



California Legislature

ASIAN PACIFIC ISLANDER LEGISLATIVE CAUCUS

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“SPEAKING IN ONE VOICE” 2004 POLICY SUMMIT REPORT

EXECUTIVE SUMMARY

On June 7, 2004, the California Asian Pacific Islander (API) Legislative Caucus held its first annual policy summit “Speaking in One Voice” in Sacramento. The Summit brought hundreds of API leaders from across California to the State Capitol to prioritize key issues facing the API community. Summit attendees participated in workshops covering several key issues. In addition to providing community leaders with the resources and tools needed to access and influence the state’s policymaking process, the Summit also offered participants the opportunity to provide feedback on issues of concern to the community.

Over two hundred participants identified problems faced by APIs in California and recommended solutions to these problems. This feedback ranged across policy issues, including civil rights and hate crimes, health and human services, educational access, and economic access.

Throughout these discussions, key themes emerged that reflect the diverse communities comprising California’s API population. Such themes were:

- ◆ Cultural and language gaps often prevent APIs from interfacing with government at all levels.
- ◆ APIs, especially recent immigrant groups, are often unaware of their rights as voters and renters, and do not know that their civil rights are legally protected.
- ◆ Not enough data is collected on the API communities across California, which hinders the ability to identify and address challenges faced by the community.
- ◆ APIs continue to face discrimination in many areas, including employment and housing.

The following summary report is organized by issue area with each section containing problems and recommendations identified by summit participants. Relevant legislative and budget proposals are also cited as examples of legislative solutions to specific issues raised. The API Caucus hopes this report will help to raise awareness of the issues and challenges faced by APIs in California and that it will create a platform on which solutions to these problems are debated and considered by policymakers and members of the API community.

I. CIVIL RIGHTS

Discrimination

Federal law prohibits discrimination on the basis of race, religion, national origin, gender, age, and disability. Nevertheless, APIs still face discrimination in employment, housing, public accommodation, and other areas. Much of this discrimination results from being viewed as perpetual foreigners.

Problem: Due to a lack of understanding of their civil rights, APIs who are the victims of discriminatory acts frequently do not report these crimes to authorities.

Community Recommendations:

- ◆ Government agencies and community-based organizations (CBOs) should increase outreach and education on civil rights to the API community. They should conduct educational campaigns to raise awareness of how the law can be used to protect individuals.
- ◆ Civil rights information should be provided in API community languages. Government agencies and CBOs should provide such information through translated materials and translators when appropriate.

Relevant Legislation

- ◆ AJR 64 (Chu): Condemns bigotry and violence against Arab, South Asian, Muslim, and Sikh Americans (*Adopted by Legislature, 2004*)

Hate Crimes

APIs have faced hate crimes since first arriving in California in the mid-eighteen hundreds. These crimes against APIs continue today, such as the tragic slaying of 17-year old Taiwanese American Kenny Chiu by a white supremacist. According to the California Department of Justice, 66 hate crime cases against APIs were reported in 2003, but the actual number of hate crime incidents is likely to be higher due to underreporting.¹ APIs, especially recent immigrants, are deterred from reporting crimes to local law enforcement. This underreporting is partially attributed to language barriers and cultural differences, resulting from the lack of API law enforcement officers. Of California's 71,610 police officers, county sheriff deputies, and California Highway Patrol officers, APIs represent less than five percent of these officers.²

Problem: API communities frequently underreport hate crimes because they cannot adequately communicate with law enforcement. There is a need for diverse and culturally sensitive law enforcement to help bridge existing language and cultural barriers.

Community Recommendations:

- ◆ Law enforcement agencies need to hire officers that reflect the API communities' diversity and possess API language capabilities.
- ◆ All law enforcement officers should receive cultural sensitivity training.

- ◆ Law enforcement agencies should prioritize prevention and prosecution of hate crimes.

Relevant Legislation

- ◆ AB 2428 (Chu): Strengthens protections for hate crime victims and their families by providing for the issuance of a protective order absent compelling circumstances to restrict perpetrator communication and contact with victims upon release, and enhances the State’s ability to rehabilitate hate crime perpetrators with the option of appropriate sensitivity training. (*Signed into law by Governor, 2004*)
- ◆ AB 2191 (Chu): Amends the law so that in cases where a hate-crime perpetrator is found not guilty by reason of insanity, the victim is notified when the perpetrator is to be released to the community under supervised release (Conditional Release Program). The bill also gives victims or the next of kin the right to testify at the conditional release hearing before the court. (*Vetoed by Governor, 2004*)

II. HEALTH AND HUMAN SERVICES

Access

Access to healthcare continues to be a challenge for the API community. Barriers include lack of health insurance, lack of trained bilingual service providers, and limited availability of trained interpreters. In California, 23 percent of APIs are likely to be uninsured compared to 13 percent of non-Latino whites. 45 percent of Korean Americans, 29 percent of Vietnamese Americans, and 28 percent of Chinese Americans in California are uninsured.³ APIs are also less likely to have employment-based coverage than non-Latino whites (63 percent compared to 72 percent). Only 33 percent of Southeast Asians, 40 percent of Korean Americans, and 55 percent of Pacific Islanders in the State are insured through employment.⁴

Problem: APIs lack access to healthcare and social services.

Community Recommendations:

- ◆ Policymakers should ensure access to healthcare and social service for API communities.
- ◆ Community outreach efforts should be funded to educate the community regarding various program benefits and eligibility.
- ◆ APIs should support Proposition 72 (SB 2) to increase employment-based health coverage.
- ◆ The State should establish a statewide information line to disseminate various program information in API languages.

Problem: The lack of bilingual staffing and translated materials creates access barriers for APIs.

Community Recommendations:

- ◆ Healthcare providers should increase recruitment and hiring of bilingual staff.
- ◆ Offer healthcare providers fiscal incentives to provide bilingual services.

- ◆ Government should ensure there are sufficient certified interpreters in legal, health, and social service programs.
- ◆ State health and social service programs need to offer appropriate bilingual services.
- ◆ Translation services should be centralized.

Relevant Legislation

- ◆ AB 2408 (Yee): Strengthens existing state bilingual staffing requirements of the Dymally-Alatorre Bilingual Services Act and ensures that state agencies are held accountable in complying with existing state law. *(Vetoed by Governor, 2004)*

Relevant Budget Proposals

- ◆ Block granting of immigrant health and human services programs: In his January 2004 budget, Governor Schwarzenegger proposed to combine funding for four state-only immigrant programs into a block grant to counties. These programs were: Healthy Families for documented immigrants, California Food Assistance Program (CFAP), Cash Assistance Program for Immigrants (CAPI), and CalWORKS for legal immigrants. The amount of the block grant would have been reduced by five percent and counties would have been forced to choose which of these vulnerable populations to cut. *(These programs were fully funded and not block-granted in the final 2004-05 state budget)*
- ◆ Capping Enrollment in Immigrant Medi-Cal Programs: In his January 2004 budget, Governor Schwarzenegger proposed to cap enrollment in four health programs that serve immigrants at the April 2004 level. The programs were: Medi-Cal for legal immigrants in the country less than 5 years, Medi-Cal Prenatal Care and Long-Term Care to undocumented individuals, and Medi-Cal Breast and Cervical Cancer Program. Immigrants needing services would have been placed on a wait list until a vacancy occurred for services. *(Immigrant Medi-Cal programs were fully funded and not capped in the final 2004-05 state budget)*
- ◆ Elimination of the California Veterans Cash Benefit Program (for Filipino Veterans): In his January 2004 budget, Governor Schwarzenegger proposed to eliminate the California Veterans Cash Benefit Program for current year savings of \$1.4 million General Fund and budget year savings of \$5.5 million General Funds. This program provides a cash grant at the same level as the state SSP grant (about \$414 per month) to approximately 1,700 veterans of World War II that returned to the Republic of the Philippines. *(The California Veterans Cash Benefit Program was preserved at \$5.5 million in the final 2004-05 state budget)*

Mental Health

APIs are at risk for serious emotional and behavioral problems such as suicide, depression, and anxiety. APIs frequently remain silent regarding mental health issues because of stigma and shame in the community.

Problem: The cultural stigma of mental illness prevents many APIs from seeking treatment.

Community Recommendation:

- ◆ Conduct educational campaign and outreach to overcome stigma and perceptions about mental illness. Such efforts could include use of the ethnic media.

Problem: When mental health treatment is sought, APIs encounter language barriers due to a severe shortage of trained, bilingual personnel who can provide culturally competent services. Many mental health treatment programs lack the resources to provide such services.

Community Recommendations:

- ◆ Mental health programs should receive increased funding.
- ◆ Government and private providers should ensure language accessibility in the form of trained, bilingual personnel who can provide culturally competent services.

Problem: The extent and nature of mental health issues in the API community is unknown due to a lack of data, research, and evaluation.

Community Recommendation:

- ◆ Government agencies at all levels should improve data collection, evaluation, and research.

Seniors

Problem: API seniors are frequently unable to access healthcare and long-term care systems due to a shortage of bilingual providers.

Community Recommendations:

- ◆ The State should increase funding for senior health and long term care services.
- ◆ Healthcare providers need to offer bilingual services.
- ◆ Government agencies should collect and analyze data on the needs of the API senior population.

Problem: Many API seniors cannot afford high cost prescription drugs.

Community Recommendations:

- ◆ The federal and state government should increase funding and access for prescription drugs.
- ◆ The federal and state government should support the purchase of prescription drugs from Canada.

Relevant Legislation

- ◆ AB 1957 (Frommer): Requires the State Department of General Services to determine potential savings if prescription drugs are purchased from Canada. It also requires the State Department of Health Services to establish a California Rx Program, including a web site to facilitate the purchase of prescription drugs at reduced prices. (*Vetoed by Governor, 2004*)

- ◆ SB1149 (Ortiz): Requires the Board of Pharmacy to provide information identifying pharmacies in Canada that meet recognized standards for the safe acquisition, shipment, handling, and dispensing of dangerous drugs to California residents. The bill also authorizes the board to provide Internet Web site links to other sources of information about obtaining affordable prescription medications and cost comparisons for those medications. (*Vetoed by Governor, 2004*)

Ethnic Foods

The preparation and presentation of ethnic foods in their traditional manner is important to the API community in that it allows for the preservation and celebration of their culture and history. Government health codes do not accommodate the ways in which certain ethnic foods are prepared and served, causing some county health inspectors to shut down small businesses and vendors. Examples of such items have included Korean rice cakes, sushi, teriyaki chicken, and manju.

Problem: Small API businesses and vendors of ethnic foods have been shut down by county health inspectors enforcing state health codes.

Community Recommendations:

- ◆ Health inspectors should reflect the diversity of the API community and be culturally sensitive to the ethnic foods of API cultures.
- ◆ Health inspectors should be trained about the cultural significance of various ethnic foods.
- ◆ Health codes should allow certain ethnic food to be prepared and served in traditional manners.

Relevant Legislation

- ◆ AB 187 (Liu): Permits food establishments to sell Korean rice cakes that have been at room temperature for less than 24 hours, and requires manufacturers of Korean rice cakes to place a label on the rice cake that indicates the date of manufacture. (*Signed into law by Governor, 2002*)
- ◆ AB 1045 (Leslie): California law does not allow barbecuing, broiling, frying, and grilling on a mobile food facility. This bill permits mobile food facilities that meet new equipment and construction requirements to handle fresh, non-potentially hazardous foods that require cooking, such as churros. (*Signed into law by Governor, 2002*)
- ◆ AB 2763 (Diaz): Allows temporary food facilities to keep sushi, teriyaki chicken, and manju at room temperature for up to 24 hours. (*Held in Senate Health and Human Services Committee, 2004*)

Services for New Immigrants

Problem: Newly arriving Hmong refugees will need a wide range of services to assist with their transition.

Community Recommendations:

- ◆ State and local governments should plan proactively to link newly arriving Hmong refugees to existing health, education, and social services.
- ◆ The State should maintain CalWORKs funding level for incoming Hmong refugees and other immigrant groups.

III. HOUSING

Access to Affordable Housing

California is experiencing an affordable housing crisis. Due to the state's booming housing market, the median home price is close to five hundred thousand dollars, nearly three times the national level. The lack of affordable housing is a serious problem that has affected the lives of many low-income APIs.

Problem: The lack of affordable housing has caused many API families to live in overcrowded conditions—frequently with multiple families sharing the same unit.

Community Recommendations:

- ◆ Government should increase subsidies for affordable housing, including Section 8 housing.
- ◆ Federal funding for affordable housing should be increased.

Renter Rights

Problem: API renters, especially newer immigrants, are not well informed of their rights. As a result, some API renters have been subject to evictions without proper notice, causing them to become homeless or to live in overcrowded conditions.

Community Recommendations:

- ◆ Fair housing workshops in appropriate languages should be conducted to educate renters in the API community.
- ◆ Community-based organizations should be funded to conduct outreach and workshops.
- ◆ Legislation should be enacted to promote the rights of renters.

Relevant Legislation

- ◆ SB 1403 (Kuehl): Requires landlords to give tenants 60 days notice for a "no-fault" termination. The bill allows tenants more time to vacate the premises when they are forced to move through no fault of their own. The bill also requires written notice for a landlord to enter a dwelling, emergencies are exempted. (*Signed into law by Governor, 2002*)

IV. COMMUNITY DEVELOPMENT & PRESERVATION OF HISTORICALLY API COMMUNITIES

Problem: Historic ethnic and immigrant neighborhoods are threatened by redevelopment and gentrification forces, resulting in a loss of history and culture.

Community Recommendation:

- ◆ State and local historic preservation authorities should support and promote the preservation of API historic neighborhoods.

Relevant Legislation

- ◆ **SB 307 (Vasconcellos):** Creates the California Japantown Preservation Pilot Project to promote the preservation of California’s remaining Japantowns. (*Signed into law by Governor, 2001*)

V. DATA COLLECTION

APIs are the fastest growing ethnic group in California and are projected to be the fastest-growing major population category over the next half-century. Despite the continued rapid growth of the API community, there is insufficient information on the API community and its needs across the State. Much of the data collected on APIs is aggregated across the entire community and does not differentiate between API ethnicities. As a result, significant pockets of need in the community are overlooked, such as disparities that exist within the Southeast Asian and Pacific Islander communities.

Problem: There is a lack of data on the needs and characteristics of the API community and its many ethnic sub-groups.

Community Recommendations:

- ◆ Support the creation of a public/private centralized research institution (i.e., Tomás Rivera Policy Institute) to provide policy-relevant research on key issues affecting API communities.
- ◆ API community and policymakers should support legislation or initiatives requiring state agencies to collect data by race and ethnicity. APIs should oppose initiatives such as Proposition 54.
- ◆ An annual API data report should be created in California.

Relevant Legislation

- ◆ **AB 2324 (Chan):** Addresses racial and ethnic disparities by expanding important data collection and bringing government agencies together to address the “root causes” of health disparities. (*Held in Assembly Appropriations Committee, 2004*)

VI. VOTING RIGHTS

Problem: API voter registration and turnout continues to lag behind that of whites and Latinos. In California, APIs account for 12.3 percent of the population, yet they represent only six percent of registered voters and of this, only five percent are likely voters.⁵

Community Recommendations:

- ◆ Governmental agencies and community-based organizations should increase outreach and voter registration, including use of ethnic media.
- ◆ Voting by absentee ballot should be promoted within the API community.
- ◆ API community-based organizations should receive funding to conduct voter registration and outreach.

Problem: There is a lack of bilingual poll workers and translated voting materials and information.

Community Recommendations:

- ◆ County Registrars should recruit more API poll workers.
- ◆ Poll workers should be trained to be culturally sensitive.
- ◆ Election publications and ballots should be published in API languages.

Problem: APIs are not well informed of their voting rights.

Community Recommendation:

- ◆ Community-based organizations, local schools, and colleges should offer civic English as Second Language (ESL) and citizenship classes to educate APIs about their voting rights.

Relevant Legislation

- ◆ AB 526 (Chan): Proposed to establish a pilot program in Alameda County to evaluate the effectiveness of Election-Day voter registration. (*Held in Assembly Appropriations Committee, 2003*)

Relevant Budget Proposal

Naturalization Services Program (NSP): The Naturalization Services Program was eliminated in the 2003-04 State Budget. It provided services to assist legal permanent residents to obtain citizenship through a network of community non-profits throughout the State. For about \$350 per client, NSP provides training and support to individuals obtaining their citizenship. (*NSP was restored at \$1.5 million in the final 2004-05 state budget*)

VII. EDUCATIONAL ACCESS

Higher Education

In the past three years, California has steadily increased its public university fees. The University of California (UC) undergraduate fees have increased 62 percent since the 2001-2002 academic year. The California State University (CSU) has increased its fees by 65 percent since the 2001-2002 academic year. Community college fees have increased from \$11 to \$26 per unit. The fee increases dramatically impact API students from working families, forcing some to delay or end their educational pursuits.

For the first time in thirty years, students that were eligible for UC and CSU were almost turned away due to a funding shortage. For many API students, this resulted in several months of uncertainty and disruption to their education plans.

API students are frequently seen as the “model minority.” This stereotype is inaccurate and harmful to API students who face barriers to higher education. For example, 18.9 percent of Pacific Islanders drop out by the time they reach the 12th grade compared to 5.5 percent for Asian Americans and 7.5 percent for whites⁶. Only 25.4 percent of the 2,343 Pacific Islander graduating seniors in 2002-2003 met UC or CSU admission requirements compared to 56 percent for Asian Americans and 39 percent for whites.⁷ Outreach efforts to these populations are critical in providing necessary academic preparation, college and financial assistance options.

Problem: Fee increases make higher education less affordable for API students. The deferral of UC and CSU eligible students to community colleges as proposed in the Governor’s January 2004 budget hinders access to higher education.

Community Recommendations:

- ◆ Higher education programs should receive increased funding in lieu of increased student fees.
- ◆ If necessary, taxes should be increased to preserve higher education programs.
- ◆ All qualified students should be admitted to the UC or CSU.

Problem: API students, particularly Southeast Asians and Pacific Islanders, lack access to financial aid for higher education.

Community Recommendations:

- ◆ Financial aid funding should be increased.
- ◆ Additional outreach should be provided to inform APIs (particularly Southeast Asian and Pacific Islander populations) about financial aid.

Problem: Funding for academic preparation and outreach programs has been decreased. The Governor’s January 2004 budget proposed the elimination of outreach programs.

Community Recommendation:

- ◆ The State should retain or increase funding for outreach.

Relevant Legislation

- ◆ AB 2477 (Liu): Urges textbook publishers to take specified actions to reduce the cost of college textbooks by requiring the CSU Trustees and the California Community College Board of Governors, and requesting the Regents of the UC to work with the academic senates to encourage faculty to consider assigning the least costly textbooks for their students. (*Signed into law by Governor, 2004*)
- ◆ AB 2710 (Liu): Establishes state policies regarding undergraduate student fees and financial aid at the UC and CSU. This bill assures that future changes in resident student fees for California's students will be gradual, moderate, and predictable. It specifies that increases in undergraduate student fees should not exceed 8 percent in any academic year. (*Vetoed by Governor, 2004*)

Relevant Budget Proposals

- ◆ Elimination of Outreach and Academic Preparation Programs at University of California (UC) & California State Universities (CSU): In his January 2004 budget, Governor Schwarzenegger proposed to eliminate UC/CSU outreach programs by reducing \$85.3 million in General Fund support in the budget year. These programs are designed to academically prepare disadvantaged students across the state to access our public colleges and Universities and currently serve over 800,000 primarily low-income and minority students. The programs were reduced over 50% in the FY 2003-2004 budget. (*Funding for outreach and academic preparation programs was preserved at the previous year's funding level in the final 2004-05 state budget*)

K-12 Education

Problem: Existing educational curriculum does not adequately reflect role of APIs in U. S. and world history.

Community Recommendations:

- ◆ School curriculum should reflect the role of APIs in U.S. history.
- ◆ Schools should emphasize world culture courses to encourage greater understanding of world cultures.

Problem: Approximately 5,000 new Hmong refugees will resettle in California in the next year and many are children who will enter the K-12 system.

Community Recommendations:

- ◆ Local school districts should develop transitional programs to assist incoming refugees. These programs should include orientations on school policies, services, academic goals and requirements. In addition, school staff should receive training regarding special learning needs of Hmong students and their culture.
- ◆ Schools should provide credentialed Hmong bilingual teachers and certified bilingual aides to work with new students and parents.
- ◆ The State and other stakeholder groups should advocate for increased federal funding for Hmong resettlement.

Relevant Legislation

- ◆ AB 2001 (Diaz): Requires the Curriculum and Development and Supplemental Materials Commission (CDSMC) to identify model programs, standards, and curricula relating to ethnic studies at the high school level. (*Vetoed by Governor, 2002*)
- ◆ AB 2512 (J. Horton): Encourages school districts to include Filipino participation in World War II as part of the history/social science curriculum. (*Vetoed by Governor, 2004*)
- ◆ AB 78 (Reyes): Encourages school districts to include the role of the Hmong and other Southeast Asians in the Vietnam War as part of the social studies curriculum. (*Signed into law by Governor, 2003*)

Adult Education

Problem: There is a lack of English as a Second Language (ESL) instruction, Limited English Proficiency (LEP) programs, and vocational training programs for API immigrants.

Community Recommendations:

- ◆ Funding for ESL, LEP, and vocational training programs should be increased.
- ◆ Educational institutions and community-based groups should receive funding to develop educational and vocational training programs for API immigrants.

VIII. ECONOMIC ACCESS AND MOBILITY

Small Business Development

Problem: API small businesses lack knowledge and access to resources, such as start-up grants, loans, licensing process, business plans, and Individual Development Accounts (IDA). API immigrants also frequently lack credit history, which prohibits them from securing loans from mainstream banks.

Community Recommendations:

- ◆ Local Asian Pacific Islander chambers of commerce and merchant associations should provide education, resources, and networking opportunities.
- ◆ The Community Reinvestment Act (CRA) should be used to meet the credit needs of low and moderate-income API communities.
- ◆ The number of programs that assist small API businesses and entrepreneurs should be increased.
- ◆ More educational workshops on small business development should be provided to API businesses.

Problem: API businesses frequently do not know how to bid for contracts with federal, state, and local governments and have difficulty navigating the complex application process.

Community Recommendations:

- ◆ Governments should simplify the contract application process.
- ◆ Governments should provide outreach and education to API businesses, including identification of contracts and application assistance.

Employment

Problem: Many API immigrants continue working in low-wage jobs because they lack the necessary training and skills for advancement.

Community Recommendation:

- ◆ The State should increase vocational training and ESL courses for low-wage API workers.

Problem: APIs frequently do not advance professionally due to the glass ceiling for minorities.

Community Recommendations:

- ◆ The government should continue to monitor the promotional and hiring practices of employers.
- ◆ The API community should overcome and break stereotypes that contribute to the glass ceiling.
- ◆ The professional and business achievements of APIs should be promoted and celebrated.

Relevant Legislation

- ◆ AB 2275 (Dymally): Requires each state agency to establish a program to provide equal employment opportunity to all job applicants and employees based on merit. (*Vetoed by Governor, 2004*)

¹ “Hate Crimes in California 2003.” California Department of Justice, Available at the California Attorney General’s homepage, <http://caag.state.ca.us/cjsc/publications/hatecrimes/pub.htm>.

² Commission on Peace Officer Standards and Training, Asian & Pacific Islander Appointments for Police, Sheriff & CHP, Available at <http://www.post.ca.gov/>.

³ Brown, E Richard, Ninez Ponce, Thomas Rice, and Shana Alex Lavarreda. “The State of Health Insurance in California: Recent Trends, Future Prospects.” University of California, Los Angeles Center for Health Policy and Research, March 2001. Available at <http://www.healthpolicy.ucla.edu/pubs/publication.asp?pubID=28>.

⁴ Brown et al.

⁵ “California’s Likely Voters.” August 2004. Public Policy Institute of California. Available at http://www.pplic.org/content/pubs/JTF_LikelyVotersJTF.pdf.

⁶ California Department of Education, Statewide Summary Data based on Dropouts by Grade and Ethnicity for 2002-2003.

⁷ “Statewide Summary Data based on 12th Grade Graduates Completing all Courses Required for U.C. and/or C.S.U. Entrance.” California Department of Education, Available at <http://www.cde.ca.gov/re/pn/rc/>.