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Legislative Report from the TASK FORCE FOR NEW AMERICANS

New York State Assembly • Carl E. Heastie, Speaker • Ron Kim, Chair

Message from the Chair



With the 2016 legislative session now concluded, I am pleased to share with you some of the latest accomplishments of the Task Force on New Americans.

The Task Force works to develop policies that assist New Americans in the State of New York. One of my priorities as Chair has been to continue advancing policies that recognize the diversity of our country's newest citizens, and help address some of the unique barriers they face. I have worked on expanding access to government services for New Americans, and introduced several bills to improve access to mental health and medical assistance, among other services, for non-English speaking residents of New York.

I am pleased to report that this year's budget included a significant increase in resources for programs benefiting New Americans, a large and growing group in our country that includes immigrants and the children of immigrants. However, there is more work to be done—one of our most important goals will be enacting the DREAM Act into law in the State of New York.

I welcome your suggestions on any further steps we can take to support New Americans.

Thank you for giving me the opportunity to serve you.

Sincerely yours,



Ron Kim
Member of Assembly
Chair, Task Force on New Americans

The Task Force Aims to Increase Diversity in the State Workforce

The cultural diversity of our nation and state continues to grow, but the composition of the state government workforce does not reflect this change. According to the U.S. Bureau of Labor Statistics, people of color make up 36 percent of the total labor force. In New York, however, the Governor's office reports that Hispanics comprise 17.5 percent of our state's overall workforce, but only 4.9 percent of the state government workforce. Similarly, Asians make up 8.6 percent of the overall workforce in New York but only 3.8 percent of the state government workforce.

Under existing law, the Commission on Increasing Diversity in the State Government Workforce is required to recommend ways to increase the number of minority workers in public service to the governor and the legislature. While the law requires the Commission to review and recommend recruiting and employment practices that will bring more Hispanics and African-Americans to certain sectors of government, it fails to explicitly include the Asian population of New York. My bill, A.8050, would address this issue and further promote diversity in the public sector. It would enact a requirement that the Commission includes Asians and Asian Americans in its review and evaluation of the state government workforce.

The Enacted 2016-17 State Budget Provides Increases for State Programs Supporting New Americans

My colleagues and I recently enacted a budget for the 2016-17 fiscal year that increased funding for programs related to New Americans by 7 percent, or a little more than \$2 million over last year's budget.

The programs benefiting from the largest increases—\$1 million each—are Adult Literacy Education (ALE) and bilingual education. ALE programs assist non-citizens seeking citizenship through a variety of services such as case management, English-as-a-second-language classes, job training and placement assistance, and job retention services. The bilingual education program provides competitive grants for adult literacy to public and private non-profit agencies. This includes two- and four-year colleges, community-based organizations, libraries, volunteer literacy organizations, and institutions which meet State Education Department quality standards.

2016-17 State Budget New Americans Funding (State-Local Aid)

Funding Program	Agency	2015-16	2016-17	Change	% Change
Office for New Americans	DOS	\$6,440,000	\$6,440,000		0.00%
Adult Literacy Education	SED	\$6,293,000	\$7,293,000	\$1,000,000	15.89%
Bilingual Education	SED	\$14,500,000	\$15,500,000	\$1,000,000	6.90%
Children of Migrant Workers	SED	\$89,000	\$89,000		0.00%
Deferred Action for Childhood Arrivals	SED	\$1,000,000	\$1,000,000		0.00%
NYS Immigrant Action Fund	DCJS	\$150,000		(\$150,000)	-100.00%
Legal Services NYC – DREAM Clinics	DCJS	\$150,000	\$150,000		0.00%
Make the Road NY	DCJS	\$150,000	\$150,000		0.00%
Vera Institute of Justice: Immigrant-Family Unity Project	DCJS	\$200,000	\$400,000	\$200,000	100.00%
Albany Law School – Immigration Clinic	DCJS	\$150,000	\$150,000		0.00%
Legal Aid Society – Immigration Law Unit	DCJS	\$150,000	\$150,000		0.00%

The Disparate Impact of Selective Enforcement Against Immigrant Small Businesses

One of my priorities for the summer, after the close of the 2016 Legislative Session, is to take a closer look at concerns of selective enforcement by the New York City Police Department (NYPD) and other local agencies against immigrant-owned small businesses. I plan to examine the existing data, current agency practices, and overall impact on these neighborhood mom and pop stores. After gathering enough information, I will also reach out to constituents on a personal level and listen to their grievances and experiences.

According to media reports, there were 646 nuisance abatement cases filed by the NYPD against businesses over an 18-month period beginning in 2013.¹ They found that the businesses targeted were almost exclusively located in areas where most of the residents are minorities. Almost 60 percent of the cases cited alcohol violations.

If you have a story to tell, please get in touch with my office. I want to hear from you.

Fighting to Enact the DREAM Act

Making college financial aid available for immigrants and enacting the DREAM Act (A.4311-A) remain priorities for the Task Force on New Americans and the Assembly majority.

The DREAM Act would allow undocumented students who meet in-state tuition requirements to access state financial aid and scholarships for higher education. It would also allow immigrant families with taxpayer identification numbers to open a New York 529 family tuition savings account.

It is estimated that of the roughly 4,500 undocumented students that graduate from New York high schools every year, only 5-10 percent are able to pursue a college education because of financial burdens.²

For the fourth consecutive year, the Assembly budget proposal included the New York State DREAM Act, with a proposed investment of \$27 million to provide eligible immigrant students with access to the State's Tuition

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¹ See: <https://www.propublica.org/article/nypd-nuisance-abatement-shop-stings-warrantless-searches>. Published 4/22/2016

² Immigration Policy Center. 2011. "The DREAM Act: Creating Opportunities for Immigrant Students and Supporting the U.S. Economy," <http://www.immigrationpolicy.org/just-facts/dream-act>. The estimate of 4,500 undocumented high school graduates per year is created by taking the share of all undocumented youth estimated to live in New York State (7%) times the number of undocumented youth estimated to graduate from high school every year nation-wide (65,000).

Fighting to Enact the DREAM Act Continued on previous page

Assistance Program (TAP), scholarships, and other financial aid opportunities. Although it was not included in this year's final enacted budget, the Assembly majority continues to push to enact the DREAM Act, and passed the bill (A.4311-A) again in June.

Currently, undocumented students are ineligible for general financial aid awards, performance-based awards, or TAP. Assembly Bill 4311-A would make students eligible for such awards if they:

- Attended an in-state high school for two or more years, graduated from an in-state high school, and applied for attendance to an in-state college or university within five years of receiving their high school diploma; or
- Attended an approved program for a state high school equivalency diploma, received their state high school equivalency diploma, and applied for attendance to an in-state college or university within five years of receiving their state high school equivalency diploma; or
- Are otherwise eligible for in-state tuition at SUNY, CUNY, or community colleges as prescribed by their admission criteria.

Improving Access to Mental Health Services for New Americans

In the past decade, government and community organizations have provided more and more services for underserved communities in New York. However, the population of New Americans in our state has continued to grow, and many still lack sufficient access to mental health services.

New Americans face unique challenges and obstacles in terms of mental and psychological wellbeing. They may be survivors dealing with trauma resulting from experiences in their native countries or their relocation to the U.S. Once here, they often face stigmas about mental illness and are afraid to reach out for help. Language barriers only compound these problems, preventing New Americans from understanding what services are available and how to access them. In many instances, there are no culturally competent providers available to help them.

Changes in New York State Law and regulations have been made to try to improve access for New Americans to translation and interpretation services.³ The New York State Office of Mental Health (OMH) is required to review and report on unmet mental health needs of high-risk populations, including New Americans. In its Unmet Needs Assessment Report (2011), OMH noted that “racial and ethnic minorities face numerous barriers in accessing care and disparities in quality of care.”⁴ The report's summary of the literature further pointed out that:

- These groups are also more likely to delay or avoid mental health care;
- Limited English proficiency can contribute to lower use of services; and
- Racial and ethnic minorities are more likely to receive poorer quality care.

About ten years ago, the Assembly took a close look at the delivery of mental health services in New York State. A part of this effort focused on addressing the needs of underserved populations, including the improvement of culturally and linguistically appropriate services for New Americans. In addition, Executive Order 26 (2011) calls upon all executive agencies involved in direct public service, such as the Office of Mental Health, to work to improve translation services.

Task Force on New Americans Roundtable

In May 2016, the Task Force on New Americans, along with Mental Health Committee Chair Aileen Gunther and Puerto Rican/Hispanic Task Force Chair Marcos Crespo, sponsored a roundtable discussion in New York City on New Americans' access to mental health services.

The roundtable examined the availability of services, the degree of cultural competency, perceived barriers to services, and the outlook for possible steps to improve access and utilization. Participants included mental health experts from the city and state, as well as the New York Psychiatric Institute, along with advocates and practitioners representing the Asian and Hispanic communities.

Participants agreed that the demand for culturally competent clinicians is rising, and that there were currently not enough to address the existing needs of immigrant communities. Some suggested that this highlighted a growing need for social workers to receive more cultural education training. Others observed that language access efforts must continually evolve to meet the dynamic nature of New American communities.

It was also noted that the state should grant regulatory relief allowing clinical services to be provided in non-traditional settings. Enhanced data collection should better reflect diversity within ethnic groups and improve prevention and treatment models. Some participants suggested that the state should consider a loan forgiveness program for social workers, given that they generally receive far lower salaries than other professions requiring masters' degrees, but with the same level of student debt.

For individuals not covered by the Affordable Care Act, it was recommended that access for them be improved to include comprehensive health care coverage. Other suggestions included: increasing the number of clinicians in secondary schools, providing

³ Institutional support is provided by the Bureau of Cultural Competence at the Office of Mental Health (OMH), and the research capacity of the Centers of Excellence at Nathan Kline and the Psychiatric Institute.

⁴ New York State Office of Mental Health, Unmet Needs Assessment Report: State Assessment of Treatment Gaps for Racial/Ethnic Groups in Need of Mental Health Services, 2011. p. 7. For the literature review and full report: https://www.omh.ny.gov/omhweb/cultural_competence/reports/unmet_needs.pdf

more mental health services for the aging and elderly, and increasing the number of languages referred to in Executive Order 26, which would ensure greater access to language services spoken by different ethnic groups in the state.

The Assembly Members agreed to continue to examine the effectiveness of current language access efforts, and look for new and innovative approaches to help New Americans find mental health assistance.

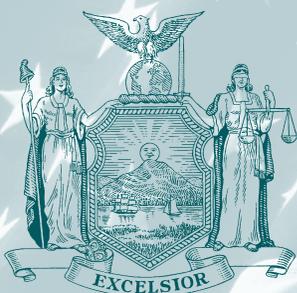


Assembly Member Ron Kim, Chair of the Task Force on New Americans, and Assembly Member Marcos Crespo, Chair of the Puerto Rican/Hispanic Task Force, meet with mental health experts, the New York Psychiatric Institute, and advocates and practitioners representing Asian and Hispanic communities in May 2016.



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