefits in the form of the day laborer center. But more importantly, civic engagement contributed to the city council’s decision to politically support undocumented immigrants through the safe haven ordinance. Given these benefits, immigrant groups should place a heavy focus on local civic engagement and organization in order to bring immigrants into community affairs and political processes. Successful examples of civic organizations include soccer leagues, labor associations, cultural heritage groups, and community service organizations.

V. Conclusion

New Jersey faces a number of unique challenges in successfully integrating its immigrant communities. The recent arrivals contribute to the size and diversity of the state’s quickly-growing immigrant population. And the unique geographic dispersion of New Jersey’s immigrants

differentiate the state from four of its five larger immigrant-receiving counterparts (CA, NY, IL, and FL), thus creating additional challenges in terms of local, county, and state-level coordination. This task force analyzed nine counties in an effort to address some of these immigrant-related challenges.

The case studies in the areas of education, health, crime and public safety, and “sanctuary city” legislation all analyzed problems and proposed solutions in terms of policy recommendations. These recommendations, presented throughout this overarching report, would serve foreign born residents and their communities by facilitating integration and improving the quality of life for New Jersey’s immigrants, who comprise 20% of the state’s population.

The findings of the nine case studies also support the creation of a New Jersey Office of Immigrant Affairs. In conceiving of and making the recommendations listed, this task force came to the conclusion that immigrant needs in the state require a more coordinated infrastructure of support than what is currently in place. While the task force stopped short of outright recommending an Office of Immigrant Affairs, it did find that New Jersey’s immigrants currently lack a comprehensive approach to integration, and that such an Office may be able to provide the coordination, outreach, data collection and analysis, and oversight that are necessary. At this point, it seems that a New Jersey Office of Immigrant Affairs presents the best chance for a coordinated integration strategy. Therefore, this possibility should be studied further.

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