



**COMMISSION ON
ASIAN & PACIFIC ISLANDER AMERICAN AFFAIRS**

ANNUAL REPORT 2004

**BUILDING OUR COMMUNITY:
RECOMMENDATIONS FOR SUPPORTING
ASIAN PACIFIC ISLANDER AMERICANS
IN CALIFORNIA**

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INTRODUCTION

The California Commission on Asian and Pacific Islander American Affairs is proud to present its first annual report to the Governor and the Legislature. The Commission's mission is to elevate the political, economic, and social issues of California's Asian Pacific Islander American communities. It is charged with advising the Governor and the Legislature on issues of importance to these communities.

The Commission was established by legislation (Assembly Bill 116) authored by Assemblymember George Nakano and co-authored by members of the Asian Pacific Islander Legislative Caucus in 2002. The concept for the Commission originated from the community, and its establishment was the result of strong community support and advocacy. The creation of the Commission is a historic recognition of the accomplishments and needs of California's growing Asian Pacific Islander American population.

The Commission consists of 13 members appointed by the Governor and the Legislature. It is a citizens' commission comprised of community leaders from different vocations, backgrounds, and regions of the state who can give an impartial assessment of the Asian Pacific Islander American communities' needs. The Commission seeks to make state government more responsive and efficient by helping state agencies, departments, and commissions improve service delivery to these communities. It also disseminates information on state programs and services that are important to Asian Pacific Islander Americans.

The Commission has been operating since January 2004. Although the Commission was established by statute, it does not receive any state funding and is supported entirely by private funds and donations. Despite the lack of state funding, the Commission, in its first year of operation, met four times and developed policy priorities.

In 2004, the Commission adopted language access, hate crimes, and the Hmong refugee resettlement as priority issues for the year. On November 16, 2004, it held its first statewide hearing at the Capitol on the issue of resettling Hmong refugees, co-sponsored by the Asian Pacific Islander Legislative Caucus and Senate Health and Human Services Committee. The hearing helped to inform elected officials, government agencies, and the public about the challenges and opportunities California faces in the resettlement of nearly 6,000 new Hmong refugees over the next year.

In 2005, the Commission plans to continue work on its existing priorities as well as examine the effects of gambling on the Asian Pacific Islander American communities. The Commission also intends to increase its involvement in the legislative and policy-making process on issues discussed in this report.

The Commission holds public meetings four times a year. For more information on the Commission, please contact Dr. Norman Hui, Chair of the Commission, at (510) 843-2223.

THE COMMISSION



[left to right]: Fritz Friedman, Charles Woo, Alexis Wong, Francisco Hsieh, Luisa Blue, Albert Seto, Diane Ujjiye, David Kim, Norman Hui, Philip Ting, Paul Osaki; *[not pictured]:* Akemi Arakaki and Ann Nguyen

EXECUTIVE SUMMARY

This report provides an overview of the demographic characteristics of Asian Pacific Islander Americans in California, followed by in-depth analyses of key issues that are important to the community, and the Commission's policy recommendations in each area.

Chapter One describes the rapid growth of the Asian Pacific Islander American population. As of 2004, over one out of eight Californian residents, or 4.35 million individuals, are of Asian or Pacific Islander ancestry. The community has been characterized by rapid growth and increased diversity since the U.S. reformed its immigration laws in 1965. While Chinese- and Filipino-Americans are still the largest ethnic groups, the Vietnamese, Korean, Japanese, Asian Indian, and Native Hawaiian/Pacific Islander communities all make up at least five percent of the Asian Pacific Islander American population in California. Approximately two-thirds of the Asian Pacific Islander American population were born abroad; while most are fluent in English, there are significant numbers of immigrants who are still in the process of learning English. Contrary to the widely-held stereotype of Asian Pacific Islander Americans as the "model minority," Census data shows that most have a significantly lower median income per capita than non-Hispanic whites, and a greater percentage live in poverty.

Chapter Two addresses the need for California to develop language policies that facilitate the integration of new immigrants and help them be economically productive. Almost nine million Californians speak English less than "very well." However, most immigrants are highly motivated to learn English. Immigrants who are fluent in English make almost twice the hourly wages of those who do not speak the language. English fluency also allows immigrants to participate more fully in their children's education and activities in their local communities. Helping immigrants learn English has many benefits for the state. But California currently does not provide sufficient funding to support programs that teach immigrants English. In addition, some of the current funding formulas for adult education are outdated. They do not address the growing need for more English-acquisition courses, as well as courses that help immigrants develop vocational skills as they are learning English.

Commission's Recommendations:

- State and local policymakers should examine whether the current allocation of adult education resources for language acquisition courses are adequate to address the state's needs and provide proper incentives for educational institutions to offer high quality programs in this area.
- Policymakers should examine how the state can provide more support for and incentives to develop programs that address multiple needs of recent immigrants by integrating English acquisition with vocational and other skills development.

Chapter Two also addresses the need for state and local government agencies to make their services accessible to immigrants who are in the process of learning English. California has long had a state law, the Dymally-Alatorre Bilingual Services Act, requiring government services to be accessible to people with limited English skills. But studies have shown that the law has never been fully implemented. The result is that numerous limited English-speaking individuals, including Asian Americans, may have great difficulty accessing government services that would allow them to be more self-sufficient. The harmful effects of language barriers in government agencies also affect the broader community. When limited English-speaking individuals cannot communicate with police or health workers, unsolved crimes and untreated illnesses can endanger public safety and health. While state agencies have been slow in making their services accessible, the private sector in California has developed innovative programs to communicate with limited English-speaking people by prioritizing the hiring of bilingual staff and translating sales and product materials into languages commonly spoken in a local community. Similarly, several local governments have also adopted comprehensive policies to improve limited English-speaking people's access to services.

Commission's Recommendations:

- The State of California should strengthen the Dymally-Alatorre Bilingual Services Act. State agencies that have not complied with this law should be required to take remedial steps to make their services more accessible to residents with limited English skills.

- State and local agencies should adopt language access practices that have been effective in the private and public sectors. These include regular assessments of language needs in government offices, hiring of sufficient bilingual staff in the languages most widely spoken in a particular locality, translating and distributing important government documents, implementing evaluation procedures, and developing cost effective procedures for providing language assistance.

Chapter Three addresses the continuing problem of racial violence against Asian Pacific Islander Americans. It discusses some general causes of hate violence and describes the tremendous increase in violence against South Asians following the September 11, 2001 terrorist attacks. While the state Attorney General has reported a downturn in hate crimes during the past two years, these reports do not take into account that many hate crimes are not reported to law enforcement agencies. In the Asian Pacific Islander American community, a number of factors contribute to the under-reporting of hate crimes: the lack of knowledge of hate crime laws and procedures to report them, fear of retaliation by perpetrators, lack of linguistically accessible services by law enforcement agencies, as well as the frequent failure of law enforcement officials to recognize and respond properly to reported hate crimes.

Commission's Recommendations:

- Increase the number of local police agencies that have established hate crime procedures or protocols which provide guidance to peace officers on how to respond to reported hate crimes. The state should consider requiring local law enforcement agencies to adopt such protocols if they do not voluntarily take this step.
- Increase and improve training of local law enforcement to recognize and respond to hate crimes. All relevant law enforcement personnel should receive hate crime training and periodic updates.
- Make hate crime reporting processes more accessible to communities with limited English skills and those that may have concerns about interacting with law enforcement.
- Support community-based networks to prevent hate violence and respond to instances of hate.
- Address the growing number of hate incidents in public schools by having schools adopt anti-hate violence policies and provide training to teachers and administrators to implement the policies.

Chapter Four provides background information on the U.S. decision to allow approximately 15,000 Hmong refugees to resettle in this country between August 2004 to February 2005. These refugees are family members of Hmong veterans recruited by the CIA to fight a secret war in Laos during the Vietnam War and have been living in poverty-stricken conditions in a Buddhist monastery in Thailand. Nearly five thousand Hmong refugees will be joining their families in California, primarily in the Fresno and Sacramento areas. These Hmong refugees have worked extremely hard to survive their experience in Thailand, and initial assessments indicate that they are a remarkably self-sufficient and resourceful community. Nevertheless, many will need assistance in adjusting to life in the U.S. The chapter describes federal, state and private resources that are available to help with the resettlement process and suggests strategies to help integrate these newcomers.

Commission's Recommendations:

- State and local governments as well as resettlement agencies should work with existing Hmong organizations to help integrate the new refugees.
- Health, education, social services, job search and training programs, and other vital government services need to be accessible to refugees with limited English skills.
- English and vocational training programs should be provided to help the Hmong refugees become economically self-sufficient.
- Local school districts should develop programs to address the needs of refugee children who have not had the opportunity to regularly attend school and who will need time to adjust to the U.S. education system.
- Local agencies should help enroll new refugees in appropriate healthcare and social service programs.
- Local agencies should try to leverage their expenditures with grants from private foundations.
- California policymakers should support efforts to obtain additional federal funding to help with the resettlement process.

I. ASIAN PACIFIC ISLANDER AMERICANS IN CALIFORNIA: A DEMOGRAPHIC OVERVIEW

U.S. residents who trace their ancestry to Asia and to Hawaii and other Pacific Islands have lived in California for over 150 years. Asian Pacific Islander Americans¹ began arriving in significant numbers with Chinese immigrants during the Gold Rush era, Japanese farm workers in the late 1800s and Filipinos after the Spanish-American War.

Most of the early Asian immigrants were laborers who left their native countries to escape poverty. While Asian labor was initially welcomed, as more Asians arrived, Californians treated these workers harshly. Beginning in the late 1850s, the state passed a series of laws that discriminated against the Chinese, including the prohibition of residency in incorporated cities as well as employment by municipalities or corporations. The Chinese were prohibited from marrying whites, and their children were allowed to attend only segregated public schools. The bias against Chinese immigration spread from California to the nation's capitol, where Congress passed the *1875 Page Law*, barring the entry of Chinese women into the United States. In 1882, the *Chinese Exclusion Act* banned the immigration of Chinese laborers altogether. Although the United States continued to allow residents of selective Asian countries to immigrate, the harsh attitudes towards the Chinese eventually extended to other Asians. By 1924, the United States barred virtually all immigration from Asian countries.²

As a result of these discriminatory immigration policies, the population of Asian Pacific Islander Americans remained relatively small in the United States until the mid-1960s and consisted almost entirely of people of Chinese, Japanese and Filipino ancestry. Two developments dramatically changed the composition of Asian Pacific Islander American populations. The first was a modification of U.S. immigration policy: in 1952, the *McCarran-Walter Act* removed racial barriers; and in 1965, the *Immigration Act* eliminated discriminatory national quotas. These

reforms opened up immigration to non-Europeans and allowed new generations of Asian immigrants and their families to migrate to the United States. The second development resulted from the U.S. involvement in the Vietnam War and other conflicts in Southeast Asia. These conflicts led to the displacement of millions of refugees from Vietnam, Cambodia, and Laos, many of whom arrived in the United States in the 1970s and 1980s.

Today, these developments have transformed California's population. Like the earlier immigrants who helped settle California, Asian newcomers continue to be attracted to the Golden State and are playing a critical role in contributing to its economic and cultural vitality. Over one-third of the U.S. Asian Pacific Islander American population lives in California. Approximately one of eight Californians are of Asian, Native Hawaiian or Pacific Islander ancestry. This population makes up a growing part of the state's workforce, representing 22% of the state's physicians and surgeons, 22% of registered nurses, 39% of computer hardware engineers, 11% of postsecondary teachers, and significant segments in a wide range of other professional and service jobs.³ Asian Pacific

Islander Americans account for over 40 percent of the state's minority-owned businesses,⁴ and at the national level, over 400,000 serve in the military forces.⁵

Despite their growing presence and contributions, Asian Pacific Islander Americans are still too often misunderstood or wrongly stereotyped. For instance, there exists a widely held "model minority myth" that Asian Pacific Islander Americans differ from other racial minorities in their ability to overcome discrimination and poverty. The stereotype has caused policymakers to overlook this community's economic and social needs while increasing racial tensions with other groups. The "perpetual foreigner" stereotype, asserting that Asian and Pacific Islander Americans are incapable of adopting the values and beliefs of American culture, has led to discrimination and even

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violence and hate crimes against community members.

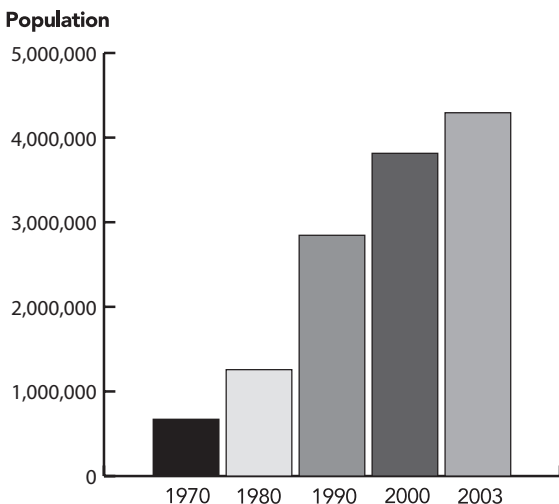
This chapter offers an overview of demographic information about Asian Pacific Islander Americans in California, and the information presented below clearly demonstrates how false these stereotypes are. The following sections show that the Asian Pacific Islander American population has grown rapidly over the past forty years, naturalized at a very high rate, and is becoming increasingly diverse. While some segments of the community have achieved tremendous economic success, others struggle financially, face challenges in learning English, and must overcome a number of barriers to fully participate in their local communities.

Rapid Population Growth Through Immigration

The Asian Pacific Islander American population increased nationally from approximately one million in 1960 to 12.4 million in 2003, (not including individuals who identify as more than one race.)⁷ As illustrated by Figure 1, California experienced similar growth in its Asian Pacific Islander American population, as the community increased by almost sixfold between 1970 and 2003. California had 4,148,196 Asian Americans and 145,409 Native Hawaiian/Pacific Islanders in 2003. If multiracial individuals are included, California had 4,563,499 Asian Americans and 245,934 Native Hawaiian/Pacific Islanders.⁶

Figure 1: Growth of Asian Pacific Islander American Population in California, 1970-2003

Source: State of California Department of Finance and U.S. Census Bureau

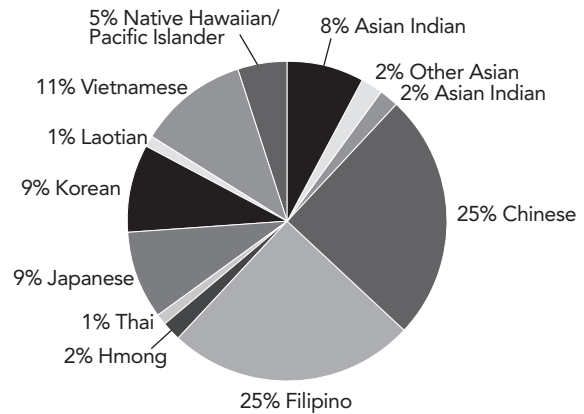


The driving force behind this population growth since the mid-1960s has been renewed immigration. Immigrants – defined as individuals born abroad – make up 68 percent of the Asian Pacific Islander American community in the U.S. compared to only 32 percent in 1960.⁷ Asian Pacific Islander Americans make up one-third of the immigrant population in California.⁸

Ethnic Diversity

Prior to 1965, Chinese-, Japanese-, and Filipino Americans made up 93% of the total Asian Pacific Islander American population in the U.S.⁹ However, with changes in national immigration policies and the arrival of Southeast refugees after the Vietnam War, the population has become more and more diverse. By 2000, the three ethnic groups accounted for less than half of the Asian Pacific Islander American population at the national level. Figure 2 shows the growing ethnic diversity of the community in California.¹⁰ While Chinese- and Filipino- Americans still account for a significant part of the community, a number of newer populations are emerging, with Vietnamese, Korean, and Asian Indian communities among the largest and fastest growing.

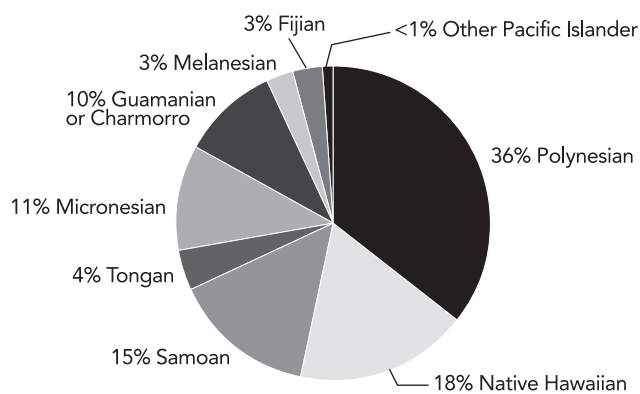
Figure 2: 2000 California Asian Pacific Islander American Population by Ethnicity



Pacific Islanders and Native Hawaiians make up approximately five percent of the Asian Pacific Islander American population in California. Unlike Asian immigrants, Pacific Islanders and Native Hawaiians are U.S. nationals, and even those who migrate to the U.S. mainland are more acculturated to American culture and usually flu-

ent in English. California has the second largest state population of Pacific Islanders and Native Hawaiians. Three of the four U.S. cities with the largest population of this community are in Southern California – Los Angeles, San Diego and Long Beach. Figure 3 shows the various ethnic groups among individuals who identify as a Native Hawaiian/Pacific Islander alone or in combination with another race. While Native Hawaiians are the largest group nationally, in California Polynesians represent one-third of this population, followed by Native Hawaiian at 18%, and Samoans at 15%.

Figure 3: 2000 Native Hawaiian/Pacific Islander Populations



Growing Multiracial Population

Not only is the Asian Pacific Islander American population characterized by growing ethnic diversity, but it is also becoming increasingly multiracial, particularly among residents born in the United States. The 2000 Census reports that almost 13 percent of the Asian Pacific Islander American’s population in California identified with more than one race.¹¹ The percentage of multiracial individuals was higher within more established communities, such as Pacific Islanders, Native Hawaiians, Japanese-Americans, and Filipino-Americans, and lower within newer communities. Pacific Islanders and Native Hawaiians were the most likely to be multiracial, with 48 percent of these California residents identifying with more than one race.

Limited English Skills

Because two-thirds of Asian Pacific Islander Americans in the U.S. were born abroad, acquir-

ing English skills and overcoming language barriers is an important challenge faced by many in this community. According to the 2000 Census, 73% of Asian Americans over the age of five speak an Asian language at home (compared with 40% for all California residents). The majority of Asian Americans speak English fluently, but a significant part of the population is still in the process of learning the language. 23 percent of Asian Americans live in linguistically isolated households, where no one over the age of 14 speaks English well; up to 41 percent of Asian Americans in California speak English with some limitations.¹¹

Immigrants must acquire English skills to achieve economic success and to integrate fully in their local communities. At the same time, language barriers at government agencies can seriously impede immigrants’ ability to access healthcare, transportation, police, and other social services. These services are critical to protecting health and safety and promoting economic self-sufficiency. As discussed in the next chapter, state and local government should play stronger roles in addressing these challenges by making English instruction programs more available to recent arrivals. They should also eliminate language barriers at government agencies so that immigrants can access basic services regardless of their English proficiency.

High Naturalization Rates

Despite the “perpetual foreigner” stereotype, most Asian Americans possess a strong desire to become U.S. citizens. This desire is reflected by their high rate of naturalization. Table 1 compares the naturalization rates of Asian immigrants with other immigrants, showing that Asians consistently naturalize at a higher rate regardless of when they arrived in the United States. For Asian immigrants who have been in the country for at least twenty years, the naturalization rate is almost 90 percent. Citizenship requires both a change in national allegiance and a level of acculturation needed to pass the naturalization test. Citizenship also opens the door to full political participation, including the right to vote. The high rate of U.S. citizenship among Asian immigrants reflects this desire to fully participate in American society.

Table 1: Naturalization Rate of Immigrants Residing in California

Source: 2000 Census Summary File 4

| Year of Entry | All Immigrants | Asian Immigrants |
|---------------|----------------|------------------|
| 1990-2000 | 12.9% | 37.7% |
| 1980-1989 | 41.4% | 66.4% |
| Before 1980 | 68.6% | 87.8% |

Family Income and Poverty¹³

National statistics on Asian Pacific Islander American income have consistently shown that this community has a higher median household income compared with other racial or ethnic groups. For example, the U.S. Census Bureau reports that in 2002, Asian Pacific Islander Americans had a median household income of \$52,018 compared with \$46,700 for non-Hispanic whites, \$29,177 for Blacks, and \$33,103 for Hispanics.¹⁴ However, using national median household income to measure economic strength can be misleading. Asian Pacific Islander Americans have larger households, with more workers who contribute to household income; also, they reside primarily in the high cost states of California, Hawaii or New York. For instance, restricting the analysis to California shows that Asian Pacific Islander Americans' median household income is six percent *lower* than for non-Hispanic whites.¹⁵ The examination of the median *per capita* household income which takes into account family size presents an even more accurate measure. Table 2 provides this information for California.

Table 2: 1999 Median Per Capita Household Income in California by Race/Ethnicity

Source: 2000 Census Summary File 3

| Race/Ethnicity | Median Per Capita Income |
|--------------------------------------|--------------------------|
| Total | \$22,711 |
| White, Non-Hispanic | \$27,707 |
| Asian | \$22,050 |
| Native Hawaiian/ Pacific Islander | \$15,610 |
| Black | \$17,447 |
| Hispanic/Latino | \$11,674 |
| American Indian | \$15,226 |

Table 2 shows that when household size is taken into account, Asian Pacific Islander Americans' income levels change significantly relative to other communities. In California, both Asian American and Native Hawaiian/Pacific Islander households have per capita income that are, respectively, 20 percent and 45 percent lower than non-Hispanic whites. Native Hawaiians' and Pacific Islanders' per capita income of \$15,610 is lower than any other ethnic groups except for Hispanics and American Indians.

Within the Asian Pacific Islander American community, there is also a great range of household incomes. Table 3 shows that the per capita income in California among these populations ranges from a low of \$5,263 for the Hmong community to \$32,745 for Japanese Americans. Only three of the ethnic groups – Asian Indian, Chinese and Japanese – have incomes that are higher than the state median of \$22,711. Only one – Japanese – has a higher income level than non-Hispanic whites.

Table 3: 1999 Median Per Capita Household Income By Asian Pacific Islander American Ethnic Groups in California

Source: 2000 Census Summary File 3

| Ethnicity | Median Per Capita Income |
|--------------|--------------------------|
| Asian Indian | \$29,232 |
| Cambodian | \$ 8,534 |
| Filipino | \$20,543 |
| Chinese | \$25,415 |
| Hmong | \$ 5,263 |
| Japanese | \$32,745 |
| Korean | \$19,643 |
| Polynesian | \$14,501 |
| Samoaan | \$11,558 |
| Vietnamese | \$16,000 |

The examination of poverty rates is another way to analyze the socioeconomic status of Asian Pacific Islander Americans. Overall, U.S. Census Bureau data indicates that the poverty rate of this community is slightly lower than the national average. In 2002, Asian Pacific Islander Americans had an overall poverty rate of 10.0 percent compared with a national average of 12.1 percent and 8.0 for non-Hispanic whites.¹⁶ Table 4 presents

poverty information in California by the various ethnic communities. Once again, there is great variation. California had an average poverty rate of 14.2 percent in 1999. The poverty rate for non-Hispanic whites was 7.8 percent compared with 12.8 percent for Asian Americans and 15.7 percent for Native Hawaiians and Pacific Islanders. Table 4 shows that with one exception – Filipinos – all of the other Asian Pacific Islander American communities had significantly higher poverty rates than for non-Hispanic whites, and only four groups have lower poverty rates than the state’s average. The Hmong community exhibits the highest poverty rate, with over 50 percent living below the poverty level, followed by Cambodians, Laotians and Samoans.

Table 4: 1999 Poverty Rates in California
Source: 2000 Census Data Summary File 3

| Race/Ethnicity | Poverty Rate |
|----------------------------------|--------------|
| Total | 14.5% |
| Non-Hispanic Whites | 7.8% |
| Asian Americans | 12.8% |
| Native Hawaiian/Pacific Islander | 15.7% |
| Asian Indian | 8.9% |
| Cambodian | 40.8% |
| Chinese | 11.7% |
| Filipino | 6.4% |
| Hmong | 53.2% |
| Japanese | 9.1% |
| Korean | 14.8% |
| Laotian | 32.2% |
| Polynesian | 17.8% |
| Samoan | 20.4% |
| Vietnamese | 18.0% |

Overall, the income and poverty data demonstrates that the “model minority myth” is a false characterization of Asian Pacific Islander Americans. While segments of this community have achieved economic success, a significant portion has an income level below the state’s median and a number live in poverty. Poverty rates are particularly high among refugee communities that were displaced by the Vietnam War.

In developing social, health, and economic policies at the state and local levels, California policymakers need to examine carefully the

challenges facing this rapidly growing community. Given the large variations in socioeconomic characteristics between Asian and Pacific Islander ethnic groups, it is equally important to analyze disaggregated data to ensure that policymakers do not overlook those who are most in need of government assistance.

Resources

- **U.S. Census Bureau – www.census.gov**
 This Web site contains extensive demographic data. Information is available in summary form at the national, state, and municipal levels. For detailed information about specific characteristics, or for data on geographic areas smaller than a city, use the “American Fact Finder” tool to examine data from Census 2000. The Bureau’s Asian and Pacific Islander Web page can be found at <http://www.census.gov/population/www/socdemo/race/api.html>.
- **Counting California – <http://countingcalifornia.cdlib.org>**
 A project of the California State Library and California Digital Library, this Web site presents summarized demographic information on California’s population, including Census 2000 data.
- **UCLA Asian American Studies Center – <http://www.sscnet.ucla.edu/aasc/>**
 This Web site presents summarized demographic data on Asian Pacific Islander Americans.
- **California Department of Finance – <http://www.dof.ca.gov/HTML/DEMOGRAP/Druhpar.htm>**
 The Demographic Research Unit within the Department of Finance offers data on California demographic characteristics and is the official source for state planning and budgeting.

II.

THE LANGUAGE OF INTEGRATION: DEVELOPING POLICIES TO HELP NEWCOMERS LEARN ENGLISH AND TO REDUCE LANGUAGE BARRIERS IN GOVERNMENT SERVICES

Overcoming language barriers and acquiring English skills are critical to immigrants, who make up two-thirds of the Asian Pacific Islander American population.¹ 41 percent of Asian Pacific Islander Americans speak English less than “very well.”² In California, millions of other immigrants share these challenges. Approximately one in four Californians is foreign born,³ and 8.9 million residents over the age of five speak English with some limitations.⁴ Despite these language barriers, immigrants play an increasingly important role in California’s economy. Their workforce participation rates are higher than those of American-born residents. Immigrants make up one-third of the state’s total labor force⁵ and will account for virtually *all* of the net growth in the 25- to 54-year-old workforce in both California and the U.S. over the next two decades.⁶

Immigrants will account for virtually all of the net growth in the 25- to 54-year-old workforce in both California and the U.S. over the next two decades

To take advantage of assets that immigrants bring to California, the state should help them acquire the English skills necessary to integrate and succeed in U.S. society. However, developing English skills takes time, even when language acquisition programs are effective. During this learning period, immigrants must survive and become productive. Rather than isolating limited English-speaking immigrants, by denying them access to government agencies, California should reduce language barriers in the public sector so that they have access to services that support self-sufficiency. Maintaining a balance between the initial use of native language skills and the learning of English helps immigrants achieve full integration.

California should adopt language policies that maximize immigrants’ potential to contribute and participate in their communities. In this chapter, we focus on challenges limited English-speaking adults face in acquiring English skills and in accessing government services that facilitate self-

sufficiency. We examine the shortcomings of current policies and offer a series of recommendations in both areas.

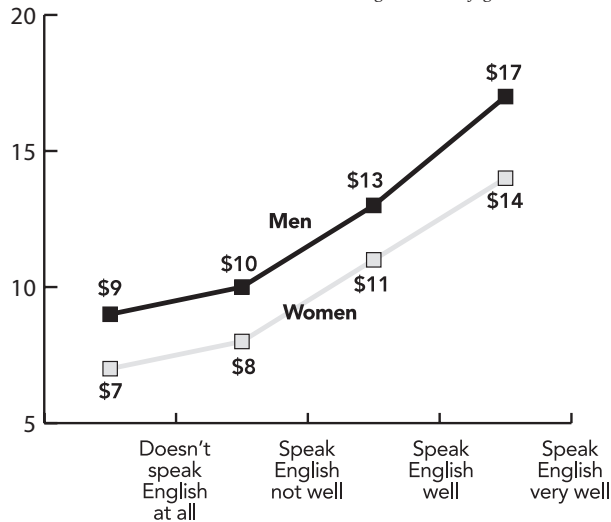
English Language Acquisition

Most immigrants, including Asians, arrive in the U.S. with limited English skills, but they are highly motivated to learn new language skills. The incentives for learning English are numerous. For immigrant adults, English fluency leads to better paying jobs, greater self-sufficiency, opportunities for civic participation, and full participation in their children’s education. Studies have also shown that English fluency among immigrant parents facilitates better familial communication and reduces inter-generational conflicts. This is particularly true as first-generation children become fluent in English and less able to speak the family’s native language.⁷ From society’s standpoint, helping immigrants learn English also has many other benefits. It facilitates the integration of newcomers into the local community, helps them become more economically productive, and allows them to more fully participate in and contribute to society.

Figure 2, based on 2000 Census data, shows the economic impact of English language acquisition on immigrants and explains why so many are motivated to improve their language skills. Immigrant workers who speak English “very well” earn about *twice* as much in hourly wages as immigrants who do not speak English.⁸ Similarly, employment rates are higher for English proficient workers; their families are more likely to have health-care coverage, and far fewer live in poverty compared with immigrants who do not speak English well.⁹

Figure 4: Hourly Wages of Immigrant Workers by English Language Proficiency, 2000

*Reproduced with permission from
Grantmakers Concerned with Immigrants and Refugees*



However, learning English takes both time and appropriate training. Research suggests that the job prospects of a worker with limited English ability increase substantially when his or her English fluency achieves a level equivalent to those who have lived in the United States for 5 to 7 years or have taken class-room instruction for 500 to 1000 hours.¹⁰ California should take advantage of immigrants' desire to learn English and become more economically productive by offering programs to develop immigrants' skills. Yet, current policies undercut this goal. Both the level of language acquisition services and the types of programs offered to immigrants in California make it difficult for many to acquire productive English skills.

Funding for English Acquisition Courses

Most educators and experts agree that current federal and state funding for English acquisition classes consistently fails to meet the demand of the state's growing population. English-as-a-Second Language (ESL) courses, particularly in neighborhoods with large immigrant populations, are often oversubscribed and crowded. Courses offered outside of work hours, when working immigrants can take advantage of them, are particularly scarce. The growth of the state's immigrant population has greatly increased the demand for ESL in the adult education system. In 2001-2002, individuals enrolled in ESL courses made up 43.3 percent of the total number of people

who participated in an adult school program and 20 percent of the state's community college's non-credit courses.¹¹

Given the importance of English acquisition courses and the increase in demand for them, the Commission urges California legislators and other policymakers to re-examine whether current state funding for these programs is sufficient to meet the needs of California residents. Most language acquisition courses are taught within the state's adult education system, which is funded through state apportionment and federal funding from the Adult Education and Family Literacy Act.¹² Policymakers should examine whether the existing formulas for allocating funds to adult education programs meet the needs of the current state population. For instance, the allocation of state funding to adult schools operated by school districts is based on a formula set 25 years ago, after the passage of Proposition 13. While the formula may have reflected the needs of local communities at the time it was established, far-reaching demographic changes have resulted in very different adult education needs throughout the state.¹³

The state's funding formula for non-credit courses at community colleges is even more relevant to language acquisition. Currently, the state provides only *half* of the funding per student for non-credit courses as it does for credit programs. Since most English instruction courses in the community college system are non-credit, this means that such classes are more crowded than regular classes. For example, in high-cost urban areas, community colleges typically need a minimum of 30 to 35 students enrolled in an ESL course simply to cover their costs, even though such large classes can compromise the quality of education. While it may seem appropriate for the state to fund most non-credit courses at a lower rate, this funding formula for English instruction non-credit courses makes it difficult for community colleges to meet the language needs of communities with large immigrant populations.

COMMISSION'S RECOMMENDATION:

State policymakers should examine whether the current allocation of adult education resources addresses the state's needs and provides proper

incentives for educational institutions to offer high quality and sufficient levels of English acquisition courses to the growing immigrant community. In particular, policymakers should re-evaluate the current funding formulas used for adult education programs and non-credit courses at community colleges.

Integrating ESL with Vocational and Other Skills Training

Policymakers should not only examine the adequacy of funding sources for English acquisition programs but also whether the state is providing the “right mix” of language training for immigrants. Given the diversity of California’s immigrant community, a “one size fits all” approach to language instruction is not the most effective way of teaching English skills. Yet, the vast majority of English instruction programs continue to rely on the traditional ESL model, in which participants are taught so-called *basic* English skills (or what some have characterized as “survival English”). While these courses are appropriate for many new immigrants, a growing number of experts have urged educational institutions to offer more programs that integrate English instruction with the teaching of other skills, such as math or vocational training.

To find good-paying jobs, many limited English-speaking residents need not only language training but also basic skills development and orientation to the U.S. job market. Yet, under the current adult education system, there are few vocational training options available for individuals who are not proficient in English.¹⁴ Limited English-speaking adults must typically go through a sequential

educational process. They need to enroll in several levels of ESL courses, until they acquire English skills that enable them to participate in GED, higher education or job training programs. Most immigrant adults do not have the time to complete this lengthy process. Economic pressures force many to stop taking language and other educational courses that would improve their skills.

Integrating English and Job Skills Training for Asian American Construction Workers

In collaboration with City College of San Francisco, Chinese for Affirmative Action, a nonprofit organization, developed an 18-week Vocational ESL program for immigrant construction workers. The program provided participants with an orientation of the local construction industry while teaching English vocabulary commonly used in construction. A total of 27 participants were provided with 10 hours of class instruction each week that included English skill training, job search and interview strategies, and orientation and training on how to enter various trade unions. Nine months after the completion of the training program, all 27 individuals were employed, with 23 working in the construction industry. 16 participants were receiving union-scale construction wages, and the average hourly wage was \$18 per hour. Participants attributed their success not only to their improved English skills but knowledge of how to find relatively well-paying construction jobs.

A promising alternative to this long, step-by-step educational process is to integrate language instruction within basic adult education courses or job training programs. These programs can shorten the learning process while providing motivation for immigrants to enroll in English instruction courses. As illustrated by the example in the accompanying box, programs that either combine English instruction with job skills training or teach participants workplace English vocabulary have been particularly popular with Asian Pacific Islander American immigrants. Such programs have been successfully used to train limited English-speaking adults in a number of industries, including construction, manufacturing, healthcare, childcare, and culinary services. Programs that also provide job counseling and related support services have been particularly effective in helping immigrants

improve their earnings. Two recent national reports have documented the promise of programs that integrate English instruction with skills development and describe the factors that make them successful.¹⁵

COMMISSION’S RECOMMENDATION:

Despite their success, programs that integrate English instruction with vocational training and other skills development are relatively scarce in mainstream California educational institutions.

The Commission urges policymakers responsible for overseeing California's adult education system to examine how the state can provide support for these important programs and to develop incentives for educational institutions to make more of these programs available to immigrant adults. These programs have the potential to expedite the immigrant integration process by allowing newcomers to learn English and develop skills more quickly. The programs can help these adults become self-sufficient and productive in the workplace sooner and contribute to the state's economy.

Improving Language Access to Government Programs and Services

Developing effective English acquisition programs will help immigrants integrate into California. But given that many immigrants arrive with limited English skills, the state must also make efforts to ensure that their lack of English proficiency does not lead to social or economic isolation. The process of integrating immigrants into local communities requires that they have access to basic services that promote self-sufficiency: education, vocational training, healthcare, and other programs that build a new life in the United States. State and local governments can address these challenges by making vital government services more accessible to English learners by providing their services in widely-spoken non-English languages.

While limited English-speaking individuals may frequently experience communication problems in their daily activities, language barriers can be much more harmful when immigrants are seeking essential services. Communication barriers at government agencies can deprive people of healthcare and social services, safety in the workplace, and the ability to report crimes. Consider some of the following painful experiences of Asian Americans who could not communicate with California government agencies:

- Hongkham Souvannarath, a 51-year old mother of six from Laos, was jailed for 10 months without a hearing because the county misidentified her as someone who was not properly taking her tuberculosis medicine. No charges were filed against her and she had no access to

a lawyer while in jail. After her release, the county was forced to pay Ms. Souvannarath \$1.2 million in damages, a mistake that could have been avoided had county officials been able to communicate with her.¹⁶

- At a public hearing held before the San Francisco Board of Supervisors on May 23, 2001, Asian American domestic violence victim advocates described stories of police officers who failed to respond to domestic violence complaints because they could not communicate with immigrant victims. In one case, a domestic violence victim was *arrested* after the police arrived at her residence. Because the victim could not speak English, the police relied on her batterer for information.¹⁷
- Tim Leung, an 80-year old man suffering from congestive heart failure, colon cancer, high blood pressure, and dementia died within 24 hours of being taken into police custody, because his jailers could not communicate in his native language and were unaware of his medical conditions. Leung's wife tried to explain that her husband was sick and needed medical care, but neither the police nor nursing staff understood her Cantonese.¹⁸
- A Chinese-speaking garment worker from Los Angeles filed a complaint with the State Labor Commissioner against her employer for back wages and overtime. Although she did not speak or read English, the State Labor Commissioner never provided her with translated forms or an interpreter as required by California law. When her case came before an English-speaking investigating officer for a settlement conference, the worker was forced to rely upon her employer – the very person she was suing – to interpret for her.¹⁹

The harmful effects of language barriers in government agencies affect not only the individuals deprived of services but also the broader community. Unsolved crimes and untreated illnesses can endanger public safety and health. If immigrants are unable to report workplace problems, employers can exploit them, which can result in depressing wages and deteriorating work conditions that affect the well-being of all workers – particularly

those in low-wage industries. At the broader level, language barriers can undermine government accountability and threaten our democratic values. When government is unable to communicate with 28 percent of its residents – the percentage of California residents who speak English with some limitations²⁰ – it cannot represent or address the needs of the populace as a whole.

Although California enacted the Dymally-Alatorre Bilingual Services Act,²¹ one of the first laws in the country to mandate access to government services for limited English-speaking residents, the implementation of the law has been consistently poor. In 1999, the State Bureau of Audits released a report examining the implementation of the Dymally-Alatorre Act, which had been in effect for over twenty years. The audit found that only 2 of the 10 state departments reviewed were aware of their responsibility under the Act to translate materials; only one translated materials into the languages of individuals who make up 5% or more of the population it serves, as the Act requires.²² The State Personnel Board conducted a follow-up investigation two years later. While the Board noted that some agencies had made progress, none of the 20 state departments it examined were in compliance with the Act.²³

The failure of state agencies to comply with the Dymally-Alatorre Bilingual Services Act has led to several legislative attempts to strengthen the law by imposing accountability measures for noncompliant agencies and requiring them to take remedial actions when they are in violation of the Act. Unfortunately, both former Governor Gray Davis and current Governor Arnold Schwarzenegger vetoed such bills.²⁴ The failure of the state to live up to the promise of the Act means that many California residents still do not have access to state services that can help improve their lives and their ability to be self-sufficient as they are learning English.

In contrast to the state, the private sector and several local governments have made significant progress in reaching out to immigrants and communicating with them in other languages. Shaped by market forces, private companies – banks, utilities, telephone companies, and other retail busi-

nesses – have provided sophisticated multilingual services for years in communities with large immigrant populations. Leading corporations, such as SBC, Wells Fargo, Charles Schwab, PG&E, and Kaiser Permanente, have prioritized hiring bilingual staff, translating sales and product materials into other languages, and developing multilingual branch offices or telephone centers to communicate with limited English-speaking customers. Many of these private sector practices are summarized in a recent report by an Asian American organization that urges government agencies to increase access to limited English-speaking residents by adopting widely used business practices.²⁵

A number of local jurisdictions have also enacted policies or laws requiring public agencies to provide multilingual services. These policies generally require public agencies to hire sufficient bilingual staff and to translate important government documents into the primary non-English languages that are spoken in a local area. For example, Oakland and San Francisco were the first local governments in the U.S. to adopt language access ordinances. Both cities require that city agencies, at a minimum, have the capacity to communicate with residents in Chinese and Spanish. Monterey Park, Washington D.C., New York City, Philadelphia, and the State of Maryland have adopted similar language access policies, and each responds to the specific language needs of the local population.

COMMISSION'S RECOMMENDATIONS:

The experiences of private corporations and local governments suggest that reducing or eliminating language barriers to government services can be achieved effectively and efficiently when agencies implement policies that do the following:²⁶

- Develop procedures to assess the language needs of its constituency or clients through demographic analysis, surveys, or intake information on an ongoing basis.
- Hire sufficient numbers of qualified bilingual staff in positions that interact regularly with the public.
- Train public contact staff on how to interact with limited English-speaking persons and interpreter services.

- Implement a translation plan that identifies, prioritizes and translates important documents in a linguistically and culturally competent manner.
- Increase the cost-effectiveness of multilingual services by developing centralized language assistance systems that serve multiple offices or agencies. Centralizing resources potentially allows for better quality control and can take advantage of economies of scale.
- Establish procedures for evaluating the quality of bilingual services.
- Establish easy-to-use complaint procedures and effective enforcement mechanisms.
- Inform community members in their own language of their right to receive assistance. Collaborate with community-based organizations and publicize the availability of services through ethnic media outlets – two effective methods of conducting outreach to immigrant communities.
- For the State of California, the Governor and the Legislature should adopt policies that strengthen state agencies' implementation of the Dymally-Alatorre Bilingual Services Act. Agencies that have consistently failed to comply with the Act should be held accountable. Specifically, the state should reconsider the proposals in SB 987 (Escutia) of 2002 and AB 2408 (Yee) of 2004 that would have required non-complying agencies to take remedial steps to increase access to limited English-speaking individuals.²⁷
- Heide Spruck Wrigley, Elise Richer, Karin Martinson, Hitomi Kubo, and Julie Strawn, *The Language of Opportunity: Expanding Employment Prospects for Adults with Limited English Skills* (Aug. 2003).
- California Senate Office of Research, *Adult Education: Will It Meet the Challenges of the Future?* (Apr. 2003).
- Colleen Moore, Nancy Shulock, and David Lang, *Does California Put the Money Where the Needs Are?* Center for California Studies, California State University, Sacramento (Jan. 2004).

Language Access Resources

- Chinese for Affirmative Action, *The Language of Business: Adopting Private Sector Practices to Increase Limited-English Proficient Individuals' Access to Government Services* (2004).
- National Employment Law Center, *Low Pay, High Risk, Chapter 1: Focus on Civil Rights of Limited-English Speakers: Language Access to Government Benefits and Services* (Nov. 2003).
- National Health Law Project, *Ensuring Linguistic Access in Health Care Settings: Legal Rights & Responsibilities* (Aug. 2003).
- California Primary Care Association, *Providing Health Care to Limited-English Proficient Patients: A Manual of Promising Practices* (2003).
- California State Auditor/Bureau of State Audits, *Dymally-Alatorre Bilingual Services Act: State and Local Governments Could Do More to Address Their Clients' Needs for Bilingual Services*, Report No. 99110 (Nov. 1999).
- *Federal Agency Enforcement of Title VI of the 1964 Civil Rights Act* (www.lep.gov)
This interagency Web site contains extensive information about the requirements and enforcement of Title VI by federal agencies. Title VI generally requires any recipient of federal funding to make their services or programs accessible to limited English-speaking individuals.

With the growing immigrant population in California, the state can ill-afford to isolate or ignore individuals with limited English skills. Increasing language access in government is an effective tool to communicate with and help integrate immigrants while they are learning English.

English Language Acquisition and Adult Education Resources

- AFL-CIO Working for America Institute, *Getting to Work: A Report of How Workers with Limited English Skills Can Prepare for Good Jobs* (May 2004).

III. OVERCOMING HATE: REDUCING RACIALLY-MOTIVATED VIOLENCE AGAINST ASIAN PACIFIC ISLANDER AMERICANS

On May 23, 2001, three Hmong men returning home after a day of fishing were brutally attacked by a white male outside of an apartment complex in Chico, California. As they pulled into the driveway, the attacker began to shout, "F----- Chinese, Vietnamese, Cambodian... Go back where you came from." The attacker chased and punched the men and eventually knocked one unconscious. The Hmong men called the police but had problems communicating effectively, because they did not speak English well, and the police did not provide an interpreter. When the attacker repeatedly went back to the apartment complex to harass and threaten one of the victims, the Hmong men inquired about the status of the police investigation. They found the police had made no record of the attack. Following a community outcry, the police eventually arrested and charged the attacker with battery with serious bodily injury. However, the District Attorney did not add a hate crimes enhancement to the charges.¹

While riding home on his bike in Hayward, California in 2001, Harinder Singh was attacked and severely beaten by four men who told him to "go back to your country" and "you are a terrorist." Singh, whose cheekbone was broken during the assault, reported the attack to the police. The police arrested Singh, mistaking him for someone else with a similar name who had an outstanding warrant. After Singh was released, he discovered that the police characterized his complaint as a robbery rather than a hate crime.²

Kenneth Chiu, a 17-year-old Taiwanese American high school student was brutally murdered by his next-door neighbor in Huntington, California. The neighbor stabbed him over 25 times and later confessed to the murder, boasting that he had "acted

like a Marine, like a KKK person." The tragic loss of Kenneth Chiu's life spurred an outpouring of concern and led the California legislature to hold a special hearing in Orange County. In response to this murder, Assemblymember Judy Chu authored a new law that requires individuals convicted of hate crime felonies to stay away from their victims and the victim's family members upon release from incarceration.³

Hate crimes and other racially-motivated attacks against Asian Pacific Islander Americans continue to be a serious problem in California. Thousands of hate crimes, which involve violence or threats against people or organizations perceived to share particular group characteristics, occur each year.⁴ Hate crimes are different from other crimes because they affect not only the immediate victims but also those who share the actual or perceived characteristic of the victims. Hate crimes also harm the broader community. Racially motivated hate crimes, for instance, often increase racial tensions and undermine trust between groups in a community.

Many people believe that hate crime perpetrators are crazed, hate-filled neo-Nazis or "skinheads." However, research indicates that less than 5 percent of hate crimes are committed by members of organized hate groups.⁵ Most hate crimes are carried out by otherwise law-abiding individuals who hold prejudicial beliefs or stereotypes about their targeted victims. The American Psychological Association has observed that such hate incidents are usually driven by prejudice "rooted in an environment that disdains someone who is 'different' or sees that difference as threatening. One expression of this prejudice is the perception that society sanctions attacks on certain groups."⁶

As discussed in Chapter One, Asian Pacific Islander Americans have long been stereotyped as having traits that supposedly make them funda-

mentally different from other Americans. For instance, stereotypes of Asian Pacific Islander Americans as people incapable of integrating into U.S. society, or as untrustworthy or disloyal, have fueled hate violence. Political or economic tension between the U.S. and Asian nations, particularly during difficult economic times, also leads to increased violence against Asian Pacific Islander Americans. Vincent Chin, a well-known victim of hate violence, was killed in Detroit during the recession of the 1980s by two white, unemployed autoworkers who were angry about the growth of the Japanese auto industry. More recently, in 2001, the capture of an American spy plane after a collision with a Chinese military jet along the southeast coast of China led to backlash against numerous Asian Americans living in this country.⁷

But past hate violence against Asian Pacific Islander Americans could not prepare the community for the scale and intensity of the backlash that followed the September 11, 2001 terrorist attacks. As one observer noted:

In the nine weeks following the September 2001 terrorist attacks, California and the rest of the country suffered what may have been the most widespread and prolonged wave of targeted, violent hate crimes since the end of widespread lynching of African-Americans. The targets of post-9/11 attacks typically were both U.S.-citizen and foreign-national Arabs and Muslims, but also Sikhs, South Asians, and Latinos who the criminals apparently misperceived as members of the targeted group.⁸

Violent assaults were numerous and widespread. South Asian American Leaders of Tomorrow, a nonprofit organization, reviewed news articles published in the week following September 11th and found 645 reported hate incidents across the U.S., including 49 physical assaults. South Asians were involved in 13 percent of the reported incidents. Those involving Sikhs made up more than half of the South Asian total.⁹ In California, the

Past hate violence against Asian Pacific Islander Americans could not prepare the community for the scale and intensity of the backlash that followed the September 11, 2001 terrorist attacks

Attorney General reported 428 hate crimes in the category that includes Arab and other Middle Eastern victims in 2001, an increase of 346% over the previous year. Anti-Islamic hate crimes increased by 2,333%. Advocates noted that this data includes some attacks against South Asians. A number of law enforcement officials were not aware that South Asians are part of the Asian Pacific Islander American community and classified these hate incidents in other categories.¹⁰ In

addition, law enforcement officials often classify hate crimes based on the *intent* of the perpetrators. Since much of the hate violence directed at South Asians after September 11th was due to the misperception that these individuals share a religious or ethnic identity with the terrorists who attacked the World Trade Buildings, some of these hate crimes were probably classified as anti-Arab or anti-Islamic.

According to the California Attorney General, whose office is responsible for compiling hate crimes reported by local law enforcement agencies, the number of reported hate crimes in the state has gone down in the two years following September 11, 2001. The trend of the Attorney General's data over the past decade has been a slight reduction of reported hate crimes, with the notable exception of those committed in the category that includes Arab Americans (who still experience substantially higher hate crime incidents than before September 11th).¹¹ For 2003, there were 82 reported hate crime offenses committed against Asian Pacific Islander Americans compared with 78 offenses in 2002 and 102 in 2001.

While the Attorney General's data may suggest that hate crimes is on the decline, there are a number of reasons to question the accuracy of this information for Asian Pacific Islander Americans. Experts agree that the official number of hate crimes significantly understates the actual number of such incidents,¹² a view that is shared by most law enforcement officials.¹³

The reasons for the under-reporting are well documented. The Attorney General's Civil Rights Commission on Hate Crimes ("Attorney General's Commission") listed the following reasons that victims do not report hate crimes: lack of knowledge of hate crime laws and how to report them, fear of retaliation by perpetrators, lack of English language proficiency or linguistically accessible services within local law enforcement agencies, and the shame of being a victim of a hate crime.¹⁴ The Attorney General's Commission also found that a primary source of under-reporting is the failure of law enforcement to recognize, investigate, and prosecute hate crimes. As illustrated by the examples at the beginning of this chapter, police officers often do not recognize that violence directed at Asian Pacific Islander Americans is a hate crime even after the issue has been raised by the victim. Instead, these incidents are often investigated as robberies, assaults, or other crimes more familiar to law enforcement.

Even when an attack has been identified as a hate crime, investigating officers may still be reluctant to view the crime as racially motivated. For example, after a group of white youths yelled racial slurs and attacked five Asian teens in San Francisco in 2003, the initial police report identified the attack as a potential hate crime. But the investigating officer ignored this aspect of the case. He reportedly told the attorney representing the victims that these types of cases "happen all the time," and that it was just a matter of "boys being boys."¹⁵ When law enforcement officials do not take reported hate crimes seriously, victims may come to believe that reporting such crimes is futile and decide not to go to the police with these incidents.

How Large is the Under-reporting of Hate Crimes?

The degree to which hate crimes against Asian Pacific Islander Americans are under-reported is difficult to estimate. In testimony before the Assembly Select Committee on Hate Crimes, Asian Law Caucus attorney Malcolm Young compared the number of hate incidents reported in the California Attorney General's annual report with an annual audit conducted by Asian American organizations between 1995 through 2000. While noting that the definition of hate incidents differed slightly between the two reports, Young found, on average, 35% *more* hate incidents were documented by the civil rights organizations compared with those reported to the Attorney General by local law enforcement agencies. Since the community organizations are also likely to have missed some unreported hate incidents, the rate of under-reporting is probably substantially higher.

(Written Testimony of Malcolm Young before the California Assembly Select Committee on Hate Crimes, San Jose, July 28, 2004.)

tions to develop strategies to prevent hate violence. Because of budget limitations, the department has only been able to print its hate crimes prevention brochure in Chinese, Korean, Punjabi, Vietnamese, Hindi, and Arabic. It has been unable to carry out the other requirements of the law, which is set to expire on January 1, 2005.

COMMISSION'S RECOMMENDATIONS:

A growing number of California elected officials have recognized that curbing hate violence should be a top state priority. Over the years, the legislature has enacted a comprehensive set of anti-hate violence crime laws. Since taking office in 1999, Attorney General Bill Lockyer has tried to improve the implementation of these laws by devoting more resources to civil rights enforcement, developing a pilot statewide hate-crime database for law enforcement agencies, and creating a rapid-response protocol for assisting local and federal law enforcement in investigating major hate crimes. While these steps are significant, reducing hate violence over the long run will take more than strengthening anti-hate violence

Recent cuts in law enforcement and in community education resources also contribute to under-reporting of hate crimes. California's budget crisis, combined with increased resources devoted to anti-terrorism measures, has led some state and local agencies to reduce funds available for investigating and providing public education on hate violence.¹⁶ For example, Assemblymember George Nakano successfully authored a law in 2001 to create an Asian Pacific Islander Anti-Hate Crimes Program within the state Department of Justice (AB 1312). The law requires the department to create a statewide program to educate the community on how to report hate crimes, conduct training seminars for community organizations, and work with these organiza-

laws or prosecuting high profile cases. As California's population become increasingly diverse, the reduction of hate violence requires the state to adopt a comprehensive set of policies that both punishes hate crime perpetrators but also actively works to prevent hate violence in local communities. As discussed more fully below, the Commission urges state and local policymakers to prioritize reform in the following areas:

- increase the number of local police agencies that have established hate crime procedures or protocols which provide guidance to peace officers on how respond to reported hate crimes;
- increase and improve training of local law enforcement to recognize and respond to hate crimes by requiring all relevant personnel to receive training and periodic updates;
- make hate crime reporting processes more accessible to communities with limited English skills or those that may have concerns about interacting with law enforcement;
- support community-based networks to prevent hate violence and respond to instances of hate; and
- address the growing number of hate incidents in public schools by having schools adopt anti-hate violence policies and provide training to teachers and administrators to implement the policies.

Improve Reporting and Investigation of Hate Crimes by Law Enforcement Through Clearly Established Protocols and Increased Training

Improving the enforcement of anti-hate crime laws begins with enhancing local police officers' abilities to recognize and investigate hate crimes. If such crimes are to be successfully reported, charged, and prosecuted, police officers must understand the definition of a hate crime and its impact on victims. Only then can victims be appropriately counseled. Yet, according to a recent

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University of California study, as of 2002 only half of the 397 surveyed city police departments and county sheriffs' offices in the state have established hate crime protocols.¹⁷ Such protocols are critical to providing guidelines on how to identify and respond to hate crimes. The authors of the study noted that law enforcement agencies with such protocols were 25 percent more likely to report hate crimes to the Attorney General. The Commission urges

more local law enforcement agencies to establish clear hate crime protocols that provide guidance to officers on how to respond to such crimes. If many local agencies continue to operate without procedures for handling hate crime investigations, the state should consider requiring these agencies to adopt hate crime protocols that make it easier for hate violence victims to seek justice.

Local protocols can be effective only if law enforcement officials are properly trained to implement them. The California Commission on Peace Officer Standards and Training (POST) is responsible for developing curriculum on this subject. POST has included a hate crimes training component in its academy curriculum since 1993. But because state law only requires this training for law enforcement officers who entered the academy after 1993, less than half (43 percent) of peace officers in the state have received the mandatory training. The Attorney General's Commission observed that many senior law enforcement officials who entered police service prior to 1993, including those who may be supervising the investigations of hate crimes, have never received any formal hate crime training. The Attorney General's Commission also expressed concern that dispatchers and other non-sworn law enforcement staff who interact with hate crime victims are not currently required to be trained on hate violence issues.¹⁸

We concur with the concerns expressed by the Attorney General's Commission and urge state policymakers to consider standardized measures that require *all* peace officers and relevant non-sworn staff receive formal training on how to

respond to hate crimes. Based on the difficulties experienced by Asian Pacific Islander Americans, the Commission also urges policymakers to require increased minimum training hours and periodic training updates on hate crimes for law enforcement officers.

Ensure that Hate Violence Reporting Procedures are Accessible to Immigrants

As described in Chapter One, about two-thirds of the Asian Pacific Islander American community are immigrants, and a significant number speak English with some limitations. Many individuals are unfamiliar with hate violence laws and how to report these crimes. Others come from countries where there is strong distrust of government or law enforcement.

Those without legal immigration status are particularly afraid to interact with police agencies. This fear has been reinforced by the large number of immigration raids, detentions, and deportations that have been initiated by federal law enforcement agencies since September 11th. Many of the federal government's anti-terrorism policies, such as the special registration program and the National Security Entry-Exit Registration System, have specifically targeted populations within the South Asian community.

Local law enforcement agencies must recognize these challenges and develop hate crime reporting procedures that are accessible. Such procedures must also be framed in a way to reassure individuals in the Asian Pacific Islander American community that they will not experience retaliation or be otherwise harmed by reporting a hate crime. Specifically, the Commission urges local law enforcement agencies to incorporate the following elements into their hate crime reporting policies:

- *Ensure the reporting process is accessible to people with limited English skills.* If police agencies expect limited-English-speaking individuals to report crimes and cooperate with investigations, the agencies must have the capacity to

If police agencies expect limited-English-speaking individuals to report crimes and cooperate with investigations, the agencies must have the capacity to communicate in non-English languages that are widely spoken in a local community

communicate in non-English languages that are widely spoken in a local community. The previous chapter describes the specific procedures that can be used to increase language accessibility at government agencies. The Commission urges law enforcement agencies to review and adopt these practices. At a minimum, law enforcement agencies should offer limited-English-speaking crime victims the assistance of interpreters during the investigative process. Law enforcement officers should generally avoid using family members or children to interpret in criminal investigations since these incidents are often traumatic. Family members may lack the vocabulary (either in English or in the victim's native language) to interpret properly and provide officers with accurate information.

- *Require that law enforcement officers be familiar with the cultures of Asian Pacific Islander American crime victims.* The culture of ethnic groups affects their relationship with the police and crime reporting. Understanding the culture of crime victims will allow law enforcement officers responsible for hate crime investigations to communicate effectively with victims, to obtain more accurate information, and to provide appropriate referrals for victim assistance. Officers should become familiar with immigrant cultures in their local community. Some local police agencies, including the San Francisco Police Department, regularly invite community members to trainings to address issues that officers should take into account when investigating crimes in these communities.
- *Reassure immigrants that reporting hate crimes will not affect their immigration status or ability to remain in the U.S.* Law enforcement agencies should actively build trust with immigrants and respond to their community needs. It is of critical importance that they reassure immigrants that information will not be shared with federal immigration authorities and that there will be no negative immigration consequences for reporting a hate crime. Over

60 state and local governments in 21 states across the U.S. have adopted policies that generally prohibit local law enforcement from enforcing federal immigration laws or sharing information about a crime victim's immigration status with federal agencies.¹⁹ The goal of these policies is to build confidence so that immigrants are more likely to report crimes and help with investigations. Unless required by federal or state laws, local law enforcement officials should not provide information to federal agencies about the immigration status of crime victims or individuals who help with criminal investigations.

Support Community Networks that Provide Hate Violence Prevention and Victim Assistance

In addition to strengthening law enforcement's ability to recognize and respond to hate crime victims' complaints, state and local government should also support community-based networks that reduce hate crimes and offer assistance when such crimes occur. The Attorney General's Commission found that communities with established anti-hate violence networks have higher rates of hate crime reporting.²⁰ Community-based networks in the Asian Pacific Islander American community are particularly important because this population often has difficulty communicating directly with government agencies.

Community organizations play an important role in educating individuals about their right to live in a hate-free environment as well as how to document and report hate incidents when they occur. Community organizations are often the first place to which hate crime victims go for assistance. This is particularly true for those with limited English skills. These organizations provide counseling and referrals to victims as well as facilitate communication with police departments. In several of the examples described at the beginning of this chapter, community organizations played a critical role in providing advocacy when the police failed to recognize the incidents as hate crimes.

Community organizations can also help prevent hate violence, especially in situations where racial

tension exist between different communities. As the Asian Pacific Islander American population has grown, a sizeable part of the community has been settling in lower-income neighborhoods already inhabited by other established racial groups. Because of language and cultural differences, communications between Asian Pacific Islander Americans and members of these other groups are often difficult, and misunderstandings can easily occur. Community organizations from these respective communities can play an important role in facilitating better communications, thus preventing racial tensions from escalating into violence. Projects that have been undertaken in Los Angeles and the southeast neighborhood of San Francisco provide examples of how community organizations can help to defuse interracial conflict with activities such as neighborhood improvement projects or cooperative school-based programs.

In short, the Commission strongly urges state and local policymakers to fund and support community-based networks that provide:

- programs to prevent hate incidents and crimes;
- community education and training to help individuals understand their rights and how to report hate incidents or crimes;
- services for victims of hate incidents or crimes;
- collection and analysis of hate incidents and crimes; and
- collaboration with local law enforcement agencies to improve staff training and develop procedures for responding to hate incidents or crimes and reporting them.

Help Public Schools Address Hate Incidents

A growing number of hate incidents and crimes occur at K–12th grade schools. The Christopher-Deukmejian Commission, formed to respond to the rise in hate groups, observed four years ago that, “Increasingly, hate groups direct their message to school-aged youth, and the influence of hate groups on school campuses is growing. . . by the time they leave high school, most students will have had direct contact with a hate group, or know someone who has such contact.”²¹

According to the Attorney General's 2003 annual hate crimes report, schools are the third most common location where hate crimes have been reported. During the years between 1995 and 2003, hate crimes increased by 19 percent at schools, while the overall number of reported hate crimes decreased by eight percent.²² Asian Pacific Islander Americans have been particularly affected by the growth in school-related hate violence. The National Asian Pacific American Legal Consortium expressed concern in its latest annual hate violence audit that an increasing number of hate crimes committed against Asian Pacific Islander Americans occur in schools. "A majority of these crimes are violent and consist of assaults on Asian American students by their classmates."²³

Unfortunately, most schools are ill equipped to deal with the rising number of hate incidents occurring on campus. The Attorney General's Commission, which held public hearings throughout California, reported "numerous complaints" by parents about teachers and school officials who took no action against students for using racist, sexist and homophobic slurs against classmates. Some parents testified that school officials often failed to recognize hate incidents even when they involved violence. Likewise, a number of teachers and administrators acknowledged in public testimony that they had neither the time nor resources to address hate incidents. They also stated that most schools do not have guidelines or training that could help school personnel address these issues. Indeed, several school administrators indicated that many schools do not report hate incidents for fear of damaging their school's reputation in the community.

While California laws require public schools to identify and report hate violence, a recent Office of Senate Research paper indicates that implementation of these laws has been poor. For instance, following the Christopher-Deukmejian Commission's report, the legislature enacted two bills: Assembly Bill 1785 (Villaraigosa), requiring

Hate Incidents in Elementary School

Even hate incidents that do not constitute a crime can have severe and damaging consequences for young victims if school officials do not take action to address the problem. At a recent hearing of the California Assembly Select Committee on Hate Crimes, a Sikh American youth described the harassment he experienced at a public elementary school after the September 11th terrorist attacks: "Shortly after beginning [5th grade] I started getting teased about my appearance as a Sikh. I tried to ignore it but it got worse and worse. Other students would call me 'camel top' because of my hair on top of my head or 'Osama's kid' or worse. When I tried to use the boy's bathroom I was pushed out and told to use the girl's bathroom because of my long hair. Other students would follow me home shouting at me and making rude hand gestures. I began to have a lot of headaches and was always stressed out and afraid." The school district initially denied his requests to transfer schools, but with help from a community organization, the youth eventually changed schools when he entered 6th grade.

(Testimony of Ramit Rai before the California Assembly Select Committee on Hate Crimes, Los Angeles, Sept. 28, 2004.)

Unfortunately, most schools are ill equipped to deal with the rising number of hate incidents occurring on campus

public schools to report hate incidents on the California Safe School Assessment crime-reporting form and Assembly Bill 1931 (Scott), requiring the state Department of Education to train local school personnel to identify hate violence and to properly report incidents on these forms. However, the Davis and Schwarzenegger administrations have suspended the Safe School

Assessment reporting requirements for the past three years because of budget constraints. Furthermore, the Department of Education currently provides no funding to train local school staff in this area. The 2001 Senate Bill 257 (Kuehl) also requires school districts to include hate crime reporting procedures in their school-safety plans. But the Department of Education has not consistently checked or evaluated the plans, and there has been no assessment of how many schools are complying with the bill's requirements.²⁴

The Commission believes that preventing and addressing hate incidents in public schools

requires both the commitment of local educational officials and sufficient resources from the state to provide training and guidelines to meet current state law requirements. Every child in California has a right to attend schools that are safe and free from hate-motivated behavior. The Commission urges the state legislators, education policymakers, and local schools to prioritize this goal. Specifically, the Commission makes the following recommendations:

- *Local schools should have specific policies and procedures to identify and respond to hate-motivated behavior.* While state agencies should enact uniform definitions and minimum standards, individual school policies should be developed in collaboration with parents, students, and local community groups that can help support their implementation.
- *Teachers and school administrators must be trained to implement anti-hate bias policies.* The state should identify resources to provide (1) training of local school personnel on how to identify and respond to hate incidents and (2) how to prevent inter-group tensions and hate incidents. In addition, local schools should encourage nonprofit organizations, teachers' unions, other government agencies (including law enforcement), private foundations, and businesses to provide financial or in-kind support for trainings and programs.
- *The state should prioritize funding for schools that have the greatest need for anti-hate bias programs.* Given current budget constraints, the state may want to consider funding a set of pilot projects that address both hate prevention and crisis response. An evaluation of these pilot programs could identify the most effective practices that can serve as models for other Californian schools.

Resources

For more information about hate crimes and other hate-motivated attacks against Asian Pacific Islander Americans, please review the following publications and websites:

- **National Asian Pacific American Legal Consortium (www.napalc.org)** – Publishes an annual audit on racial violence against Asian Pacific Americans and provides background information and advocacy materials at its Web site.
- **California Attorney General (www.ag.ca.gov)** – Publishes an annual report on hate crimes reported by law enforcement agencies throughout the state. The Web site also provides community education information and other anti-hate violence resources.
- **California Attorney General's Civil Rights Commission on Hate Crimes, *Reporting Hate Crimes*, (2001)**, available at www.ag.ca.gov.
- **Warren Christopher & George Deukmejian, *Governor's Advisory Panel on Hate Groups: Final Report*, (2000)**, available at www.ca.gov/gov-site/pdf/press_release/report3.pdf.
- **Valerie Jenness and Ryken Grattet, *Hate Crime Policing in California: A Research Report*** (California Policy Research Center, University of California, Aug. 30, 2003), available at <http://www.ucop.edu/cprc/haterpt.pdf>.
- **California Senate Office of Research, *Protecting Californians from Hate Crimes: A Progress Report*** (Aug. 2004), available at http://www.sen.ca.gov/sor/reports/REPORTS_BY_SUBJ/PUBLIC_SAFETY_JUDICIARY/HATECRIMEREPORT804.PDF.

IV.

THE LONG JOURNEY TO AMERICA: HELPING NEW HMONG REFUGEES RESETTLE IN CALIFORNIA

The United States settled a long overdue debt when it announced in December 2003 that it would admit 16,000 Hmong refugees from Wat Tham Krabok (Wat), a Buddhist monastery in northern Thailand. The refugees were family members of Hmong veterans recruited by the CIA in the 1960s to fight a secret war in Laos during the Vietnam War. The Hmong fighters played the lead role in U.S. efforts to control Laos in its conflict against the Viet Cong and their allies. Hmong soldiers destroyed the munitions and supply lines used by North Vietnamese soldiers, rescued U.S. military personnel downed by enemy fire, and waged war against local communist factions. An estimated 100,000 Hmong died during this conflict.¹ Hundreds of thousands more fled to Thailand to escape persecution when the U.S. withdrew from Southeast Asia in the mid-1970s.

After the U.S. withdrawal, most of the Hmong refugees went to Thailand and were assigned to refugee camps. Many of these refugees were eventually resettled in the U.S., Canada, and European countries, but others remained in Thailand. By the mid-1990s, with support of the international community, the Thai government began to close the camps and to repatriate Hmong people back to Laos. Fearing forced repatriation and persecution at the hands of the Laotian government, a number of Hmong families sought sanctuary in the Wat. With protection offered by a sympathetic abbot, the Hmong population at the Wat grew to over 30,000. But resources for this population were extremely limited. Because the monastery was not recognized as a refugee camp, the residents were ineligible for international aid. Running water and sewer systems were nonexistent. The Thai government treated the Hmong as undocumented immigrants, denying many access to free healthcare or public education. Their immigration status also made it difficult to find jobs. As one observer noted, “there are no hand-outs for these former mountain farmers. The

Hmong must pay Thai merchants for every drop of water, every grain of rice.”²

Despite these challenges, the Hmong residents proved to be resourceful and self-sufficient. They slowly turned the sanctuary into a small town with homes built from bamboo, metal scraps and concrete. They built stores within the Wat and even a small school. However, after the sympathetic abbot died, a harsh crackdown on the Hmong residents by the Thai military made life unbearable. The army built a barbed wire fence around the compound that severely restricted residents’ ability to enter and leave; this made it nearly impossible for the Hmong to earn enough money to pay for the basics, such as water, rice, or sanitation services. The harsh circumstances, combined with advocacy by domestic and international Hmong organizations, eventually led the U.S. to admit this new group of refugees.

Observers have noted that, while some of Hmong Wat residents feel anxious about leaving Thailand for an unfamiliar environment in the U.S., most view the change with excitement and hope. On a recent visit to the Wat, a journalist observed a former guerilla fighter named Kai Yang as he tried to teach youngsters about the U.S.:

Every night after dinner, Yang calls his children and their cousins to the blackboard nailed to the wall of his bamboo hut. He chalks out English phrases they will need to know when they arrive in Sacramento and other U.S. cities later in the year. “America is freedom,” the self-described ex-freedom fighter tells them again and again. As Yang surveys the children shifting restlessly on his dirt floor, he does not see the offspring of poverty and despair. He sees a pilot, an engineer, a teacher, a doctor, a lawyer and – if all goes according to plan – a U.S. senator.³

Reunifying with Family Members in California

Of the nearly 170,000 Hmong who live in the U.S., over 65,000 reside in California.⁴ Most arrived over twenty years ago and have established communities in Fresno, Sacramento, Stockton and Merced. In these areas, the Hmong community has had a significant and positive effect on the local economy and culture. While some Hmong refugees, particularly the elderly, experienced difficulty adjusting to the U.S and continue to feel the traumatic effects of war and displacement, most have adjusted well. In the space of a generation, the community has made the transition from an agricultural based society in the remote hills of Laos to a modern urban California life. A growing number of the Hmong have become professionals, homeowners, business entrepreneurs, teachers, and health workers, and are contributing their skills and resources to local communities.

Approximately 5900 of the Hmong Wat refugees will be arriving in California between August 2004 and February 2005 to join family members. Table 5 shows the U.S. Department of State’s estimate of the number of Hmong refugees who will settle in California localities. 70 percent are expected to settle in Fresno and Sacramento, two cities that already have significant Hmong populations. Other cities that will receive sizeable numbers of Hmong refugees include Merced, Stockton, and Chico.

Table 5: Resettlement of Hmong Wat Refugees in California by Localities

Source: California Department of Social Services (citing data from U.S. Department of State)⁵

| California City | Number of Individuals |
|-----------------|-----------------------|
| Atwater | 52 |
| Chico | 210 |
| Crescent City | 18 |
| Eureka | 67 |
| Fresno | 2027 |
| Hanford | 16 |
| Marysville | 105 |
| Merced | 662 |
| Modesto | 26 |
| Oroville | 177 |
| Sacramento | 2085 |
| Stockton | 429 |
| Winton | 18 |
| Yuba City | 18 |
| TOTAL | 5910 |

The challenge faced by these California communities is how to facilitate the integration process. Many of the Hmong Wat refugees have lived in poverty-stricken conditions for years, and their arrival will initially challenge the educational, healthcare, housing and social service systems in some local communities. To help the newcomers integrate into their new home, one must understand the demographic characteristics of the arriving population: their needs, as well as the assets they bring with them – skills, cultural values, and vitality. It is important to note that both the refugees and the local communities can draw upon federal and state aid, foundation grants, and resources within the existing Hmong population to help with the resettlement. The following are factors in the current situation that should ease the process of integration:

- *Active, established Hmong communities are excited about the arrival and will help with the resettlement process.* Almost all of the new refugees will be joining family members who can aid with the transition. In communities with significant Hmong populations, organizations and businesses operated by Hmong are prepared to assist with resettlement. A number of Hmong *mutual aid associations (MAAs)* have taken the lead in helping policymakers at the national, state and local levels plan for the arrival of these new refugees. In the past, MAAs in California have played a critical role in settling Hmong refugees by providing services and helping to integrate newcomers into local communities.
- *Coordination by the state to provide federal and state resources to help with resettlement.* As described in the accompanying box, there are federal and state resources available to help with the initial transition. Most of the funding is coordinated by the California Department of Social Services’ Refugee Programs Bureau.
- *Private and community foundations will also contribute resources to resettlement.* Several large private California foundations have expressed interest in providing resources to help with the resettlement. At least one foundation, the California Endowment, has provided more than \$1 million to community organizations in Fresno, Sacramento and Merced to help

Hmong newcomers navigate local healthcare systems and to provide advocacy to ensure that healthcare providers are accessible to this population.

- *The public sector in Fresno, Sacramento, and other California communities are more experienced and prepared to receive new refugees.* With over 20 years of experience interacting with the Hmong community, public agencies and community-based service providers are better prepared to receive new refugees and are familiar with the challenges faced by these newcomers. Indeed, public officials from Fresno and other cities visited the Wat during the past year to gather information that would help prepare for the resettlement.
- *The Hmong Wat refugees are a remarkably hardworking and self-sufficient population.* As described more fully in the demographics section below, this is a group of individuals who had to work extremely hard in order to survive their experience in Thailand. While many still need to learn English and adjust to American culture, they are a very resourceful people.

Demographic Characteristics of the Arriving Hmong Refugees

Three U.S. delegations – from Fresno, Sacramento and St. Paul, Minnesota – visited the Wat shortly after the U.S. decision to grant refugee status to the Hmong residents. The delegations conducted detailed assessments of individuals on a range of issues including physical and mental health, education, English proficiency, employment skills, and housing needs. Organized by Hmong community leaders, the delegations conducted hundreds of face-to-face interviews and surveys. They summarized their findings and

Federal and State Social Service, Healthcare and Housing Resources Available to Refugees

There are a number of programs, available to all refugees, that can help the Hmong Wat refugees settle in their new homes in California. Most of these programs are funded through the Office of Refugee Resettlement (ORR) in the U.S. Department of Health and Human Services, with a few requiring the state to provide supplemental funds. Local government and nonprofit agencies serving this community should encourage Hmong refugees to fully utilize these programs. They include:

- **Voluntary Resettlement Agencies (VOLAGs)** – The federal government provides funding for VOLAGs to provide assistance with housing, food, clothing, social service and employment needs for the first 90 days after a refugee arrives in the U.S.
- **ORR Technical Assistance** – ORR provides funding to eligible localities for technical assistance on issues that help facilitate the resettlement process as well as to increase local governments' ability to seek funding from public and private sources to support employment activities, social services, healthcare and housing for local refugees.
- **California Work Opportunity and Responsibility to Kids (CalWORKS)** – Low-income refugee families and single parents with minor children are eligible for CalWORKS, the state's primary cash assistance program. Refugees who receive this benefit must meet the program's work activity requirements and are subject to its time limits.
- **Supplemental Security Income (SSI)** – Elderly and/or disabled refugees are eligible for federal SSI and the State Supplemental Payment Program. Refugees may receive benefits for no more than seven years unless they become U.S. citizens.
- **Refugee Cash Assistance** – Low-income refugees who are ineligible for other cash assistance programs can receive subsistence assistance under this program for the first eight months after they enter the U.S. This program primarily serves low-income single refugee adults and childless couples.
- **Refugee Social Services** – Refugees who reside in the 11 impact counties are also eligible for broad range of employment services that include job training, English language training, childcare, transportation, and other related services. The 11 eligible counties are Alameda, Contra Costa, Fresno, Los Angeles, Orange, Sacramento, San Francisco, Santa Clara, Stanislaus, Yolo, and San Diego.
- **Medi-Cal and Healthy Families** – Low-income families with children, seniors, people with disabilities, and pregnant women are eligible for Medi-Cal health care services. Children of working families that do not have health insurance may also be eligible for healthcare coverage under the state's Healthy Families program.
- **Refugee Medical Assistance** – Low-income refugees who are ineligible for Medi-Cal or the Healthy Families program can receive medical assistance for eight months after they enter the U.S.
- **Housing Choice Vouchers** – formerly known as "Section 8" certificates, this federal program provides subsidies to low-income families to help them rent privately-owned rental housing. There are also vouchers available to help low-income families with home purchases. Housing Choice Vouchers are in high demand in California, and most localities have a long waiting list for eligible families.

For more information about federal and state resources available to refugees, go to the state's Department of Social Services' Refugee Programs Bureau Web site at www.cdss.ca.gov/refugeeprogram or the National Immigration Law Center's Guide to Immigrant Eligibility for Federal Programs, 4th edition available at www.nilc.org.

recommendations in three reports that provide excellent overviews of both the strengths of this community as well as the challenges that await them in the U.S.⁶ Key demographic characteristics of the arriving population identified in these assessments include:

- *Most Hmong adults have extensive employment experience but limited education and English skills.* A survey of 200 adult refugees found that more than 80 percent were employed even though job opportunities were extremely limited in the Wat's surrounding area.⁷ Many of the women did needlework or handcrafts, while the men regularly worked as laborers in the construction, manufacturing, and farming industries. The high rate of employment reflects the hard-working and resourceful nature of this community. The surveys also found that the literacy rate in Thai and Hmong languages among Wat residents was substantially higher than previous Hmong refugees, but most of the adults had limited education (averaging about 6 years) and few technical skills. Only about 10 percent indicated an ability to speak some English.⁸
- *Many of the arriving refugees will be youths who have limited English skills and have had few opportunities to obtain a formal education.* Approximately half of the refugees are below the age of 15. Because access to public education was limited, only about half of the youths regularly attended school. The delegations reported a high interest in education among youth, and one delegation reported a relatively high literacy rate despite the lack of formal education opportunities.⁹ Nevertheless, the delegations recognized that integrating large numbers of these young refugees into U.S. schools requires local school districts to address several key issues that are discussed in the Commission's Recommendations section below.
- *The refugees' health reflects poor living conditions, but most illnesses are treatable.* Physical examinations revealed that residents had a significant amount of acute illnesses that were

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caused by lack of water treatment and sewage systems. Examples included infections and respiratory illnesses. However, most of the identified illnesses were treatable. These refugees will receive another health screening upon arrival in the U.S., which will provide an opportunity to fully assess their health conditions and to enroll them in appropriate healthcare programs.

- *Some adults have experienced severe trauma and are likely to need mental health services upon arriving in the U.S.* An assessment of 183 Wat residents showed that some adults may have mental health symptoms that need to be addressed after their arrival in the U.S. 34 percent reported experiencing trauma during their escape from Laos, and 41 percent reported similar experiences in Thailand. Nearly one-third reported mild to moderate symptoms of depression.¹⁰ Almost all immigrants experience a high degree of stress when they first come to the U.S. Given the background of these refugees, many whom have lost family members due to war or poverty, mental health services attuned to cultural and linguistic needs will be necessary for a successful transition.
- *Many of the refugees will face great challenges in finding affordable housing.* While most refugees plan initially to live with their U.S. relatives, most will eventually need to find their own housing. Affordable housing is not readily available in California's expensive housing market. Yet, housing is a critical component to integrating these newcomers. Poor housing or evictions will have negative consequences for public health. These refugees will need assistance in searching for places to live and training in tenants' rights and responsibilities.

COMMISSION'S RECOMMENDATIONS:

The Commission commends the U.S. government for its decision to grant refugee status to Hmong residents of Wat Tham Krabok and recognizes the short-term challenges faced by both refugees and the receiving communities.

Humanitarian motives may have been behind the federal government's decision to admit the Hmong Wat refugees, but the Commission believes this country will gain much from this decision. With proper planning and appropriate resources, the successful integration of these refugees is not only achievable but will benefit the state in a manner similar to previous waves of refugees, who have contributed to California's economic and cultural vitality.

Below are the Commission's general policy recommendations for facilitating the integration of the Hmong Wat refugees.¹¹

- *State and local governments as well as resettlement agencies should work with existing Hmong community-based organizations to help integrate the new refugees.* Organizations, such as the Hmong National Development, Inc., Southeast Asia Resource Action Center, the Fresno Center for New Americans and the Hmong Women's Heritage Association in Sacramento have played leading roles in helping policymakers plan for the arrival of the new refugees. Hmong organizations possess both expertise and infrastructure to work with the newcomers on broad range of issues. They already operate programs that serve Hmong individuals and families; they understand the language and cultural complexities of the newcomers; and they can draw upon networks of Hmong professionals, college students, and volunteers to help with the resettlement process. Government agencies and Voluntary Resettlement Agencies (VOLAGs) – the international agencies responsible for providing initial assistance to these new refugees – should work directly with the Hmong organizations to help integrate these newcomers.
- *Health, education, social services, job search and training programs, and other important government services need to be accessible to refugees with limited English skills.* Because the vast majority of the arriving Hmong refugees cannot speak English, if local government agencies and service providers are to communicate effectively with this community and allow its members access to services that facilitate self-sufficiency, they need to have bilingual staff, interpreters and individuals who are familiar with the Hmong culture to implement these programs. As described in Chapter Two of this report, both federal and state laws require that government-funded services be accessible to limited English speaking individuals; these requirements apply to the Hmong refugees. Agencies should consider hiring sufficient bilingual staff, or if the situation allows, consider other cost-effective approaches to overcoming language barriers.
- *English and vocational training programs should be provided to help the Hmong refugees become economically self-sufficient.* The incoming Hmong refugee population, with its low rate of English proficiency and technical skills, must be provided with intensive English and vocational training. The assessment reports from the Wat indicate that many adults are highly motivated to learn English and employment skills. As discussed in Chapter Two, the Commission urges local agencies to go beyond offering ESL courses that simply teach "survival English." They should also attempt to integrate English instruction with vocational training so that newcomers can learn workplace related skills or knowledge as they study English. The Commission believes that this type of integrated, contextual learning method will be particularly effective with the Hmong refugee population since they are highly motivated and have work experience. However, they need to learn English, the cultural norms of the U.S. workplace and relevant work skills to qualify for jobs in their new communities. In addition, given that many of the women in this community have extensive experience making and selling handcrafts, local agencies also should consider offering programs that provide training and assistance in starting small businesses.
- *Local school districts should develop programs to address the needs of refugee children.* Recognizing that the vast majority of the refugees will be settling in a limited number of locations, the Commission urges the affected local school districts to develop new programs that address the unique needs of these refugee children. First, most of the arriving children have minimum English skills. Providing these youths with appropriate English instruction

combined with language support for other subject matters (e.g., computer, math, science, etc.) is an important educational component. Second, for almost half of the students, attending school regularly will be a new experience. Many will need tutorial and other support services. Third, the transition of moving to the U.S. will create tremendous stress in these youths' lives, not only upon arrival but also over time. For many families, there will be role reversals: as the youths learn English, their parents are likely to increasingly rely upon them for bilingual assistance. Schools will need to provide counseling and related mental health services or to make referrals if difficulties arise.

- *Social services should be made available and accessible to the new refugees.* As described above, low-income Hmong refugees are eligible for a number of federally-funded social service programs during their resettlement process. Local agencies should make sure that refugees are aware of these programs and take advantage of those that help them develop self-sufficiency. Local agencies should work with Hmong organizations to conduct outreach, designate bilingual and bicultural staff in social services agencies to assist with the application process, and provide ongoing support services.
- *Access to health services should be provided to refugee families.* Low-income Hmong refugees are also eligible for federally-funded healthcare during the resettlement process. Local agencies should inform this community of available programs, assist with enrollment assistance, and provide accessible healthcare through medical providers who can communicate effectively with this population. Local agencies should also try to provide culturally competent health education and screenings to this new population. The use of preventive care services will help avoid illnesses and reduce healthcare costs for this population over the long-run. To

Academy for New Americans

The Fresno Unified School District has opened a transitional school called the Academy for New Americans to accommodate an estimated 400 Hmong refugee children who will need intensive instruction. The students will be taught intensive English and other subjects in a setting with their peers. The school also offers tutoring and other services to help these students adjust to U.S. culture and increase their potential for academic success. The district's goal is to provide enough intensive instruction so that most of the elementary students can attend regular schools by the 2005-06 school year.

address past trauma, transition anxiety, and other mental health problems, local providers should anticipate that mental health services will be needed by some elements of this population.

- *Local agencies should attempt to leverage their expenditures with grants from private foundations.* As discussed above, government and community-based agencies should consider creative ways to leverage the resources they are expending in the resettlement process by identifying supplemental sources. Private foundation funding is one potential source. Local agencies should consider forming collaborations,

including those between government and private entities, to compete for foundation grants. In addition, several Hmong organizations across the state have formed multiple-city-collaboratives to seek foundation funds to address issues of shared concern.

- *California policymakers should support efforts to obtain sufficient federal funding to help with the resettlement process.* Two members of the House of Representatives, Betty McCollum (D-MN) and George Radanovich (R-CA) have led the effort to request additional federal funding to help provide healthcare, education, social service and employment service for the Hmong Wat refugees. The House has appropriated an additional \$15 million to support these refugees for the next fiscal year. The U.S. Senate has yet to address this issue. In addition, California policymakers should advocate for greater federal funds to provide affordable housing for this refugee population, including increased housing vouchers and the construction of additional multifamily housing. Obtaining increased federal funding for housing will not only benefit the new Hmong community, but by making more affordable units available, it will also help all local residents who have been squeezed by California's tight housing market.

Resources

The Commission urges interested readers to review more detailed recommendations in the following reports that have been written by Hmong organizations and government officials. Detailed information about the resettlement of Hmong refugees in California and a list of resources is also available at the Web site of the California Department of Social Services' Refugee Programs Bureau at http://www.cdss.ca.gov/refugeeprogram/WTKHmongRe_81.htm.

- Hmong Resettlement Task Force, *Journey to Freedom: The Hmong Family Reunification and Resettlement Process from Wat Tham Krabok, Thailand* (June 2004), available at <http://www.co.fresno.ca.us/hrtf/index.html>.
- May Kao Hang, Jim Anderson, Patricia Walker, Maoheu Thao, Mo Chang, & Laurie Hestness, *American Paj Ntaub: Wat Tham Krabok Assessment Team Report* (April 2004), available at <http://www.co.ramsey.mn.us/thailand/topic.asp?TopicFolder=assessment&TopicTitle=Final%20Assessment>.
- Sacramento Hmong Refugee Task Force, *A Special Report: A Coordinated Network of Support for Hmong Refugees to Sacramento County* (June 2004) available at <http://www.co.fresno.ca.us/hrtf/reports/index.html>.

FOOTNOTES

I. ASIAN PACIFIC ISLANDER AMERICANS IN CALIFORNIA: A DEMOGRAPHIC OVERVIEW

¹ In this report the term “Asian Pacific Islander Americans” includes people who identified themselves as Asian American, Native Hawaiian, or Pacific Islander on surveys or questionnaires conducted by the U.S. Census Bureau. This report will also use separate terms, “Asian American” and “Native Hawaiian and Pacific Islanders,” when referring to more specific ethnic communities.

² Sucheng Chan, *Asian Americans: An Interpretive History* (1991).

³ State of California Department of Finance, *California Current Population Survey Basic Report: March 2004 Data*, Table 1, available at http://www.dof.ca.gov/HTML/DEMOGRAP/CPS_2004_CA_basic_profile.pdf (last checked on Nov. 14, 2004). These figures include Asian Pacific Islander Americans who identified with more than one race.

⁴ U.S. Census Bureau, Census 2000 EEO Data, available at <http://www.census.gov/hhes/www/eoindex.html>.

⁵ U.S. Census Bureau, 1997 *Economic Census, Survey of Minority-Owned Business Enterprises* (2001), available at www.census.gov (last checked on Nov. 1, 2004).

⁶ UCLA Asian American Studies Center, 2004 Statistical Portrait of Asian Americans and Pacific Islanders, web page at <http://www.sscnet.ucla.edu/aasc/> (last checked on Oct. 24, 2004).

⁷ U.S. Census Bureau, Annual Estimates of the Population by Race Alone and Hispanic or Latino Origin for the United States and States: July 1, 2003, available at <http://www.census.gov/popest/states/asrh/SC-EST2003-04.html> (last checked on Oct. 24, 2004). There were two changes made to the 2000 Census that make historical comparisons of racial data difficult. First, the 2000 Census allowed respondents for the first time to report more than one race. This change had a particularly large effect on communities with significant multiracial populations. Second, the Asian Pacific Islander race category used in previous Censuses was divided into two categories: (i) Asian and (ii) Native Hawaiian and Other Pacific Islander. For more information about the differences between the 2000 Census race question with past Censuses, go to <http://www.census.gov/population/www/cen2000/90vs00.html>. The Census Bureau’s racial data guidelines can be found at <http://www.census.gov/population/www/socdemo/race/Ombdir15.html> (last checked Oct. 24, 2004).

⁸ U.S. Census Bureau, *Annual Estimates of the Population by Race Alone and Hispanics or Latino Origin for the United States and States: July 1, 2003*; U.S. Census Bureau, *Annual Estimates of the Population by Race Alone or in Combination and Hispanic or Latino Origin for the United States and States: July 1, 2003*. Both documents are available at <http://www.census.gov/popest/states/asrh/SC-EST2003-04.html> (last checked on Nov. 17, 2004). Note the population figures that include multiracial people contain individuals who identify both as “Asian” as well as “Native Hawaiian/Pacific Islander.” Therefore, one cannot add the Asian and Native Hawaiian/Pacific Islander populations together to arrive at a total Asian Pacific Islander American population for California (since the total would double count individuals who are in both categories).

⁹ *Ibid.*

¹⁰ U.S. Census Bureau, Census 2000 Summary File 2, Asian and Native Hawaiian/Pacific Islander population alone or in combination with one or more races. Data can be found at www.census.gov.

¹¹ U.S. Census Bureau, Census 2000 Summary File 2 of the 2000 Census available at www.census.gov.

¹² 41 percent of Asian Americans speak English less than “very well,” and 18% speak English less than “well.” U.S. Census Bureau, 2000 Census Summary File 3, available at www.census.gov. The U.S. Department of Justice has used the less than “very well” definition to enforce civil rights laws on behalf of limited English speaking individuals in situations that require basic speaking and reading skills. Government agencies have also used a more narrow definition of limited English proficiency, defined as individuals who speak English less than “well,” in situations that require less English skills.

¹³ The 2000 Census data used in this section to analyze the median income and poverty rates for Asian Pacific Islander Americans include only individuals who identified as “Asian” alone or “Native Hawaiian/Pacific Islander” alone (i.e., does not include multiracial individuals).

¹⁴ Carman DeNavas-Walt, Robert Cleveland, & Bruce Webster, Jr., U.S. Census Bureau, Current Population Reports, P60-221, *Income in the United States: 2002* (2003), available at www.census.gov (last checked on Oct. 24, 2004).

¹⁵ State of California Department of Finance, *California Current Population Survey Basic Report: March 2004 Data*, Table 15, available at http://www.dof.ca.gov/HTML/DEMOGRAP/CPS_2004_CA_basic_profile.pdf (last checked on Nov. 14, 2004).

¹⁶ Bernadette Proctor & Joseph Dalaker, U.S. Census Bureau, Current Population Reports, P60-222, *Poverty in the United States: 2002* (2003), available at www.census.gov (last checked on Oct. 24, 2004).

II. THE LANGUAGE OF INTEGRATION: DEVELOPING POLICIES TO HELP NEWCOMERS LEARN ENGLISH AND TO REDUCE LANGUAGE BARRIERS IN GOVERNMENT SERVICES

¹ See Chapter One for more demographic information about Asian Pacific Islander Americans.

² 2000 Census Summary File 3, available at www.census.gov. Speaking English less than “very well” is one definition of “limited English proficiency” that has been used by the U.S. Department of Justice in enforcing civil rights.

³ California Legislative Analyst’s Office, *2000 Cal Fact: California Demographics* (Dec. 2000).

⁴ California Senate Office of Research, *Adult Education: Will It Meet the Challenges of the Future?*, p. 5 (April 2003), citing Census 2000 data indicating that 28% of the state population speak English less than “very well.”

⁵ Little Hoover Commission, *We the People: Helping Newcomers Become Californians*, p. 5 (Jun. 2002).

⁶ Heide Spruck Wrigley, Elise Richer, Karin Martinson, Hitomi Kubo, and Julie Strawn, *The Language of Opportunity: Expanding Employment Prospects for Adults with Limited English Skills*, p. 1 (Aug. 2003).

⁷ Grantmakers Concerned with Immigrants and Refugees, *English Language Acquisition Working Paper* (Working Paper, Nov. 2004).

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- ⁸ *Ibid.* Figure 1 is taken from this draft paper. Other factors also contribute to the income gap between immigrants who cannot speak English and those who are fluent. For instance, research has shown that immigrants who speak English fluently tend to be better educated and have more technical skills. These skills also help English-speaking immigrants obtain better-paying jobs.
- ⁹ *Ibid.*
- ¹⁰ Mary Lou Egan, & Marc Bendick, *Aiding Newcomers in the American Workplace: Improving Employment Outcomes for Working Poor Immigrants and Refugees* (Working Paper, 2002).
- ¹¹ California Senate Office of Research, *Adult Education: Will It Meet the Challenges of the Future?* Appendices 1 and 2 (April 2003).
- ¹² This law is also known as Title II of the Workforce Investment Act.
- ¹³ For a discussion of this problem, see California Senate Office of Research, *Adult Education: Will It Meet the Challenges of the Future?* (April 2003) and Colleen Moore, Nancy Shulock, and David Lang, *Does California Put the Money Where the Needs Are?* Center for California Studies, California State University, Sacramento (Jan. 2004).
- ¹⁴ Some community colleges and adult schools have been creative in addressing both the language acquisition and job training needs of immigrants by offering integrated courses or programs. For instance, City College of San Francisco and Cerritos College are two educational institutions that have made extensive efforts to develop courses that teach both English and other relevant skills to succeed in the workplace.
- ¹⁵ Heide Spruck Wrigley, Elise Richer, Karin Martinson, Hitomi Kubo, and Julie Strawn, *The Language of Opportunity: Expanding Employment Prospects for Adults with Limited English Skills* (Aug. 2003); AFL-CIO Working for America Institute, *Getting to Work: A Report of How Workers with Limited English Skills Can Prepare for Good Jobs* (May 2004).
- ¹⁶ "Woman Jailed for TB Will Get \$1.2M," *Fresno Bee* (April 5, 2001).
- ¹⁷ Written Testimony of Theodore Wang before the Joint Hearing of the California Assembly Select Committee on Language and Access to Government and the Senate Judiciary Committee, Sacramento, (Feb. 26, 2002).
- ¹⁸ "Death in a Cell: How Sick Man Spent Final Hours in SF Jail," *San Francisco Chronicle*, (Sept. 26, 2001).
- ¹⁹ The source for this story was the Workers' Rights Unit of the Asian Pacific American Legal Center in Los Angeles.
- ²⁰ The 2000 Census reports that 28 percent of Californians over the age of five speak English less than "very well." 2000 Census Summary File 3, available at www.census.gov.
- ²¹ California Government Code Section 7290 *et seq.*
- ²² California State Auditor/Bureau of State Audits, *Dymally-Alatorre Bilingual Services Act: State and Local Governments Could Do More to Address Their Clients' Needs for Bilingual Services*, Report No. 99110 (Nov. 1999).
- ²³ California State Personnel Board, *Updated Assessment of Bilingual Services in State Departments* (Dec. 2001).
- ²⁴ Governor Davis vetoed SB 987 (Escutia) in the 2002 legislative session, and Governor Schwarzenegger vetoed AB 2408 (Yee) in 2004.
- ²⁵ Chinese for Affirmative Action, *The Language of Business: Adopting Private Sector Practices to Increase Limited-English Proficient Individuals' Access to Government Services* (2004).
- ²⁶ Many of these recommended procedures are discussed in greater depth in two documents: Chinese for Affirmative Action, *The Language of Business: Adopting Private Sector Practices to Increase Limited-English Proficient Individuals' Access to Government Services* (2004), available at www.caasf.org (last checked Nov. 8, 2004) and Grantmakers Concerned with Immigrants and Refugees, *Immigrant Integration Policies: A Working Compilation of Model and Best Practices* (Oct. 2004).
- ²⁷ Both SB 987 and AB 2408 were passed by the Legislature but vetoed by the governor.

III. OVERCOMING HATE: REDUCING RACIALLY-MOTIVATED VIOLENCE AGAINST ASIAN PACIFIC ISLANDER AMERICANS

- ¹ National Asian Pacific American Legal Consortium, *Backlash Final Report: 2001 Audit of Violence Against Asian Pacific Americans*, pp. 25-6 (2002).
- ² National Asian Pacific American Legal Consortium, *2002 Audit of Violence Against Asian Pacific Americans*, p. 20 (2003).
- ³ *Ibid.*, p. 40-1. Assemblymember Chu's bill, AB 2428, was signed by Governor Schwarzenegger in late 2004. Entitled "Kenny's Law," AB 2428 strengthens protections for surviving victims of hate crimes and their families by requiring that, absent compelling circumstances, a protective order be issued to protect against harassment, stalking, and violence following the release of a hate crime perpetrator on parole, probation, or in a conditional release program.
- ⁴ California Attorney General, *Hate Crime in California 2003*, p. 28 (2004) (1,815 hate crime offenses were reported in 2003), of which 61 percent were racially motivated. *Ibid.*, p. 6. The terms "hate incidents" and "hate crimes" are used in this report, with the former referring to incidents that fall short of a criminal act. The Attorney General reports only acts that have been deemed hate crimes by local law enforcement agencies.
- ⁵ American Psychological Association, *Hate Crimes Today: An Age-Old Foe In Modern Dress* (1998), available at <http://www.apa.org/pubinfo/hate/> (last checked on Nov. 8, 2004).
- ⁶ *Ibid.*
- ⁷ National Asian Pacific American Legal Consortium, *Backlash Final Report: 2001 Audit of Violence Against Asian Pacific Americans*, p. 8 (2002).
- ⁸ California Senate Office of Research, *Protecting Californians from Hate Crimes: A Progress Report*, p. ii (Aug. 2004), available at http://www.sen.ca.gov/sor/reports/REPORTS_BY_SUBJ/PUBLIC_SAFETY_JUDICIARY/HATECRIMERE-PORT804.PDF (last checked on Nov. 8, 2004).
- ⁹ South Asian American Leaders of Tomorrow, *American Backlash: Terrorists Bring War Home in More Ways Than One*, pp. 7-9 (2002), available at www.saal.org/biasreport.pdf (last checked on October 28, 2004).
- ¹⁰ National Asian Pacific American Legal Consortium, *Backlash Final Report: 2001 Audit of Violence Against Asian Pacific Americans*, p. 13 (2002).
- ¹¹ California Attorney General, *Hate Crime in California 2003*, p. 43 (2004).
- ¹² See, e.g., David Neiwert, *Death on the Fourth of July: Hate Crimes and the American Landscape*, pp. 336-342 (2004); Jennifer Balboni & Susan Bennett, *Improving the Quality and Accuracy of Bias Crime Statistics Nationally: An*

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- Assessment of the First Ten years of Bias Crime Data Collection* (2003).
- ¹³ Warren Christopher & George Deukmejian, *Governor's Advisory Panel on Hate Groups: Final Report*, p. 29 (2000), available at www.ca.gov/govsite/pdf/press_release/report3.pdf (reporting that law enforcement officials agree that "a great number of hate crimes go unreported") (last checked on Nov. 8, 2004).
- ¹⁴ California Attorney General's Civil Rights Commission on Hate Crimes, *Reporting Hate Crimes*, pp. 11-13 (2001).
- ¹⁵ *Written Testimony of Malcolm Young before the California Assembly Select Committee on Hate Crimes*, San Jose (July 28, 2004). Under community pressure, local law enforcement eventually arrested, charged, and prosecuted one of the attackers for committing a felony hate crime. See "Race-trial Felonies," *San Francisco Examiner*, Jul. 15, 2004.
- ¹⁶ National Asian Pacific American Legal Consortium, *2002 Audit of Violence Against Asian Pacific Americans*, p. 8 (2003).
- ¹⁷ Valerie Jenness and Ryken Grattet, *Hate Crime Policing in California: A Research Report*, p. 5 (California Policy Research Center, University of California, Aug. 30, 2003), available at <http://www.ucop.edu/cprc/haterpt.pdf> (last checked on Nov. 8, 2004).
- ¹⁸ California Attorney General's Civil Rights Commission on Hate Crimes, *Reporting Hate Crimes*, pp. 19-20 (2001).
- ¹⁹ For more background on this issue as well as a list of state and local government agencies that have adopted these policies, see the National Immigration Law Center's website at www.nilc.org/immlawpolicy/LocalLaw/ (last checked on Nov. 8, 2004).
- ²⁰ California Attorney General's Civil Rights Commission on Hate Crimes, *Reporting Hate Crimes*, p. 4 (2001).
- ²¹ Warren Christopher & George Deukmejian, *Governor's Advisory Panel on Hate Groups: Final Report*, p. 31 (2000), available at www.ca.gov/govsite/pdf/press_release/report3.pdf (last checked on Nov. 8, 2004). The commission was formed at the request of former Governor Gray Davis in 1999.
- ²² California Attorney General, *Hate Crime in California 2003*, p. 45 (2004).
- ²³ National Asian Pacific American Legal Consortium, *2002 Audit of Violence Against Asian Pacific Americans*, p. 3 (2003).
- ²⁴ California Senate Office of Research, *Protecting Californians from Hate Crimes: A Progress Report*, pp. 19-22 (Aug. 2004), available at http://www.sen.ca.gov/sot/reports/REPORTS_BY_SUBJ/PUBLIC_SAFETY_JUDICIARY/HATECRIMERE-PORT804.PDF (last checked on Nov. 8, 2004).
- ⁴ U.S. Bureau, Census 2000 Summary File 2, available at www.census.gov.
- ⁵ See http://www.cdss.ca.gov/refugeeprogram/WTKHmongRe_81.htm (last visited on October 28, 2004).
- ⁶ Hmong Resettlement Task Force, *Journey to Freedom: The Hmong Family Reunification and Resettlement Process from Wat Tham Krabok, Thailand* (June 2004) (hereinafter, "*Fresno Report*"); May Kao Hang, Jim Anderson, Patricia Walker, Maoheu Thao, Mo Chang, & Laurie Hestness, *American Paj Ntaub: Wat Tham Krabok Assessment Team Report* (April 2004) (hereinafter, "*St. Paul Report*"). A third delegation was organized by the Hmong Women's Heritage Association and is summarized in Sacramento Hmong Refugee Task Force, *A Special Report: A Coordinated Network of Support for Hmong Refugees to Sacramento County* (June 2004).
- ⁷ *Fresno Report*, p. 40.
- ⁸ *Fresno Report*, p. 41; *St. Paul Report*, p. 10.
- ⁹ *St. Paul Report*, p. 10 (35% were literate in Thai).
- ¹⁰ *Fresno Report*, p. 24.
- ¹¹ Most of these recommendations were drawn from the three reports cited in the "Resource" section below.

IV. THE LONG JOURNEY TO AMERICA: HELPING NEW HMONG REFUGEES RESET- TLE IN CALIFORNIA

- ¹ Stephen Magagnini, "Chapter One: The Leftover People," *Sacramento Bee*, Sept. 12, 2004.
- ² *Ibid.*
- ³ *Ibid.*

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