

Immigrants' Day of Action in Albany, March 2, 2010

ENSURE EQUAL ACCESS TO GOVERNMENT SERVICES

New York State is home to more than four million immigrant New Yorkers—they account for one in every five New Yorkers (twice the national average). State government has an obligation to keep all New Yorkers safe and to provide equal access to its services, regardless of where people were born or what language they speak. The state is failing to meet these responsibilities, however, because it has not taken steps to bridge the language divide or to assure immigrant communities that it is safe to approach the police or other state agencies when they need help.

Ensure Language Access at All State Agencies

More than one million New Yorkers are not yet proficient in English. Learning English poses a challenge for many new Americans, who may work long hours or may not be able to find an affordable adult English program, given the well-documented shortage of such programs in New York. There's no question that, over time, most immigrants *do* learn English—but it's a process that takes time.

In the meantime, New Yorkers who are not yet proficient in English encounter enormous barriers to services. They do not have the same access to state government services as other New Yorkers, nor do they receive the same quality of services provided to others—a situation exacerbated by the lack of translation and interpretation services at most state agencies.

State government fails to meet its responsibilities when a school is unable to communicate critical information to parents regarding the safety or performance of their child, or when investigators are unable to communicate with workers about labor violations. By ensuring effective communication with the public, New York State can dramatically improve the efficiency of state agencies and enhance the well-being of all New Yorkers.

Confidentiality Protections for Immigrant New Yorkers

The trust and cooperation of all New Yorkers, regardless of immigration status, is needed when it comes to fighting crime and responding to disasters or emergencies. But that system breaks down when large portions of the public are afraid of the government actors who are supposed to serve and protect them.

Our state fails to keep all New Yorkers safe when a victim of a hate crime is afraid to report that crime to the police for fear of being turned over to federal immigration authorities, or when parents are afraid to take a sick child to a hospital because they worry they'll be asked about their immigration status.

The effective provision of governmental services serves the public interest. A policy that prohibits state employees from unnecessarily asking about immigration status, and protects the confidentiality of New Yorkers' immigration status information when it's disclosed, will go a long way toward encouraging all New Yorkers to feel safe to come forward to report crimes, cooperate with law enforcement, and access critical services.

Recommendations:

1. Support legislation ensuring that all New Yorkers are able to access the government services for which they are eligible by requiring interpretation services and translated documents in several key languages at all state agencies.
2. Support the state's adoption of a "Don't Ask, Don't Tell" policy regarding the immigration status of New Yorkers, so that state police and agency workers cannot unnecessarily ask New Yorkers about their immigration status and cannot pass such information to third parties, including federal authorities, if it's disclosed.