

CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE
California Update

Volume 4

Issue 2

April 11, 2000

EMERGING VOICES, BUILDING A STRONG CALIFORNIA

Immigrant Day 2000 Planning Gears Up

The fifth Immigrant Day event will take place May 9, 2000, in Sacramento, marking the fifth time in four years immigrants and advocates will gather in the state's capital to voice their concerns to legislators and other government officials. Sponsored by the California Immigrant Welfare Collaborative, this year's event will carry the theme "Emerging Voices: Building a Strong California."

"We are expecting an enthusiastic, committed group," Rini Chakraborty, CIWC Policy Analyst, observed. "This is a pivotal year for immigrants' rights and it is imperative that we send a strong message to our legislators. We can do this best by personally calling on and holding them accountable for immigrant communities' losses under welfare reform," she said.

Organizers are gearing up for the needs of event participants and are calling on agencies and individuals to help with the costs of transporting, feeding, and housing them. "We really need support in a number of ways," Jenny Ocon, statewide event coordinator, remarked. "We need to get the word out, but we also need people to support this effort with

their funds so that we can provide adequate transportation."

According to Ocon, who served previously as immigrant assistance program director for the Northern California Coalition for Immigrant Rights (NCCIR), the day's events will consist of the following:

- a press conference to open the day's events that will provide the media information on immigrants' rights groups' state policy agenda;

Please see "Immigrant Day 2000," page 2, column 1

DHS Issues ACL Limiting Use of Non-INS Public Charge Materials

In a surprising development, the California Dept. of Health Services (DHS) has issued an All County Letter (ACL) that directs counties throughout the state not to disseminate any public charge educational materials except those produced by the Immigration and Naturalization Service. Entitled "Settlement in the case of *Rocio v. Belshe*," ACL No. 00-12 was released on Mar. 4, 2000, ostensibly to describe the terms of the settlement reached in that litigation. Although the instruction is contained in the passage that closes the ACL, immigrants' rights advocates worry that it may halt counties' efforts to develop innovative, user-friendly means of explaining which programs immigrants may use without jeopardizing their immigration status.

According to advocates, the ACL's limit on distributing public charge materials overlooks the fact that the INS has not translated the pieces cited in the ACL beyond Spanish. Although affected populations include significant numbers of persons who speak only Chinese, Korean, Armenian, and other languages other than English or Spanish, the INS has thus far declined requests to produce relevant translations. Moreover, advocates point out, directing counties to distribute *only* the current INS materials likely contravenes state and federal laws that require linguistically appropriate notices for the communities served by county offices.

With the exception of the pamphlet "Quick Guide to Public Charge and Receipt of Public Benefits," which was released on Oct. 18, 1999, the other INS-produced materials referenced in the ACL are not user-friendly and are intended instead for either immigration law practitioners or community-based service providers. Yet, advocates warn, this latest ACL would keep Medi-Cal enrollment personnel from distributing simple-to-understand materials that have already been developed through collaborative efforts between county Medi-Cal staff and com-

Please see "Public Charge Materials," page 2, column 1

Home Visits to Calworks Applicants in L.A. County Netting Mixed Results

Home visitation, which was recently implemented as a pilot project in Los Angeles County, is producing mixed results, advocates report. Purportedly undertaken to help the county detect fraud and better provide supportive services, the program requires that CalWORKs applicants receive unannounced visits from county officials before their applications for this safety net program are processed. Results measuring whether home visits have reduced fraud or improved the provision of services are, advocates believe, inconclusive at best. Instead, they are concerned that the pilot may be deterring otherwise eligible immigrants from enrolling in CalWORKs and other vital social service programs.

Authorized by a vote of its board of supervisors, Los Angeles County's home visits program was launched on Sept. 15, 1999. Limited to a pilot initiative covering four Dept. of Public Social Services (DPSS) offices (Belvedere, East Valley, Exposition Park, and Lancaster), the program has thus far identified less than one percent of all applications taken at those offices that were eventually denied due to positive

Please see "Home Visits," page 2, column 1

THE CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE IS A JOINT PROJECT OF

National Immigration Law Center • Coalition for Humane Immigrant Rights of Los Angeles
Asian Pacific American Legal Center of Southern California • Northern California Coalition for Immigrant Rights

COLLABORATIVE SACRAMENTO OFFICE: 926 "J" Street, Suite 408, Sacramento, CA 95814 • 916.448.6762 • fax 916.448.6774

TO RECEIVE "CALIFORNIA UPDATE" AND OTHER COLLABORATIVE MATERIALS, REQUEST "CIWC SIGN-UP" FROM
National Immigration Law Center, 3435 Wilshire Blvd., Suite 2850, Los Angeles, CA 90010 • 213.639.3900 • fax 213.639.3911

Immigrant Day 2000 (continued from page 1)

- a noon rally to focus messages on a range of immigrants' rights issues and at which members of immigrant communities will have a chance to address the crowd; and
- legislative visits to elected representatives that will, among other things, provide newly arrived immigrants with an introduction to U.S. politics.

"It is important to remind these elected officials that immigrants work, pay taxes, contribute to the current economic boom, yet are cut out of safety net services, and are not reaping the benefits of their hard work," explained Chakraborty. "This year we feel it is important to tie labor into the event because of the events happening nationally," she noted, referring to the recent AFL-CIO call for an end to employer sanctions and for amnesty under the immigration law for undocumented immigrants (see "AFL-CIO Calls for Repeal of Employer Sanctions and Enactment of a New Legalization Program" in the National Immi-

gration Law Center's IMMIGRANTS' RIGHTS UPDATE, Apr. 11, 2000, p. 12).

With less than one month remaining before the event, outreach to promote Immigrant Day is continuing. Multilingual flyers, available in Chinese, Russian, Spanish, and Vietnamese, are enclosed with this newsletter. Besides Ocon, Edwin Rodriguez of the NCCIR and Sylvia Mora of the Coalition for Humane Immigrant Rights of Los Angeles are facilitating regional event planning in northern and southern California. Dennis Kao of the Asian Pacific American Legal Center is coordinating visits with elected officials from southern California, while Ocon plans the same with officeholders representing northern California.

Ocon can be reached at 510-663-8282, ext. 304; Mora can be reached at 213-353-1340, and Rodriguez can be reached at 415-243-8215, ext. 313. Monetary donations to help defray event expenses can be made out to "National Immigration Law Center," marked "For Immigrant Day 2000," and sent to: Attn: Mike Muñoz, National Immigration Law Center, 3435 Wilshire Blvd., Suite 2850, Los Angeles, CA 90010.

Public Charge Materials (continued from page 1)

munity-based agencies that emphasized the use of focus groups and client testing.

Local public charge advocacy efforts have stressed that immigration questions should be referred to immigration service providers, while recognizing that Medi-Cal personnel are a vital link to individuals in greatest need of the information. The state's instruction would, advocates fear, keep counties from referring clients to those immigration service providers and instead compel Medi-Cal personnel to provide only phone numbers to INS information lines—numbers immigrant clients are not likely to call.

Attorneys involved in the *Rocio* case have confirmed that the state's instruction to counties regarding public charge information falls outside the scope of the settlement reached in that litigation. Under the settlement's terms, the state is clearly free to allow distribution of public charge informational notices, and only investigators, investiga-

tive staff, and workers are prevented from giving specific information advice on public charge to Medi-Cal applicants and recipients. The DHS apparently issued the ACL before the judge's final ruling was issued in *Rocio*.

Advocates have sent notice to the DHS urging the agency to rescind the ACL as soon as possible and clarify that the *Rocio* settlement's terms require only that Medi-Cal staff refrain from answering individual immigration questions. Advocates strongly urge that instructions discouraging public charge outreach by county personnel be deleted.

In response to the INS's refusal to translate its client flyer into languages other than Spanish, the California Immigrant Welfare Collaborative agencies have coordinated the translation of the INS's "Quick Guide" into as many languages as possible and are seeking to have the agency accredit those translations. Vigorous local advocacy efforts have also persuaded Los Angeles County's Dept. of Public Social Services to develop its own flyer, which is being translated into nine languages.

Home Visits (continued from page 1)

fraud findings.

Since the pilot's inception, according to figures reported by Los Angeles County, more than 3,511 home visits were made to 2,355 potentially eligible applicants (the discrepancy stems from the fact that second or third visit attempts were made for some applicants). Out of these applicants, 157, or 6.6 percent, were referred to the DPSS's Early Fraud Investigation unit. Out of those 157 applications, 140 investigations were conducted and 93 concluded with "positive findings of fraud." The county further notes that of the 93 applications resulting in "positive findings" of fraud, only 18—or less than 1 percent of the 2,355 applications—were denied as a result of work conducted by Early Fraud Investigation, while the remaining 75 still have action pending.

Of the applications denied due to positive findings of fraud, only five were referred to supportive services, such as domestic violence services, mental health or substance abuse treatment, child care, or transportation. More importantly, advocates point out, the vast majority of denials issued under the home visitation pilot have stemmed from applicants' failure to be at home to receive the second or third home visit. Guidelines for the program require that applicants be given

three opportunities to "connect" with these unannounced visitors before their applications are approved or denied.

Because operating policy for home visits instructs workers not to identify themselves as county employees until after the person at the door identifies her or himself as the applicant, immigrants' rights advocates worry that immigrants are being denied aid unfairly. Applicants who refused entry, or applicants who were found to be "not living at the address" or who refused to cooperate with the home visit could have been recently arrived immigrants anxious about government officials visiting their homes. Or the family member who answered the door may have denied the visitors entry or denied knowing the applicant due to language difficulties and other fears.

According to attorneys who filed a lawsuit to challenge the Los Angeles County program, state law does not require home visits as a condition of eligibility for CalWORKs. The suit seeks a permanent end to these visits (see "Advocates Fail to Win TRO to Stop L.A. County's Home Visit Program," CALIFORNIA UPDATE, Oct. 15, 1999, p. 1). Court documents in that case show that county officials themselves admit that 96 percent of applicants who have been subjected to home visits are not committing welfare fraud. The county board of supervisors is set to review the program's results before deciding whether to expand the program countywide.