
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

“The Committee will meet to discuss the topic of Access and Equity”

LOCATION: Committee Room 16
State House Annex
Trenton, New Jersey

DATE: March 19, 2019
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Ronald L. Rice, Co-Chair
Assemblywoman Mila M. Jasey, Co-Chair
Senator Bob Andrzejczak
Senator Samuel D. Thompson
Assemblyman Ralph R. Caputo
Assemblywoman Patricia Egan Jones



ALSO PRESENT:

Rebecca Sapp
Executive Director

Ivy Pomper
Executive Assistant

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
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SENATE

Hon. Bob Andrzejczak
Hon. James Beach
Hon. Patrick J. Diegnan, Jr.
Hon. Declan J. O'Scanlon, Jr.
Hon. Ronald L. Rice
Hon. Samuel D. Thompson

ASSEMBLY

Hon. Ralph R. Caputo
Hon. BettyLou DeCroce
Hon. DiAnne C. Gove
Hon. Mila M. Jasey
Hon. Patricia Egan Jones
Hon. Benjie E. Wimberly
Hon. David W. Wolfe



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MEETING NOTICE

TO: Members of the Joint Committee on the Public Schools

**FROM: Senator Ronald Rice, Co-Chair
Assemblywoman Mila Jasey, Co-Chair**

The Joint Committee on the Public Schools will meet on Tuesday, March 19, 2019, at 10:00 a.m. in Committee Room 16 of the State House Annex, in Trenton, New Jersey.

The Committee will be discussing the topic of Access & Equity with testimony from invited guests.

The public may address comments and questions to Rebecca Sapp, Executive Director, at 609-847-3365, or by email at Rsapp@njleg.org

Issued January 4, 2019

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SENATOR RONALD L. RICE (Co-Chair): Okay; good morning, once again.

I've taken the liberty of taking the mike to open up, to greet you, and to say hello.

For those who don't know me, I'm New Jersey State Senator Ronald L. Rice, Co-Chair of the Joint Committee on the Public Schools.

And to my left is the Co-Chair, Assemblywoman Mila Jasey, who I am going to turn this hearing over to; she will be chairing it for us. And then I guess we'll have other members say hello to you, and then we can move forward.

Assemblywoman.

ASSEMBLYWOMAN MILA M. JASEY (Co-Chair): Thank you, Senator Rice.

It's always a surprise when he tells me I'm chairing the meeting.
(laughter)

But that's okay; we've worked together for quite a while now.

And just to tell you a little bit about the Joint Committee, because I do see some faces here that I haven't seen before.

The Joint Committee is not a standing reference Committee, in that we don't generate legislation. However, we have -- according to the Little Red Book -- oversight of the public schools. Now, that means we can go, as a Committee, anywhere we want, to talk about anything, and to explore any and every issue that we want; which is kind of an overwhelming charge, if you will.

However, over the years, we have taken the opportunity to travel around the state and look at and visit vocational schools, vo-tech schools, school construction sites and issues, and a number of others.

Senator Rice and I have talked, for a long time, about the issue of segregation in the public schools here in New Jersey. And we are talking about segregation that it is racial, economic, ethnic, religious -- you name it. While New Jersey has one of the top public school systems in the country, unfortunately, those excellent schools are not available, equally, to all of our children.

So the purpose of today is to begin a very serious discussion of why that is so, how did we get here, and begin to look at possible solutions.

We are not generating those solutions, however; we are here to listen to the experts.

This is the first of two -- this is the first of two hearings; and probably not the only hearings that we'll be having on this topic.

So today, unfortunately, one of our colleagues is not able to make it. Assemblywoman Wimberly is headed back to the doctor's office, because of his knee. But we are expecting Assemblyman Andrzejczak, but-- Oh, *Senator* Andrzejczak; excuse me. But we will not -- I don't think we're going to wait for him, because we want to get started. We want to be respectful of your time, and we want to be respectful of the members' time.

So with that said, we'll do roll call.

Thank you.

MS. SAPP (Executive Director): Senator Thompson.

SENATOR THOMPSON: Here.

MS. SAPP: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Here.

MS. SAPP: Assemblywoman Egan Jones.

ASSEMBLYWOMAN JONES: Here.

MS. SAPP: Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Here.

MS. SAPP: Senator Rice.

SENATOR RICE: Here.

ASSEMBLYWOMAN JASEY: Thank you.

All right; so what we're going to do is-- Just for your information, this hearing is recorded and will be transcribed. So once the transcripts are available, you may request a copy if you like.

We're going to begin the hearing with Professor Elise Boddie, who is a Professor of Law at Rutgers University.

She will be followed by the Honorable Justice Gary Stein, former Associate Justice of the New Jersey Supreme Court.

Good morning.

Please identify yourself for the record, and the floor is yours.

E L I S E C. B O D D I E, Esq.: Well, thank you so much for having this hearing, and for the invitation to speak with you today.

Good morning; my name is Elise Boddie. I am a Professor of Law at Rutgers Law School. I am also the Founder and Director of the Inclusion Project, based at Rutgers, which focuses on how to dismantle racial inequity through law, community engagement, and media.

Thank you, once again, for the opportunity to appear before you to speak about school segregation, which I believe is one of the most critical issues of our time.

If you'll bear with me, I'd like to start by sharing a quick story. It's about two high school seniors from Central High School in Newark, who have since graduated.

About a year and a half ago, I asked them to speak about school segregation at the annual conference of the New Jersey NAACP, and I'd like to tell you what they said.

The first student was on Central High School's volleyball team. She liked to compete and, apparently, was very good. One of their games that season was at a predominantly white high school in Essex County. Just before the game, she and her teammates -- who are all black -- walked into the school's gym; and as they walked in, they saw a group of students who were all white. And she heard one of those students ask what *they* -- meaning the students from Central High School -- were doing there. And the student used a word, that I will not repeat, to describe the students from Central High School; but I think you might guess which word they used.

And in the student's speech she talked about the pain she felt in that moment. Her team had come to play, to show what they could do, and they had been subject to that vile and cruel racial slur. She talked about how bad she felt when they lost; not simply because she wanted to win, but because she felt obligated to prove to that all-white team that her team could rise above them; and to rise above the student, who was trying to tear them down, not based on the quality of their play, but because they were black.

The second student took a different path in his speech. He described the beauty of Newark; and what people who don't know the city

often don't see. He talked about the ethnic diversity within his school, the various languages and cultures; he talked about the experience at his school of sharing different foods and different music. He also talked about the public art in Newark streets, on its billboards and sidewalks; and the sense of pride that he felt when walking through his neighborhood, and how the art made him feel at home.

I share these stories because of what they say about the harms of segregation; how, on the one hand, it can drive people to be cruel to those who are different, to deny them empathy, to fail to see their humanity. The second story is about what we miss as a result of segregation; the experiences we don't get, the people we don't meet, the things we don't see.

The problem with segregation is that it makes us more likely to assume that people are a certain way, to stereotype how they think and who they are. It leads us to miss their full complexity. How many of us have made assumptions about people we don't know, only to be proven wrong?

The dangers of those assumptions are amplified a thousand times with segregation; because with segregation you don't get many chances to know someone of a different racial background, so you never get to learn why all those things you think you know are actually wrong. You don't get to know that the student who played volleyball was also a leader in her school, that she was a really good writer, that she had dreamed of going to West Point. You don't see the diversity within Newark, the richness of its culture; and you don't learn that the student who wrote the speech was shy and quiet, but razor sharp.

John Dewey wrote that education is the means by which we initiate our children into the interests, purposes, information, skills, and practices of the rest of the society. We think back to the students I just mentioned. What does segregation teach our children? Are we teaching them to fear people who are different, to resent people who are different, to devalue people who are different?

New Jersey has 1.3 million students; 45 percent of the students are white, 27 percent are Latino, approximately 16 percent are black, and 10 percent are Asian. Of the 585,000 black and Latino public school students, about 270,000 -- or 46 percent -- attend schools that are more than 90 percent black and Latino; that's to say nothing of the thousands of white students who attend predominantly white schools.

Why should we integrate our public schools? We have decades of research on the benefits -- the social and academic benefits of integration. At the height of integration in the South, in the 1970s and early 1980s, we were winning the fight against the achievement gap. When the National Assessment of Educational Progress began in the early 1970s, there was a 53-point gap in reading scores between black and white 17-year-olds. By 1988, that gap had narrowed to 20 points; that's a 33.3 percent drop. During that time, every region of the country -- except the Northeast -- saw improvements in school integration. In the South, in 1968, 78 percent of black children attended schools with almost exclusively students of color; by 1988, only 24 percent did, which was a 54 percent drop.

We also know that school integration leads to higher graduation rates, and more children who attend college. It leads to higher

incomes and employment for students who attend integrated schools; and also, these students have better outcomes.

We know that being with students who are different makes us smarter. There is research which shows it improves our cognitive and problem-solving skills. When you're in a room with people who are different, and you have to explain yourself, you have to think about their point of view. You have to think about how to persuade people who don't come from your perspective. And so being with people who are different from us helps us to think more critically.

We also know -- going back to my opening stories -- that integration builds empathy. It reduces bias and help students learn to question stereotypes. But to reduce this kind of bias, we need environments where people come from different racial groups and have equal status and common goals. That's what the research tells us; they must have equal status and common goals. And public schools are the ideal place for this kind of interaction. Where else will we find an opportunity to bring young people together across racial, ethnic, and social class lines to facilitate the kind of active learning that reduces racial bias?

And we know that we pass on these benefits from generation to generation. My parents were part of the first wave of school desegregation. My mother integrated a school in Ohio. I was integrated in a school in Los Angeles, and was bused. My son is now enrolled in an integrated school.

So we know what to do. But the incentives in our system in New Jersey, of 600-plus-some-odd school districts; and our laws that mostly require students to go to school where they live -- and we have very intense levels of residential segregation as well, as I'm sure you all know, and we'll

hear more about later -- that system encourages us not to integrate. It discourages us from integrating. It encourages people with resources not to share them.

We have a problem in the state with what I call *other people's children*. We don't generally care about other people's children. The benefit of integration, when it is done well, is that it increases the incentive to care about other people's children. And to use a sport's analogy -- and I usually get in trouble whenever I do sports analogies, so I'll keep it really simple (laughter) -- it puts students on the same team. When students are on the same team, every parent wants every student on that team to have the best coach, the best uniforms, the best facilities. And every parent wants to make sure that child -- every child has a good breakfast the day they compete, because they want everyone on the team to do well; they want to win.

Until parents with resources, networks, and opportunities have the incentive to make decisions that benefit children who don't have those same opportunities, we will continue to deny those opportunities to other children; and racial inequality will persist. We have to disrupt those incentives by integrating the system.

I've been speaking about school segregation across the state for nearly four years. Before I came to Rutgers, I directed the litigation program at the NAACP Legal Defense Fund. I traveled across the country, litigated cases -- school desegregation cases in Alabama. I did employment economic justice work. And I didn't spend much time in New Jersey. I've lived in New Jersey, now, for 24 years; and it wasn't until I came to work here and I was educated by my colleague, Paul Tractenberg -- whom you

will hear from shortly -- how intense segregation is in this state. And about four years ago, I started speaking with people about school segregation. And for much of that time, people really could not understand what I was talking about. When most people hear the phrase *school segregation*, they think about the South in the 1950s. They might see, in their mind's eye, pictures of white people jeering at black children as they walk through the doors of white schools. We know what happened in the South; we had laws that said black and white children couldn't go to school together. We don't have that here, necessarily. But although many schools voluntarily desegregated in the South, we also had protests and massive resistance. We had struggle in plain sight.

The irony is that New Jersey -- New Jersey is more segregated than all the states of the former Confederacy: Mississippi, Alabama, Louisiana, South Carolina, North Carolina, Georgia. It is the sixth-most segregated state in the country for African Americans, and the seventh-most segregated for Latinos. The only states that are more segregated are New York, Illinois, Maryland, Michigan, and California.

We also know that segregation is more complicated for black and Latino students, because they are doubly segregated; not only by race, but also by income and class.

Many people think that integration failed. It did not fail. Southern schools are more integrated because school desegregation worked in the South. Under the 1964 Civil Rights Act, schools that discriminated because of race lost their Federal funding. And the U.S. Supreme Court, in a 1968 case called *Green v. County School Board of New Kent County*, established more rigorous standards for school integration, not only in

student assignment, but also in faculty and staff, facilities, curriculum, transportation, and extracurricular activities.

For roughly 20 years, from 1968 to 1988, schools were desegregated in the South. And then in a 1973 case called *Keyes v. School District No. 1*, the U.S. Supreme Court required a showing of discriminatory intent. Intent is very difficult to prove. It requires a smoking gun; it requires an overexpression of racial animus.

That intent requirement made school segregation harder to challenge in the North, where we didn't have the same kind of explicit intent as we had in the South. In a case called *Milliken v. Bradley*, from 1974, the Court held -- the Supreme Court, the U.S. Supreme Court -- that students could not be mandatorily bused across district boundaries unless you could prove intentional segregation. That case -- *Milliken v. Bradley* -- stopped Northern school desegregation efforts in its tracks.

Eventually the U.S. Supreme Court became more conservative, and rolled back the case law that had desegregated schools in the South. And so now schools in the South have started to resegregate. But they are still more integrated than New Jersey.

Before all that, we did have a consciousness about segregation in parts of the North and in New Jersey. A 1962 U.S. Commission on Civil Rights report discussed the problems of segregation and protests that took place across 14 States and 42 cities in the North and West. The same was true in New Jersey. As you probably know, at one point in New Jersey, we had so-called *colored schools* and *white schools* in Trenton, Mount Laurel, Morristown, Penns Grove, Hackensack, Princeton, Montclair, and Camden.

A Teachers College study, in 1930, discussed segregation in the Garden State. There were protests against school segregation in the 1920s and the 1930s, in Toms River, Asbury Park, Camden, Mount Holly, Montclair, East Orange, Trenton, and Long Beach. And the New Jersey NAACP worked to overhaul the State's Civil Rights laws in order to address segregation.

I clerked for Judge Robert Carter, who was a Federal District Judge in the Southern District of New York. Robert Carter was a son of New Jersey; he was also one of the leading architects of *Brown v. Board of Education*. After the Brown decision, he became General Counsel of the NAACP. He and his staff brought and won cases challenging school segregation in New Jersey, and created some of the best state law in the country, which my colleague Paul Tractenberg will talk about later.

Some people say, "Why not just make our separate schools equal?" And I'm here to tell you that I think separate is inherently unequal; and it is unequal for the reasons that the U.S. Supreme Court declared in *Sweatt v. Painter* in 1950, a case that required the University of Texas Law School to integrate.

A critically important part of education is the intangibles of that experience -- of learning from people who have different ways of seeing the world, different networks. Thurgood Marshall said that "Equality means getting the same thing, at the same time, and in the same place." I don't believe that separate will ever be equal in the United States; and that's because when you segregate people, what you are doing is drawing a fence around them. You're isolating them from power, from resources, from wealth.

Segregation separates people from opportunity. When you draw a line around people -- as we do, through our residential borders, in our requirement that, for the most part, students should attend school where they live -- you dehumanize them. You treat them as if they are threat.

It is easier to dismiss people -- to dismiss their struggles, to treat them as if they don't matter -- if they are *over there*. If we don't live in the same communities, if we don't go to the same schools, if we don't work together, then we don't ever really get to know one another. We don't empathize with one another. "Why should I care about your schools if I don't know you? All I know is that you're not like me." And that process of *otherizing* and discounting allows people to project their assumptions, their stereotypes, their prejudice onto entire communities.

We build walls inside our mind, and so we build walls around our schools.

I'll say one other thing, which is that I fear for democracy in a segregated system. John Payton, who led the NAACP Legal Defense Fund, used to say that the future of our democracy depends on our ability to see and experience each other as peers in a shared enterprise. Democracy requires that *all the people* be included in *we the people* -- as peers; not as haves and have-nots; not as victims and saviors, but as equals. As people with ideas, and culture, and strength, and resilience, to share with the world.

I'm worried not only about what we are doing to our black and brown children with segregation; I'm worried about what we are teaching white children. I'm worried about segregated white schools that breed a

false sense of superiority and entitlement, because they've never had to measure themselves against students from Newark, and East Orange, and Irvington. They've never seen what other students can do.

And I'll close with this.

The American Federation of Teachers, in a brief they filed in *Brown v. Board of Education* in 1952, wrote the following, which I am paraphrasing.

Segregation is a barrier to the teaching of basic values of truth, beauty, and justice. For if justice is relative and depends on race or color, how can we teach that ours is a government of laws, and not of men?

If justice is relative and considers race and color, then a different flag waves over black and brown schools, and the Pledge of Allegiance to the flag must mean different things. The "one nation" is really not "one nation," but at least two; it is divisible. And liberty, like justice, has two meanings.

So the segregated system has deeply rooted evils. It leads to less-resourced schools for black students, and deprives those students of an important element of the educational process. The damage to that student, the AFT wrote, is material both as to quantity and quality. The damage to the white child is more subtle. In a moral and spiritual sense, that child is corrupted, while the other is corroded. The material advantage is purchased at the cost of an uneasy spirit. That's what the American Federation of Teachers said in 1952; it is still true in 2019.

Thank you for your attention, and I'm happy to take questions or to move on.

ASSEMBLYWOMAN JASEY: Thank you, Professor Boddie.

Comments, questions?

We'll start with Senator Rice, and then followed by Assemblyman Caputo.

SENATOR RICE: Thank you very much for your testimony.

I've lived some of the history; my gray hair is not premature. This is real stuff.

I lived in the segregated South -- Richmond, Virginia -- during the era of *Brown v. Board of Education*. My wife is from Little Rock, Arkansas. She was there when they integrated the schools.

And I came to New Jersey the second week in January of 1955, at age 9. So you go back two weeks, you know, I could read and write. And I remember the four-room schoolhouse across the track; and I couldn't figure out why I was going to a bigger school later.

But during those days, integration came at a cost; and that was via busing. And so what I'm looking for today -- for those who are testifying, giving us information -- I'm looking for causation. And the reason I'm looking for causation is primarily because my living in New Jersey, my experience, and my education, tells me that we have these segregated schools for different reasons. Unlike pre-*Brown v. Board of Education* -- where it was clearly just draw-the-line, discrimination; some folks called black people still property, and chattel, and all that stuff -- okay? -- had no rights.

Today, because of language and economics, people choose to be, many times, where they want to be. For example, in the City of Newark, we have integrated schools; but they are integrated with black and brown people, and immigrants. And if you look at how the schools are

isolated in the West Ward, where I am, you're going to find that those schools are predominantly black schools. If you go into the East Ward, you're going to find another set of population, of Latino and Portuguese communities, etc.; Ecuadorians, others. And then (indiscernible) combination.

So my point is that we know that those things have to be looked at, because that's not intentional racism. Some of that is people choosing to be in a location. When I talked to my Portuguese friends, years ago -- and I still talk to them -- many of them chose not to move to the West Ward because they said the language made them more comfortable being in the East Ward, where there were more Portuguese and Brazilian families, okay?

So I need to get causation; because some that we know is outright racism. A lot of things we do in the Legislature -- even though some of my colleagues won't acknowledge it -- is outright racism. And that's based on who and what they represent. And that might be like one-half of 1 percent, or something like that.

And so I'm hoping that we can find out; because if we're going to fix the problem, we have to know that this is a real variable, where people choose because of language or because of something else; this is a discriminatory practice, this is because of economics, etc. Because as we grow, even black folks and brown people, immigrants -- some get tired of the urban, dirty, filthy, value systems that some people have -- vacant lots, abandoned buildings, absentee landlords kind of slum stuff -- and economics moves some people out, because they don't want that type of environment anymore.

Which means that that can create the segregated schools we're talking about; but then, I mean, the Governor has to look at those kinds of things and say, "Okay, then how do we get better quality housing, how does the government hold people accountable for maintaining properties, how do we deal with the policing issue, etc.?"

And so, hopefully, you or someone can start to give us those kinds of things that we should be looking at. If not, we're never going to fix the segregated problem in the Northern states.

And by the way, you've been here 24 years, and you probably know from your work. New Jersey is one of the most racist states in the country. That's been their history -- our history; one of the last to free slaves; and then you talk about the 13th Amendment.

So my point is, we do have work to do.

MS. BODDIE: Yes.

So yes, Senator.

So first of all, let me just say that the nature of the problem is complicated; and the nature of the solution is necessarily complicated.

In terms of the history, we know that one of the main reasons why we have residential segregation -- people say it's because of choice; but it's choice subject to certain constraints. And those constraints were imposed as a result of Federal law that happened decades ago, which essentially made it much harder, or effectively barred lending in integrated places. So if you had a person of color who moved into a neighborhood, the Federal Housing Administration wouldn't provide mortgage insurance for anyone who lived in that neighborhood. And so that created an incentive

to leave places that were integrated; and at the same time, the Federal government was subsidizing white flight.

So we're not blaming anyone for this particular problem. This is a problem that has unfolded as a result of these vast -- these policies that happened decades ago. It's been made worse, in some cases, by exclusionary zoning laws; and Connie Pascal will talk about that, I'm sure.

So to your question about-- Let me just say one other thing. We have to look at housing. This is a systemic issue; that means that we have to look at housing, we have to look at the kinds of practices that you talked about. We cannot look at the problem in isolation, because if we look at the problem in isolation, we will not solve the whole problem.

School segregation is part of a system that touches on housing, and zoning policy, and all the different practices that you mentioned.

In terms of causation-- So the law of New Jersey says that you don't have to prove intent; you don't have to prove causation, in the narrow way, that you have to prove it in the Federal system. So we have this tremendous state law in the country.

What we were talking about in terms of possible solutions is not mandatory busing; we're talking about a system, essentially, that would help to incentivize people to make integrative choices. And I believe Justice Stein will probably spend some time talking about that.

That said, you do have to provide transportation; the State would have to provide transportation. Because if you don't provide transportation, then students can't get-- If they want to attend school outside their district, they can't get to those schools unless they have a

means for getting there. So transportation is part of the package, but that requires some additional thinking, and it's a complicated problem.

ASSEMBLYWOMAN JASEY: Thank you.

Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Hi, Professor.

MS. BODDIE: Hi.

ASSEMBLYMAN CAPUTO: I enjoyed your presentation.

This whole question of residential segregation is very interesting; because I think, basically, as you said, there's no way to prove intent. The fact is, it's economics, I believe, more than any other condition. If people, in this day and age, have the economic resources to move, I don't think many people can stop them. I think it's pretty open, in terms of where people can live, as long as they have the wherewithal to do it.

Historically, that was not the case. And, of course, all of us who go way back in the City of Newark realize that within the City of Newark it was segregated, even though it was a diverse community. And neighborhoods were broken up in terms of, basically, ethnic colonies of different ethnic groups.

So it existed then; and, of course, it's gotten worse because now the City is composed of less ethnic groups, in terms of white and black; and many of those residents -- former residents moved out because their income -- although they were poor -- advanced themselves economically, and were able to purchase properties outside of the urban district.

And now that's happening with other minorities too. People are moving all over; Essex County is a primary example of-- You can't find a more diverse county in the state, in my opinion, than Essex County. I

mean, there are still communities that are majority of whites. But, basically, most of the communities are getting very diverse; so we see that.

The thing is, this whole question of intent is what has my curiosity; how that would work. And to get off the subject -- not the subject, but off of that -- basically, you know, the Department of Education -- I worked there many years ago -- they had a Department that would work on school desegregation, if you remember that correctly. And it was not -- it was a tough Department to work in; some of my colleagues were dedicated to that purpose -- and it was disbanded after a while, maybe for political reasons or whatever -- but it did not have much success; it met with a lot of resistance. That was the 1970s, early 1980s, or whatever. So it was a tough time then; and obviously they were comparing a lot of the emotions that were occurring in Boston and all over the country. So they were really challenged very heavily.

So I don't know if the Department would seek to resurrect that kind of effort. I think it would be worthwhile to take a look at that. It was probably, basically, funded by the Federal government, more than the State of New Jersey.

But it's an interesting question, you know. And the benefit, as a young adult, was that when you got involved in politics, in civic involvement, that's when the growth took place; because that's when you met people who were different than you, and you realized it was a whole different world. I mean, it was-- In fact, at that level, that's where people really enjoy interacting, because they find people who have common goals, and people of all backgrounds. They bond; and maybe that's what you're talking about. Maybe at a younger age this could occur. But to many of us,

it took place, maybe, in the early teens, late teens, early 20s, or whatever. That's when we really had wonderful times.

So I'm very curious about how we're going to move forward with this; and I still think it's really an economic problem, more than anything at this point; in my world, anyway. I mean, I can't speak for where it would be, you know, totally resisted; but in my world, I think it's really economics. I think that's really the big challenge; how people can move up the ladder and be able to afford to move where they please. If that occurred -- like it occurred without intent before -- the trend would reverse. Because of the oppressed economic conditions for many people, they didn't have the ability to move. But if that changed, everything else would change with it. And I think without any hammer from government; I think it would just happen. That's really our mission: How do we have people move into the middle class, so that they can afford to move anywhere they want; and in this day and age, no one's going to discriminate.

That's my opinion, anyway. I mean, you see it from a different point of view, because you're an attorney, and you see many of the cases that come before you. But in my personal experience, I don't think we would see that kind of a problem.

ASSEMBLYWOMAN JASEY: Thank you, Assemblyman.

In the interest of hearing all of our speakers, I'm going to suggest that we hold our comments and questions. Because we only have five speakers, and so we can bring all five up at the end to address questions, time permitting.

ASSEMBLYMAN CAPUTO: I'm glad you're running this, because-- (laughter)

MS. BODDIE: So does that mean I shouldn't respond?

ASSEMBLYWOMAN JASEY: Yes.

MS. BODDIE: Okay.

ASSEMBLYWOMAN JASEY: If you don't mind.

MS. BODDIE: Okay.

ASSEMBLYWOMAN JASEY: Because, again, the purpose of today is not so much to find the solutions; but first, to set the table so that we all understand how we got to where we are. And as I said, next month we have a follow-up hearing on this topic.

So I'd like to thank Professor Boddie--

MS. BODDIE: Thank you.

ASSEMBLYWOMAN JASEY: -- and I'd like to ask Judge Stein to come forward.

And Judge Stein will be followed by Paul Tractenberg, from Rutgers Law School and the Center for Diversity and Equality in Education; and then Connie Pascal, from Legal Services of New Jersey, and Carolyn Chang, the Association of Black Women Lawyers of New Jersey.

Paul, would you like to join Judge Stein at the dais?

Thank you.

SENATOR RICE: He doesn't mind; he was my Professor.
(laughter) He got me my first good grade. (laughter)

ASSEMBLYMAN CAPUTO: You started all this trouble?

ASSEMBLYWOMAN JASEY: Yes.

Welcome, Judge Stein; it's a pleasure to have you here this morning, and an honor.

JUDGE GARY S. STEIN, Esq.: Thank you.

I want to thank the Chairs, Senator Rice and Assemblywoman Jasey; and the entire Committee for inviting me to speak to you today.

I also want to thank your Executive Director, Rebecca Sapp, for helping me to show up on time, and in the right room. (laughter)

I have deep roots in New Jersey. I was born in Newark; I attended Newark Public Schools until the 3rd grade, and then I attended public schools in Irvington, until I graduated Irvington High School in 1950.

Aside from my years attending Duke University and Duke Law School, military service at Fort Bragg, and a short stint as a resident of New York City, I've spent my entire adult life in this state. My public service includes three years as Chief Policy Advisor to Governor Kean, and about 17-and-a-half years as an Associate Justice of the New Jersey Supreme Court.

And it's for those reasons that I find it both personally and professionally embarrassing and upsetting that my state -- of which I've always been so very proud -- operates one of the most racially and socioeconomically segregated school systems in the entire country. I think it's a stain on our state's reputation among the other states. I deeply believe that it's our collective duty to fix it, no matter how hard that will be.

And that's why a nonprofit that I helped organize -- with several colleagues, including Professor Boddie and Professor Tractenberg -- The New Jersey Coalition for Diverse and Inclusive Schools, filed a lawsuit against the State on May 17, 2018 -- the 64th anniversary of *Brown v. Board*

of Education -- alleging that our highly segregated school system violates our State's Constitution.

We have decisions by our State Supreme Court -- long before I joined it, in 1985 -- that holds squarely that segregated public schools violate the New Jersey Constitution. I firmly believe that we will be successful in that lawsuit; and that the courts of this state -- if the State doesn't do it voluntarily -- that the courts will compel the desegregation of our schools. As legislators, you will need to play a critical role in getting that done.

More about the lawsuit later.

First, let me add to what Professor Boddie told you about how badly our schools are segregated.

As she explained, New Jersey has about 1,375,000 students; 45 percent white, 15 percent black, 27 percent Latino, 10 percent Asian.

Let me talk first about black students.

Of the 213 black students--

SENATOR RICE: Excuse me--

JUDGE STEIN: Yes?

SENATOR RICE: --I don't mean to interject.

You said 100 -- I thought you may have used the word *thousand*. I was thinking you meant *million*.

JUDGE STEIN: I'm sorry; 1,375,000 students, Senator Rice.

SENATOR RICE: Yes; I just want to make sure the record is straight; thank you.

JUDGE STEIN: Thank you very much.

SENATOR RICE: That's what they taught me in law school.

(laughter)

JUDGE STEIN: I must have been absent that day. (laughter)

Of the black students, about 215,000-- I want you to think of these numbers -- they're not just abstract statistics -- 25 percent, about 53,000 black students, attended schools in the last school year that are more than 99 percent non-white. Another 52,000 black students attended schools that are more than 90 percent non-white.

Of the 372,000 Latino students, 14 percent, about 53,000, attended schools that are more than 99 percent non-white; and another 30 percent, about a 113,000, attended schools that are over 90 percent non-white.

Let me add that up for you.

We have, as Professor Boddie indicated, approximately 270,000 black and Latino students; 49 percent of all black students and 46 percent of all Latino students attend New Jersey public schools that are more than 90 percent non-white.

And that segregation is even more invidious because it is socio-economic as well as racial. Over 80 percent of those 270,000 black and Latino students, in extremely segregated schools, come from families with incomes below the Federal poverty level. I can't think of a worse way to organize our public schools than what we're doing: to concentrate poor black and Latino children in our cities with questionable resources, while in today's diverse society, we have suburban schools, some of which have some diversity, but many of which do not.

Segregation in our charter schools, if anything, is even worse. Three-quarters of our state's 88 charter schools are over 90 percent non-white; and over 80 percent of charter schools reflect extreme levels of both segregation and poverty.

I don't know how many of you were in the legislature in 1995, when the legislature passed the Charter School Program Act. But I'm sure that any of you who were, never would have anticipated that a system of highly segregated charter schools would be the result.

Just as a matter of human interest, let me share one other statistic with you.

When I graduated Irvington High School in 1950, Irvington High School was all white. My recollection is, there was not a black or Latino student in my graduating class. I left Irvington to go to Durham, North Carolina, to attend Duke University. Durham North Carolina, like almost every other city in the South, had public schools that were segregated by law. It was prohibited for black and white children to go to school together in 1950.

I have a memory, to this day, as a 17-year-old freshman, standing on a street corner in Durham, watching school buses go by with black children; taking those children to decrepit, crumbling black schools in the city of Durham.

Now fast-forward to 2019. My hometown of Irvington is probably divided, residentially, about 85 percent black and, roughly, 14-and-a half percent Latino. There are virtually no white families in that community. And because New Jersey law says that a school child has to go to school in the municipality that he or she lives in, Irvington's Public

Schools have the same racial breakdown: about 85 percent black and 15 percent Latino.

Durham public schools are about 30 percent white; the Durham Public Schools today are less segregated than the public schools in Irvington, New Jersey. And that, to me, is a bitter, bitter irony.

How can New Jersey remediate the severe segregation in its public schools? Our Coalition is still discussing details of a remediation plan; but some of the necessary initiatives have been successfully implemented elsewhere.

The complaint in our lawsuit describes the highly successful magnet school program implemented in Hartford, Connecticut, in response to the Sheff lawsuit filed in that state. Thirty-nine themed magnet schools have been opened in Hartford and nearby communities; and over 10,000 children from suburban communities voluntarily are commuting by bus to attend schools in downtown Hartford, and in other inner ring communities, alongside a comparable number of students from the Hartford Public Schools.

I visited several those magnet schools. They're highly successful; and I must tell you, it was beautiful to see the diversity, especially in the younger grades, where you'd look at a table of children sitting in a room, representing different races, different ethnicities, and not even being aware of their differences.

Those magnet schools in Hartford have long waiting lists. They've had their problems, but they have been, overall, highly successful. They clearly could work in New Jersey. And I believe they could work in New Jersey without, perhaps, the fairly large price tags that some of the

Hartford themed magnet schools have. I saw one themed magnet school that was a music and art magnet school, that had been constructed in an old munitions factory, right in the city of Hartford. And I spoke to suburban children, who were riding a bus 45 minutes a day to get to that magnet school because their own hometown didn't offer a school that emphasized music, arts, and dance.

Other states have implemented inter-district choice programs that allow urban schoolchildren to attend schools in suburban districts with extra capacity. New Jersey has a very limited, paltry inter-district choice program; it could be significantly expanded, and would allow urban students the voluntary opportunity to attend school in a high-quality diverse setting.

I should pause here to emphasize what Professor Boddie told you before, which is that the research, over the past several decades, overwhelmingly demonstrates that all children benefit significantly from attending schools that are racially and socioeconomically diverse. Resources in diverse schools tend to be better; so is parental support, and so is exposure to peers who have high aspirations. And all of those factors tend to result in reduced absenteeism and disciplinary issues; and it often encourages stability in the teaching staff.

Hartford, Connecticut researchers have compared the educational results of students who have attended the Hartford magnet schools with the results of children who, regrettably, did not get the opportunity to enter those magnet schools. And the educational performance of the Hartford students in the magnet schools was significantly better.

The benefits of diversity, for white and Asian children, also are substantial. In a country where, today, a majority of 1st graders are non-white, it is a disservice to white children for them to attend schools without a significant black and Latino population. Learning, playing sports, and engaging with children from diverse racial and socioeconomic backgrounds, prepares all children to be better able to interact with others in the workplace and in their communities.

There are other remediation options, including increasing diversity in the state's vo-tech schools, some of which are diverse, some of which have their admission based on competitive examinations, and exclude poor black and Latino children.

Other initiatives include a countywide school district pilot program -- as was recommended last summer by the Economic and Fiscal Policy Work Group -- as well as the consolidation of smaller school districts into K to 12 districts, as recommended by the same report.

But we all must also be aware that implementing a magnet school program, and inter-district choice program, and other options could have an adverse impact on children in urban districts who are left behind; who are not selected by lottery to attend magnet schools, or suburban choice schools. So any remediation program that we put together -- voluntarily with the State, or otherwise -- to diversify schools, must ensure that it does no harm; that it provides whatever extra resources to urban districts that are necessary to maintain and enhance their educational progress.

One such initiative -- that I know Assemblywoman Jasey supports -- is the community schools initiative that already is operating in

Paterson, Trenton, Orange, Newark, and Newton. That program -- which has Federal funding available -- uses both community providers and an extended school day and school year, to provide services to both students and their families. It could be an ideal supplement for urban districts affected by the impact of magnet schools and an inter-district choice program.

Remediation of segregation is complicated, and will undoubtedly encounter resistance. As I'm sure most of you know, after we filed our lawsuit in May, the State invited us to begin discussions that might lead to a settlement of the litigation. The State elected not to file an answer to the complaint, and instead we have been conducting regular meetings since September of last year. Those meetings have primarily involved bringing experts to talk to the State, to the representatives of the Governor's Office and the Department of Education, to explain to them what we've learned over the decades about how school segregation in a state like New Jersey can be remediated.

I'm sorry to report that our clients and our Board of Trustees, as well as our lawyers, are somewhat disappointed by the progress to date. We have had cordial meetings, cooperative meetings; but I fear that we've come to the conclusion that in order to achieve the results that are necessary for the children in New Jersey who attend segregated schools, we may have to return to court. I say that mindful of the importance of saving time, but also mindful of the ultimate objective. We have hundreds of thousands of children who deserve a better opportunity to get an education than they are currently receiving.

School segregation in New Jersey is an issue whose time has come. Solving it will be controversial, difficult, sometimes adversarial. We also are in uncharted territory. No state with over 80 charter schools has had to order them to desegregate. No state with segregated urban districts has completely solved the problem of protecting educational quality in those districts while desegregation is taking place.

The path ahead is challenging; and our entire Legislature, with leadership provided by this Committee, will need to show courage and foresight. New Jersey can set a national example by, at long last, providing its children with a desegregated system of excellent public schools.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Judge Stein.

Yes, that was heavy; and I expected as much, and I appreciate it.

I'm going to ask Paul Tractenberg to go next; and reserve the right to ask you to come back, at the end, to answer questions.

And Connie Pascal, would you like to join Paul at the dais?

P A U L L. T R A C T E N B E R G, Esq.: I very much appreciate the opportunity to meet with this important Committee.

I think your work not only on the segregation issue, but on general quality of education issues is crucially important to the State.

I want to start-- And you should have a prepared statement. I'm going to use it as a rough outline of what I'm going to say. I will speak more away from the prepared statement than on the prepared statement.

ASSEMBLYWOMAN JASEY: We appreciate it.

MR. TRACTENBERG: Let me start as both my colleagues, Elise Boddie and Justice Stein, have done -- by personalizing my remarks. Because the reason I've been involved in this fight -- and by *this fight*, I mean not only to integrate New Jersey schools, but also to equalize educational opportunities through school funding and otherwise -- is really traceable to the fact that I am a born, raised, and public school-educated kid from Newark, New Jersey. I had the honor of being able to attend Weequahic High School in Newark, when it was probably a top 3 high school in New Jersey; and probably a top 10 high school in the United States.

It was also a segregated high school; it was virtually entirely white and Jewish. I actually got my integration experiences in Newark through playing baseball and basketball, and coming into contact with the diversity that Newark had to offer. And I made some lifelong friends as a result of that, and it enlarged my horizons greatly.

The second thing I want to suggest is that my work -- since I've retired from the Rutgers Law School in Newark faculty three-plus years ago -- has really focused on school integration issues to an even greater extent than I was involved in them previously. And I think it's fair to say the centerpiece of my work has become the Morris School District; a District that, like a few other districts in New Jersey -- Montclair, South Orange, Maplewood, to name a few -- have really committed themselves to the cause of school integration; except they've done it, to a degree, under the radar. When I go and speak to audiences in New Jersey, people familiar with New Jersey schools, and mention the Morris District, I get a lot of blank faces until I say, "Oh, it was that District that was created out of Morristown and

Morris Township.” It’s now almost 50 years ago that that was done. It’s a District where the opponents predicted it would fail; that there would be massive white flight, mainly from Morris Township, but not exclusively from Morris Township. And that Morristown High School would wind up being a virtually all-black high school in fairly short order.

This is 1971, when the District was formed by an order of the Commissioner of Education, armed by an important decision of the New Jersey Supreme Court; and I will come back to that in a moment.

The opponents of merger, and a combined and integrated school district have been proven wrong. You’ve heard the statistics about the demographic profile of New Jersey public school students; we have a bit over 48 percent white students. The Morris District, this District that was going to be a terrible instance of white flight, has 52 percent white students. So they’ve managed to hang on to white students, as they have a growing Latino population, now, of about 35 percent; a somewhat shrinking black population of 10 or 11 percent; and a small Asian population. It is one of the landmark school districts in New Jersey for its diversity and its accomplishment.

I stump people, often, by asking them a question. The question goes as follows: Morristown High School won two State athletic championships two years ago; what are they? Very few, if any, people have guessed correctly -- it’s golf and ice hockey, which I think bespeaks the success of retaining upper-income white students, as well as providing avenues and opportunities for lower-income black and Latino students.

Some young colleagues and I are actually writing a book about the Morris School District for Teachers College Press this year; and we have

a long report which the Century Foundation published, now over two years ago.

So there's evidence in the record, in that District, as well as some others, that integration can really work, has worked; even when it's required by the State, not a function of community choice.

The third thing I want to mention -- and relates to the Morris School District, and to the topic of this hearing -- is that even at my advanced age, I had a first-time experience a couple of weeks ago. I was invited to participate in the filming of an upcoming HBO show. It's a show called *Wyatt Cenac's Problem Areas* -- I don't know whether you've seen it -- Wyatt Cenac is an alumnus of *The Daily Show*. He has a show which focuses on a particular subject matter for the entire year. His first season was devoted to police community relations; it's now completed. The second season, which is shortly to begin, is focusing on education. The last episode in that series will be focused on school integration; and they have chosen, I'm told, to focus on the Morris School District as the exemplar of what can be done in the area of school integration. That will be on sometime in early June, I'm told. But it suggests that there is a national focus not only on this issue, but also on New Jersey as being home to a dramatic success story. And we should give no less attention and credit to that success story.

Now, with that, let me just try to emphasize a few things which have not been the focus of the presentations by Professor Boddie and Justice Stein.

One, actually, is related; but I want to build on it a little bit more. Until I'm blue in the face, I've been speaking about how New Jersey has, by far, the strongest State constitutional law in the country, requiring

not only desegregation of schools, but affirmatively requiring integration and racial balance in our schools. We have that by State constitutional provision, the only one in the country -- that was added in 1947 -- that specifically prohibits segregated schools. But we have it in a much older provision, the Education Clause of our State Constitution, which the New Jersey Supreme Court interpreted in the case that led to the Morris District, as requiring racial balance for students wherever it was feasible to provide it; and suggesting that students who were not the beneficiaries of racially balanced education, where they could have been, have been denied their constitutional right to a thorough and efficient education. So we have an incredibly strong grounding in the State Constitution.

You might say, "Well, how does that square with our having one of the most segregated public school systems in the country?" And that's really the story of our history; and hopefully, it's a history we will be overcoming now.

Because let me just refer to two cases. *Booker v. Plainfield*, which was decided in 1965, eliminated the distinction, which is, to this day, present in Federal law -- the distinction between *de jure* segregation and *de facto* segregation -- by law, versus segregation by circumstance or fact.

The New Jersey Supreme Court said it doesn't matter; they both harm all students. And Justice Jacobs, who wrote the opinion for the New Jersey Supreme Court, said that it's crucial to our state and our society that children learn with one another; and the earlier they start doing that, the better off they and we will be. I think that's a lesson well learned, and one we need to remind ourselves about.

The other case is the so-called *Jenkins case* involving Morristown and Morris Township; where the New Jersey Supreme Court eliminated another obstacle, under Federal law, to meaningful integration of the schools, the ability to cross district lines. And the Court said to the Commissioner of Education, “We’re not ordering you to merge these districts. But if you think it’s in the educational best interest of students, we are here to tell you, you have ample legal authority to do that.”

The Commissioner, Carl Marburger, did that; he proceeded to lose his job because of that decision. And his successors, unfortunately, have not been as courageous as he. Two districts that are waiting in the queue for the merger remedy: one was Plainfield, the other was New Brunswick. Do I need to tell you what the demographics are of those two Districts now? They have barely a white student in either of them.

The other thing I want to suggest -- which takes me off on a somewhat different, but I think very important angle -- is the structure of our public education system in New Jersey. Professor Boddie, and I think Justice Stein, both alluded to it. I want to drill down a little bit more, because I think without confronting the structural issues, the issue of how we organize our public schools in New Jersey, we’re not going to make great progress; or at least it’s going to be against great obstacles to integrate the schools and provide students with a meaningfully integrated educational experience.

New Jersey, as you probably know, must know, has, including charter schools -- each of which, for unique reasons, is considered an individual school district -- New Jersey has 674 school districts. I need to put that in context. The first tally nationally of the number of school

districts in the country was taken in 1939 to 1940. There were then, in the country, 117,108 school districts. The most recent published data, 2015 to 2016, shows that the number of school districts nationally is 13,584. That's a decline of almost 90 percent in the number of school districts nationally.

By contrast, in New Jersey, the number of school districts, in 1939 to 1940, was about 500. We now have 674, which is an increase of, what, 30 percent, 35 percent?

So we've we've been working against the national trend, a strong trend; instead of reducing the number of our school districts, we have been increasing them. And I think there are all kinds of complications that that creates, in terms of achieving the best and most meaningful remedies for school district segregation.

It also, by the way, is an important element in why we've been litigating -- and I've been personally litigating in the New Jersey Supreme Court for almost last 50 years -- about school funding inequalities. They're largely traceable to the differential and disparate property tax bases in these individual school districts, which have been created, really, to be homogeneous districts. And so we can't escape, I think, the reality that we need to figure out ways to overcome New Jersey's extraordinary commitment to localism, because I think it's becoming clear that the price we pay for localism is a very high price indeed. And we can do better, and I'm pleased to see that the Legislature seems to be open to regionalizing and to doing county pilots. I would only hope that there would be added to the priority list, of what those pilots and what those regionalized districts will accomplish, is school integration. Cost efficiency, I think, has been at the

top of that list; school integration, in my judgment, ought to be up there as well.

I want to just say that I don't want to get into the numbers. I did include, with my testimony, an executive summary of the long report that a young colleague and I produced, also in May 2018. It is replete with extensive statistics, indeed. The complaint and the case that Justice Stein talked about was drawn pretty heavily from the data we included in our report. I won't get into those details; I'll leave it to you to do that.

We were in the final stages of drafting the report -- and this is the final thing I want to say -- questioning-- Because the report turns on a concept of proportionality; that is, how do you define what is an integrated school system? What do you use as a comparison? And we wound up saying, "Well, you should use the county in which the district resides; you should use the state." And we looked at the statewide numbers; and at the last moment, I said, "You know, how does New Jersey compare to the nation?"

And I was staggered to find that it compares very closely. The national numbers are -- this is student numbers -- Asian population, 5 percent; Hispanic population, 26 percent; black population, 15.5 percent; white population 48.9 percent. The four states that come closest to that national profile are Illinois, New Jersey, New York, and Connecticut. Now, those four states are also home to the most segregated schools in the country. So it emphasized to me -- and I'm not a numbers person -- but it emphasized to me the problem of the average: How the average masks disparities; how overall numbers for the country or the state mask

extraordinary segregation, when you drill down and you look at individual communities and districts.

You're going to hear from my colleague about the residential side; which is a big piece of it, because I think it's fair to say school segregation would largely disappear, as an issue, if we could achieve integration residentially. Because we all hear about neighborhood schools, where the state attendance policy favors students attending schools in the district where they reside. If they reside in a diverse district, it's highly likely they will attend a more diverse school.

I want to say, lastly, there's another distinction that I think has to be kept in mind -- it relates to the one I've just described -- that is, if you think about school integration, you're really thinking about it, or should think about it, on three different levels. There's the school district level; and our report indicates that a growing number of New Jersey school districts are relatively diverse now. And that's a good sign; it gives us something, really, to work with.

The second level is the school level; because we have districts that are diverse at the district level, and not at all diverse at the school level. They have segregated neighborhoods; they rely on neighborhood schools as the organizing principle. The schools are segregated. But even in places like Montclair, South Orange, Maplewood, and Morris, where the district is diverse and they've managed, through attendance policies, to achieve diversity at most school levels; the third and, in a way, most difficult and, in a way, most important level, is the classroom and the program level. Because unless you have diversity where the educational rubber meets the road, you're, to some extent, fooling yourself. Yes, it's nice to have a school

building that has a diverse population; but if all the honors classes are all white; and all the low-track classes and all the disciplinary students are low-income, or black, or Hispanic, you may have created more frustration than you created benefit.

So, I think it is an enormously important piece of work. It involves courage and foresight in tackling some long-established, New Jersey commitments; in being willing to tread on some potential third rails politically. But it has to be done, and I think this is a group that can help to do it.

So thank you.

ASSEMBLYWOMAN JASEY: Thank you, Paul.

Connie, we'd like to hear from you. And while you're getting ready to start your testimony, I'd like to invite Carolyn Chang, Esq., from the Association of Black Women Lawyers of New Jersey, to take a seat.

And Connie, I'm going to ask that you try to, as Paul did, talk about things that we haven't heard about yet. Because I would like to leave some time at the end for members to ask any questions or make comments before I lose them, okay?

Thank you so much.

CONNIE M. PASCAL, Esq.: Thank you, Madam Chairman, and members of the Committee, for the opportunity to speak today.

I'll just start with a quote by the great Civil Rights leader, Ida B. Wells.

"The way to right wrongs is to turn the light of truth upon them," and that's what I think is being done here today.

It's never more true, that statement, than in the case of school and residential segregation. It's clear, as people have said already, that residential segregation plays a major role with regard to school segregation.

I gave out, to each of you, a copy of the Anti-Poverty Network report, which I urge all of you to read. There's a chapter in there about housing, education, as well as other aspects of our society. And it points out -- and rightly so -- that racism is at the heart of this problem. And it persists to this day in various forms; some overt, some structural.

If you want to do it-- And if you go to the appendices -- and I put an insert in there -- and just look at the numbers; if you compare the numbers of African Americans, look at the list of municipalities, and compare the total population just to the African American population, it's pretty stunning about how stark the segregation is.

In Ocean County, for instance, where I live, there are several towns with less than 10 African Americans living in them; the whole percent is 2 percent.

If you look at Bergen County or Essex, you see that people of color -- particularly African Americans -- are clustered in a few communities. The rest of the places are areas of white concentration. An interesting exercise; I put in here the list of the top school districts. Maybe you want to take some time later and just go down that list and look at the African American population, as you go down, in each of the towns that are at the top. I just looked at the top 10; except for Jersey City -- which is the number one district, the school there -- the most I could find in towns of 15,000, or 20,000, or 25,000 people, the most African Americans was 350. Most of the towns have between 100 and 200; a lot of them have less than

100. You can go down that list; it's categorical proof of existence of the racial segregation that exists in our state; and correlates directly with income, and the schools that are funded by that income.

So it's clear; residential-- But residential segregation didn't just happen in New Jersey. It was not chance or natural selection that created this problem. It was created by explicit, open, intentional, racist government policies and laws that maintained and sustained exclusion and segregation in New Jersey, and probably the rest of the country. Intentional; it was *de jure*, not *de facto*. It didn't just happen. And it's sustained today because that racism is embedded in the laws that are out there. It's embedded in the fabric of our society. In fact, racism created some of the segregation, and the residential segregation. A classic example -- in a town in Ocean County, where the museum studied the racist past. The article says, "Ocean County's Racist Past."

And in the 1920s, the New Jersey Supreme Court ordered schools to be integrated; and Berkeley Township, in Ocean County, was the last town in New Jersey to integrate schools. And when that was going to happen, the Ku Klux Klan came, in the middle of the day, and had a rally on the front lawn of the school. And they were in full regalia, and they gave the teacher there Bibles, and said, "Stand firm." And that teacher blocked the door to the 30 black kids that were going to attend that school, preventing them from entering. That was 36 before years before George Wallace did it, and made the papers in Chicago. And the town deannexed the black area, creating a separate town so they wouldn't have to integrate the schools. And if you drive down Route 9 in Berkeley today, you'll see the school named after that teacher is still there. And you know what?

That's an example of how that type of racism is embedded in our schools, because it's just the way it is. It's just the way things are; it's just, you know-- It's not intentional anymore; it's economics, or lot sizes, or credit scores, or school textbooks -- all I'll touch on in the future. That racism is still there; we accept it, and then we wonder why we can't get integrated schools.

And I have to say -- I'll personalize this myself, because I grew up in a suburban area in New Jersey, in Somerset County. And the casual racism that I grew up with was unbelievable; it was all white. I went to grade school, from 1st to 3rd grade, in public school. There were no African American students in our school. I went to the first class of Immaculate Conception School in Somerville; I was in the first class that graduated from Immaculate Conception School. We had two people of color, two African Americans, in the entire school.

And you know what? Our church, every year, in the 1950s and 1960s, had an amateur minstrel show, complete with black face. And we all went, and we all laughed, and we all thought it was pretty funny, and we used a lot of words that I'm ashamed of to this day. And that structural racism is in all of us. It's not just in the laws and systems that we live in, but the implicit bias, the things that we grew up with, are buried in us too. And it's why it's hard to resolve these problems, because the reactions that people have are embedded in them to this day

I urge people -- if you haven't done it already, to read *The Color of Law* -- right? -- the book by Richard Rothstein. If there's a homework assignment for this Committee, everyone should read it. It talks about how

that segregation was intentionally created by the government; and I urge you to read the report I just gave you.

And so what we have to do is understand that residential segregation and exclusion reveal a succession of intentionally discriminatory policies, programs, and pretext. They were systematically contested by people of color, and their advocates, and their allies; strong advocacy. When one was overcome, another one popped up; when one was diminished, another one took its place. Policy after policy, intended to keep certain people out. Exclusionary zoning, by the way, was not intended to exclude housing; it was intended to exclude people. It's always about the people.

So you could go from Jim Crow racial zoning where, you just said, we're not going to allow -- you know, you can't live here; black people can't live here -- struck down by the Supreme Court in the late teens in the 19th (*sic*) century, near 1920.

And then, of course, the Federal government intentionally segregated public housing. There were integrated housing areas, where they tore them down and put up -- intentionally -- black public housing and white public housing. And then people had restrictive covenants in their deeds, right? You look in the deed; it said you can't sell your house to an African American. We have to keep our neighborhood the way it is. The Supreme Court struck that down in 1948.

And then, of course, the most insidious and overt policy was the financing policies that the Federal government instituted in the Great Depression, and carried them over for decades. The FHA, VA -- all of these policies, which were designed to help people move to areas of opportunity,

to be able to attain a house and some equity, explicitly barred African Americans from participation. The underwriting manual for the FHA said, "We will not lend money to a development that's going to be integrated." And they not only said that, they said, "You have to put in your deeds, Levittown, that none of the people can sell to African Americans either." That's why Levittown in New York -- 17,000 units -- no African Americans. And the Levittowns all over the country had no African Americans. The real estate manuals in the 1940s -- ethics -- said, "It's unethical for you to offer a house in a white neighborhood and create integration." Unethical; it was unethical real estate policy to have people live in integrated neighborhoods. And what did this do? It effectively blocked African Americans from the gains of suburbanization, the move to the suburbs, the places where I grew up.

I grew up in Somerset County; if you drove down Route 22 in the 1950s and 1960s, you would see Deal, Singer Sewing Machine, Mack Truck in the neighborhood. Johns Manville, the biggest asbestos products factory in the world, American Cyanamid -- a huge factory -- now where the Somerset Cardinals are -- where their stadium is. All of these industrial places have left the cities and moved to the suburbs. And workers came from all over to work there; those were good jobs. The job my father had at Johns Manville he had for 47 years, from the time he was 18, to the time he retired. And the house that we bought in that little -- in the hundred-- We bought it -- we lived in a Levittown-type neighborhood; hundreds of houses. Those houses created the equity -- along with the income from the jobs that put me through school, my brother through school -- allowed my parents,

when Johns Manville moved, to buy a nice house in Denver, Colorado; the equity did it.

I was in a neighborhood; as I said, we had 40 or 50 kids to play any sport. It was all people -- veterans, after the war; all white. Not one African American lived in our neighborhood. As I said, when I went to schools, they were all white; when the woman in our neighborhood proposed that she wanted to put a dress shop in a room in her house and people were up in arms -- I remember this -- when I was a teenager --she said, "I'm going to sell to a black person." They let her put it in immediately.

But that's the way it was right? That's how it is. And what happened then? Those jobs, and that equity, were denied to the people who were then bottled up in the cities and left to be preyed upon by the slumlords. Not only couldn't they gain equity, but they were gouged for prices, because there was nowhere to go.

So if you want to understand why the black-white income gap exists -- a recent study confirmed that -- if you go back, you can see that that problem, the denial of equity and the denial of the good jobs, basically created structural poverty.

And then, of course, what happened? The FHA policies were attacked, and rightly so, in the Civil Rights era. They persisted into the 1960s; but in New Jersey, the interesting transition point is the history of Willingboro. It's interesting to look at what happened in Willingboro. In the late 1950s, Willingboro -- Levitt proposed to build a huge Levittown in Willingboro. And they were going to change the name of the town to

Levittville. And it was to be available to all white people, because the FHA said, "You can't sell to anyone who is black."

Well, an African American war veteran, a major, didn't like that; and he brought a lawsuit against Willingboro. And it went all the way up to the State Supreme Court. And the State Supreme Court said, what is now our Law Against Discrimination -- wouldn't let Levitt hide behind the Federal policies anymore to block the sales to African Americans. And Levitt was forced to change; they had done a lot of work already. They had to scale down the place, but they still built some of the houses -- integrated, but they kept the name *Willingboro* because of that change.

And you know what? After that, after that particular development -- where there were starter homes for everyone -- the veterans, the lower-income people -- all of a sudden, the starter homes disappeared. I'd like to say they went from eight acres per unit (*sic*) -- like where I lived, and still live, in a house in Toms River -- to eight-- They went from eight units per acre to eight acres per unit; and exclusionary zoning was relied upon to block people from getting in there -- the lower-income people -- who were disproportionately black, because of the discrimination that had been imposed upon them. And exclusionary zoning led to the Mount Laurel case 15 years later. Again, this was one intentional policy after another to exclude. It wasn't by chance that the NAACP was the lead plaintiff in the Mount Laurel case. It was a race discrimination case; it should have been.

And of course, the two other major cases that occurred at that time weren't just coincidental either. *Robinson v. Cahill*, the school case, occurred because we had then created an even more segregated suburban

system; the result was, the poor urban districts and the wealthy suburban districts. And then, at the same time, there's a case called *Marini v. Ireland*, which is the leading case that dealt with deteriorated rental housing, which was the result of the slumlords being able to prey on the urban people because they had nowhere else to go.

And so, here we are today, with Mount Laurel and the ongoing controversy over affordable housing. But it's important to remember that when they talk about lot sizes, and they talk about density, and they talk about all the things that are raised whenever you talk about building an affordable housing development, it's always not about the housing; it's always about the people who are going to live there. It remains an intentional effort to keep certain people out. Affordable housing, in the areas where I live in New Jersey, is a code word for race; it means race. When we wanted to build 13 units in Toms River about seven years ago, on a street directly in back of the strip mall -- across the street was the strip mall -- next to us, on the left, was another strip mall; and on the right was a residential neighborhood, and behind it. We negotiated for a full year to get that. We were going to build 13 units of affordable housing, facing the parking lot. On the day we were supposed to have that ratified by the town, a hundred people came out -- because that happened to be the wrong part of town to put affordable housing; all the affordable housing in our town is in a certain area.

And they made -- for two hours, they got up and said, "We moved here to get away from that housing. We are going to be raped," a woman said. "I moved here; now I'm going to be raped."

Oh, boy; and we're going to have junk cars all over, because that's what people have. This is seven years ago; when the clergy, who were going to congratulate the town, got up to answer that, they were booed by the people. And the Town Council, at the end of the meeting, without saying a word about the conduct, voted down what we thought was going to be approval.

That was seven years ago. And all the people left, and that housing is -- that lot is still vacant, with trees on it, next to the strip mall, next to the residential neighborhood; where one of the women who spoke, said, "They just built me an extra affordable place so I could live there. Now I won't see the trees." And one of our guys said, "I've lived in the town my whole life, and I saw trees where you were." But I guess it was okay to do that.

So I'll end with a couple of comments about how this exclusion and segregation have become self-sustaining.

For instance, structural racism has given way to structural poverty. It's created structural poverty; it's built into our system now. The wealth gap -- the difference between the black and white wealth is stunning. African American families, at most, have an income around-- A wealth, a net worth, of \$17,000 at most. There are others that show it's around \$2,000 or \$3,000.

White households have 10 times higher equity, because they bought the houses that were denied to the African Americans. Most African Americans are still renters; 60 percent.

A third of African American families have zero or negative net worth; zero or negative.

And then I thought this was a striking thing. The average equity -- the net worth of a person in Boston, of a black family, is \$8.

The feedback loop that this has created sustains the very residential segregation we talked about. Because the lack of income and equity prevents the people from being able to access the housing in the suburbs; which means that they're stuck in the areas where there are no good jobs and more difficulty. So it creates a feedback loop, just like the environment, that makes the system worse and sustains it.

And now, of course, there are even newer ways of discriminating against people. We have a lot of Mount Laurel settlements. It's going to build affordable housing. But, all of a sudden, people are screened out by credit scores. Credit scores, by the way -- the only studies that are out there show they correlate directly with race and class. Criminal history -- which, because of our Jim Crow criminal justice system, where half the people in New Jersey that are incarcerated are black, even though they're 13 percent of the population -- when you screen people out for criminal history -- as the Office of the General Counsel of HUD said in a memo a couple of years ago -- it's straight racial discrimination. The use of criminal history without standards is racial discrimination on its face.

And now we have something called *court filing discrimination*. So if you withheld your rent, because you don't have heat or you had rats; and then you tried to move to even an affordable unit, you're rejected -- as some of the things say -- because you were in court. And you know, because African Americans and people of color are disproportionately tenants, living in that kind of situation, they're the ones screened out.

So affordable housing is being built; but it's not going to change the lay of the land if people are screened out -- the very people who need the housing the most.

So in conclusion, Richard Rothstein's -- the name of his book, by the way, is *The Color of Law: A Forgotten History of How Our Government Segregated America*. That history hasn't been forgotten; it's been suppressed and repressed. First, intentionally racist government policies and practices mandate and promote, support and maintain segregation. That's one lesson to learn from this. It's perpetuated by racism, embodied in the law of structural racism.

The second lesson to learn is, that's not going to change unless specific intentional, aggressive government policies are enacted to change it. Because otherwise, the slippery slope of the feedback loop, and the way things are, will continue to keep those problems to the fore.

And I'm going to read just one quote from Richard Rothstein; an interview he had, which points out the one suggestion I'm going to make that maybe all of you could do.

He said, "In the course of writing my book, I examined the most popularly used textbooks everywhere in the country. The most widely used textbook, when I examined these, was *The Americans*; 1,200 pages. There was one paragraph in the textbook, in that 1,200 pages, called "Discrimination in the North." And it's not segregation, but discrimination in the North.

"There was one sentence" -- and you can get the quote, he says, from the book -- it said, "In the North, African Americans found themselves forced into segregated housing or segregated neighborhoods" It

didn't talk about who forced them there, or how it happened. And you know what? He says -- and he makes a little joke -- "They woke up one day, they looked out the window, and they said, 'Hey, we're in a segregated neighborhood.'" That's what we're teaching our young people.

And so, I say today, buried in that quote is another quote, when you think about it. Because all the white kids, in all the areas of white concentration, wake up and see the reverse. Everybody in the neighborhood is white; people of color live over there. That's just the way it is. I mean, we wake up one day and we discover that we live in a segregated neighborhood. And you know what that is? Those policies that sustained it, in service of white privilege are maintained today by that particular view.

So if there's anything else that we need to do here -- and maybe you can do -- is force the schools to teach the truth, as Ida B. Wells said. Force them to teach *The Color of Law*, and the APN report, and *The New Jim Crow*; and *Chokehold*, by Paul Butler, and other books that talk about the pervasive racism that continues to infect, if you will, our society and ourselves -- which we have to recognize; because until people know the truth, there are not going to be any solutions.

I'm done -- just to say that maybe you saw the article of the 500 kids who came together in Ridgewood to talk about school segregation. That's what we need in every district, every town, every place.

The light of truth is long overdue in this area.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you.

Powerful and very depressing, actually.

But I am happy to say that we're finally bringing more of this information to light, and to our colleagues.

And as I said at the beginning, this is just the beginning of these discussions and conversations.

I am very pleased to have Carolyn Chang, Esq., from the Association of Black Women Lawyers of New Jersey, here to testify before the Committee.

And we look forward to it.

CAROLYN V. CHANG, Esq.: Thank you.

I'd like to thank the Co-Chairs, Senator Rice, Assemblywoman Jasey, and the other members of the Committee, for inviting me here today to speak to you.

I'm here today to speak of my personal experience as a teenager in an extremely segregated school district; and my experience as an involved parent in a diverse school district attended by my two children.

I have provided to the Committee 20 copies of my prepared remarks.

Let me begin by saying I came to America as an immigrant, in 1972, settling with my family in East Orange, New Jersey. As I began to attend the public schools, I experienced, firsthand, the remarkably two different worlds in which New Jersey students live.

My junior high school -- I'm sure Senator Rice is familiar with it; Vernon L Davey Junior High School -- and my high school, East Orange High School, house classrooms that were under-resourced, stocked with outdated textbooks, and aging and obsolete equipment well beyond its useful life. Yet, a mere 20 minutes away, in Livingston and Maplewood,

students attended some of the top-performing, well-supplied, and equipped public schools in the state.

Sadly, these disparities still exist today, decades later, and are undergirded by extreme racial and socio-economic segregation.

While East Orange is nearly 90 percent black, with a median annual income of only \$40,000, Livingston is more than 75 percent white, with a median annual income of \$129,000.

According to U.S. Census data, Livingston's African American population is less than 3 percent.

These types of statistics are not just limited to Essex County public schools. In Middlesex, Camden, Gloucester, and Somerset counties, the demographics are glaringly similar.

Put simply, children of color, living in urban centers, attend vastly different schools than their suburban counterparts who live in whiter and wealthier communities.

I still wonder what opportunities I would have had if I had attended schools in an affluent suburb. I succeeded, thanks to the values instilled in me during my childhood in Jamaica, West Indies; strong mentorship; and a whole lot of luck.

Many of my classmates from East Orange High School were not so lucky. They dropped out of school and, driven by a lack of hope and resources, too many made poor choices presented in their immediate environment and ended up involved on the wrong side of the criminal justice system.

New Jersey's segregated schools are not a political issue. They are a Civil Rights crisis. Schools in New Jersey -- as you've heard before --

are the sixth-most segregated in the nation for African Americans, and seventh-most segregated for Latinos. Our schools are more segregated than schools in the South. The ability of all children, no matter their ethnicity or socioeconomic status, to get a quality education in our public school is a key part of achieving the American dream. This is a part of the dream my parents immigrated to the United States to secure. It prepares the next generation to become contributing members of society. A quality education is an economic imperative.

New Jersey students, like my two children, are preparing to compete in a global economy against children from all over the world. They must be prepared to tackle, head on, the challenges and opportunities that lay ahead. Segregation not only hurts children of color, all children -- all children learn best when they attend diverse schools and can make friends with students from different races, backgrounds, and cultural experiences. It better prepares them, as it has prepared my two children, for the increasingly multicultural world they will face as adults.

For example, my daughter, Chelsea Chang -- who will earn her master's degree from Rutgers University's Graduate School of Social Work in a matter of weeks -- was educated in the lower schools of Easthampton and Westhampton townships, where she was exposed to things like Battle of the Books through well-funded libraries. She is a graduate of Rancocas Valley Regional High School, which draws students from five very diverse sending districts. She was exposed to various languages; therefore, by her undergraduate career, her minor was in Japanese.

This exposure eventually led Chelsea to a semester abroad in Tokyo after graduation; later, living and working in rural Japan. None of

these -- none of these incredible opportunities were available to me as a graduate of East Orange High School.

Attacking the problem of school segregation is essential to ensuring every student in our state is equipped to succeed, including children in our urban and rural centers. We should not lose young minds simply because they were raised and educated in Newark, Trenton, East Orange, Jersey City, or Camden. This is one of the reasons enforcement of New Jersey's fair housing laws -- known as the Mount Laurel Doctrine -- is so very important. These laws prevent towns from excluding low-income families and people of color from their communities through overly restrictive zoning.

During my years of public service in my hometown of Westhampton, I have been a forceful advocate for these laws, despite fierce opposition from some residents and politicians alike. Despite the progress we're making on affordable housing, we need focused solutions for our segregated classrooms.

Governor Phil Murphy and you, the Legislature, have an historic opportunity to act on this issue. As a progressive Governor and, hopefully, a progressive Legislature, I am hoping that you all will act quickly.

In May of 2018, Civil Rights groups that you've heard from today -- and including the Latino Action Network, the NAACP, and the Urban League of Essex County, and the United Methodist Church, and concerned parents -- filed a landmark lawsuit against the State of New Jersey, aimed at tackling, head on, the problem of school segregation. New Jersey's Constitution was the first in the nation to explicitly prohibit racial

segregation in public schools. And the New Jersey Supreme Court has ruled that even implicit segregation violates students' right

Last year, I had the wonderful opportunity to attend the oral argument on a motion in this case, presided over by the Honorable Mary C. Jacobson, Mercer County Assignment Judge. Judge Jacobson gave the Murphy Administration until the end of August 2018 to respond to this lawsuit. It was my understanding that the lawsuit is on hold, and that the plaintiffs remain in negotiation with the State, with an eye towards settlement.

I was saddened, very saddened today, to hear from Justice Stein that little progress has been made within the last 10 months.

My belief is rather than taking an adversarial stand, the Governor should acknowledge the grave constitutional violations occurring in New Jersey schools, and lead the effort to sit down with the plaintiffs and work out a plan to begin the process of integrating our schools, and expanding education and economic opportunities for all of the Garden State's children. This will not only save the State the expense of protracted litigation; it will also allow the State to start focusing on solutions to this grave, but curable, problem.

I was encouraged that the Governor issued a statement recognizing the deep segregation in our schools after the lawsuit was filed in May 2018. Now he and you, the Legislature, need to breathe life into those words and follow up with concrete actions. The children of New Jersey -- my children, other children in East Orange, and Essex County, and other parts of the state -- have waited long enough. Now is the time for the

grown-ups in the state to act and resolve one of the central Civil Right challenges of our time.

Thank you, ladies and gentlemen, for listening to me this afternoon.

ASSEMBLYWOMAN JASEY: Thank you.

I cannot imagine having planned it better -- the last speaker. Because I think you summed up so much of what we've heard this morning.

I mean, you know, it's interesting -- all of the statistics, the history, is so sobering and so disturbing; and yet, hope springs eternal, does it not?

MS. CHANG: Amen, amen.

ASSEMBLYWOMAN JASEY: And so what I can promise is that we will continue to shed light on this issue; to breathe life into it. And also, at the same time, hopefully engage in conversation with our Governor and our leadership in the Legislature. I don't think-- You know, if we can avoid lawsuits and, you know, controversial mandates; if we can convince people that it is in their best interest-- And certainly, as a parent, and as now a grandparent, I know that the world has changed; and that in order for our children to, indeed, be able to compete on the global stage they need more than what we're providing for them.

And it's not just seat time, and it's not just testing; its experience, and it's being with people who are different from them. Because that's how we grow, that's how we learn, and that's also how we develop empathy, which was mentioned a number of times by Professor Boddie. That is something that I fear is lacking, not just in our society, but globally. And it bothers me because we live in a shrinking world, and we

have to figure out and understand that what's good for me is also good for you; and what hurts me hurts you.

So with that said, I will grant 15 minutes max to my colleagues, if they would like to make comments or ask questions.

And as I said, we will be having another access and equity hearing in April -- this Committee.

SENATOR RICE: So--

ASSEMBLYWOMAN JASEY: Yes.

SENATOR RICE: First of all, let me thank all of you who testified this morning.

I have a long-standing relationship with each one of you, and I know the work and the commitment you have to justice at all levels of life.

I think that the testimony was powerful. I look forward to making certain that we not only have the transcripts, but I would suggest to the staff to make sure we get copies of the transcripts to members of this Committee, and also to the leadership in both houses and to the Governor. And the rest will be online for legislators, I'm sure, to get.

I also want to say that, as a black State Legislator and Chairman of the Legislative Black Caucus, we have an awesome responsibility to represent everybody in the state. But what's more awesome -- as I tell my members all the time; and I told them Saturday at the retreat -- we have a particular responsibility to be the voices, (indiscernible), of black America and black New Jersey, in this country and this state, as policymakers. Whether they live in Sussex County and feel all alone out there, or whether they live in cities like Newark and feel all

crowded -- to make sure there is equity and justice. And so we're criticized oftentimes.

And so, as a result of that, I'm committing, as Chair-- And it just so happens that the Co-Chair of this Committee is also the Chair of the New Jersey Legislative Black Caucus, education policy committee. I'm going to make sure that there is some off-legislative conversation with you, and she and her Committee, to really bring us up to date, so that the Legislative Black Caucus can partner in your effort to correct this injustice and this long-term wrong. And I think that's important.

And we can also talk to our colleagues in the Latino Caucus, because I think that they have a similar mission and responsibility.

And we know that all of this really started when the first great black migration took place the 1916. Because 90 percent of the people we're talking about, who are being impacted -- black folks -- lived in the South, the rural South. Then when 1914, World War I, came, Europeans couldn't come and work in these factories anymore. And in 1916, blacks were promised -- through recruiters and others, who went to the South, to bring them into the northern states, to the Western the Midwest states -- that they would get these jobs that paid three or four times more in factories. And when they got here, they didn't get them. The grass was not greener on the other side. What they got was not better housing -- which they thought they would get -- they got new laws being changed, that are still on the books today, in a different way that say, "You can't live in the same houses as white folks, and you can't live in the same neighborhoods."

And then when they did create neighborhoods, and they were working, the Federal government redlined and wouldn't give them loans and stuff.

And so the expectation of better pay and better quality of housing is the same issue we're faced with today. That started in 1916, and pretty much we started to shut it down a little bit in the 1970s.

So those of us who know the history, and those of us who lived the history -- actually live it -- as black people in the Legislature -- I'm one of them; there are not many. I think northern blacks see things were different sometimes, because they don't understand that history.

So we're committed to that.

The Joint Committee, under our leadership -- we share information, as we get these hearings, with our colleagues; and try to hopefully, collectively, help set some direction.

I do say that the course we should be moving on -- because we're talking about a long-term potential rectifying of the problem, which can be very expensive. And in this state, when you start to talk expensive propositions, women and minorities continue to lose because the politics stinks.

And so I just wanted to say that for the record -- that we're going to, as a Committee, continue to get information; and it's the information that we get that we will use to educate our colleagues. And then we, in both houses and both parties of the Legislature, will collectively try to figure out how to get it done.

I would also commit to you, as Co-Chair of this Committee and Chair of the Legislative Black Caucus, we will have this conversation with

the Governor's Office and the Governor to determine why, if in fact, there is a serious commitment, why are conversations stopping? Because I know the people who just testified -- I can say this for the record -- I know them. If in fact the conversations slow down or stop, we're going to court, and there is going to be a lot of money spent. And I think that we're trying to not put an economic burden on us at the beginning of this situation, but to work together on fixing it.

So I just wanted to say that to you.

ASSEMBLYWOMAN JASEY: Thank you, Senator Rice.

Assemblywoman Egan Jones.

ASSEMBLYWOMAN JONES: I thank you all, very much, for your testimony.

And my experience -- though, at a bit of a distance -- was exactly as you suggested, Doctor, about the children who were going into a school to play a game and hearing unfortunate terms.

Having four grandchildren, in different schools, I'm getting to see the world through their eyes and their parents, differently than when I was just raising my own in that narrow confine. And I believe the responsibility for making a difference is on all of our shoulders. It is not just for our people of color and Latinx. It's for all of us. It's a shared world, and we need to improve it. It is so distressing to hear how long it's taken us to finally realize how embedded these issues are.

I have to congratulate -- on a different subject; not education -- but on the Nurture program that our First Lady has put in place in the health care area. And as a representative of one of my communities -- is the City of Camden -- the statistics are horrific because of -- one of the causes --

implicit bias. And I've said to her -- and I think it is my job to talk to people in my neighborhood so that they understand the baggage they're carrying that they don't realize. And it gets to be a little testy sometimes; but I'm willing to do it, because I think it's so important that we learn to walk together, hand-in-hand. And we can't do it if we're separated.

I used to love cities, big cities, because the butcher, and the candlestick maker, and the rich guy all lived on the same block. And they integrated, kind of, on a natural basis. And then the Mount Laurel thing sounded like it was going to work; and then we allowed people to sell their credits to other towns. Ridiculous; but we did it, for whatever reason.

So I am so grateful for the testimony -- all of you -- today. And it only emboldens me to make sure I continue to embark on the road of conversation, at the very least; and I would follow you to almost anywhere.
(laughter)

Thank you.

And I have to scoot, because I have a very important meeting -- it's been rescheduled 14 times -- in Camden. I exaggerated on the 14; but it's probably 4. So I have to scoot down there.

So thank you so much, and I'm with you all.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.

Senator.

SENATOR THOMPSON: Thank you, Madam Chair.

New Jersey does have a very significant problem. We're ranked sixth in the nation for the most segregation? That is astounding. I mean, I

came from the South, so to find that New Jersey is so far behind here -- it is rather astounding.

Of course, the problem did not occur overnight; and the solutions will not come overnight. But your testimony here today was so valuable in what we can do going forward to try to alleviate these problems.

So I thank you very much.

ASSEMBLYWOMAN JASEY: Thank you, Senator.

Any other members?

SENATOR ANDRZEJCZAK: Sure.

ASSEMBLYWOMAN JASEY: Yes, Senator.

SENATOR ANDRZEJCZAK: I will be very brief.

But I want to thank everybody for coming out and testifying today. I think there was a lot of information, a lot of insight that I did not realize before.

I grew up in South Jersey, where it's a little more rural; and I did not realize the differences of South Jersey compared to not only the rest of the state, but a lot of the rest of the country as well. I didn't come to that realization, as far as the differences, until I joined the military. When I joined the military, and being thrown together with everybody from across the entire country and realizing, "Wow, this is a lot different than what I experienced growing up."

But through that experience, coming together and being broken down, but then built back up as one is something that I still carry with me today. And it's funny; when I came out of the military, and I came back home, and I bought my house, I bought my house just in the next township over. And with my kids in school today, the diversity, in just the next

township over, is so great. And to be able to provide my kids with an opportunity to have that diversity that I did not have growing up, I think will only benefit them growing up and into their future.

So anything that we can do on the State level to promote that integration-- I mean, it's going to take a lot of hard work and I think it's going to take a lot of creative thinking to get to that point. But we can never get there unless we start.

So I'm happy that we are starting that process.

ASSEMBLYWOMAN JASEY: Thank you; those are -- that's music to my ears to hear.

And I look forward to working with you and your colleagues, and my colleagues in the Assembly as well, as we move forward.

And to all of you who came today -- I can't thank you enough for taking the time to come and present the information. And I promise you that Senator Rice and I will make every effort to share this information with our caucuses and our colleagues.

And we will schedule that conversation with the Governor's Office as well.

We will be back on April 9 to continue this conversation on access and equity. And I encourage all of you to come, and to-- Or if you can't come, let us know if you need the transcripts and we will provide them to you.

Thank you for that.

SENATOR RICE: The meeting is dismissed.

(MEETING CONCLUDED)