APPENDIX

Testimony of Professor Elise Boddie
Joint Committee on Public Schools
Tuesday, March 19, 2019

Good morning, everyone.

My name is Elise Boddie. I am a professor of law at Rutgers Law School in Newark.

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 Co-Chair Senator Ron Rice and Co-Chair Assemblywoman Mila Jasey and other members of the committee for the opportunity to appear before you today to speak about school segregation in the state of New Jersey, which I believe is one of the most critical issues of our time.

A quick story

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.

I'd like to tell you what they said.

The first student was on Central High school's volley ball team. She liked to compete and apparently she 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 were all black, walked into the school's gym.

As they walked in, they saw a group of students who were all white.

She heard one of those students ask another student what "they" were doing there.

And here the student used a word (that I'm not going to repeat) to describe the Central High team. I think you might guess which word they used...

In her 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.

Second story

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's streets—on its billboards and sidewalks…

…and the sense of pride he felt when walking through his neighborhood and how the art made him feel at home.

Why am I sharing these stories?

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 can lead 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 often don't get a chance to know someone from 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 is also a leader in her school, that she's a really good writer, and that she has dreams of going to Westpoint.

You don't see the diversity within Newark, the richness of its culture; and you don't learn that the student who wrote that speech is shy and quiet but also razor sharp.

Purpose of education

John Dewey wrote that "education is the means by which we initiate our children "into the interests, purposes, information, skill, and practices" of the rest of society.[1]

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?

[1] John Dewey, Democracy and Education (1916) (2018)

Statistics

New Jersey has 1.3 million students. 45% are white; 27% are Latino; about 16% are black; approximately 10% are Asian.

Of the 585,000 Black and Latino public school students about 270,000 (46%) attend schools that are more than 90% Black and Latino…

That's to say nothing of the thousands and thousands of white students who attend predominantly white schools.

Benefits of integration

Why should we integrate our public schools?

We have decades of research on the social and academic benefits of integration.

At the height of integration 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.

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.

We also know that integration leads to higher graduation rates and that students who attend integrated schools are more likely to go to college.

It leads to higher levels of employment and higher incomes and better health outcomes.

We know that diversity makes us smarter. It improves our cognitive and problem-solving skills.

Think about trying to persuade someone who has different experiences and perspectives—you have to think more critically.

We also know that integration builds empathy and reduces bias and helps students learn to question stereotypes.

But to reduce this kind of prejudice we need environments where people from different racial groups have equal status and common goals.

Public schools are the ideal place for this kind of interaction.

> …Which other institution has the "potential to bring young people together across racial, ethnic, and social class lines to facilitate active learning to reduce prejudice"?

And we pass on these benefits from generation to generation.

My mother was part of the first wave of school desegregation. She integrated a school in Ohio.

I was bused as a child in Los Angeles.

My son is now enrolled in an integrated school.

We know what to do.

But the incentives in our system of 620+ school districts and our laws that mostly require students to go to school where they live…

…discourage us from doing it.

We have a problem in this state with what I call "other people's children."

We generally don't care much about "other people's children."

The benefit of integration is that it increases the incentive to care about "other people's children."

To use a sports analogy…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.

Every parent wants to make sure that every child on that team 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…*

…they will continue to deny those opportunities to other children.

And racial inequality will continue.

We have to disrupt those incentives by integrating the system.

Northern segregation

Before I joined the Rutgers Law School faculty I directed the litigation program at the NAACP Legal Defense & Educational Fund, Inc.

And before that I was a staff attorney and traveled around the country litigating cases and worked on school desegregation cases in Alabama.

New Jersey was a bedroom community for me. I didn't spend much time here.

It wasn't until I came to Rutgers and was educated by my colleague Paul Tractenberg about segregation in New Jersey that I began to understand the depth of the problem.

Since then I've been speaking about school segregation across the state. I've been doing it for nearly four years.

And for much of that time people could not understand what I was talking about.

When most people hear the phrase "school segregation," they think about the South in the 1950s.

In their mind's eye they see white people jeering at black children as they walk through the doors of white schools.

- In the South they had laws that said black and white children couldn't to school together. We don't have that here. Instead our segregation is more subtle…

- And although a good number of southern schools voluntarily desegregated, there were also protests and massive resistance. There was struggle in plain sight.

The irony is that New Jersey is more segregated than *all* the states in the former confederacy for black students.[2]

…Mississippi, Alabama, Louisiana, Georgia

It is the 6th most segregated state in the country for African Americans and the 7th most segregated for Latinos.

The only states that are more segregated are New York, Illinois, and Maryland.[3]

We also know that segregation is more complicated for Black and Latino students…

…because they are doubly segregated--not only by race; they are also by poverty/income and class.

Southern school desegregation worked

Many people think that desegregation failed. It did not.

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.

---

[2] In terms of percentage of black students in 90-100% non-white schools. https://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/brown-at-62-school-segregation-by-race-poverty-and-state/Brown-at-62-final-corrected-2.pdf

[3] https://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/brown-at-62-school-segregation-by-race-poverty-and-state/Brown-at-62-final-corrected-2.pdf

And the U.S. Supreme Court in a 1968 case called Green v. 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.

In a 1971 case, Keyes v. School District No. 1, the Court required a showing of discriminatory intent in school segregation cases. Intent generally is hard to prove. It requires a smoking gun.

And in a 1974 case, Milliken v. Bradley, the U.S. Supreme Court held that students could not be bused across jurisdictional boundaries without of showing of discriminatory intent.

These cases together effectively stopped northern school desegregation in its tracks because of the difficulty of proving intent.

Eventually the U.S. Supreme Court became more conservative and rolled back the caselaw that had desegregated schools in the South.

Schools in the South started resegregating, but they are still more integrated than schools in New Jersey…

Early consciousness

But before all that happened there was a consciousness about segregation in northern and western states.

A 1962 U.S. Commission on Civil Rights report documented protests against segregation in 14 states and 42 cities outside the South.

In New Jersey there was also an early awareness of segregation.

You all likely know that we had so-called "colored" schools and white schools in Trenton, Mount Laurel, Moorestown, Penns Grove, Hackensack, Princeton, Montclair, Camden…

A Teachers College study in late 1930s discussed segregation in the Garden State

There were protests against school segregation in the 1920s and 1930s in Toms River, Asbury Park, Camden, Mount Holly, Montclair, East Orange, Trenton, and Long Beach

As a result the NJ NAACP worked to overhaul the state's civil rights laws.

Robert Carter

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 the state and created some of the best state law in the country.

According to these cases, which are still good law, it does not matter *why* we have segregation. The simple *fact* of segregation itself violates New Jersey state laws and our state constitution.

Separate is inherently unequal

Some people wonder why we shouldn't just focus on making our separate schools "equal."

I'm here to tell you that I don't think separate can ever be equal in America.

And I say that in part for the reasons that the U.S. Supreme Court declared in Sweatt v. Painter in 1950.

A critically important part of education is the intangibles of that experience…

… of learning from people who have different ways of seeing the world.

Thurgood Marshall once said that "equality means getting the same thing, in the same place, at the same time."

Separate will never be equal because when you segregate people—as we do when we rely on residential borders to decide where a child goes to school-- you draw a fence around them.

You isolate them from power, from resources, from wealth.

Segregation separates people from opportunity.

When you draw that line around people, you dehumanize them. You treat them as if they are a threat.

It is easier to dismiss people, to dismiss their struggles, to treat them like 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 know each other.

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 bias and prejudice …

… onto entire communities.

We build walls *inside* our mind and so we build walls *around* our schools

Democracy

I'll say one other thing, which is that I fear for our democracy in a segregated system.

John Payton, who led the NAACP Legal Defense Fund, Inc. 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 worry <u>not only</u> 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.

The American Federation of Teachers in a brief they filed in *Brown* in 1952, wrote the following, which I am partly 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 (people)?

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, the AFT said, has deeply rooted evils.

It leads to underresourced schools for black students and deprives those students of an important element of the educational process.

The damage to the Black student 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's still true in 2019.

Thank you again for your time and attention.

JOINT COMMITTEE ON THE PUBLIC SCHOOLS: March 19, 2019
STATEMENT OF JUSTICE GARY S. STEIN (Ret.)

I want to thank the Chairs, Sen. Rice, and Assemblywoman Jasey, and the entire committee for inviting me to speak to you today, and I extend my appreciation to your Ex. Dir. Rebecca Sapp, for helping me to show up on time and in the right room.

I have deep roots in the State of New Jersey. I was born in Newark. I attended Newark Public School until 3rd grade and then attended public schools in Irvington until I graduated Irvington High School in 1950. Aside from my years attending Duke University and Duke Law School, my military service at Fort Bragg and a short stint as a resident of New York City, I have spent my entire adult life in this State. My public service includes three years as Governor Kean's Chief Policy Advisor and 17½ years as an Associate Justice of the New Jersey Supreme Court. That is why I find it both personally and professionally embarrassing and upsetting that my State, of which I've always been proud, operates one of the most racially and socio-economically segregated school systems in the entire country. I think

think it's a stain on our State's reputation among the other States, and I deeply believe it's our collective duty to fix it, no matter how hard that will be. That is why a non-profit that I helped organize with several colleagues – the New Jersey Coalition for Diverse and Inclusive Schools – initiated a lawsuit against the State on May 17, 2018, the 64th Anniversary of Brown v. Bd. of Education, alleging that our highly segregated school system violated our State's Constitution. I firmly believe that we will win that lawsuit and that the Courts of our State will, at long last, 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 tell you how badly our schools are segregated.

During the school year ending in June 2017, New Jersey had approximately 1,375,000 students; about 45% were white, 15½% Black, 27% Latino, 10% Asian, and the balance some other racial or ethnic group.

Of the 213,000 Black students, 25% - around 53,000 – attended schools that are more than 99% non-white. Another 52,000 Black students went to schools that are over 90% non-white.

Of the 372,000 Latino students in our schools, 14% - about 53,000 – attended schools that are over 99% non-white, and another 30% - about 113,000 – attended schools that are over 90% non-white.

Let me add that up for you. Approximately 270,000 Black and Latino students in New Jersey – 49% of all Black students and 46% of all Latino students – attend New Jersey public schools that are more than 90% non-white.

And our segregation is even more invidious because it is socio-economic as well as racial. Over 80% of those 270,000 Black and Latino students in extremely segregated schools come from families with incomes below the federal poverty level.

Segregation in our charter schools, if anything, is even worse. Three-quarters of our State's 88 charter schools are over 90% non-white and over 80% of charter schools reflect extreme levels of both segregation and poverty. I'm sure that no Legislator who voted in 1995 to enact the Charter School Program Act anticipated that a system of highly segregated charter schools would be the result.

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. 39 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 those schools because of their high quality, alongside a comparable number of students from the Hartford public schools. I've visited several of those magnet schools. They are successful, have long waiting lists, and clearly could work in New Jersey.

Other States have implemented inter-district choice programs that allow urban school children to attend school in suburban schools with extra capacity. New Jersey could implement a significantly expanded choice program that would afford urban students a voluntary opportunity to attend school in a high-quality diverse setting.

I should pause here to emphasize that the research over the past several decades overwhelmingly demonstrates that all children benefit significantly from attending schools that are racially and socio-economically diverse. Resources in diverse schools tend to be better as is parental support, and exposure to peers who have college aspirations tends to result in reduced absenteeism and disciplinary issues, and often encourages stability in the teaching staff.

The benefits for white children also are substantial. In a nation where a majority of first 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 socio-economic backgrounds prepares all children to be better able to interact with others in the workplace and in their communities.

Other remediation options include increasing diversity in the State's Vo-Tech Schools; a county-wide school district pilot program as recommended last summer by the Economic and Fiscal Policy Workgroup, as well as the consolidation of smaller school districts into K-12 districts, as recommended by the same report.

But you must also be aware that implementing a magnet school program, an inter-district choice program, and other remediation options could adversely impact the children in urban districts who are left behind – who are not selected by lottery to attend Magnet Schools or suburban choice schools. Accordingly, any remediation program to diversify schools must insure that it does no harm – and that it provides extra resources to urban districts to maintain and enhance their educational progress. One such program – 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. That perhaps explains why our settlement discussions with the State may require a pause and a reset. Although we have been engaged in cordial and

informative settlement discussions with representatives of the Attorney General's Office, the Governor's Office, and the Department of Education since September, we are now inclined to return to Court and litigate at least the issue of whether our current segregated school system violates the State Constitution.

School segregation in New Jersey is an issue whose time has come. Solving it will be controversial, difficult, and sometimes adversarial. We also are in unchartered territory. No State with over 80 Charter Schools has had to order them to desegregate. No State with segregated urban districts has 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.

I would be happy to answer any questions.

STATEMENT ON EQUITY AND ACCESS

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

March 19, 2019

Paul L. Tractenberg, President, Center for Diversity and Equality in Education (CDEE);
Board of Governors Professor Emeritus at Rutgers Law School-Newark

For many decades, New Jersey has been an anomaly. On the one hand, it has had the strongest state constitutional law in the nation, which not only bars segregation in the public schools, but also affirmatively requires school integration wherever feasible.

That is a function of a unique 1947 state constitutional provision that has explicitly prohibited school segregation. But it also is a result of precedent-setting decisions by our state supreme court. For example, in 1965, the court ruled in *Booker v. Plainfield Board of Education* that, contrary to federal law, the state constitution was as offended by de facto segregation as by de jure segregation. In 1971, its opinion in *Jenkins v. Morris Township* ruled, also contrary to federal law, that integration remedies could cross district lines. That decision led to an order by the commissioner of education merging the Morristown and Morris Township districts for racial balance reasons, an action unique in New Jersey and probably in the United States. In that case, the court also suggested that the state constitution's education clause might be violated whenever students who could be educated in a diverse setting were being deprived of that opportunity.

These path-breaking judicial rulings are buttressed by a large body of research evidence concluding that all students benefit being educated in diverse settings, in terms both of academic achievement and life skills. After all, given the growing diversity of our state, nation and world, and our increasing interdependence, it should be obvious that the sooner our children begin to learn and interact together the better off they and we will be.

23x

Despite both New Jersey's standing as having the nation's strongest state constitutional law in this area and this powerful research evidence, the reality on the ground is that New Jersey has long been recognized as operating one of the nation's most segregated public education systems. Periodic efforts over the years, mainly through the courts, have left that perplexing and alarming reality largely in place. Why our state has been captive of this long-term schizophrenia is beyond what I want to address today, but you all probably have explanatory theories.

Instead, I want to focus on what we can do to correct this anomaly and why your leadership is essential to that effort. The courts can take us only so far; ultimately, courageous and far-sighted legislative action is essential.

The solution is both simpler and more complex than we might think. It is simpler because demographic forces have begun to reshape New Jersey school districts, making many of them significantly more diverse at least at the district-wide level. According to a detailed study that my colleague Ryan Coughlan and I published in May 2018, almost 25% of our state's school districts are relatively proportional to the statewide demographic profile of about 45% white students, 15% black students, 27% Hispanic students and 10% Asian students.

Some of those districts have extended their diversity to the school level; most have not. Virtually none of those districts have extended diversity to the classroom and program level, but that is a national phenomenon.

For those interested in detailed information about this demographic trend and how it might be capitalized on, you can access the report—Tractenberg & Coughlan, The New Promise of School Integration and the Old Problem of Extreme Segregation: An Action Plan for New Jersey to Address Both—at CDEE's website, www.centerfordiversityandequalityineducation.com. Attached to this statement is 10-page

24K

Executive Summary of the report, which concludes with the Action Plan for New Jersey. As you will see, the plan provides recommendations for all three branches of state government, but especially the executive and legislative branches, about how they can address both aspects of school integration. In process is a series of seven position papers I am developing, which are designed to elaborate on key components of the Action Plan. I will gladly share those position papers with the Joint Committee as soon as they are finalized.

The other half of the report's focus—"the old problem of extreme segregation"—is where great complexity comes into play and where meaningful remedies implicate longstanding and deep New Jersey beliefs and practices. In my judgment, it is almost certain that we cannot make serious inroads into this old and extreme problem unless we are able to think long, hard and creatively about how to refashion our entire structure of providing education. That means, among other things, we will have to revisit the way in which we organize and fund our schools. A problem of this magnitude and duration simply can't be remedied in a meaningful way by nibbling around the edges. This may not be what you **want** to hear, but it is what you **need** to hear.

One aspect of the refashioning requires that we move away from the extraordinarily localized system we have in New Jersey with far too many school districts, about 40% of which are too small to operate a full K-12 system of schools. New Jersey's experience in this regard runs totally counter to national trends. The number of school districts nationally has steadily and precipitously declined over the past 80 years from 117,108 in 1939-40, the first year in which data were published, to 13,584 in 2015-16, the most recent published data (a **decline** of almost 90%). By contrast, in New Jersey the number of school districts has increased from about 500 to

678 operating school districts (including 88 charter schools), plus 15 non-operating districts, for a total of 693 districts (an **increase** of almost 40%).

One has to seriously question whether New Jersey's structure complies with the constitutional requirement that "The Legislature shall provide for the maintenance and support of a thorough and **efficient system of free public schools** for the instruction of all the children in the State between the ages of five and eighteen years." (emphasis added.) In the extraordinarily long-running cases of *Robinson v. Cahill* and its successor *Abbott v. Burke*, the court's focus was on the funding implications of a "thorough" education. By the way, the Legislature has hardly wrapped itself in glory regarding its adoption of constitutional school funding laws. Over the past 44 years, only two of the five school funding statutes it enacted have even passed facial constitutional muster—the 1975 Education Act and the School Funding Reform Act of 2008 (SFRA)—and the first of those was found unconstitutional as applied in 1990. Legal challenges to SFRA, and to its July 2018 amendment by S-2, have already been filed and more are in the offing so the Legislature may have to up its game.

Meanwhile, little or no attention has been paid to the constitutional concept of an "efficient system of free public schools," at least since the so-called CORE Act of 2007. Indeed, it is hard to imagine that New Jersey's educational system could meet any reasonable definition of efficiency.

Of the State's numerous school districts, as I have indicated, about 40% don't have enough students to operate a full K-12 system. Instead, if they are elementary districts, they must send their high school age students to another district. If they are high school districts, their elementary school age students also must be sent to another district. In neither case does the

26x

sending district have any meaningful authority over the curriculum of the receiving district, resulting in a clear breakdown of curricular articulation.

At the extreme lower end of New Jersey's school district continuum, 43 districts have fewer than 200 students and 15 don't even operate a school or classroom. They exist as separate school districts, with their own school boards and administrators, just to send their handful of students to a nearby district that actually runs a school.

The Legislature has not been oblivious to this gross inefficiency. In 2007, it enacted the CORE Act, which imposed on newly-anointed executive county superintendents the responsibility of developing consolidation plans for their respective counties to require that all districts would become full K-12 districts. Little was done with that mandate, however, and there have been virtually no district consolidations anywhere in the state during the intervening dozen years. Currently, there seems to be renewed legislative interest in school district and even municipal consolidation, but it is far too early to tell whether a new initiative will have any greater impact.

Perhaps New Jersey's extreme love affair with localism can be overcome by a combination of greater educational efficiency and some, even if modest, cost savings. After all, New Jersey's highest in the nation property tax rates may be a function of both our educational and municipal inefficiencies and the State's unduly heavy reliance on local property tax revenues (substantially higher than the national average). Understand, though, even extensive school district consolidation, which could increase the possibility of school integration by creating districts that are more racially, ethnically and socioeconomically diverse, won't necessarily guarantee it unless integration is given explicit priority, and the Legislature has been largely

27x

mute for many decades in terms of requiring that the state constitutional mandate of school integration be meaningfully implemented.

Were the Legislature to become engaged in that effort, if belatedly, it will need to recognize and tackle forthrightly formidable logistical and political challenges. There are, after all, only two ways to increase school integration if the district's student population is not already diverse—by moving students across district lines or by changing district lines.

Both approaches have logistical and political complexity in New Jersey. The "old problem of extreme segregation" largely afflicts large and poor urban districts. Many of them have been identified as "Abbott (now SDA) districts" because their limited local property tax capacity, coupled with their large numbers of "at-risk" students, have resulted in their receiving special constitutional solicitude from the New Jersey Supreme Court in *Abbott v. Burke*.

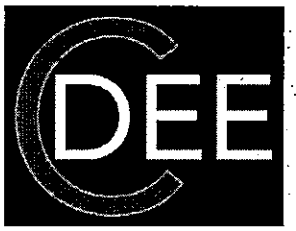
The students' poverty and other educationally challenging circumstances, such as Limited English Proficiency, are compounded by the fact that they also are overwhelmingly black and Hispanic. Indeed, statewide almost a quarter of all black students attend "apartheid" schools where less than 1% of the students are white and almost another quarter attend "intensely segregated" schools where fewer than 10% of the students are white. The numbers are almost as dismal for Hispanic students.

Let that sink in for a moment—we live in a state with the strongest laws in the nation requiring school integration, yet almost 50% of our black students and almost 45% of our Hispanic students attend schools where they see only a relative handful of white students. The problem is even more dire in the Abbott/SDA districts where virtually all the students are either black or Hispanic so nearly 100% of them are educated in apartheid schools.

Moreover, in their extreme educational and social isolation, many of these students of color are doubly or triply segregated—by race and ethnicity, by low socioeconomic status, and by linguistic circumstance. If we had intentionally set out to create an educationally untenable system, we could not have done much better than our current system. Many of our most educationally challenged students are isolated in their own schools and school districts and, at least until Abbott remedies were implemented, they had unequal and inadequate educational funding and resources. Still, if a serious effort is launched to break down the barriers and substantially extend school integration to the students in those isolated urban districts, a formidable undertaking, great care will have to be taken not to inadvertently undermine the resource equalization achievements of *Abbott*. That could work to the disadvantage of the very students who have been the focus of *Abbott*. We must find a way to blend the benefits of equalized funding and greater school integration, which is no mean challenge.

It will take creativity, honesty, determination and courage by all three branches of state government to make our longstanding constitutional commitments to equity and access in New Jersey's schools a reality. To be completely candid, for far too long, in my opinion, the legislative and executive branches have not had a distinguished record of accomplishment in these areas. Often, they have hidden behind, or even blamed, the judicial branch for its tenacious efforts to deal with at least some of the fundamental problems in this area. It's time now for all our elected and appointed representatives to step up and do the right thing.

Thank you.



THE NEW PROMISE OF SCHOOL INTEGRATION AND THE OLD PROBLEM OF EXTREME SEGREGATION

AN ACTION PLAN FOR NEW JERSEY TO ADDRESS BOTH

EXECUTIVE SUMMARY

May 2018

PAUL L. TRACTENBERG AND RYAN W. COUGHLAN

THE CENTER FOR DIVERSITY AND EQUALITY IN EDUCATION
NEW JERSEY

Executive Summary

We expected this report to primarily update our 2013 study, *New Jersey's Apartheid and Intensely Segregated Schools: Powerful Evidence of an Inefficient and Unconstitutional State Education System*. Our initial work on the update revealed that the proportion of apartheid and intensely segregated[1] schools in New Jersey has actually grown since the last publication.

As we applied a newly conceived measure of school segregation—a proportionality score—to New Jersey's education system, however, we were surprised to discover that a considerable number of the state's school districts, and their municipalities, have become substantially diverse.[2] Perhaps that should not have come as a surprise since we also discovered that New Jersey's total student population is very diverse and closely mirrors that of the nation.

These data and analyses led us to produce an entirely new study rather than an update of the 2013 study. As the title suggests, the new report deals both with "the Old Problem of Extreme Segregation" and "the New Promise of School Integration" in the context of "An Action Plan for New Jersey to Address Both."

Our new measure, which dictated that we issue a fundamentally altered report, is a proportionality score[3] based on a comparison of demographic profiles at different governmental levels. Here is why we believe it is such an important measure. The United States is becoming increasingly diverse and some states, such as New Jersey, closely mirror that national trend; others do not. The proportionality scores comparing national and state level data capture those distinctions. Similarly, proportionality scores that compare state level and school district data, and school district and individual school data, provide a basis for knowing where we stand currently regarding diversity. Because the proportionality score accounts for all demographic subgroups and has the flexibility to shift as demographics change, it can point to an ideal condition in which all schools have a diverse student population that is representative of society as a whole. That presupposes, of course, diversity is our goal.

Although the federal government could play a significant role in promoting diversity among states or within states, that would require a major reversal of current policies and practices. At the state level, particularly with regard to education, the situation is markedly different. Longstanding constitutional principles provide state governments, not the federal or local governments,

3/x

with ultimate authority over education, and some states, New Jersey prominent among them, have construed that authority to bar school segregation, even to affirmatively require racial balance, well beyond the requirements of *Brown v. Board of Education*.

For a state like New Jersey to actually succeed in diversifying its education system at all levels and in all areas, instead of just pontificate about it, the proportionality scores of school districts and individual schools, as compared to the state demographic profile, can provide an important benchmark and aspirational goal. In the effort to realize such a goal, the highly successful history of districts such as the Morris School District in Morris County can offer essential guidance.

In the report, we document in detail the current state of affairs and recommend how the state should address both the new opportunities we have identified as well as the far too old and serious problems we still confront.

First, we must recognize and act urgently to deal with the continuing, or even worsening, extreme segregation that exists in approximately 25% of our school districts. They are mostly urban districts where black and Hispanic students, many of them low-income, go daily to intensely segregated or apartheid schools. Additionally, we must deal with the significant, but sharply declining, number of districts where white students exist in extreme isolation (fewer than 10% non-white students). Both circumstances diminish the educational and social opportunities of far too many New Jersey students, and deprive the state as a whole of the benefits of students educated in schools that mirror our society's growing diversity.

In order to guide the state toward unlocking the full benefits of its diverse population, we have presented two new frameworks for explaining the demographic and educational data, and for developing and implementing remedies tailored to address the opportunities and challenges that await us. Our new approaches to analyzing school integration supplement, and in our opinion improve upon, the more traditional framework that emphasizes instances of extreme segregation.

Our new frameworks: (1) measure all the state's schools, school districts and counties by their proportionality to the statewide demographic profile; and (2) use those proportionality scores to derive three district diversity categories—(i) those that are already relatively proportional to the state as a whole; (ii) those that are not yet sufficiently proportional but are in relatively diverse counties;

32x

and (iii) those that are not yet sufficiently proportional and are in counties that also lack diversity.

We also deal in this report with some of the major educational aspects and implications of our shifting demographics, which, at best, we touched on briefly in the 2013 report.

Among our major findings are:

- While white students still make up the largest portion of children in New Jersey's public schools, there is no longer a single racial group in the majority. In the 2016-2017 academic year, 45.3% of New Jersey's public school students were white, 27.1% were Hispanic, 15.5% were black, 9.9% were Asian, and 2.1% identified as part of some other racial or ethnic group.[4] By comparison, the national profile a year earlier had 48.9% white students, 25.9% Hispanic students, 15.5% black students, 5.0% Asian students and 4.8% "other" students.

- In the 2016-2017 academic year, 24.4% of New Jersey's students attended a school characterized by some form of extreme segregation: 7.8% of students went to apartheid schools, where less than 1% of the population was white; 13.5% of students went to intensely segregated schools, where between 1% and 10% of the population was white; and 3.1% of students went to white isolated schools, where more than 90% of students were white.

- While the proportion of children attending white isolated schools has dropped precipitously and continuously since 1990, the proportion of children attending either apartheid or intensely segregated schools has risen almost continuously since 1990. The main exception to that trend is that, between 2015 and 2016, the proportion of apartheid schools dropped while the proportion of intensely segregated schools continued to grow. This might be a hopeful indicator of decreases in the most extreme forms of segregation, but more data are needed to assess that.

- Educational outcomes at New Jersey's apartheid and intensely segregated schools are significantly below the state averages. 51.0% of students across the state demonstrate English Language Arts (ELA)

proficiency, while only 35.1% of students in intensely segregated schools and 25.4% of students in apartheid schools demonstrate proficiency. Similarly, 41.8% of students across the state demonstrate Math proficiency, but only 26.6% of students in intensely segregated schools and 17.9% of students in apartheid schools demonstrate proficiency. Equally troubling is that, while 91.1% of students across the state graduate from high school, only 82.3% of students in intensely segregated schools and 79.9% of students in apartheid schools graduate. Additionally, while 77.7% of New Jersey's public school students matriculate to college, only 69.0% of students in intensely segregated schools and 63.6% of students in apartheid schools do so.

- While Asian and white students make up only 55.2% of all students in the state, 87.3% of students in low poverty schools, where less than 10% of students qualify for free or reduced-price lunch, are Asian or white. Conversely, four out of five students in high poverty schools are black or Hispanic even though only two out of five students across the state are black or Hispanic.

- 25% of New Jersey's public schools can be classified as proportional to the overall racial profile of the state's public school student population (i.e., less than 25% of students in each school would need to be exchanged with students from a different racial background for that school to match the diversity of the state as a whole). The other three-quarters of New Jersey's public schools are classified as disproportional. In order for these disproportional schools to match the diversity of the state as a whole, more than 25% of students in each of these schools would need to be exchanged with students from a different racial background.

- There is a significant correlation between how proportional a school's demographic profile is to the state and an array of educational outcomes. The more proportional schools are to the state's demographic profile, the higher the graduation rates, college matriculation rates, ELA proficiency rates, and math proficiency rates are and the lower the dropout rates are.

- Even after controlling for the proportion of students who qualify for free or reduced-price lunch, there is a significant correlation between

proportionality and graduation rates, college matriculation rates, and dropout rates. The more proportional schools are, the higher their graduation rates and college matriculation rates are and the lower their dropout rates are.

- 23.7% of districts have sufficient levels of diversity to provide all students with the benefits of learning in diverse schools and classrooms; these are proportional districts grouped into District Diversity Category 1. These districts have graduation rates that exceed the state average and dropout rates far below the state average.

- 76.3% of districts currently lack sufficient levels of diversity to provide all students with the benefits of learning in diverse schools and classrooms; these are disproportional districts.

- 49.0% of all districts are disproportional to the state and lack sufficient levels of diversity in and of themselves, but they are located in diverse counties and have the potential to create diverse learning environments for their students by adopting innovative school assignment practices; these are grouped into District Diversity Category 2.

- 27.3% of districts are isolated in non-diverse counties and internally lack sufficient levels of diversity to provide all students with the benefits of learning in diverse schools and classrooms; these are grouped into District Diversity Category 3. Despite the challenges to creating diverse schools in these areas, these districts have the opportunity to develop and adopt innovative practices to provide students with some of the benefits of learning in diverse environments.

- 81.5% of charter school students are in schools characterized by extreme levels of segregation (apartheid, intense segregation, and white isolation). These schools currently exacerbate New Jersey's school segregation crisis.

After presenting and explaining our findings, we propose remedies at the district, school, classroom, course and program, and person-to-person interactional levels matched with each of the district diversity categories. These remedies are designed to achieve not just diversity or racial balance, but also

35x

what has come to be called "true integration" for every student to the maximum extent possible. Although diversifying student populations at the district and school levels is usually a predicate for achieving diversity at the classroom, course and program level, true integration involves still greater challenges. To achieve classroom, course and program level diversity necessitates a close look at student tracking policies and practices, and at policies and practices that produce differential student disciplinary and special education classification rates, But, even after that results in diverse classrooms, courses and programs, true integration must take the next major step by focusing on the creation and adoption of enlightened, socially responsive curricula and materials taught by thoughtful and well-trained teachers.

Where, in some cases, extreme segregation cannot be fully remedied in the near term by creating day-by-day student-to-student diversity even at the district and school levels, we recommend some interim measures. These include innovative uses of technology that can provide some semblance of live student-to-student interactions, combined with periodic curricular and extra-curricular opportunities for these students to interact physically.

Finally, we build on those remedial recommendations to conclude the report with the following action plan for the state:

An Action Plan to Diversify New Jersey's Schools

1. **A clear, definitive and strong policy statement from the governor** making it a state priority to:
    a. Actually achieve residential and educational diversity wherever feasible and as soon as possible;
    b. Define educational diversity in a manner that comports to the state's current demography and establish the state's diversity goals based on that definition;
    c. Develop and implement an operational plan for achieving diversity that recognizes the state's varied circumstances;
    d. In those definitions and that plan, emphasize that the required educational diversity does not stop at the district or even school level, but applies to classrooms, courses and programs and the achievement of "true integration," thereby necessitating that

3/ox

educators throughout the state and at every level evaluate and improve all relevant policies and practices, including those that relate to tracking and ability grouping, student discipline, special education classification, curricular development and pedagogy;

e. Require all districts to develop and implement plans to diversify their teaching, administrative and support staffs with CJ PRIDE (Central Jersey Program for the Recruitment of Diverse Educators), a program being implemented by 17 school districts, as a possible model;
f. Rationalize the structure of the education system (bringing it into harmony with the state constitutional mandate of an "efficient system of free public schools"[5]) and ensure that it gives priority to promoting diversity;
g. Develop and fully fund a school financing law that assures adequate resources to every district, that is adjusted regularly to reflect changing enrollments and demographics, that provides incentives for districts to maintain or increase their diversity, and that reduces reliance on disparate local property tax ratables; and
h. Charge relevant state agencies and officials with responsibility for: implementing the elements of this Action Plan; reviewing all existing statutes, regulations, policies and practices that potentially impact housing and educational diversity and proposing changes that would enhance the prospect of their promoting diversity; and proposing new statutes, regulations and policies for that purpose.

2. **A new blue-ribbon commission, with a broad but specific mandate and a relatively short time-line,** to study and recommend the best means of achieving and sustaining educational diversity over the long-term, including by studying linkages between educational diversity and:
    a. school district and municipal structures;
    b. the state and local tax structure;
    c. residential segregation;
    d. the availability of jobs; and
    e. real and perceived issues regarding community safety.

3. **A re-established highly visible and well-staffed office in the state department of education** to monitor the status of educational diversity and to require districts to take actions to promote educational diversity, including to extend district-wide diversity to the school and classroom, course and program levels.

4. **Support for districts that already are diverse** by choice or by demographic happenstance, or are seeking to reach that status, to enable them to maintain or extend their diversity. This could include financial support for student transportation necessary to diversify all of the districts' schools, and financial support and technical assistance for training district and school staff to deal effectively with an increasingly diverse student population.[6]

5. **Increase the number of diverse school districts** by:
    a. Supporting judicial efforts under Mount Laurel to assure the construction of more affordable housing units and promoting other measures to integrate housing throughout the state;[7]
    b. Enforcing the 2007 statutory mandate of the CORE Act to require all districts to move to K-12 status, but with a specific requirement that this be done in a manner that increases educational diversity to the maximum extent feasible;
    c. Identifying clusters of districts whose consolidation can feasibly enhance educational diversity and inducing them to consolidate (or, if need be, requiring them to do so); and
    d. Establishing pilot projects to test the effectiveness of county-wide or other regional school districts as a vehicle for increased educational diversity, as well as greater efficiency and overall student achievement.[8]

6. **Promote diverse schools in districts not yet diverse** by:
    a. Supporting and promoting residential integration efforts, including neighborhood integration efforts;
    b. Modifying the Interdistrict Public School Choice law to require that increasing student diversity be a priority purpose;

c. Establishing inter-district magnet schools modeled after the *Sheff* magnet schools in Connecticut or the longstanding magnet programs in Massachusetts; or
d. Modifying the charter school law to encourage or require more multi-district charter schools with a specific mandate to enhance diversity.

7. **Encourage districts where day-to-day diversity is not a realistic prospect in the near term to develop other ways to provide their students with an exposure to diversity and its benefits** through extra-curricular or co-curricular means, periodic cross-district programming with districts different in pupil population than theirs (as, for example, by using immersive educational technology and Holodeck classrooms).

8. **Establish high-quality professional development programs** for teachers and administrators to enhance their ability to effectively educate diverse student bodies.

9. **Require that, as a condition of New Jersey school districts purchasing textbooks, other instructional materials and educational technology, those items must be sensitive and responsive to the racial, ethnic, cultural and economic diversity of the state's students.**

10. **Foster or support citizen coalitions** to promote greater educational and residential diversity by all appropriate means including political action, legislative lobbying, policy development and, if necessary, litigation.

---

[1] Based on reports from the UCLA Civil Rights Project, apartheid schools and districts have fewer than 1% white students; intensely segregated schools and districts have between 1 and 10% white students.

[2] In this report, we use a variety of terms, such as diverse or diversity, proportional or proportionality, inclusive or inclusiveness, desegregated or desegregation, integrated or

integration, and truly integrated and true integration, to describe either existing circumstances or aspirational goals. Although some of these terms are synonymous, others are intended to convey different meanings. In the body of the report, we seek to specify the particular meaning we intend to convey. We chose to use diverse or diversity as our default term for several reasons. First, it seemed most broadly descriptive of the foundational demographic circumstances with which our report deals. Second, it has been used for decades to describe the main focus of our report—the extent to which schools reflect racial, ethnic and socioeconomic heterogeneity. Actually, a number of seminal decisions of the New Jersey Supreme Court involving race and education, mainly from the 1960s and 1970s (*i.e., Booker v. Board of Education of City of Plainfield*, 45 N.J. 161 (1965), *Jenkins v. Township of Morris School District*, 58 N.J. 483 (1971)), used another term—"racial balance" or "racial imbalance," and some later decisions injected the term "isolation" or "racial isolation" into the discussion (*i.e., Abbott v. Burke*, 119 N.J. 287 (1990)). Indeed, the most common formulation of New Jersey's state constitutional mandate is that schools have to be "racially balanced wherever feasible."

[3] See Section 1 for a full description of proportionality.

[4] See Section 1 for descriptions of the terms "racial" and "ethnic." As will be indicated there, we have tended to use established terminology, however imperfect it may be, because the best available data are presented on that basis.

[5] N.J.CONST. Art. VIII, Sec. 4, Par. 1 ("The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the ages of five and eighteen years.").

[6] Between 1991 and 1994, the state had a desegregation-aid program to support districts regarding school bussing and other efforts to achieve school-level diversity. The program was eliminated by Governor Christine Todd Whitman, with the support of her education commissioner Leo Klagholtz, ostensibly because the program had been used to distribute aid for political gain. Peter Schmidt, N.J. Desegregation-Aid Program on Chopping Block, EDUCATION WEEK (May 10, 1995), https://www.edweek.org/ew/articles/1995/05/10/33nj.h14.html.

[7] Southern Burlington County NAACP v. Township of Mount Laurel, 67 N.J. 151 (1975). The recently resuscitated judicial role in implementing Mount Laurel's affordable housing mandate could significantly reshape residential patterns in many of the state's municipalities, especially if it were supported by the Murphy administration. See Colleen O'Dea, NJ Court Determines How Many Affordable Housing Units Needed by 2025, NJSPOTLIGHT (March 12, 2018), http://www.njspotlight.com/stories/18/03/11/nj-superior-court-determines-how-many-affordable-housing-units-needed-by-2025/.

Carolyn V. Chang, Esquire a South Jersey family law attorney, is the Immediate Past President of the Association of Black Women Lawyers of New Jersey (ABWL) and currently serves as the Chair of ABWL's Social Justice Committee. Chang is also a member of the Board of Trustees for the Burlington County Community Action Program (BCCAP), a founding member of the NJ Black Mayors Alliance for Social Justice, and a member of the United Black Agenda. In addition, to serving on various other bar association committees, Chang served as a member of the Westampton Township, Burlington County Governing Body where she was Mayor from 2013-2016. She is also a member of Zeta Phi Beta Sorority, Inc., Zeta Delta Zeta Chapter.

I came to America as an immigrant in the 1970's settling with my family in East Orange, New Jersey. As I began to attend the public schools, I experienced first-hand the remarkably two different worlds in which New Jersey students live. My junior high school and high school housed classrooms that were under-resourced, stocked with outdated books and aging, obsolete equipment well beyond its useful life. Yet, a mere 20 minutes way 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 socioeconomic segregation. While East Orange is nearly 90 percent black with a median annual household income of only $40,000, Livingston is more than 75 percent white with a median annual household 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 school in an affluent suburb. I succeeded thanks to the values instilled in me during my childhood in Jamaica, West Indies, strong mentorship and a 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 <u>are not</u> a political issue. They are a civil rights crisis!

Schools in New Jersey 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 schools is a key part of achieving the American dream. This is 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's 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 does not only hurt children of color, 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 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 Eastampton and Westampton Townships where she was exposed to "Battle of the Books" through well-funded libraries. She is a graduate of Rancocas Valley Regional High School which draws students from five (5) very diverse sending districts. She was exposed to various languages; therefore, by undergrad, her minor was Japanese. This exposure eventually led to a semester abroad in Tokyo and after graduation living and working in rural Japan. None of these 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.

That is one of the reasons why enforcement of New Jersey's fair housing laws, known as the Mount Laurel Doctrine, is so 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 Westampton, I have been a forceful advocate for these laws despite fierce opposition from some residents and politicians alike. Despite the progress we are making on affordable housing, we need focused solutions for our segregated classrooms. Governor Phil Murphy has a historic opportunity to act on this issue. As a progressive Governor, I am hopeful that he will act quickly.

In May of 2018, civil rights groups (including the Latino Action Network, the NAACP, 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' rights. Last year, I had the 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 201 to respond to this lawsuit. It is my understanding that the plaintiff's remain in negotiation with the State with an eye toward settlement.

Rather than take an adversarial stance, the Governor should acknowledge the grave constitutional violations occurring in New Jersey's 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 the 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 shortly after the lawsuit was filed in May 2018. Now he needs to breathe life into those words and follow up with concrete actions.

The children of New Jersey have waited long enough. Now is the time for the grown-ups in the state to act and resolve one of the central civil rights challenges of our time.

Carolyn V. Chang, Esquire

changlaw1@verizon.net (609) 261-4224

TESTIMONY OF CONNIE M. PASCALE

Before the New Jersey Legislature's JOINT EDUCATION COMMITTEE

March 19, 2019

1. As the great civil rights leader Ida B. Wells said, **"The way to right wrongs is to turn the light of truth upon them."** Nowhere is that more true than in the context of school segregation.

2. It is clear, as the current school lawsuit declares,
   - that **school segregation is largely the result of residential segregation,**
   - **and that residential racial segregation in NJ is stark, undeniable and pervasive,**
   - **among regions, among counties, among municipalities** and **within municipalities.**
   - Even a cursory glance at Appendices B and C (p. 89) of the APNNJ report "**The Uncomfortable Truth: Racism, Injustice and Poverty in New Jersey.**"

   [Interesting exercise: review NJ Monthly 2018 list of top high schools in relation to African-American population of towns in which they are located]

3. **Also clear, if we choose to shine light of truth on it, that residential segregation did not just happen**
   - NJ **not** one of **most segregated states** in US as the result of **chance or "natural selection"**
   - **["OC's Racist Past" article]**

4. **No**, residential racial segregation and exclusion [hereafter "S and E"], in NJ and rest of country, largely the result of:
   - **openly, expressly and intentionally racist government policies and laws**
   - that **mandated and sustained** S and E
   - **De jure**, not **de facto**

5. S and E **sustained today** because they have become **structural, part of the ostensibly impartial, matter of fact, fabric of laws and policies**

- **sustained today** by the **racism and white ~~supremacy~~ privilege** that **permeates** and is **embedded in apparently bland, commonplace matters such as lot sizes, and credit scores, and school textbooks**

- **sustained as well by the structural racism, the implicit bias, that is embedded in so many of us . . .**

6. **Must reading for all public officials: "The Color of Law" by Richard Rothstein; APN structural racism and poverty report: "The Uncomfortable Truth: Racism, Injustice and Poverty in NJ".**

7. The **historical development of residential segregation and exclusion reveals a succession of intentionally discriminatory policies, programs and pretexts**

   - **Systematically contested** through the **courageous and powerful advocacy of communities of color and their allies . . .**
   - **When one overcome, another arose to take its place . . . each successive policy less overt, but all deplorably effective in their own way . . . .**
   - From . . .**Jim Crow racial zoning . . .**
   - To . . .**intentional segregation of public housing** . . .
   - To . . **restrictive covenants**

   - Through **explicitly discriminatory federal financing and lending policies**
     - **FHA Underwriting Manual (aided and abetted by real estate "ethics"**
     - **Effectively blocked African-Americans from following good jobs tothe suburbs**

     - **[Example: Somerset County in 50s and 60s – my experience]**

     - **Want to understand reasons behind black / white wealth and income gap? That is one of the major ones . . .**

- **And when this invidious practice forced out of the racist toolbox: advent of widespread suburban exclusionary zoning**

  - **History of Willingboro encapsulates and dramatizes a thiswatershed moment**

  - **Created affordable housing crises in both cities and suburbs** (proves once again that racist policies ultimately harm everyone)
  - **Inevitably led to Mt. Laurel (and Robinson v. Cahill, and Marini v Ireland)**

8. Which brings us to **today**: **Mt. Laurel decision and the ongoing controversy over "affordable housing"**

   - **truth** about **"exclusionary zoning" always was, and remains, about excluding certain people**.

   - **although the most vociferous debates and opposition are publicly framed in impersonal design or traffic or locational terms, where affordable housing is concerned it is always about the people, not the housing**

   - it is **always about who will be living there,** not what they will be living in or where they will be living.

   - **In NJ, almost without exception, "affordable housing" is a code word for race.**

9. S and E have in many ways become **self-sustaining:**
   - Feedback loop; and new set of practices readily manipulated to support S & E

   - **Structural poverty and the "feedback loop"**
     - **Example: wealth gap.** Although estimates vary with a narrow range, all of them indicate that the **median net worth of African-American families is at most around $17,000.** For **white** households, it is **10 times higher**. More than **a third of African-American families have zero or negative wealth**. While averages do not tell the whole story, they can also be striking: the **typical Black family in Boston has a net worth of $8**. Thus the **"feedback loop:" the lack of equity generated by exclusion and**

segregation has prevented affected households from accumulating the resources needed to gain access to those communities of opportunity, thereby perpetuating the segregation and exclusion which caused the problem in the first place.

- **New tools in the discriminatory toolbox, plus old tools repurposed**

  - **Discriminatory Tenant and Mortgage Screening: credit scores; criminal history; court filing . . . . .**

  - **All the new Mt. Laurel housing will help to redress the evils of segregation and exclusion only to the extent that African Americans and other people are not screened out . . . .**

10. **What do we learn from this "forgotten history" – to use Richard Rothstein's phrase – in conjunction with the still segregated and exclusionary reality of today?**

    - **Two unavoidable, inescapable lessons . . .**

    - **First, intentionally racist governmental policies and practices mandated, promoted, supported and maintained residential racial exclusion and segregation, which is now perpetuated by structural racism as well as its more direct manifestations.**

    - **And second, in conjunction with the ongoing and compelling advocacy of communities of color and their allies, it will take express, intentional, and aggressive governmental policies and practices – federal, state and local - to end and eradicate residential segregation and the school segregation it has spawned.**

    - **Put another way, governmental failure to publicly and openly acknowledge and address the evils of structural racism is racism pure and simple, and is no longer tolerable.**

11. **The first step in this process involves education itself.** In his book, and in several related articles, Richard Rothstein emphasizes this point.

[READ QUOTE]

12. Rothstein rightly condemns the use of the passive voice in this sentence, the failure to mention "who might have done the forcing or how it was implemented."

13. **Rothstein's quote also points to another, equally compelling, truth.**

- **Today when white children living in the multitude of areas of "white concentration," wake up and look out their windows, they see the same thing in reverse . . . .**
- They see **neighbors and neighborhoods and schools filled with faces that look overwhelmingly like theirs, and rarely give it a second thought, "it's just the way things are," just the natural course of things, just the result of personal choices and personal behavior** . . . .
- **And that's what they are being taught. History from the perspective of "white privilege."**

14. **This invidious, literally "whitewashed" view of history and reality must be eliminated and ended once and for all, and replaced with the truth.**

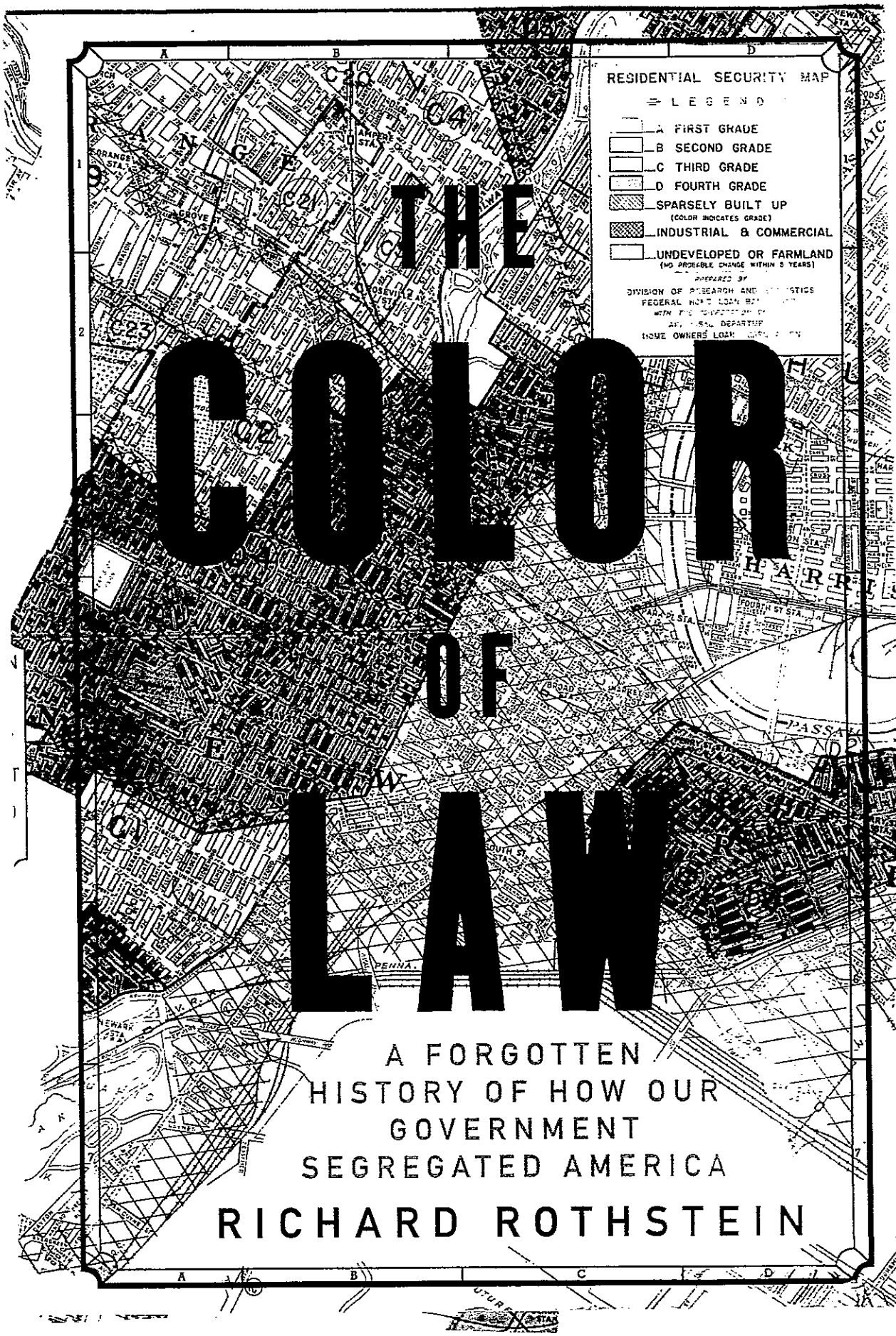
15. Children – **all of us** – need to understand the **uncomfortable truth** behind **why we see what we see** when we look out our windows, look at our neighborhoods, look at our municipalities, look at our neighbors and classmates and community.
    - **Children must be taught that segregation and exclusion didn't just happen, they were mandated and maintained by racist laws and official policies in the service of white [redacted]** privilege
    - **If necessary, laws must be enacted requiring that books like the Color of Law and The New Jim Crow be made required reading in high schools.**

16. I understand we are **not here today to present possible solutions** to school segregation. **But I believe identifying, implementing and sustaining truly effective actions that end residential and school segregation will not be**

possible unless the racist policies that promoted and supported them are openly acknowledged and taught to our children.

17. "The way to right wrongs is to turn the light of truth upon them." It is long past time to do so.

48x



THE COLOR OF LAW

A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA

RICHARD ROTHSTEIN

49x

Segregation by Design

Our national understanding of segregation is incomplete unless we face the history of residential redlining. Richard Rothstein, author of *The Color of Law*, explains why.

INTERVIEW CONDUCTED BY **VAL BROWN** EDITED BY **MONITA BELL**

RICHARD ROTHSTEIN'S 2017 bestseller *The Color of Law: A Forgotten History of How Our Government Segregated America* has captivated readers—and most certainly educators. Rothstein talked with Teaching Tolerance about the history and endurance of racial and residential segregation, the inadequacy of how we teach and learn about this topic, and our collective power to turn things around.

What does the phrase "Color of Law" mean, and why did you choose this as the title of your book?

In the 1960s, when, for example, the police were enforcing segregation in Southern schools and colleges, the phrase "operating under color of law" was a very commonplace phrase that was used to describe officials, government officials, who used their official positions to act in unconstitutional ways to violate civil rights. ...

It has other references as well. ... The maps that I described were color-coded. The book's cover is a redlining map created by the Home Owners' Loan Corporation in the 1930s, a federal government agency that colored red the neighborhoods where African Americans lived, indicating these were neighborhoods that would be too high-risk for federal mortgage guarantees. ...

Of course, the theme of the book is that we have de jure segregation, not de facto segregation. That is, it's segregation that is imposed by government, by law. So those references came together.

What is the connection between housing segregation and school segregation?

Schools are more segregated today than at any time in the last 45 years. The reason that they're more segregated is because the neighborhoods in which they're located are segregated. ...

I began this research because I understood that we could never solve the problems of American education, particularly the achievement gap between African-American and white children, so long as we had segregated schools, because when you take children with serious social and economic disadvantages and concentrate them in single schools, it's impossible for those schools to produce students who, on average, achieve at high levels. So I came to believe and concluded that racial segregation is the single biggest problem impeding school improvement in this country.

In 2007, I read a Supreme Court case, with which you may be familiar. ... It was a case in which the Supreme Court looked at desegregation plans in both Seattle, Washington, and Louisville, Kentucky. Both districts had choice plans—very, very modest choice plans. ... So if you had, for example, in either Louisville or Seattle, a school which was all white or mostly white, and both a black and a white child applied for the last remaining place in that school, the black child would be given some preference. To the Supreme Court, it was a violation of the Constitution to take race into account in a pupil assignment program.

Chief Justice John Roberts wrote the plurality opinion. He said the reason it was unconstitutional was that the schools in Louisville and Seattle were segregated because the neighborhoods in which they were located were segregated. ... Then he went on

PHOTOGRAPHY BY **ANNE HAMERSKY**

to say that neighborhoods in Louisville and Seattle were segregated by accident, because of ... private choice and private prejudice and income differences and demographic trends. Government had nothing to do with it. He said if government had nothing to do with it, it's a violation of the Constitution to take explicit action to remedy it.

But I happened to remember a number of cases ... of government involvement in residential racial segregation, and decided to investigate whether this involvement was systematic, not simply occasional. That was the origin of the book.

One point your book drives home effectively is that white policy makers at every level of government went through considerable lengths to enforce neighborhood segregation. How can educators explain this fact to students or colleagues who reject the concept of institutional racism?

The facts speak for themselves. I am not an educator, but it seems to me that the best remedy for myths is facts, and I think that these facts should be described not only to young people but to adults in as unpassionate a way as possible. Just tell the facts, and I think if we tell the facts unemotionally but descriptively and realistically, I think people and students can come to the conclusion themselves that it was government sponsorship that created this racial segregation. ...

Residential segregation is an unconstitutional creation of government, a violation of civil rights that should be remedied.

How did the segregationist housing practices you identify in the book affect white people in the short term and in the long term?

I think we're all affected by it, white and black. I don't think that white people were affected more than African Americans, certainly. Both were affected. Today, the most serious social problems

TT is developing a set of curricular materials to accompany *The Color of Law*. Stay tuned!

that we face in this country ... are the result of residential segregation that we've not attempted to address. We've not attempted to address it because we've deluded ourselves into thinking that it's some kind of natural phenomenon.

The achievement gap in schools is a direct result, as I've said before, of racial segregation. Disparate health outcomes for African Americans and whites are the results of racial segregation. It's not that the better health outcomes of whites—their longer life expectancies—are the result of segregation, but the shorter life expectancies of African Americans who live in less-healthy neighborhoods certainly are.

One of the most serious consequences of residential segregation is the way it reinforces our national racial polarization. ... It's hard to mobilize support for universal programs and social programs because some people, some whites—not all, but some—are not willing to support programs that they think help black people. This is all the result of the distance between African Americans and whites that's created by residential racial segregation.

Is there anything else you wanted to add about the effects on African Americans?

A big one is ... the police community violence that we've recently seen expressed in places like Ferguson and Baltimore and Milwaukee that only exists because of racial segregation. If we weren't concentrating the most disadvantaged young men in neighborhoods where they had little access to jobs and little opportunity, these confrontations wouldn't exist, couldn't exist.

The corruption of our police and criminal justice system is a direct result of racial segregation, and yet even progressive policymakers spend a lot of time trying to address only the symptoms, by reforming police and incarceration practices. Of course, we have to address the symptoms ... but we never deal with the underlying cause of all of these problems, which is that we've created a segregated society.

Can you explain the phrase "badges and incidents of slavery" that you mention in the book? Why is it important, and how might it be used today to upend the racial caste system we still live with?

I think it's indisputable that the segregation that we have today is a legacy of slavery. It's a legacy of second-class citizenship that emerged out of slavery in violation of the 13th Amendment. The 13th Amendment emancipated slaves, but it had a second provision ... that required Congress to implement this emancipation by enacting laws that would protect the civil rights of African Americans. Very shortly after the 13th Amendment was passed, Congress passed a law that prohibited housing discrimination. The Supreme Court in the 1880s prohibited the enforcement of that law.

In 1968, almost 100 years later, the Supreme Court recognized that it had been wrong in the 1880s, that Congress indeed had the authority under the 13th Amendment to ensure that African Americans would be equal, not second-class, citizens. ... The term you're talking about is not having the badges and incidents of slavery, which include housing discrimination and the inability to participate fully as American citizens. It was the failure to fully implement the 13th Amendment ... that led to the inequalities that we have today.

What makes you hopeful after doing all of this research?

I'm hopeful because if we understand that residential segregation was created purposely, by policy, then it's easier to understand and to have the kinds of conversations necessary to develop policies to remedy it. ...

I am hopeful also because we do have the very, very small beginnings now of a new civil rights movement in

9

5/x

this country. ... The Black Lives Matter movement has helped provoke it. We have things going on like the removal of statues throughout the South that commemorate slavery and the defenders of slavery, and the reception to my book has been quite surprising. It's not just my book. The [books of] Ta-Nehisi Coates have gotten a wide readership. Michelle Alexander's book *The New Jim Crow* helped to stimulate these kinds of discussions. So have others, like Bryan Stevenson's *Just Mercy*, and Matthew Desmond's *Evicted*.

It's not enough, obviously. We don't have, really, a civil rights movement to abolish residential segregation, similar to the civil rights movements we had in the 1960s—and we need one, and I'm hoping it can develop—but we do have the beginnings of it. Notwithstanding the empowerment of white supremacy that the president of the United States has pursued, at the same time there is also a development of race consciousness and awareness in this country, an awareness of the legacies of slavery and of Jim Crow that we haven't previously had.

What types of professional learning experiences do educators need if they want to teach history thoroughly and accurately?

They need a curriculum they can use. They need to be able to present these facts to students. I will say that ... the textbooks that we use to describe racial segregation all lie about it.

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"—not "Segregation" but "Discrimination in the North."

There was one sentence—and you can get the exact quote from my book—but it's something like "In the North, African Americans found themselves forced into segregated housing or segregated neighborhoods." You know, 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 if our young people don't learn this any better than my generation and your generation and the several generations between us ... they're going to be in as poor a position to remedy it as we have.

How do we, as a country generally, make this important for people who aren't in the housing field or in education, who are just American citizens?

I think there are two things that are necessary. One is that people need to learn the history so that they understand that they, as American citizens, have an obligation *as citizens* to remedy the violations of their Constitution. We all implicitly accept the obligation, as American citizens, to enforce our Constitution, and all Americans should learn about this so that we can accept this obligation, even if we are not personally involved in it.

But secondly, understanding alone is not going to make a difference. In addition to understanding the history, we need a new civil rights movement that's mobilized around an attack on residential segregation. We abolished other forms of segregation in the 20th century with a civil rights movement that was biracial. It included both blacks and whites. It wasn't just promoted by people who wanted to drink out of a water fountain. It was provoked by a national movement of people who understood that this violation of civil rights was a stain on our national character that was inconsistent with our self-conception as a constitutional democracy.

What would you say to people who feel that our country is already too far gone?

You know, I'm older. I lived through the 1950s and '60s. The improvements that we made, the reforms that we made, were unimaginable before they happened.

One of the first jobs I had was in the early to mid-1960s. I worked for the Chicago Urban League as a research assistant. My job was to help with a study in which we tried to identify every policymaking position in the corporate sector of Chicago. We identified 4,000 jobs in the corporate sector of Chicago that were executive positions of one kind or another. Of those 4,000 not a single one was held by an African American.

Today, you could not have a corporation in the city of Chicago that did not have a diverse executive leadership. It couldn't exist. If you had told people in the 1960s that the corporate sector of Chicago would look today the way it does, they would tell you, "That could never happen. We'd be happy with one executive."

So one of the benefits of being older is you've seen things change that people who haven't seen changes find hard to imagine, but the only limitation on what can happen is our lack of determination to make it happen.

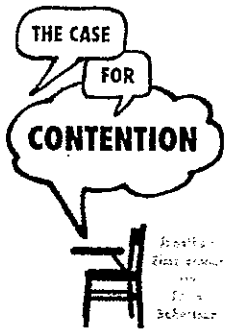
Brown is the professional development trainer and Bell is the senior editor for Teaching Tolerance.

THE UNIVERSITY OF CHICAGO PRESS BOOKS
THE UNIVERSITY OF CHICAGO PRESS

The Case for Contention

Teaching Controversial Issues in American Schools

JONATHAN ZIMMERMAN AND EMILY ROBERTSON



144 pages | 6 x 9 | © 2017
History and Philosophy of Education Series

Paper $22.50
ISBN: 9780226456348
Published April 2017

Cloth $68.00
ISBN: 9780226456201
Published April 2017

E-book $10.00 to $22.50
ISBN: 9780226456485
Published April 2017

25 1

From the fights about the teaching of evolution to the details of sex education, it may seem like American schools are hotbeds of controversy. But as Jonathan Zimmerman and Emily Robertson show in this insightful book, it is precisely because such topics are so inflammatory outside school walls that they are so commonly avoided within them. And this, they argue, is a tremendous disservice to our students. Armed with a detailed history of the development of American educational policy and norms and a clear philosophical analysis of the value of contention in public discourse, they show that one of the best things American schools should do is face controversial topics dead on, right in their classrooms.

Zimmerman and Robertson highlight an aspect of American politics that we know all too well: We are terrible at having informed, reasonable debates. We opt instead to hurl insults and accusations at one another or, worse, sit in silence and privately ridicule the other side. Wouldn't an educational system that focuses on *how* to have such debates in civil and mutually respectful ways improve our public culture and help us overcome the political impasses that plague us today? To realize such a system, the authors argue that we need to not only better prepare our educators for the teaching of hot-button issues, but also provide them the professional autonomy and legal protection to do so. And we need to know exactly what constitutes a controversy, which is itself a controversial issue. The existence of climate change, for instance, should not be subject to discussion in schools: scientists overwhelmingly agree that it exists. How we prioritize it against other needs, such as economic growth, however—that is worth a debate.

With clarity and common-sense wisdom, Zimmerman and Robertson show that our squeamishness over controversy in the classroom has left our students woefully underserved as future citizens. But they also show that we can fix it: if

we all just agree to disagree, in an atmosphere of mutual respect.

Close

Table of Contents

Contents

Review Quotes

David Steiner | EducationNext
"What constitutes a controversy worth teaching, and how should educators approach teaching it? Here, we find the book's principal contribution: to argue for a distinction between topics on which strong disagreements divide the public but 'expert' opinion is largely settled, and those on which both public and experts' judgments diverge. Regarding the former kind of issue (evolution and global warming are offered as examples), the authors argue that teachers should not remain neutral but rather teach specific respect for expert judgments and general respect for the expert 'epistemologies' that support those judgments."

Michael Hand, author of Patriotism in Schools
"This is a wonderful book: elegantly and accessibly written, scholarly and well-informed, rich in detail and example, philosophically astute, and persuasively argued. It is a fine illustration of the value of bringing together historical and philosophical perspectives on key educational issues."

Julian E. Zelizer, author of The Fierce Urgency of Now
"A spirited work exploring why we so often shy away from controversial issues in the classroom and how we can empower educators to facilitate reasoned and thoughtful deliberation over the big issues of our time. Readers will learn a great deal about the state of education in America and come away with many useful ideas about how we can make the classroom experience much better for producing good citizens."

For more information, or to order this book, please visit https://www.press.uchicago.edu

(13)

54x

THE UNCOMFORTABLE TRUTH:
RACISM, INJUSTICE, AND POVERTY IN NEW JERSEY

– A Call To Action –

September 2017

Produced by the Anti-Poverty Network of New Jersey and the Structural Racism and Poverty Working Group

With generous support from The Fund For New Jersey

APN
ANTI-POVERTY NETWORK OF NEW JERSEY
EDUCATE ▪ EMPOWER ▪ ADVOCATE

57

ROADMAP TO THE REPORT

No report on the connection between structural racism and poverty could hope to be comprehensive, given the pervasiveness and myriad interrelationships between poverty and other variables prevalent in New Jersey society. What this report does offer is a *thematic structure* for analyzing the many ways that structural racism perpetuates poverty in our state, supported by *extensive research*, illustrated by *stories and experiences* from real people, and oriented toward *recommendations* for action.

The report opens with a brief historical survey that reviews the many national and state policies and social-economic changes that have produced the current status of significant inequity. Following this introduction are six chapters that examine the relationship between poverty and structural racism:

- ***Housing***
- ***Economic Justice and Employment***
- ***Criminal Justice***
- ***Legal Protections***
- ***Children and Youth***
- ***Health, Hunger, and Mental Health***

Through the use of thoughtful analysis and thorough research, each chapter shows the manifestations of existing structural racism and its relationship to poverty within the subject category's major institutions. In addition, statements from community participants in a series of listening sessions are included as illustrations of how these dynamics play out in real life. Based on these resources, chapter authors have issued recommendations for specific, actionable steps that are needed to reduce disparities and promote equity.

This report is not intended to be an exhaustive or comprehensive list of the infinite manifestations of structural racism in the lives of New Jerseyans. This report is a beginning and we hope it will give rise to further research on topics we raised and others we have not considered. The goal is for these chapter to serve as resources for follow-up action, as well as further investigation.

WHO IS THIS REPORT FOR?

One goal of this report is to assist in mobilizing individuals and community partners to advocate for change in the structures and institutions that perpetuate racism and poverty in New Jersey. In this regard, it is the people of New Jersey, and the organizations that are on the front lines of poverty alleviation and racial justice advocacy work, who are the target audience.

The Uncomfortable Truth creates an opportunity to engage individuals, with or without lived experience, who are interested in addressing how structural racism has affected their lives and the lives of others in their communities. Participating in discussions creates an opportunity to unite individuals from various communities around the state to mobilize for change. Through a grassroots approach, community representatives can create an action plan that incorporates the report's recommendations and assists in developing a change agenda for the six identified target areas. Through advocacy, this change agenda can be communicated to legislators and government officials who can further develop the recommendations into policies. Thus, elected officials are also an important audience, although preferably by engaging their own constituents.

Utilizing education, mobilization and advocacy, community members, government officials, religious institutions, organizations, businesses and legislators can work together to help eradicate the harsh outcomes of structural racism on people living in poverty in New Jersey.

TABLE OF CONTENTS

PREFACE

Now, it's a fact that we've come a long, long way but it doesn't hold truth, And I'm afraid if I stop at this point, I will leave you the victims of a dangerous optimism. If I stop here, I will send us away the victims of an illusion wrapped in superficiality. So, in order to tell the truth, it is necessary to move on and not only talk about the fact that we've come a long, long way but to make it powerfully clear that we still have a long, long way to go...

—Martin Luther King 1966

Speaking at Monmouth University over 50 years ago, Dr. King declared: "we still have a long, long way to go." These words still ring true.

The release of *The Uncomfortable Truth: Racism, Injustice and Poverty in New Jersey — A Call to Action* by the Anti-Poverty Network of New Jersey and the Structural Racism and Poverty Group is both appropriate and timely. It speaks to the inherent intersection between race and poverty that still pervades the Garden State. The nexus between racial justice and economic justice cannot be ignored; poverty is and has historically been a function of racism in the United States.

Convened during the presidency of Barrack H. Obama, the first African-American president of the United States of America, the Structural Racism and Poverty Group has worked diligently to produce this report and understands that structural racism has not subsided with the new administration. The country has made great strides to heal the chasm created by the historic racial divide. People of color fill key positions in leadership in the government, private sector, educational, non-profit and faith-based sectors. Although it may appear we have put racism behind us, and some may even subscribe to the belief that we live in a new color-blind post-racial America, this is hardly the case. Beneath the diversity photos that grace the pages of corporate annual reports, college recruitment material and government public announcements, racism is alive as was evidenced by the recent events in Charlottesville, Virginia. Even in the face of the cry for White supremacy and the promotion of racial, ethnic and religious intolerance, people of good will, of all racial groups mobilized to protest for peace, reconciliation, justice and racial equity.

No biological distinction exists between races. Race is a social construct created to oppress certain groups of people, while giving advantage to another group. Everyone, of all races, has been socialized into a race-based system. Instituted in the United States in the 1600's to justify the slave trade, racism has provided the economic underpinning that has shaped multiple systems including access to: housing, employment, capital, health care, and food as well as the criminal and civil justice systems. We cannot avoid the ugly truth that social and economic advantage in this country is grounded in racial oppression and cultural destruction, including the decimation of Native Americans, forced migration and brutal enslavement of Africans, perilous working conditions of Chinese laborers and the forced deportation of Mexican miners who wanted a fair wage. Stolen land coupled with free and low cost labor served as an integral component in the foundation of American prosperity.

"These things happened a long time ago, so why don't people just get over it" is often the rallying cry for some segments of the population who prefer to talk about the future rather than deconstruct the inequities of the past while working cooperatively to reconstruct a better future for all. Racism, however, has left an indelible mark on U.S. history; race-based oppression and terrorism, segregation and unfounded fears of others are woven into the fabric of this nation. Although lynching or cross-burning are no longer commonplace, structural racism is alive and well. It touches every segment of the population. It is a part of the invisible matrix looming beneath American systems — government, business, social and religious. One of the original thirteen colonies, New Jersey is not exempt from the practices of structural racism; it was formed in a crucible where race was a key component. We cannot move to the future in this State, unless we commit to looking at our past with an unbiased lens.

This Report, which was prepared by a multi-racial, multi-ethnic, cross-generational, interfaith team, provides tools

62x

to expose structural racism, appreciate racial differences and to address systems that have deprived people of justice, access and equity. As a team, we worked together through difference towards a shared goal of producing this Report with the hope of improving the State of New Jersey. The ghost of our collective past will continue to haunt us until we agree to engage in seeking justice for all. Justice must start with radical truth telling. The process may be painful, but it is necessary.

This Report is not a dispositive treatise on race and poverty; it is just one tool to be used to advance the cause of racial and economic justice. It is an informational tool intended to prompt additional research, start a conversation and spur action. It covers a wide area of New Jersey society, examining the intersection between racism and poverty in areas such as housing, health, economic justice, legal protections, children and youth and criminal justice. As people of good consciousness, integrity and high moral character, join us as we journey together in creating a New Jersey where there is access and equity for all residents, as we are a part of "one nation with liberty and justice for all".

Reverend Vanessa M. Wilson, JD, Chairperson, United Methodist of Greater New Jersey – Commission on Religion and Race

> *I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred and the mistrust... We must dissent because America can do better, because America has no choice but to do better.*
>
> —Thurgood Marshall

63x

THE FUNDAMENTAL LINK BETWEEN RACISM AND POVERTY

POVERTY RATE BY RACE AND AGE (2015)

	WHITE NON-HISPANIC	BLACK	HISPANIC ANY RACE
All Ages	6.3%	18.6%	20.2%
Under 18	8.1%	26.9%	27.6%
18-64	6.1%	16.5%	16.8%
65+	5.3%	13.3%	20.4%

Source: US Census Bureau, American Community Survey

The correlation between poverty and race is undeniable; both statistics and life experiences confirm the connection. Communities of color, especially Black and Hispanic communities, experience much higher rates of income shortfalls than the population categorized as White non-Hispanic. These trends hold true in New Jersey as they do across the country. While different people react differently to these trends, the existence of the connection is contested seldom.

It is much more controversial to claim that *racism* is a primary cause of high rates of poverty among communities of color. That claim, however, is the position of this report.

In making this claim, this report seeks to draw attention to the overly-limited definitions that obscure the true impact of racism. One limitation relates to prejudice: *racism* defined this way is confined to expressions of bigoted attitudes. This definition ignores racism functioning outside conscious awareness. Another limitation relates to preferential treatment, where racism is assumed to operate wherever one group is given an intentional leg-up in a particular situation. This definition ignores the operation of inequality and injustice in the broader social, historical, and economic context and leads to problematic accusations of "reverse racism." Both of these limited definitions of racism assume a binary, all or nothing equation. In other words, if the defining characteristic cannot be proven, whether the characteristic is malignant prejudice or intentional, unfair advantage, then it is out of bounds to cry racism. But this binary thinking has serious consequences for social analysis and effective policy.

Racism is a primary cause of high rates of poverty among communities of color.

In reality, racism operates along a wide and complicated spectrum. The spectrum includes active, explicit prejudice and varying levels of preferential treatment, but the more fundamental characteristic is access to power and opportunity. When different racial or ethnic groups have different levels of access to power and opportunity, whether the reasons for that difference come from prejudice, or history, or any number of other factors, racism is operating. This *structural racism* — ***disparate access to opportunity that is imbedded in the social structures*** — has deeply harmful effects.

Active, explicit, racial and ethnic prejudice remains a part of the fabric of New Jersey, but there is a more insidious and potentially even more harmful form of racism at play. Inherent structural racism operates as a perpetuating force and serves as a resistance to change in the historic distribution of wealth. This distribution has demonstrably advantaged White families, sometimes through the exploitation of Black and Brown labor and sometimes through unequal access to economic opportunity. These historical realities have been generated by intentional and unintentional decisions, programs and policies — some malignant, some ignorant, some merely misguided (see history chapter).

Unfortunately, the evils wrought by these immoral, unjust or ill-informed policies have over time become deeply, even invisibly embedded in today's culture and institutions. The resulting racial and ethnic disparities have become a self-perpetuating status quo. They have disappeared into "the way things are," even as they continue to unfairly limit, burden and even destroy the lives of millions of families and individuals. This historic reality does not require intentional prejudice to be a driving force in the present day. It does not require any action at all. Maintenance of the status quo, when that status quo arises from a racist history, systematizes racism in perpetuity.

64x

This maintenance of the status quo is the problem with color-blindness. Color-blindness assumes that prejudice and preferential treatment are the problem, and that the solution is therefore to treat everyone the same. But such equality of treatment ignores the reality of entrenched advantage and disadvantage that translated equal treatment into unequal results. Furthermore, these unequal results themselves become "evidence" of problems within the people, rather than the system. Color-blindness falsely interprets the consequences of unjust history — whether those consequences are economic, educational, or "cultural" — as the causes of inequity, feeding narratives that blame the disadvantaged for their circumstances and reinforcing the explicit racism that remains operative in some contexts.

It's a cycle that I think we should target as a whole, and start at a very young age, to mold leaders and people that can really make a difference.
—Camden Student

This systemic racism can operate whether or not the individuals involved hold explicit or subliminal racist attitudes. It can operate through apparently race-blind policies and purportedly merit-based systems of consequence and reward. It can be worsened by personal prejudice, certainly, but it does not require conscious prejudice. It requires only complacency with a system that produces racist results, as demonstrated by racial and ethnic disparities that have economic and social consequences. As recognized by Dr. King in his leadership to address structural as well as explicit racism, "He who passively accepts evil is as much involved in it as her who helps to perpetuate it. He who accepts evil without protesting against it is really cooperating with it."

The key to this understanding is that racism's most salient feature is not motivation, but rather consequences. When opportunity is not equal, when life chances are skewed, when the color of one's skin makes it three or four times more likely that one will face poverty — racism is at play. This racism is both a moral blight on New Jersey and a practical drain. It requires a large and multi-faceted system that works around the edges on inequity, providing limited assistance and partial remedies to help maintain those caught in the trap of persistent poverty. In so doing, it prevents social collapse, but it also robs our state of the full contribution of hundreds of thousands, if not millions of our neighbors. The consequences of structural racism impact every person in New Jersey.

This report is a compilation of evidence that such racism, in fact, is at play in New Jersey. Persistent poverty and various related social dynamics are clearly skewed along racial and ethnic lines, and New Jersey's social and governmental institutions are implicated in the perpetuation of this disparity. Critical environmental threats in areas of concentrated affordable housing, inequality in wealth and in health care, poor protections in the low-wage job market, segregated and under-performing schools, the disproportionate impacts of the failed war on drugs, limitations on voting rights, and numerous other specific social problems will never be solved until we embark on a comprehensive, holistic, integrated campaign to address the larger problems in which they are embedded. Structural racism is harming our state and our residents, whether through active intention, passive complacence, or even well-intentioned ignorance about how to remedy the problem.

This report makes the unapologetic claim that racism is a primary cause of poverty in New Jersey. The effects of structural, intentional and cultural racism in our state must be addressed. We must acknowledge the reality of the racism that invades New Jersey's institutions, and we must work to dismantle its pervasive structural nature and its consequences.

65x

FINDINGS

In calling for statewide, committed, coordinated action to dismantle structural racism in New Jersey, this report explores diverse research and conducts careful analysis to describe the extent of the problem. The major findings of this research are:

1 **Historical forces and specific policy decisions at the federal, state, and local levels have directly shaped the realities of disparate and persistent poverty evidenced in New Jersey's population today. (These developments and policies include housing policies, immigration practices, voting rights, school funding, health care programs, and many other factors.)**

2 **Structural sources of persistent poverty reflect myriad limitations on access to opportunity, which have created two separate and unequal economic ladders.**

3 **New Jersey is not just one among all U.S. states facing these issues. Characteristics that are particular to New Jersey, especially the strength of home rule, create a particular crisis of racially segregated inequity.**

4 **Despite this segrgeation, persistent poverty in New Jersey hurts the entire state by limiting the contributions of a large share of its residents.**

5 **These entrenched patterns of disempowerment can only be overcome through a movement of empowerment that both engages the most directly affected communities in leadership and engages exclusionary communities and groups in ways that hold them accountable and fosters their cooperation in change to the benefit of all members of society.**

OUR COMMITMENTS FOR ACTION

This initial release of *The Uncomfortable Truth* includes a summary of work and research that has been done over a period of more than two years. We are clear, however, that what has been done so far is not an end point, but "one step in a marathon." As we move to end the racist policies and practices that cause poverty in New Jersey, this report and its recommendations will form a basis for future action and advocacy necessary to bring real change.

In the face of indisputable evidence of widespread racial injustice, the Anti-Poverty Network of New Jersey (APN) is committed to bringing our findings to the attention of the public, the media, elected officials, state agencies, and others who hold economic and social power. We will work to equip the people of New Jersey with the tools they need to dismantle structural racism and the economic hardships it perpetuates.

We intend to generate a public response that will lead to the implementation of policies and legislation reflective of the findings and recommendations in this report. We will educate and empower the people of the state so that those who seek to perpetuate current systems of discrimination will be held accountable. We will support and strengthen allies who will use their power to advance positive change.

Over the next several months, we will present the detailed informaton that has informed the recommndations that are highlighted in this summary, with the goal of mobilizing a concerted and prolonged movement of advocacy for systemic change.

SYSTEMATIC SOLUTIONS: PRIORITY RECOMMENDATIONS

Structural racism, compounded by the implicit and explicit racism that shapes New Jersey's culture and institutions, is both a primary cause of poverty in New Jersey and a barrier to implementing solutions. The racism and racially skewed policies that weave through the nation's and New Jersey's history require comprehensive responses, in addition to policy changes targeted to specific institutions. Key changes on the state level can provide the impetus and tools to change entrenched patterns of racial and ethnic disparity.

1 Make addressing structural racism an explicit public priority

The State of New Jersey must commit itself to an inclusive, concerted, aggressive and powerful effort to end both racism and poverty, including mounting a well-publicized campaign to educate all public officials and the general public about the ways in which racism harms all of us — economically, environmentally, socially and morally. A state-wide, inclusive Task Force, should be created to develop a comprehensive plan to mitigate the barrier effects of racism that perpetuate poverty, including legislative and administrative action and necessary funding support.

2 Require racial impact statements for all state legislation and rule-making with potential disparate impacts

In parallel to the requirement for fiscal impact statements attached to bills and regulations that have a potential impact on the state budget, all legislation and regulations that may have a disparate impact on communities of low income or communities of color would require an Office of Legislative Services departmental analysis of this potential impact for consideration in the deliberation process.

3 Require data collection and dissemination by race/ethnicity and socio-economic status

All state departments that collect program service data should be required to calculate demographic data (racial/ethnic and poverty data) and to make this data publicly available (with all necessary protections for personal data).

4 Reinstitute the Public Advocate

Reestablish an independent Office of the Public Advocate with the power and resources to audit public agencies, having as a priority mandate the charge to evaluate policies or programs that perpetuate racial and gender disparity. In addition, it is important to reactivate the Commission on New Americans to integrate immigrants, protect their rights, as well as take steps to alleviate poverty. As the primary recommendation of the Corzine Blue Ribbon Panel on Immigrant Policy, the Commission on New Americans was created under the Public Advocate by executive order in January 2010. It met for nearly a year, but without a Public Advocate, it ceased to function.

5 Strengthen the Division of Civil Rights

Facilitate enhanced capacity within the Division of Civil Rights to file and prosecute systemic racism cases by removing current restrictions that require an individual plaintiff to demonstrate personal harm.

NEW JERSEY'S HISTORY OF PERSISTENT POVERTY, AND THE DRIVING ROLE OF STRUCTURAL RACISM

A Reflection on the History of Structural Racism in New Jersey

By Prof. David D. Troutt, Rutgers CLiME

There are as many ways to think about poverty as there are to chronicle its historical roots. For many of the 47 million Americans currently living with incomes below the federal poverty line, being poor is working poverty — they manage low-wage, often contingent work, or see their incomes fall temporarily below the official line while struggling through a career transition, a divorce or a serious illness. For every poor person or family, poverty represents a deprivation of key resources that is accompanied by a loss of power over how to reclaim them. For persistently poor families and individuals, however, poverty is steeper, more prolonged, a territorial trap. The lack of resources and sense of disempowerment manifests itself as a chronic lack of opportunity amid virtually every institution with which they interact—labor markets, schools, hospitals, social services, landlords, stores, and police. At the extreme end of American poverty, being poor means living a marginalized status, a walking negation of the American Dream.

While the full spectrum of poverty is important to our understanding of poverty, this chapter focuses on the history that has given rise to the most persistent poverty in New Jersey and across the country. Why? Because most poverty is family poverty, and very high proportions of poor people are children under the age of 18. Because persistent poverty reflects an accumulation of resource deficits; what's missing in a child's life is much harder to make up for later. Children feel the imprint of powerlessness only indirectly when measured in income. But when measured by opportunity, persistently poor children directly experience poor schools, poor public safety, poor health, poor recreational outlets, poor diets and so forth. And these experiences are formative — they affect cognitive functioning, patterns of wellness, social capital, career readiness and relationships. Therefore, we look at the history of persistent poverty because for every child in its grip it threatens to become their life prospects.

Since World War II, the forces that have contributed to persistent poverty have formed a triangle: industrial restructuring, discrimination and residential status. Being middle class has typically meant working consistently in a good-paying job with benefits, experiencing little or no discrimination and owning a home in a neighborhood with desirable amenities and appreciating home values. Being poor has usually meant that one, two or all three of these stool legs — job, access or housing — have collapsed. As the national ranks of America's poor continue to swell, more and more people have struggled to keep one or another leg stable. Their grip on the middle class has weakened, and the traditional pathways to economic mobility have narrowed.

For members of some groups, this reflects a longstanding pattern. Large segments of the Black and Native American communities remain mired in persistent poverty, resulting from the peculiar interaction of aggressive overt and covert forms of racial discrimination, labor transformations and residential exclusion from housing wealth. In New Jersey, this toxic mix has led to a concentration of Blacks in surprisingly few parts of the state. They are overrepresented in post-industrial central cities, disproportionately renters rather than homeowners, excluded from the job, tax base and household wealth growth of recent suburban economic development corridors. The massive influx of immigrants, principally from Hispanic America between 1990 and2010, made these newcomers 15 percent of the state's population in two decades. Many were recruited by businesses to work in agriculture and manufacturing in the suburbs, so they were spread around the state. The first immigrants became magnets for others, so many often by choice went into post-industrial cities to create communities where they could find support and take economic advantage of their growing numbers. The majority, however, entered into the existing mix of poverty and soon faced the same dynamics. Compounding the marginalization, our negative perceptions of the poor engendered a pattern of punitive legal rules — things like school disciplinary policies that criminalize poor children's disruptive behavior, zero-tolerance welfare policies and a criminal justice system that often profited from mass incarceration — that made mobility for millions an improbable future. Let's examine some of these factors more closely.

GHETTOIZATION, CIVIL RIGHTS AND STRUCTURAL CHANGE

Although industrialization produced economic casualties across many parts of rural America, urban neighborhoods in the North had been sites of intense poverty since the arrival of European immigrants at the beginning of the industrial era.

Urbanization of African Americans

By the post-War period, however, several factors created the Black ghetto — the most chronic form of concentrated, persistent poverty. First, Southern Blacks became an urbanized people when they left the South in waves during the approximately sixty years of the Great Migration. Abandoning Jim Crow segregation, convict leasing, peonage, sharecropping and, perhaps most of all, lynching, Blacks migrated to Northern cities, such as Camden and Newark, in search of factory work, education and political participation. What they found was a mixed bag; economic opportunity for many, yet confounded by discriminatory housing markets, exploitation of their labor, overcrowded, unsanitary housing conditions, exclusion from unions and race riots.

State-sponsored Racial Discrimination

A second factor in the origin of ghetto poverty was the myriad forms of state-sponsored racial discrimination. Institutional racism was built into many New Deal responses to the high rates of poverty accompanying the Great Depression. Through various government agencies and several pieces of national legislation, the federal government set out to create a broad American middle class. The National Housing Act facilitated homeownership for ordinary workers. The Federal Housing Authority guaranteed terms that made it less expensive to buy a home in the suburbs than to rent an apartment in the city. The GI Bill of rights opened up higher education to a generation of returning servicemen. And the National Highway Act produced the roads that facilitated the commute.

From a poverty perspective, the problem was the starkly discriminatory terms on which household progress was subsidized for the many at the expense of the few — Blacks, recent immigrants, Hispanics. For instance, the "redlining" rules created by the Chicago Realtors Association created maps and manuals that helped systematize home appraisals while promoting exclusion of Blacks and others from lending markets. These guidelines were adopted nationally by the Home Owner Loan Corporation in 1938, institutionalizing a practice that locked Black buyers into segregated housing markets while opening wealth acquisition to millions of Whites in subsidized suburbia. The very presence of Black neighbors signaled an area's decline, and bank lending was mostly denied.

Much of this history is known. Less understood, however, is that each step in the process of racial marginalization normalized the way Black people were thought of. State-sanctioned devaluation of minority groups helped to socialize successive generations of Americans to the belief that non-Whites (and those who could never assimilate as "White") deserved lesser schools, mortgages, health care and criminal justice. In other words, the threads of White supremacy that ran through public policy stitched together the fabric of social exclusions, with consistent separatist and materialist consequences. Blacks were consigned to live in impoverished environments or struggle twice as hard to leave them.

Civil Rights modified but did not radically alter this arrangement. Although the legislative achievements around employment, voting and fair housing of the 1960s Civil Rights Acts were landmarks, they contained the seeds of their own local compromises and resistance, especially concerning the interests of poor people. Many marginalized groups have seen huge gains as a result of the rights-based movement for equality of access. Yet the gains for many others were limited, and many more were left behind to contend with the impoverishing effects of segregation. The policy of urban renewal that razed Black neighborhoods and businesses, highway construction that divided them and public housing policies together worked to concentrate millions of urban Blacks into the least wanted inner-city neighborhoods. There they suffered the early signs of what scholars would later call "neighborhood effects" — crime and violence, joblessness, drug and welfare dependency, weakening family bonds, police brutality, slum conditions and public health crises.

Those who could often left. Those who couldn't sometimes rioted. As more and more Whites exited cities for more prosperous and homogenous suburbia, the fiscal and political strength of cities was depleted. Those living in the ghetto experienced life as the negation of middle-class civic norms — limited democratic control, deficient consumer markets, disconnected social networks, depleted institutions and a distinct lack of personal safety.

Scholars often refer to these inner-city neighborhoods now as "hypersegregated" areas of "concentrated poverty." What is sometimes lost in this analysis is the stark complicity of the suburban communities from which they were decoupled. In fact, this is the essence of poverty in New Jersey, a suburbanized state with little regard for the cities many of its

69x

residents fled and the third highest rate of racial segregation in the country. The hoarding of resources that characterize suburban segregation in our state is carried out on colorblind terms, often in the name of local control. Yet our history clearly demonstrates a causal relationship between the organized exclusion of unwanted people and the repudiation of the places to which the unwanted were consigned.

Racial and economic segregation remains a central feature of residential organization here, even as population growth is driven by immigrants — most from Latin America, many undocumented. In general, their prospects for mobility are limited by the political impasse over immigration policy, wage-depressing economic change and acute barriers to health care. In fact, much of the national increase in hypersegregation is its spread into heavily Hispanic neighborhoods.

Criminalizing Poverty

The last factor is criminalization of socioeconomic disadvantage by most of the public institutions with which the segregated poor interact. The poor have always been overrepresented among the United States prison population, especially Blacks. Yet beginning in the 1970s, tough-on-crime movements like New York's Rockefeller drug laws that transformed prison sentencing for convicted drug dealers and users or California's "three strikes" laws heralded a federal response, with the 1996 crime bill. None of these laws viewed heroin or cocaine addiction outside of a penal response (in stark contrast to current characterizations of heroin and opioid addiction as a public health matter). As the varied triggers of mass incarceration targeted generations of young men of color, tough policing strategies like stop-and-frisk ensnared many more with criminal records. In many urban school districts, children in poor schools are arrested by uniform police officers on the premises, making the "school-to-prison pipeline" more than a metaphor. The result is a brain drain from poor communities, with fewer adults eligible for employment, experienced in relationship building and participating in the independence of citizenship.

Meanwhile, poor women, who along with children represent the vast majority of poor people, face increasing suspicion in their dealings with public rules. Zero-tolerance housing rules, drug testing for welfare recipients and the greater availability and use of credit information for creditors demonstrate the suspect position poor women occupy, a position from which it's easier to fall behind or fail. Local governments have also targeted the poor. As the Department of Justice found in its investigation of Ferguson, Missouri, suburbs can seek to balance their budgets with higher traffic and court fees enforced by policing strategies that deliberately target poor residents.

The Effects of Economic Restructuring

The third factor in the origin of ghettos — a word rarely used anymore — has been a devastating cause of persistent poverty: the transformation of the economy from manufacturing to services work. Until the late 1970s, the resources necessary to enjoy a middle-class life in the United States did not require a college degree. The strength of the manufacturing sector and the bargaining power of unions ensured that many workers — albeit, not enough women — could own homes, pay for children's college and retire on a pension with only a high school education. In the 1950s, however, deindustrialization had already begun. Manufacturing decamped first from cities to suburbs — as in the Detroit experience — then dried up altogether, as much of the country's manufacturing moved to plants overseas. What remained for lower-skilled workers without more than a high school degree? Not much, especially in cities, where fast food employment (or drug dealing) dominated the options available to young people of color — and their out-of-work parents.

This economic restructuring did more than reduce incomes and career prospects for workers at the bottom of the employment ladder. It created two ladders — one for the working class and one for more educated and connected people in service professions, such as finance. The two ladders became two worlds. People identified with the world of low-wage service work saw their wages fall, their benefits and bargaining power evaporate and their vulnerability escalate. Since the Great Recession, many people in the professional world have seen their security challenged, but nothing like their regional neighbors grasping on a few rungs of a ladder occupied by single moms, high school graduates, out-of-work manufacturing workers and new immigrant laborers.

The spaces occupied by people in each world also changed during the 1980s, 90s and early 2000s. They inhabited different classrooms, workplaces, doctors' offices, neighborhoods, tax bases and voting districts. The distance between

these worlds became greater than it's been in modern history. The way from here to there for America's poor is now greater than most can remember.

NEW JERSEY'S SEGREGATION AND POVERTY ON THE MOVE

Most of this history describes patterns of income and wealth inequality in the Garden State. Few states produced greater disparities in opportunity between suburbs and cities. Few states erected such distance between the two economic worlds. This is attributable to several factors. First, our cities were manufacturing hubs hit hard by deindustrialization. Second, White flight from Newark, Camden, Trenton and Paterson was significant and nearly total, diminishing the community of interests that still holds in states where cities retain economic and cultural relevance for Whites. Third, profoundly segregated suburbs in our state are the cumulative result of multiple forms of racial discrimination—much of it now institutionalized and colorblind. Lastly, those processes of exclusion have complemented the state's political culture — fragmentation and local control — without a centralizing force to counteract parochial decision making. As much as any state in the country, New Jersey is governed by localism.

The Supreme Court Cases

As the state's Supreme Court found in the famous *Mt. Laurel* cases launched 45 years ago, localism both kills the incentives for more economically inclusive living patterns (by creating mechanisms for fiscal zoning of local services) and makes opposition to it nearly impervious to attack (by regulating without reference to race). Brought by the town's NAACP to counter exclusionary zoning ordinances that were sweeping the state after passage of the federal Fair Housing Act, *Mt. Laurel* I held that the State's constitution required all municipalities to provide their "fair share" of the regional need for affordable housing. A decade later, the doctrine moved to the legislature, which passed the state's own fair housing act and created an agency to oversee its local obligations, the Council on Affordable Housing (COAH). Until deadlock set in around 2000 and halted progress, the fair share process produced nearly 60,000 units of new or renovated affordable housing. Fair share as a doctrine and COAH as a machinery has been stuck for most of this century. However, the gridlock was broken by a unanimous Supreme Court ruling in 2015 that turned over enforcement of fair housing laws to the courts. While hostility towards the doctrine remains a rallying cry for some many New Jerseyans, the current legal process has, as of this writing, led to agreements with more than 130 suburban towns that will lead to the construction of tens of thousands of new homes for working families, seniors and people with disabilities. In that process, the Latino Action Network and NAACP have repeatedly pointed out to the Supreme Court and broader public the connection between access to affordable housing and race, especially in the ultimately defeated attempt by municipalities to be relieved of accountability for meeting the needs of households that formed in New Jersey between 1999 and 2015 when COAH did not function – households that were disproportionately African-American, Latino, and Asian-American.

While Mt. Laurel has produced tens of thousands of affordable homes in suburbia, a significant share of which are occupied by people of color, severe problems of racial segregation still remain in New Jersey, as the need for affordable housing remains far greater than what Mt. Laurel requirements have actually produced. Additionally, historically municipalities could send up to half of their Mt. Laurel requirements from suburban communities to cities through "Regional Contribution Agreements" which the Legislature finally outlawed in 2008; up until that point this massive loophole in Mt. Laurel enforcement undercut its effectiveness in advancing racial integration.

The lack of adequate homes actually built, especially over the 16 year period when Mt. Laurel was not enforced, has helped fuel poverty in the state, as job growth moved away from cities and deeper into the suburban periphery, exacerbating the "spatial mismatch" characteristic of wage poverty in a service economy.

New Jersey is also known for landmark educational finance litigation, which held the promise of ameliorating the problems facing poor children in resource-poor neighborhood schools, primarily in the state's cities. Both *Robinson v. Cahill* and *Abbott v. Burke* are nationally renowned cases that demonstrate how state constitutional norms can overturn separate but unequal educational funding based on a student's race, class and zip code.

Abbott demanded that children in the State's poorest schools not suffer the lack of educational inputs compared to students in property tax-rich districts. Nevertheless, *Abbott* suffers from two significant shortcomings. First, the state refuses to fund its mandates. Second, it leaves segregated schooling alone. Segregated education locks students into whatever non-economic resources are available in their separate economic worlds, denying mobility in some and nurturing it in others. It does little to upset the separate in separate but equal. That is, neither *Abbott* nor *Mt. Laurel*, by themselves without further measures, can overcome the racial segregation that sustains so much poverty in New Jersey.

71x

The Suburbanization of Poverty

Once concentrated in the state's central cities, that poverty is now on the move into inner-ring suburbs. The Brookings Institution recently analyzed trends in the overall growth of U.S. poverty since 2000, the stunning increase in extreme poverty (neighborhoods where at least 40 percent of residents have incomes below poverty) and where most of this growth in concentrated poverty is occurring: suburbs. Suburban poverty has been steadily rising for at least two decades, shredding the myth of monolithic suburbs. Newark, Camden and Trenton have close neighbors — "inner-ring suburbs" — whose poverty rates mirror, if not exceed their own. Maps of municipal opportunity in New Jersey have demonstrated that — in terms of median income, tax base, job growth, employment and transportation access — our state is a patchwork of have and have-not places. Ironically, this growing phenomenon is fed by a desire among inner-city residents, recent immigrants from abroad and economic refugees from higher-priced housing markets in New York City and Philadelphia to seek the purported benefits of the American Dream in the suburbs.

On the ground, the emergence of New Jersey's suburban poverty reveals how our fragmented, suburbanized landscape compounds poverty. Suburbs were not originally built for social services. Suburbs often know little about their municipal neighbors and compete for resources and tax base more often than they share them. Cities, on the other hand, became the default centers of public and private social services — everything from courthouses to services for needy families and housing assistance. Thanks to the state's notorious resistance to building affordable housing more broadly, cities tended to have most of the housing stock affordable to poor families — along with the proximity to necessary social services that can cushion the effects of poverty. Therefore, life for poor families in New Jersey's suburbs can bring enormous daily challenges in the form of higher costs, limited institutional supports and expensive, balkanized mass transportation options. Moreover, poor suburban municipalities, unable to raise funds for a new symphony hall or attract unmarried professionals, have very few methods of reversing their fiscal fate. With struggling budgets and newly-discovered needs, many lack the professional capacity to leverage their way out of their problems.

CONCLUSION

What this brief history shows are the devastating results of Americans' combined stereotypes about poor people and poor places. As the model of thinking about the country's poor moved from a focus on rural Whites and immigrant Europeans to Blacks, the poor became stubbornly pathologized as people, who, despite ingenious forms of discrimination, were unmotivated, unreliable, unstable, undeserving, non-law abiding and incompatible with middle-class life. This crippling depiction of the Black poor influences how many Americans think about all poor people. The taint may easily be transposed to how people view the places where America's poor live. Disdain for these communities contributes to widespread avoidance, blame narratives, casual derision and, most importantly, withdrawals of support. These constituencies — poor people and poor places—become truly marginalized — irrelevant, powerless, left out.

The immigrant poor, particularly Hispanics, present some additional challenges. Culturally, some resist total integration. Many feel a certain level of segregation is advantageous, so they can maintain family and nationality ties. Language essential for most to rise out of poverty has come slowly for many. As efforts to enact Immigration Reform failed to modify the punitive laws Congress passed in the 1990s, people face discrimination because of being unable to legalize their status. About 20 percent of Hispanics are in this morass and since many families are mixed status, legal spouses and children also face seeming insurmountable obstacles to get out of poverty. Since Hispanics are largely racially mixed they face all the structural problems that the rest of New Jersey's poor confront, but the growing xenophobia in the country is intensifying marginalization, which could move the country toward the creation of permanent second class citizens.

What this brief history reveals is two broad choices for change, where some combination of both will be necessary: Either New Jersey's poor have greater access to the resources available in more affluent parts of the state, or the places where New Jersey's poor live must receive more resources from the areas that have benefited from excluding them. Because of its lack of dominant cities, no state presents this choice more starkly. Because of its fragmented boundaries in a global world, no state represents the truth that scholars of inequality have known for some time: Regions with lower rates of racial segregation and income inequality excel while those that don't falter. We can do better.

70x

HOUSING

Contributors: Felicia Alston-Singleton, Ana Baptista, Rev. Bruce Davidson, Rev. Eric Dobson, Deacon Theodore Foley, Bill Good, Cyndi Kent, Connie Pascale

INTRODUCTION AND SUMMARY

New Jersey is one of the most segregated states in the country. This stark reality was generated by the overtly racist policies and practices which permeated every level of society during the Jim Crow era. Despite the dismantling of the discriminatory legal framework that powered the "old" Jim Crow, residential exclusion and segregation persist throughout the state, maintained by the structural racism of the "new" Jim Crow and the ongoing racial bias of far too many public officials, community leaders and neighborhood residents.[1]

As a result, large parts of New Jersey, generally but not exclusively suburban, remain areas of "White concentration." This situation has become self-sustaining through maintenance of the status quo, primarily via the mechanism of exclusionary zoning. This in turn has given rise to the concentration of Blacks and other people of color in a relatively limited number of disadvantaged urban, older suburban and geographically-constricted areas. These areas are too often characterized by disproportionate levels of poverty; inadequate, substandard and unaffordable housing; a circumscribed tax base; struggling schools; limited access to good jobs; environmental hazards; and other debilitating conditions, including an unaffordability-driven "eviction crisis."

The most significant impediment to ending this unfair, unjust and morally unacceptable state of affairs is the abject unwillingness of the state and too many of its leaders and communities to acknowledge and address the powerful undercurrent of structural and intentional racism that continues to permeate New Jersey at every level. Segregation and exclusion, along with the crippling poverty, disadvantage and suffering they inflict on millions of people, will only be remedied if the persistence of racism in all its manifestations is expressly recognized, unwarranted deference to "home rule" is eliminated, and aggressive state action is undertaken to end residential apartheid once and for all.

RESIDENTIAL HOUSING PATTERNS:
Clear and Pervasive Racial Exclusion, Segregation and Discrimination at the County, Municipal and Neighborhood Level

A. For much of our country's history, residential exclusion and segregation of people of color — especially Blacks — were both legal and as American as "apple pie." They were enshrined in federal, state and local laws, policies and practices and enforceable in the courts. The post-war exodus of urban households from the cities to the suburbs was fueled by the proliferation of mass-produced starter homes located in large developments, such as the "Levittowns" in New York, New Jersey and Pennsylvania, and their small-home, high-density counterparts.[2] However, the federal government refused to subsidize or guarantee the construction loans needed to finance these large-scale projects unless the developers formally agreed not to sell any homes to Blacks.[3] The builders were also required to include in all deeds they issued to new homeowners a clause prohibiting them from selling their dwellings to Blacks.[4] Consistent with this macro policy, the Federal Housing Authority (FHA) — fearing that integration lowered property values thereby diminishing the value of its collateral — also barred individual Black households and other people of color from obtaining FHA loans and becoming homeowners.[5]

Federal policy also kept public housing strictly segregated by race, in deference to local prejudices.[6] Racially restrictive covenants in deeds, routinely upheld by federal, state and local courts, preserved the all-White character of countless neighborhoods and communities.[7] Racial "steering" by realtors — a practice which continues to this day[8] — made sure that Blacks and other people of color would ultimately "choose" housing in racially segregated areas.[9, 10, 11, 12]

71x

The civil rights movement, culminating in the enactment of the federal Fair Housing Act and state laws such as the New Jersey Law Against Discrimination, effectively ended the use of openly discriminatory policies and practices. But it did not end racism. Discrimination against Blacks and other minorities persisted. Communities wishing to preserve and perpetuate residential racial segregation adopted other means to achieve those results, ostensibly employing objective practices that focused on locations and structures rather than on people. Principal among these new tools of exclusion and segregation was and remains a locality's ability to control land use through the power to zone.[13,14]

The power of zoning to effectuate and perpetuate racial discrimination is grounded in the centuries of racial animus directed against Blacks and other people of color.[15] This shameful history — which touched virtually every aspect of our society — left people of color, especially Blacks, disproportionately poor in terms of both income and wealth. Racial exclusion and segregation could be maintained by severely constricting the supply of land zoned for the types of housing most affordable by lower-income people — multifamily apartments, small homes on small lots, mobile home parks, and other cost-reducing alternatives.[16] Exclusionary municipalities also contrived to make sure that any land zoned for such uses was located in those areas least likely to promote its development or facilitate integration.

Ostensibly "race-neutral" zoning policies thus became powerful engines of racism. As the reform of discriminatory governmental and private financing practices, spurred by the enactment and enforcement of civil rights laws, finally began to make starter homes affordable to people of all colors,[17] exclusionary towns decided to alter their zoning rules. No more small, lower-priced starter homes at 8 units per acre: the standard now became much larger, more expensive homes at a density of one or two dwellings per acre, or even multiple acres per unit.

The result: New Jersey became and remains one of the nation's most segregated states.[18,19,20] Hundreds of municipalities across the state have created barriers to the construction of affordable housing to preserve long-standing patterns and practices of racial discrimination and exclusion, barriers which they continue to vigorously defend.[21,22] Reliance upon exclusionary zoning policies has served to maintain largely all-White, exclusionary communities, particularly in the suburbs.[23] (Superstorm Sandy seriously exacerbated an already untenable shortage of affordable dwellings,[24] especially in those areas that have been and remain most exclusionary.) The historical record demonstrates that those concerns most often advanced in opposition to altering current exclusionary zoning policies are all too often pretextual, a surrogate for intentional racial and ethnic discrimination.[25] For instance, prior to the legal reforms generated by the civil rights movement, many communities now committed to large-lot single family zoning, had no reservations about opening their doors to presently-shunned residential structures, such as small, affordable homes and apartments. These municipalities were secure in the knowledge that then-existing mortgage lending policies and practices would control to a large degree who would be living in them. Today, the reasons frequently advanced for rejecting zoning reforms or proposed affordable housing communities — potential school crowding, increased traffic, open-space preservation, etc. — often dissipate when other high-end developments or politically-connected alternatives are proposed.

I would love to live there, but (holds up the back of her hand and points to her dark skin tone) they won't have me.

—Paterson Resident

The state's refusal to recognize this problem — indeed, its continued support for an allegedly "color blind" status quo — represents nothing less than the tacit acceptance of systemic, structural, and, in many cases, intentional racism. The across-the-board sanctification of "home rule," the virtual abdication of state authority in the area of local zoning — except where the courts have decreed otherwise — and the failure by state authorities to aggressively enforce existing anti-discrimination and fair housing laws,[26] embody the "new" Jim Crow in the housing context, thereby preserving the unlawful and ostensibly reviled de jure Jim Crow of the past.[27]

New Jersey's most recent Analysis of Impediments to Fair Housing Choice (AI) represents a case in point.[28] This federally-mandated report downplays and glosses over the systemic processes that produced and perpetuate the stark and persistent pattern of racial segregation among and within municipalities, neighborhoods and regions in New Jersey. It is illustrative of the state's "head in the sand" approach to structural racism and its pervasive consequences. The state's decision to de-emphasize the virtually all-White nature of large parts of New Jersey, instead focusing on the relatively-

72x

limited number of areas of overwhelming minority concentration, effectively dictated the documents conclusions and recommendations.

This omission of a full analysis of racial segregation is glaring. The AI's tacit endorsement of the status quo, along with the processes that perpetuate it, distract and divert attention from the admissions and actions that must be taken to address and end racism in all its forms. The failure to acknowledge, let alone discuss, the implications of *U.S. ex rel. Anti-Discrimination Center of Metro NewYork, Inc. v.Westchester County, N.Y.*, 668 F.Supp.2d 548 (S.D.N.Y. 2009) in relation to the maintenance of exclusionary, segregated suburbs — despite the former Public Advocate's express warning of its relevance to New Jersey (see letter to participating NJ jurisdictions, reproduced in Appendix A) — is particularly telling, and starkly reveals the underlying deficiencies in the state's current approach to fair housing issues.

The patterns of White and minority concentration in many parts of New Jersey (see Appendix B and C) are similar to or worse than those in Westchester County. Those patterns compelled the trial court in the *Westchester* case to find that the County had falsely and repeatedly certified that it was "affirmatively furthering fair housing" when it was actually using its federal resources to preserve and maintain segregation. Had these charts been made part of and discussed in the AI — indeed, if they were widely disseminated and prominently discussed throughout New Jersey — the state's cavalier attitude toward racial exclusion and segregation would be much harder, if not impossible, to sustain.

There's a lot of things we see on a daily basis, that we've been seeing for so long that we think that's the way it's supposed to be... particularly with young people and with children... if they grow up and they see things a certain way and they don't see any different reaction or anything different. Suppose they have a bunch of rodents in their house, and the ceiling's falling down. Because that's all they know... some people may not call that racism, but when it's relegated to a certain part of the community or the state you can clearly construe that as being racism.

—Newark Resident

B. For people of color, the consequences of widespread, deep-rooted structural racism, abetted by the active, overt bias of some people and the willful ignorance of many, are all too apparent: *exclusion, segregation, and poverty*. The poverty rate among Blacks and Hispanics is three times higher than that of Whites.[29] To an unjust and uncomfortably significant degree, Blacks and other people of color have been "consigned" by structural racism and discrimination to segregated areas that are all too often areas of concentrated poverty as well.[30,31] These neighborhoods are more likely than others to contain substandard, unsafe, unhealthy, sometimes hazardous (lead, mold, rats, etc.) and often unaffordable housing.[32] Their streets and physical surroundings are frequently less safe as well. These conditions are often exacerbated, if not actually caused, by limited, reduced or ineffective code enforcement,[33] law enforcement, and other municipal services.

Access to good, higher wage jobs, better schools, improved health care, healthier food, more diverse shopping opportunities, and other benefits are also limited. People, especially teenagers and young adults, who reside in these communities often experience feelings of hopelessness and helplessness, which make them vulnerable to negative peer pressure and influence(see expanded discussion of these issues below).[34,35,36]

Indeed, a number of studies and reports have found that the quality, affordability and location of housing units and neighborhoods is linked to the health, educational, and economic outcomes experienced by their residents. Poor housing and distressed neighborhoods frequently lead to negative health, educational and economic consequences.[37] These processes, in turn, make affected families far more likely to experience insecurity and instability.[38] Households of color are disproportionately affected by these issues, because of the structural and systemic racism which severely constricts the housing choices available to them. For such families, locating and obtaining decent, safe, affordable housing in areas of opportunity is a very difficult process.

Compounded by widespread environmental racism, the impact of limited mobility on affected households and their individual members can be devastating.[39] For example, the Environmental Protection Agency (EPA) has determined

that "racial and ethnic minorities and poor children may be exposed to more pollution," with "Black children twice as likely to be hospitalized for asthma and four times as likely to die from asthma as White children." [40,41]

C. *Thus, in a very real sense, the end result of structural racism, exemplified by exclusionary zoning, is structural poverty.*[42,43] The accuracy of this statement is manifest throughout New Jersey's municipal and economic landscape, characterized by the striking divergence between "have" and "have-not" communities." [44] The "have-not" communities evidence significantly fewer good job opportunities, much lower tax bases, reduced municipal services, more dangerous environmental problems, and other serious disadvantages. Conversely, the "have" communities enjoy the benefit of good jobs, strong tax bases, ample municipal services, good schools, and a clean environment.[45]

In a recent rulemaking, HUD has provided additional proof of this invidious situation. As is noted throughout this report, lower-income households are disproportionately renters and, as a result of structural and overt racism, disproportionately people of color. As a result, holders of federal Section 8 rental assistance vouchers — officially known as Housing Choice Vouchers — are also disproportionately Black and Hispanic. The absence of affordable, available housing in many communities of opportunity has spurred HUD to change the way that rent subsidies are calculated in order to open the doors of these towns to lower-income households.

We think something is wrong with affordable housing when new people with high incomes get an apartment, or have a different skin color and get bumped to the top of the list or get entrance before people who have been waiting for years.

—Paterson Resident

Fair Market Rents (FMRs) are used by public housing authorities administering voucher programs to calculate the amount of rent subsidy that will be provided for a particular apartment. The higher the FMR — which is based upon available data on current rents over a wide geographic area — the greater the potential subsidy. Generally there is a single FMR applicable to all municipalities within a metropolitan statistical area — each of which in New Jersey covers multiple counties. This situation has prevented many voucher holders from moving to communities with better jobs or schools, or closer to their places of employment, because the single, averaged FMR is too low to enable the voucher holder to afford the higher rents prevailing in those municipalities. The result is that voucher holders have become concentrated in disadvantaged communities, where the rents are uniformly lower.

In a long-overdue response, HUD has now modified its regulations to require, where voucher concentration is particularly acute, "small area" FMRs — calculated by assessing the current rents prevailing within individual zip codes — be used to establish the maximum subsidy available to voucher holders looking to move to housing within any particular zip code. Thus, at least theoretically, more voucher holders should be able to access better communities because they will be able to afford the higher prevailing rents. (The fact that the number of vouchers is woefully inadequate in comparison to the number of families and individuals who need them is discussed below.)

Of particular relevance here is that HUD has expressly determined that large areas of New Jersey are covered by the SAFMR mandate. (Only 30 metropolitan statistical areas nationwide have been initially deemed subject to the SAMFR requirement. Of these thirty, three — covering multiple counties — are in New Jersey.) This means that rents in suburban and other more desirable neighborhoods are so high that even those with rent subsidies have been unable to gain access to them. Which in effect means that even those lower-income people of color fortunate enough to obtain tenant-based rent subsidies are all too frequently unable to use them to access White-dominated suburban towns. This is not surprising, and confirms the extent to which the "have" communities have been able to rely upon structural racism to keep out people of color.[46]

D. Indeed, the true funciton of "exclusionary" zoning has to a significant degree been obscured by the sheer volume, scope and intensity of public debate (see discussion of the *Mt. Laurel* process below). Media articles, municipal meeting presentations, and opposition campaigns are almost exclusively centered on the number, type and location of the physical structures involved, as though they were the real objects of exclusion. But the elephant in the room cannot be ignored forever: **exclusionary zoning is and always has been about excluding certain people, especially**

74x

people of color, primarily Blacks. The desire to prevent Blacks from moving into suburban towns and counties *preceded and motivated* the use of exclusionary zoning as a means to accomplish that end.

Overt and explicit recognition of this reality is also subverted by the persistent federal and state focus on areas of "minority concentration." This focus is in many ways a "red herring." Were areas of "White concentration" made the object of scrutiny,[47] it would become readily apparent that the exclusionary efforts of such communities constitute the *primary cause and sustaining force* underlying the existence and persistence of minority concentration, of "apartheid" school systems, of stark wealth and income gaps, and of so many other unjust, unfair and injurious circumstances that disparately affect Blacks and other people of color.[48] This structural and intentional racism creates a self-sustaining "feedback" loop (see below). By limiting access to good, well-paying jobs, better schools, higher quality health care, healthier environments, improved financial products and services, and other generators of opportunity, persistent racist policies make it that much harder for people of color with low incomes to escape the cycle of poverty.[49]

Attached to this report as Appendix B and C are charts showing population by race for each county and municipality in the state. One does not need to be a geographer or statistician to ascertain those counties and towns where "White concentration" predominates, as well as those in which Blacks and other people of color are "clustered". Similar concentration and clustering frequently exists within municipalities and neighborhoods, even those which appear "integrated". It is this "status quo" that must be recognized and rejected. It is this "status quo", the embodiment of structural and intentional racism, which must be overcome.

One increasingly important aspect of this situation — more precisely a caveat — must be noted. Many reports and studies now describe a mass movement of young, primarily White, and relatively affluent households back to the cities their grandparents and parents had spurned for greener (or "Whiter") suburban pastures. Walkable neighborhoods with access to public transportation, shopping, and other amenities are now the destinations of choice for these reverse migrants. Businesses offering good jobs, high-end retail and other commercial establishments, in lock-step with developers of high end multi-family housing, have begun to follow them, further fueling this trend.

Finding affordable housing where families feel safe is hard. They're building new apartments out of these factories for $1250 a month for a one-bedroom apartment. They say that's affordable, but affordable for who? If you look at the income within the city of Paterson a family cannot afford $1250 for a one-bedroom apartment and you have more than 2 or 3 kids.

—Paterson Resident

Unfortunately, the governing bodies of the affected municipalities are often all too willing to facilitate this process by changing zoning codes and implementing other policies that run counter to the best interests of their long-term constituents. As a result, people of color who have lived in these neighborhoods for generations are facing displacement as their neighborhoods are targeted for redevelopment, often referred to as "revitalization."[50] Instead of being the primary beneficiaries of this long-deferred reinvestment in their communities, lower- and even middle-income Blacks and other people of color are being forced out by demolitions, rising rents, evictions and other incidents of sharply rising costs. At the same time, the intransigent exclusion which continues to prevail in the suburbs leaves many displaced lower-income people with few affordable, available options.

This rising tide of gentrification and displacement is having profoundly negative consequences on neighborhoods of color and the families and individual who call them home. The structural racism which in so many ways caused, exacerbated and sustained decades of segregation and exclusion — and which is embedded within the redevelopment process — cannot be allowed to facilitate the destruction of Black and Hispanic lives and communities.[51] Even as government at all levels must act to eliminate the structural racism at the heart of the "status quo," it is equally important that it also act to protect the people and families threatened by gentrification and displacement. The state must insure that the benefits of redevelopment go primarily to the long-time residents of those neighborhoods in which it is taking place.

E. The self-sustaining, deeply-embedded power of structural racism remains evident even in the operation of systems

75x

expressly or indirectly intended to rectify it. Paramount among these remedial efforts is the *Mt. Laurel* process. The landmark decision of the New Jersey Supreme Court in *Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel*, 67 N.J. 151 (1975) found exclusionary zoning unconstitutional, and required developing municipalities to zone for their "fair share" of affordable housing. As a result of *Mt. Laurel* and successor decisions, implemented largely through the operation of the state's Council on Affordable Housing (COAH), tens of thousands of affordable housing units have been built in otherwise exclusionary communities. In this regard, *Mt. Laurel* has been an enormous and indispensable success, an indisputable triumph, even if, as many concede, the number of dwellings produced remains less than the actual need.

Yet continued resistance to the Mount Laurel doctrine by many wealthy, predominantly white municipalities threatens to turn the process into an abstract numbers game. Real issues affecting real people have been obscured and deemphasized. They have been drowned in a sea of formulas, calculations and assumptions that focus on structures, tenure, "available" land, "filtering," and countless other "terms of art," rather than focusing attention on the human and racial concerns at the heart of the problem.

While the state's fair housing process has been newly revitalized since the Supreme Court's 2015 decision breaking 16 years of gridlock – and more than 130 towns have so far reached agreements that will lead to the construction of tens of thousands of homes in high-opportunity suburban areas – there remains a core of opposition to the Mount Laurel doctrine among towns and elected officials willing to spend money and time trying to protect longstanding exclusionary zoning practices. In addition to *Mt. Laurel* under state law, those municipalities and counties which receive — directly or indirectly — Community Development Block Grants (CDBG) and other housing-related federal funding have additional requirements under federal law. Jurisdictions in this category have a statutorily mandated duty to "affirmatively further fair housing" (AFFH) (see *Public Advocate letter, Appendix A*). This duty can only be satisfied by providing meaningful housing opportunities that address and end municipal and neighborhood exclusion and segregation.[53]

Given the state's longstanding deeply seated racial segregation, affordable units must be targeted, sited and configured so as to address and eliminate existing, historically-based patterns of racial discrimination, exclusion and segregation.[54] Anything less, anything other than a direct and straightforward effort to achieve this result, is simply not enough.

F. Remedying "fair housing" problems is not "rocket science." Fiscally and environmentally sound solutions to exclusion and segregation, along with availability, affordability and most other housing concerns, can be readily identified and prudently implemented. The problem is not the absence of solutions, but of the public and private will to take them on. It is the refusal at virtually every level of society to publicly acknowledge, quantify, and eliminate racism in all its forms, particularly structural racism. And in many ways exclusionary zoning and the other fair housing issues are the most intractable because they are the least abstract: they involve who will reside in your community, who will attend your schools, who will be your neighbor. If the will existed to meet the real needs of real people, there would be far less effort by municipalities to advance formulas and methodologies that attempt to minimize that need, and far more resolve to identify the most cost-effective, efficient, safest, healthiest, environmentally sound, best way to do so.

The irony, and the tragedy, of structural racism and segregation is that it *exacerbates the overall housing needs of the entire community.* Ultimately, it harms not only the people and families excluded, but also local and regional economies as well as the housing/job/educational opportunities of all households with lower incomes. The critical shortage of affordable housing, for example, weighs heavily on low-wage working families, irrespective of race or ethnicity. (This is particularly problematic, since occupational wage declines have been most severe for those jobs already classified as low-wage.[55]) Zoning policies that severely restrict the building of affordable housing — policies essentially designed to keep certain people out — effectively exacerbate the "cost burden" problems that plague millions of long-time community residents. Among them are lower-wage workers, many seniors, people with disabilities, other disadvantaged community members and, most shortsightedly, young people graduating into the job market. Many of these youthful workers are forced to relocate, to the disadvantage of local employers and their extended families. Excessive housing costs, often flowing to absentee landlords or banks, also significantly reduce the amount of income otherwise spent within the local economy. A recent study, in fact, shows that the lack of affordable housing in major metropolitan areas

16xA

costs the U.S. economy $1.6 trillion per year in lost wages and productivity.[56] In short, municipalities intent upon perpetuating structurally racist zoning policies are, to a significant degree, also "zoning out" their own futures as viable communities.

Until we change our attitudes, as well as our existing pattern of racial and economic segregation, poor people, particularly poor people of color, will find disproportionate challenges to escaping poverty. Not only will the burden on these individuals and their families be crushing and often tragic, but the costs to our society — economically, environmentally, socially, and morally — will be unnecessarily great and tragic as well.

G. Once we discern and acknowledge that racism is at the core of our exclusionary, segregated neighborhoods and communities, we are morally obligated to speak out about it. Housing advocates and allies need to publicly and forcefully (a) *identify and name* the structural racism underlying current housing, school, and land-use practices and policies, and (b) aggressively and unequivocally condemn the ongoing and overt racism embodied in state and local resistance to ending those inequities and abuses.[57]

To keep silent, downplay or marginalize racism, whatever form it may take, is indefensible and makes us complicit in its persistence. As Dr. King said, the failure to speak out in the face of discriminatory practices and policies can only be seen as tacit support for their continued existence.

THE "FEEDBACK LOOP": ADDITIONAL ISSUES RELATED TO, DRIVEN BY, AND REINFORCING EXCLUSION, SEGREGATION AND POVERTY

The structural and ongoing racism that underlies and perpetuates residential segregation is in many ways self-sustaining. Racial and ethnic exclusion and segregation exacerbate poverty, producing debilitating problems for affected households. The dauntingly negative results generated by these problems make it that much more difficult for the victims of discriminatory housing policies to overcome the race-driven barriers which limit their access to communities of opportunity, thereby maintaining residential exclusion and segregation.

Some of the worst manifestations of this "feedback loop" are described below. To a significant degree, they both sustain and exacerbate the racially-charged systems, practices and attitudes which caused them in the first place.

Environmental Injustice

Residential exclusion and segregation go hand in hand with environmental racism and injustice.[58] Nearly 90 percent of New Jersey's population lives within a mile of a contaminated site, the vast majority of which have clean-up plans in place.[59] While Blacks and other people of color disproportionately live in lower-income communities considerably distant from good jobs and other opportunities, they are far more likely than Whites to live in close proximity to contaminated sites that have *no clean-up plans*.[60] A recent report found that 75 percent of New Jersey's Black population, as well as 79 percent of Hispanics, live within a mile of toxic sites devoid of remediation strategies. Only 42 percent of the state's White residents live near such sites.[61] Additionally research produced by the New Jersey Department of Environmental Protection in 2011 showed a direct and significant correlation between race and income and the coincidence of environmental burdens across the state.[62]

According to several national studies, people of color, particularly those with low incomes, are nearly twice as likely as White people to reside near facilities that use and store highly toxic chemicals. Likewise, communities of color are far more likely to live near landfills and coal-fired power plants that generate dangerous particulates or other hazardous conditions.[63] As the Flint lead-contamination tragedy revealed — and as was later confirmed in relation to Newark and other New Jersey towns — environmental dangers are all too common in poor minority neighborhoods. Investigations show that this has not been by chance: low-income communities of color have been "targeted" by industries that 'follow the path of least resistance' when deciding where to build facilities.[64]

Environmental injustice in the form of disproportionate concentrations of environmental pollution and lack of access to clean, healthy environments is also a product of structural racism. Inherent in land uses that were segregated along

76 x8

racial lines is the assigned property values and blight that follow from the devaluing of entire communities based upon race. Rather than only a matter of targeting by individual industries, environmental racism often manifests itself as institutionalized racism embedded in racialized space.[65] In other words, polluting industries locate in poor communities of color and claim that doing so is not racially motivated, but rather because the land is cheap and industrially zoned.

> *A polluter locates near a Black neighborhood because the land is relatively inexpensive and adjacent to an industrial zone. This is not a malicious, racially motivated, discriminatory act. Instead, many would argue that it is economically rational. Yet it is racist in that it is made possible by the existence of a racial hierarchy, reproduces racial inequality, and undermines the wellbeing of that community. Moreover, the value of Black land cannot be understood outside of the relative value of White land, which is a historical product. White land is more valuable by virtue of its Whiteness, and thus it is not as economically feasible for the polluter. Nor is it likely that the Black community's proximity to the industrial zone is a chance occurrence. Given the Federal government's role in creating suburbia, Whites' opposition to integration, and the fact that Black communities have been restricted to areas Whites deemed undesirable, can current patterns of environmental racism be understood outside a racist urban history?*[66]

Racism comes in a lot of different ways, it can be environmental racism. Camden has been on the receiving end for a lot of years. We had the trash to steam plant forced on us, landfills... A lot of these things affect the residents.

—Camden Resident

Agencies like the US Environmental Protection Agency (EPA) are well aware of and have been actively engaged with environmental justice policies since the passage of the Environmental Justice Executive Order 12898, signed by President Clinton in 1994. Nevertheless, relatively little progress has been made with regard to affirmatively halting disproportionate impacts in environmental justice communities.[67] While state and federal agencies recognize environmental injustice issues, they continue to rely on narrow legal theories focused on establishing discriminatory intent, rather than discriminatory impact, thereby limiting the effectiveness of efforts to substantively address the root causes of environmental racism.[68] Without explicit protections which halt and remedy disproportionate and cumulative environmental impacts in low-income communities of color, environmental racism will persist alongside the other deleterious and destructive incidents of structural racism. For moral, humane, and societal reasons, it is imperative that the state of New Jersey recognize this problem and act aggressively to eliminate it.

Cost-burden and Related Financial, Health and Other Household Problems

The critical shortage of affordable housing has serious consequences for people of color, consequences that in the end are directly attributable to racism. Blacks and other minorities are more likely than Whites to be living in households with low incomes. And since households with low incomes are disproportionately renters, it is not surprising that 60 percent of Black households rent their homes, while only 27 percent of White households are renters.[69]

At the same time, affordable rental housing is in extremely short supply for lower-income people. For every 100 households in New Jersey with incomes at or below 30 percent of the median income — an amount roughly equivalent to the current 25th percentile wage ($12.00 an hour, or $24,986 per year in 2015) — there are only 31 affordable and available housing units. The shortage of affordable, available rentals is almost as substantial for those at 50 percent of the area median income: only 42 housing units are both affordable and available for every 100 such households. This affordability crisis — largely the product of low-incomes and high rents — is further exacerbated by the occupation of otherwise affordable units by higher income households, many of whom are themselves struggling to keep housing costs within reach.[70]

Unfortunately, the governmental response to this overwhelming problem — a problem which, as was discussed above, is largely the result of governmental action and inaction — remains completely, if not unsurprisingly, inadequate. Only one in four income-eligible renters receive housing assistance of any kind, with waiting lists for housing subsidies generally being years-long, and often closed to new applicants.[71]

76xC

As a result, housing costs consume a large share of the total income available to lower-income households. For example, 325,000 low-income tenant households in New Jersey with incomes below 50 percent of the median are severely cost-burdened, meaning they pay more than 50 percent of their income on rent and utilities.[72] And since Blacks and other people of color are disproportionately renters, they are disproportionately affected by this crisis.

The inability of lower-income households to find and obtain decent, safe, affordable housing has widespread repercussions. For instance, research has found an important link between the health, security and stability of people with lower incomes and the quality of the housing units and neighborhoods in which they live.

- A recent study of those impacted by foreclosure found a link between child abuse and "housing insecurity."

  At the local and state levels, child welfare agencies should consider additional methods of tracking child abuse data, including hospital data. These efforts will enable public agencies to better monitor child abuse and neglect and to respond effectively to the needs of children and families... Pediatricians and other health care providers should be aware about housing insecurity that may be affecting families in their care. Providers can help connect patients and families to appropriate social services, such as cash assistance, food stamps, medical assistance benefits, and foreclosure counseling.[73]

- HUD has stated that housing and health care go hand in hand.

  A safe, decent, affordable home is like a vaccine — it literally keeps people healthy. A HUD study showed that poor women able to find housing in better neighborhoods had lower rates of psychological distress and major depression.[74]

- Low-income households paying more than 50 percent of their incomes for housing spent 41 percent less on food and 74 percent less on healthcare than similar households living in affordable housing, making their lives considerably more difficult. Rental assistance programs reduce poverty, homelessness and housing instability, and help families afford decent, quality housing in safer, less stressful neighborhoods.[75]

- Mothers with children who are behind on rent or mortgage payments experience negative health outcomes at a significant rate for both themselves and their children, as compared to mothers living in stable housing. The high levels of depressive symptoms and poor health experienced by these women approach those of mothers living in homeless shelters.[76]

- The negative impacts of frequent involuntary moves — a common cost- and conditions-related problem for low-income renters — have been well documented. They include substantially increased incidence of negative behaviors, school setbacks, and overstressed parents.

  When parents lack choice or control over change, they may be less likely to support their children in adapting to the change. "Unbuffered" stress that escalates to extreme levels can be detrimental to children's mental health and cognitive functioning. Children experiencing residential instability demonstrate worse academic and social outcomes than their residentially-stable peers, such as lower vocabulary skills, problem behaviors, grade retention, increased high school drop-out rates, and lower adult educational attainment.[77]

- Cost-burden and unaffordability also make it far more likely that low-income Black and other minority households will find themselves confronting the terror and trauma of eviction proceedings (see below).[78]

Generated and sustained in large part by structural racism, these debilitating problems make attaining and sustaining a meaningful level of economic success and household stability extremely difficult for low-income households. This in turn significantly diminishes their ability to overcome the cost-related and other barriers — again produced and maintained by structural racism — which bar their access to White-dominated communities of opportunity.

The Eviction Crisis

There is no more compelling indicator of the housing instability, which plagues the lives of so many low-income households than the high incidence of evictions. More than 160,000 eviction actions are filed every year in New Jersey,[79] the vast majority for non-payment of rent. This number represents approximately one out of every six or seven tenant households.

As is emphasized throughout this report, our nation's enduring history of racism and discrimination has left Blacks and other people of color more likely to have lower-incomes, more likely to be tenants, and more likely to be victims of a "Jim Crow" criminal justice system. As a result, they are also more likely to be vulnerable to the trauma and tragedy of eviction. In the words of one researcher: "Poor Black men are locked up, while poor Black women are locked out." [80]

The difference between Blacks and Whites with regard to eviction is striking: approximately one in five Black women experience eviction at least once in their lives, compared to one in fifteen White women renters.[81] Even in situations where they have a legal or equitable defense, lower-income tenants are more likely to be evicted because they are unable to afford or obtain legal representation or assistance. Recent studies in Massachusetts and New York show that providing legal services to tenants leads to a dramatic drop in evictions, with attendant cost-savings on emergency shelter and other safety-net expenditures.[82,83,84,85]

That there has been little recognition or acknowledgement of this "eviction crisis" is unfortunately not surprising. For it is nothing if not symptomatic of the power and persistence of structural racism. The avalanche of eviction filings disproportionately affects urban households, which means it disproportionately involves lower-income people of color. As such, it has not been able to command the attention or concern of the public to a degree commensurate with its impact. The striking contrast between this muted recognition and the strong public outcry and response to the foreclosure "crisis" — at least as long as a large number of White, middle-class households were affected (see below) — is manifestly indicative of the racial aspects that all too often determine not only whether serious problems are explicitly recognized as "crises," but also determines the nature, extent, and aggressiveness of the public remedies adopted to address them.[86]

If a person gets TRA, which helps them pay for housing, but if they get a job and the rent becomes something that they cannot afford and they get put out of their home, they go back into the circle, get put out of their home and then being eligible for TRA. How do you get out of that vicious cycle?

—Newark Resident

The extreme stress and hardship eviction causes for families and individuals has been explicitly recognized by the NJ Legislature in sections "d" and "e" of N.J.S.A. 2A: 18-61.1a, a key part of the "Just Cause for Eviction Act":

> *"d". It is in the public interest of the State to maintain for citizens the broadest protections available under State eviction laws to avoid such displacement and resultant loss of affordable housing, which, due tto housing's uniqueness as the most costly and difficult to change necessity of life, causes overcrowding, unsafe and unsanitary conditions, blight, burdens on community services, wasted resources, homelessness, emigration from the State and personal hardship, which is particularly severe for vulnerable seniors, the disabled, the frail, minorities, large families and single parents.*
>
> *"e". Such personal hardship includes, but is not limited to: economic loss, time loss, physical and emotional stress, and in some cases severe emotional trauma, illness, homelessness or other irreparable harm resulting from strain of eviction controversy; relocation search and moving difficulties; anxiety caused by lack of information, uncertainty, and resultant planning difficulty; employment, education, family and social disruption; relocation and empty unit security hazards; relocation to premises of less affordability, capacity, accessibility and physical or environmental quality; and relocation adjustment problems, particularly of the blind or other disabled citizens.*

The short and long-term effects of the eviction crisis are finally, if belatedly, gaining recognition as a result of the recent publication of Matthew Desmond's Pulitzer Prize-winning book, *Evicted*.[87]

> *Every year in the United States a vast number of families are evicted from their homes. Analysts have estimated the number to be in the several millions. Because landlords often turn away applicants with recent evictions on their records, evicted families regularly experience prolonged homelessness and increased residential mobility. When they do locate subsequent housing, they frequently must accept substandard conditions in disadvantaged neighborhoods. Eviction often prevents families from qualifying for housing programs, past evictions and unpaid rental debt being counted as strikes against those who have applied for assistance. Studies have linked eviction to psychological trauma and have identified it as a risk factor for suicide. Recent research has found that mothers who were evicted in the previous year experienced more material hardship and were more likely to suffer from depression, compared with those who avoided eviction.*[88]

The "feedback loop" manifest in the eviction crisis — from structural racism, to segregation and exclusion, to serious housing problems, to eviction filings, to an even greater inability to overcome racism, exclusion and housing problems — demands public and governmental recognition and remedy. It can no longer be ignored.

Foreclosure Crisis and Exacerbation of Wealth Inequality

A. The "foreclosure crisis," which first gripped New Jersey and the rest of the country early in 2005, generated a huge public outcry, leading to a swift and highly publicized state and federal effort to mitigate its impact. However debatable the effectiveness of the response, it is clear that the public outcry and rapid response were directly proportional to the many middle-class White families facing the loss of their homes. Largely lost in this outpouring of alarm was acknowledgement that Black and Hispanic households were disproportionate victims of the predatory lending which was a proximate cause of the Great Recession.

Indeed, the displacement of minority households by foreclosure has been so extensive that it has been characterized as a "mass migration event." [89] Home-loss rates have been approximately three times higher in majority Black and Hispanic neighborhoods than in White areas. Currently New Jersey has the highest number of households at risk of foreclosure in the country.[90] These households are located primarily in predominantly poor Black neighborhoods.

For example, in 2014, among NJ zip codes with populations above 5,000 persons, 32 were hardest hit by the foreclosure crisis, as evidenced by looking at the percent of homeowners with underwater mortgages. These include nine zip codes in Newark and eight in Paterson, as well as Plainfield, Trenton, Browns Mills, Pleasantville, Perth Amboy and Roselle. The report found that in these zip codes, the median household income was $41,519, which is well below the statewide median household income of $71,637. The report also found that these communities are overwhelmingly minority, with a combined Black and Hispanic population frequently exceeding 80 percent of the resident population.[91]

Yet the "foreclosure crisis" has receded from public view as the number of affected White families has declined, even though it remains a true crisis in lower-income minority neighborhoods. In terms of public alarm and aggressive response, the current relegation of the foreclosure problem to the sidelines reflects the structural racism inherent in the housing market, and exhibits striking similarities to the "eminent domain" crisis of a decade ago, as well as the current plague of evictions. It is all too clear that whether a serious problem is recognized as a "crisis," therefore demanding a commensurate response, depends to a significant degree on the color of its victims.[92]

B. With the displacement of so many people of color from their homes, progress toward achieving racial integration has suffered a significant setback, especially in racially mixed communities. Segregation between Blacks and Whites has grown by about 20 percent and between Hispanics and Whites by nearly 50 percent, since the early 2000s.[93]

The avalanche of foreclosures suffered by Black and minority communities also exacerbates the disparities in household wealth between minority households and their White counterparts. Homeownership and the equity produced by appreciation of home values is the primary source of household wealth for most Americans. Federal, state and local policies (as described above) effectively prevented Blacks and other people of color from becoming suburban homeowners during the postwar housing boom. Exclusionary zoning, employment and educational discrimination, a

79x

growing wage gap even for those with college degrees,[94] and other artifacts of discrimination continue to limit minority homeownership opportunities, thereby, preventing people of color from reaping the benefits of home equity appreciation.[95] Most Blacks and people of color are renters, and the wealth of renters is a small fraction of that achieved by homeowners.[96] Even when Blacks achieve homeownership, their wealth is suppressed: Black homeowners have a median net wealth only about 40 percent that of White homeowners.[97]

It comes as no surprise that, with the loss of homes due to foreclosure, the median net wealth of Black and Hispanic households declined to $14,200 and $32,000, respectively, in 2013; while the median net wealth of White households leveled off at $153,000.[98]

We don't just get the resources that we need. We barely have enough musical instruments for the musical directors. We don't have smart boards. We don't just have the technology that the suburb has.

—Trenton Resident

This stark disparity highlights the relationship between racism and poverty.[99] The wealth produced by home equity appreciation has helped finance the college education and the first homes of millions of White children. The absence of such wealth continues to curb the prospects of Black and Hispanic children as well as other children of minority background, preventing far too many from escaping the poverty into which so many were born.[100] It leaves Black and Hispanic families far more susceptible to financial calamity generated by economic downturns or unexpected events.[101] And it severely limits the ability of minority families to gain access to exclusionary communities and segregated neighborhoods that are the products of structural racism, thereby perpetuating the problem which in the first instance created the wealth gap.

Exclusionary Screening Criteria

Tenant screening practices have become a major problem for a large and growing number of lower-income households in New Jersey. This is especially so for Blacks and other minorities. For reasons discussed in more detail elsewhere in this report, Blacks and other people of color are significantly more likely to have:

- Problematic criminal histories, due to a "Jim Crow" criminal justice system characterized by extremely disproportionate rates of criminal conviction and incarceration;[102,103]
- Lower credit scores and problematic credit reports, generated by disproportionate unemployment rates, a growing wage gap driven by discrimination, unavoidably missed credit card, utility, and rent payments, and other poverty-related issues;[105,106] and
- Eviction actions filed against them, due to a higher rate of joblessness; lower wages[107] and other economic disparities; limited housing choices, making it more likely they will be victimized by predatory landlords charging unjustifiably high rents; and similar disadvantages driven by poverty and structural racism.[108]

As a result of these disadvantages, Blacks and Hispanics are also more likely to be rejected by prospective landlords for "bad credit" or "poor criminal histories" or for "having had eviction cases filed against them." (The latter practice is particularly insidious, since many landlords reject applicants simply because of the court filing, without regard to whether the filing was unsuccessful, retaliatory, unjustified, or even a mistake.[109] This is commonly referred to by tenants and housing advocates as "Blacklisting.")[110]

The correlation between certain form of screening criteria and race is slowly gaining recognition. For instance, a recent HUD Guidance emphatically recognizes that, due to the disproportionate rates of conviction and incarceration suffered by people of color, indiscriminate use of criminal history screening to exclude households from renting or buying a home creates a serious risk of violating the federal Fair Housing Act. In unequivocal terms, the Guidance warns that criminal history screening policies must be carefully tailored, and applied individually on a case-by-case basis. If not, there is a good chance that they can be found ***prima facie*** *discriminatory because of their disparate impact on Blacks and Hispanics.*[111]

Unfortunately, carefully tailored, individually-focused policies of this sort are more the exception than the rule, whatever the screening category involved. As is noted immediately below, a growing number of landlords now subscribe to fee-for-service tenant rating agencies which furnish them with tenant rating "scores" based on unknown, proprietary formulae. The Guidance further points out that criminal history screening can also be used as a pretext or surrogate for intentional racial discrimination ("disparate treatment"). A recent investigative report, using White and Black testers provided with identical criminal histories, verified the prevalence of this practice.[112]

In the same vein, reports such as statewide studies of insurance credit scoring in Missouri and Texas have led the Federal Trade Commission to declare that credit scoring discriminates against low-income people of color, and that such scoring is a proxy for race.[113,114]

The exponential growth of for-profit businesses offering landlords detailed tenant-screening reports has made securing rental housing (along with jobs, loans, and many other critical needs) exceedingly difficult for many minority households.[115,116] The absence of generally agreed upon, consistent, fair, reasonable and articulated standards has made arbitrariness and uncertainty the rule, rather than the exception, where credit, criminal history and court filing screening are concerned. Even worse, the absence of common standards provides a patina of "objectivity" designed to obscure the pretextual use of tenant screening as a cover for overt racial and ethnic discrimination.[117]

The result is that credit, criminal history, and court filing screening, along with already prohibited forms of discrimination (such as race, religion, ethnicity, family status, disability and source of income/rent payment), all too frequently prevent disadvantaged households — *including those with tenant-based rental housing vouchers, or those applying for admission to subsidized apartment buildings or affordable Mt. Laurel units* — from finding and obtaining decent, safe and affordable housing in areas of opportunity, areas close to good jobs, better schools, and better neighborhoods.[118,119,120,121,122,123] This in turn exacerbates, reinforces and perpetuates existing patterns of racial exclusion and segregation, forcing many families to reside in sub-standard apartments located in severely disadvantaged neighborhoods characterized by the continual "churning" of such households from one unaffordable, ill-maintained dwelling to another.

Homelessness

Compound the racism-engendered problems outlined above and throughout this report, and you have a formula for homelessness on an alarmingly disproportionate scale.[124] Thus, it comes as no surprise that, according to the New Jersey 2015-2019 Consolidated Plan,[125] while 14 percent of the state's population is Black, 55 percent of the homeless individuals in New Jersey are Black, a figure higher than the national average. Blacks also remain homeless for longer periods of time than Whites.

As reaffirmed in the state's announcement of an expanded "housing first" approach to homelessness, chronic homelessness exacts severe costs, not simply from the vulnerable people involved, but also from society, in the form of unnecessary hospitalizations, emergency room visits and incarcerations.[126] These costs represent another clear example of the ways that racism crushingly burdens Blacks and other people of color, perpetuates exclusion and segregation, and harms all of us in the bargain.

POLICY RECOMMENDATIONS

1. The state and its municipalities must officially, emphatically and publicly recognize the problem of severe, historically-based racial and ethnic segregation and exclusion in New Jersey. The reversal and sharp reduction of exclusion and segregation must be made an immediate priority of the highest order, evidenced by implementation of the following actions.

   a) All county and municipal governments, as well as the state itself, should be required to develop race-based "Inclusion and Integration Plans" containing explicit, measureable, time-sensitive objectives aimed at ending exclusion, segregation, and environmental injustice. Each Plan must be developed through an open, public, diverse

81x

and inclusive process involving representatives from all segments of the community, and especially from key advocacy organizations representing Blacks and other minorities. A high priority must also be placed on insuring the meaningful participation of low-income people of color.

b) Each such plan must: incorporate statistical data and maps detailing the extent of exclusion and segregation; establish explicit numerical goals for the production of affirmatively-marketed affordable housing units in the most exclusionary areas and neighborhoods of opportunity; identify specific strategies to address environmental justice issues; provide for the imposition of meaningful sanctions if substantial progress in relation to inclusion and integration of Blacks and others is not made; and include descriptions of those changes to laws, ordinances, regulations, etc., which will be enacted or adopted by the jurisdiction to facilitate implementation of the plan.

c) In furtherance of the above, a "toolbox" of strategies must be identified and implemented to overcome fear over the negative effects of residential integration on the neighborhood; ignorance concerning the societal costs of poverty; and political divisiveness.

d) The state must undertake an immediate effort to preserve existing subsidized and affordable housing, as well as significantly and expeditiously expand the supply of project- and tenant-based housing subsidies. In addition to increasing the amount of new construction, rehabilitation and preservation funding, the state must commit sufficient dollars to the creation of thousands of new SRAP vouchers and target them to assist the lowest-income and most disadvantaged households.

e) The state and its municipalities must adopt policies and take steps that "affirmatively further fair housing" ("AFFH") in a significant, effective manner. (The state must enact legislation, or promulgate regulations, which makes AFFH an explicit mandate of state as well as federal law.) State and local implementation of the revised "Assessment of Fair Housing" (formerly "analysis of impediments") process — mandated by the recent adoption of the new federal "Affirmatively Furthering Fair Housing" rule — must be made as extensive, inclusive and thorough as possible, especially with regard to a race-based analysis of fair housing concerns. The process must include establishment of a task force composed of civil rights organizations, low-income people of color, legislators, housing advocates, and others committed to integration and fair housing.

f) The state must undertake an aggressive effort to combat foreclosure in low-income communities and communities of color. State resources in an amount sufficient to achieve this goal must be committed for housing counseling, mortgage modification programs, and other necessary actions, including better policy tools to address abandonment that results in blight and becomes a drain on the resources of urban areas.

g) Significant reductions in de facto segregation must be made a mandatory correlative of the Inclusion and Integration Plans discussed above.

h) The DCA voucher program (both federally-funded Housing Choice and state-funded SRAP) must adopt (or, if necessary, seek appropriate federal waivers enabling it to adopt) voucher payment standards, as well as unit size and bedroom configurations, that facilitate movement by minority households to municipalities and neighborhoods that have limited minority populations. In addition, DCA should project-base a portion of its federal and state vouchers for the sole purpose of facilitating construction of housing developments intended to AFFH by integrating currently segregated or exclusionary communities and neighborhoods.

2. To the greatest extent possible, the state should implement a "carrot and stick" approach to eliminating racism.

a) Such an approach would allocate and distribute an enhanced amount of state funds and resources — such as school aid, road maintenance funding, etc. — as well as discretionary federal funds, to those communities which meaningfully, substantially and measurably promote inclusion and integration, address environmental injustice, and affirmatively further fair housing. Conversely, exclusionary and/or segregated municipalities which do not facilitate the actual provision of affordable housing in ways that reduce neighborhood segregation and significantly expand inclusion and integration, should have receipt of any such funding severely curtailed.

82x

b) State and local Consolidated Plans and Action Plans must adopt policies that limit the allocation of CDBG, HOME and other federal funds to governmental units that meaningfully and significantly AFFH (for instance, by adopting and implementing some of the overlay zones and other approaches described below).

3. The state (as well as counties and municipalities where necessary and appropriate) should immediately adopt and undertake administrative, legislative and legal/litigation strategies designed to:

a) Aggressively enforce existing civil rights laws in an effort to eliminate racial exclusion, segregation and environmental injustice. Among other things, this would include a well-funded, prioritized litigation strategy centered on challenging municipally-erected or maintained barriers to fair housing and integration. Approaches would include Westchester-type litigation against counties and municipalities that fail to AFFH and lawsuits under the LAD and federal FHA. Remedies would include the mandatory, expedited production of a minimum number of affirmatively-marketed affordable units situated within exclusionary or segregated areas, extensive environmental remediation, and, if necessary, require the use of local funds or bonding authority to accomplish these results.

b) Creatively maximize the use of existing legal protections to prevent the unnecessary eviction of low-income tenants — in part through the provision of legal counsel to disadvantaged tenants in eviction matters — and insure fair, non-discriminatory access to decent, affordable housing in areas of opportunity.

c) Enact statutes, regulations and ordinances which (a) prevent involuntary displacement of tenants and other residents from lower-income, largely minority urban neighborhoods undergoing redevelopment, revitalization and gentrification; and (b) insure that the residents of such communities are the primary beneficiaries of the employment, housing and overall economic benefits generated by redevelopment and revitalization.

d) Undertake an aggressive litigation strategy using existing civil rights laws to eliminate discriminatory tenant- and other housing-related screening practices.

e) Adopt, by statute or regulation, uniform, reasonable, and fair tenant- and other housing-related screening standards in all relevant areas, including credit history, criminal background, court filing history, source of income, and related categories. The state must also adopt ancillary procedures, such as the sealing and expungement of certain eviction filings, and establish appropriate penalties and enforcement mechanisms, in order to end unfair, arbitrary, and pretextual use of tenant/housing screening procedure.

f) Enact legislation and regulations authorizing "private attorneys general" to pursue anti-discrimination litigation against offending counties and municipalities on behalf of the state, and obtain attorneys' fees in matters where they are not currently authorized.

g) Enact legislation amending the Municipal Land Use Law to mandate — subject to appropriate limitations and conditions — municipal adoption of overlay zones that allow multi-family dwellings and manufactured home parks at significant densities, authorize accessory units dedicated to lower-income households, mandate approval of moderate-sized SROs, allow construction of affordable housing as of right above certain commercial structures, etc..

h) Implement at the municipal level — assisted or compelled by the state as needed — a comprehensive, consistent, aggressive and effective program of health and housing code enforcement, including a concerted, well-funded effort to use receivership where necessary to achieve needed repairs and insure that housing by low-income households is decent, safe and sanitary.

i) Enact or adopt such additional laws and regulations as are needed to facilitate the forgoing efforts.

83x

ECONOMIC JUSTICE AND EMPLOYMENT

Contributors: Rev. Sara Lilja, Interns for Lutheran Episcopal Advocacy Ministry of New Jersey Harry Lewis and Ben Slaugh

INTRODUCTION

Structural racism inhibits the opportunities available to people of color to be productively employed, accumulate wealth and achieve financial stability. New Jersey residents rarely stumble into poverty by accident. People of color, much more than White residents, are more likely to be unemployed and lack the necessary financial resources to gain a stable economic footing. Moreover, they are more likely to face discrimination in the workplace and less likely to be able to take advantage of the various support programs offered to people of low income. They also face inadequate training opportunities and are more likely to suffer the consequences of the shortage of resources experienced by the various organizations and bodies that serve populations in need. With the meager resources available to people of low income, people of color suffer additional inequities in a tax code and banking system that discriminate against them. The collection of these injustices, taken together, makes the point that structural racism drives poverty in New Jersey.

INSTITUTIONAL AND SOCIAL BARRIERS

Widespread Poverty

Poverty in New Jersey is widespread and disproportionately prevalent among people of color. About 31 percent of New Jersey residents, a staggering 2.75 million people, were living in households with incomes below 250 percent of the official poverty level in 2015, a benchmark considered to be a more realistic assessment of the income a family actually needs to meet their basic needs in New Jersey. [127] In contrast, the official Federal Poverty Level (FPL) for New Jersey was 10.8 percent in 2015, the equivalent of about 950,000 people.

Since the onset of the Great Recession at the end of 2007, the household income of an additional 400,000 people has fallen below 250 percent of the FPL.[128] Each of these individuals has a unique story and a particular struggle; nevertheless, the severe lack of economic resources limits their opportunities to realize their full human potential and the potential of the communities they reside in.

To consider poverty in New Jersey without accounting for the huge racial disparities in the incidence of poverty would be to misconstrue the extent of the problem and to fail to appreciate the extent to which racism is embedded in the society and its institutions. People of color in New Jersey are disproportionately impoverished. Indeed, almost one-fifth of all Black and a little more than one-fifth of all Hispanic New Jerseyans live below the official poverty level, compared to a little more than six percent of White New Jerseyans.[129] Although Whites comprise 56 percent of the total population, they are just 33 percent of the people living in poverty. In contrast, Blacks make up 23 percent and Hispanics 37 percent of the population living in poverty, although Blacks are 13 percent and Hispanics 20 percent of the total population.[130]

Moreover, LGBT people of color are even more likely to live in poverty than their cisgendered, heterosexual counterparts.[131] Disabled residents too are more likely to be living in poverty than the overall population.[132] The lack of appropriate employment and transportation modes impose additional burdens on their ability to find suitable work and, thus, their ability to earn a living wage.[133]

Growing Wealth Gap

The racial wealth divide between Black and Hispanic households and White households has been growing steadily, jeopardizing the opportunities of Blacks and Hispanics to improve their economic status.[134] Over the 30-year period between 1983 and 2013, the average wealth gap between White and Black households nationally grew from $288,000

to $571,000, while the gap between White and Hispanic households increased from $297,000 to $558,000.[135] The average wealth of White households grew from $355,000 in 1983 to $656,000 in 2013, an increase of 85 percent. In contrast, the average wealth of Black households was just $67,000 in 1983 and grew to only $85,000 in 2013, while the average wealth of Hispanic households grew from $58,000 to $98,000 — increases of 27 percent and 69 percent, respectively.[136] This wealth growth is in part due to increased housing values. New Jereyans who are renters do not experience this benefit[137] (see Housing chapter).

The disparity between Black and Hispanic households and White households is even starker when liquid wealth is compared. Liquid wealth includes savings a household holds that can be quickly turned into cash to cover unexpected financial expenditures that may arise in the case of medical emergency or job loss, for example. The median liquid wealth of White households is 115 times that of Black households and about 68 times that for Hispanic households. In 2011, the median liquid wealth for Black households was just $200, compared to $23,000 for White households and $19,500 for Asian households.[138] Hispanic households did not fare much better, with a median liquid wealth of only $340.

EMPLOYMENT

Black and Hispanic households living in poverty face immense barriers in their efforts to accumulate wealth and achieve financial security. Opportunities for productive employment and to earn a living wage are hampered by the prevalence of structural racism. Not only are Blacks and Hispanics more likely to be unemployed than their White counterparts, but when they are employed there is no guarantee that the wage they earn will ensure that they will not be living in poverty, especially women of color. Moreover, despite legislation, discrimination in the workplace is still prevalent, creating additional barriers to employment as well as to opportunities for advancement in the workplace. For example, workplace benefits provide much needed support to workers in the case of unemployment, especially to people of color who are more likely to need them; but they are insufficient, underfunded, and lacking the necessary institutional support to ensure their rigorous implementation.

Unemployment and Wages

All the jobs lost during the Great Recession in New Jersey have been recouped, seemingly indicating that the New Jersey economy has fully recovered from the Great Recession and is gaining in strength.[139] Likewise the unemployment rate has fallen to a level below what it was going into the recession in December 2007. In fact, this is not the case. These encouraging trends conceal deeper structural shortcomings in the economy.

The majority of the jobs that have been created are low wage as New Jersey continues to shed higher paying jobs in the manufacturing sector.[140] New job opportunities are primarily lower paying private service sector jobs in the health, education, professional and business services sectors.

The underemployment rate, a better indicator of the extent of unemployment, remains much higher than the official unemployment rate — 9.7 percent for 2016 — indicative of a substantial number of workers who are so discouraged that they have dropped out of the labor force.[141] Similarly, the employment-population ratio remains lower than it was at the end of the recession.[142] In fact, it has fallen to a level last experienced in the early-1990s, indicating that many working-age residents are no longer active participants in the economy.

Despite the decline in the unemployment rate, there are still disparities in unemployment rates between racial and ethnic groups. Black and Hispanic workers are more likely to be unemployed than White workers. During the fourth quarter of 2016, the Black unemployment rate was 1.8 times the White rate, while the Hispanic unemployment rate was 1.2 times the White rate.[143]

Even when Blacks and Hispanics are employed, national data indicates that average wages for White workers are consistently larger than for Black and Hispanic workers across the wage spectrum.[144] In fact, the Black-White wage gaps throughout the wage distribution were larger in 2016 than they were in 2000, although they narrowed slightly in 2016 at the middle and top end of the wage scale.[145] The Hispanic-White wage gap has narrowed slightly since 2000 at the

85x

bottom and middle of the wage scale, but has broadened slightly at the top end. On average, hourly wages for White workers are larger than for Black or Hispanic workers at every education level.[146]

Female Employment and Wage Gap

Discrimination exists in the workplace both between men and women and between racial and ethnic groups. Women are not only more likely than men to live in poverty but large differences exist across racial and ethnic groups. The official poverty rate for working-age women was 11.0 percent in 2015, compared to 8.4 percent for working-age males.[147] White women earned 75 cents to every dollar that their male counterparts made, while Black women earned only 58 cents[148] and Hispanic women earned a shocking 45 cents. Only California had a larger wage gap between men and women than New Jersey.[150]

Wide disparities in poverty rates also exist between female-headed Black and Hispanic households and female-headed White households. Almost half of all Black and Hispanic female-headed households are living in poverty.[141] Overall, the average income deficit — the average income needed to raise a family above the federal poverty rate — was $10,443 for a female-headed household in 2015.[152] This is especially appalling because 53 percent of all families living in poverty in 2015 were headed by a female. Moreover, female-headed families are 43 percent of all families that have fallen into poverty since the outbreak of the recession.[153] Perhaps the most disheartening reality for many of these women is that, although they are participating fully in the economy, their wages do not prevent them from living in poverty. They continue to struggle because their income is too low to cover their child care, health care, rent, and food costs as well other basic necessities.[154]

Wage Theft

Persons of color and immigrant workers often fall victim to wage theft by unscrupulous employers who threaten to turn over workers to Immigration and Customs Enforcement (ICE) if the workers report wage violations to authorities. Even when workers are able to successfully win judgments for unpaid wages from the New Jersey Department of Labor, many employers fail to pay, changing the name of their business or declaring bankruptcy to avoid paying workers.[155]

Discriminatory Hiring Practices

Although legislation to ensure fairer hiring practices has been enacted in New Jersey, hiring discrimination still exists. The so-called "Ban the Box" legislation prohibits prospective employers from inquiring about an applicant's prior convictions until after the employer has decided upon her or his first choice for the position. Nonetheless, employment practices discriminating against people who have been incarcerated still exist and, affect people of color disproportionately due to the entrenched racism that pervades the criminal justice system (see Criminal Justice chapter).

It's an obstacle course, you know. We'll background check you, give you a drug test,... credit check you. All of these barriers to overcome. Where are the incentives for the people who are trying to get ahead and do right?

—Trenton Resident

Because subjectivity is inherent in the hiring process, the potential for racial discrimination is always present.[156] Research shows that resumes and applications with stereotypically "Black-sounding" names will be judged more harshly than those with stereotypically "White-sounding" names. Even when resumes are identical, other than the name of the applicant, applications are treated differently, depending on the assumption about the racial or ethnic attributes of the prospective candidate.[157] In addition, the common practice of hiring and promoting based on pre-employment test scores has come under scrutiny because of covert racial bias.[158]

Not only does discrimination occur in hiring practices, it happens when workers seek advancement in the workplace. A 2010 lawsuit filed against the State of New Jersey alleged that the Civil Service exam for law enforcement officers

86X

discriminated against people of color. The lawsuit contended that Black and Hispanic officers were scoring lower than their White counterparts in the Civil Service exam. As advancement was linked to their scores on the exam, men and women of color were less likely to be promoted. While modifications have been made to the exam subsequently, too many officers of color have not advanced as rapidly as their White counterparts as a result of bias in the promotion process.[159]

Despite legislation attempting to level the playing field in the workplace, discrimination still exists. Often, workers who have suffered discrimination are too afraid to file a lawsuit or simply lack the resources to do so. In instances where the worker earns only a minimum wage, it is too time-consuming to hire a lawyer, go through a complicated judicial system, and pay immense legal fees when a settlement, if it happens, may be meager.

Relying on informal networks and recommending friends for open positions is a current trend in hiring when seeking employment. As persons of color often live in communities of high unemployment, this recommendation process is less likely.[160] This softer side of hiring discrimination cannot be under estimated. A consequence of racially segregated neighborhoods, faith communities, and civic groups is a cause of deeper unemployment in the Black and Hispanic communities.

Racial Bias in Tipped Workers

Disparities in compensation also exist when the same job is undertaken by a Black worker rather than a White worker. The Iowa Law Review recently published a study demonstrating discrimination in the tip received by Black servers when customers are White.[161] The study shows that Black servers receive as much as 15 percent less in tips when serving Whites than White servers receive from White patrons. Despite controlling for quality of service, size of the bill, and number of customers in the party, researchers were unable to uncover the likely causes for the discriminatory behavior. The clear pattern suggests, however, that the lower tips were likely to be related to the racial bias of the customers.[162]

Minimum Wage

Although the minimum wage in New Jersey increased to $8.44 in January, it is still too low for minimum wage workers to meet their basic needs. New Jersey is a high cost state. It takes considerably more income for a family to meet its basic needs, especially its housing costs, than the minimum wage provides at its current level.

The minimum wage is widely understood as the "floor" for all wages and, as such, minimum wage increases push wages up for all wage-workers.[163] When New Jersey increased the minimum wage to $8.38 an hour in 2015, about 176,000 New Jersey low-wage workers received a slight pay increase.[164] Nevertheless, a minimum wage worker at this rate would have to work 105 hours a week to afford the fair market rate for a one-bedroom apartment in New Jersey.[165]

New Jersey is one of the most expensive states to live in and the minimum wage is not adequate for the cost of living here.

—Trenton Resident

Raising the minimum wage to $10.10 an hour, the level it was in 1976 in real dollars, would provide additional economic security to about 48,000 Hispanic workers, 26,000 Black workers and 81,000 White workers.[166] Even a rate of $10.10 an hour, however, is still insufficient for a family to meet their basic needs in New Jersey.[167] The calculations of the National Low Income Housing Coalition show that to afford the fair market rent for a two-bedroom apartment in New Jersey, a family would need to earn $26.52 an hour (see Housing chapter).[168]

Work Supports

Work First NJ

Black women are disproportionately represented in welfare caseloads and confront more challenges than White women when they transition from welfare to a position of economic self-reliance.[169] A 2012 study found that "African Ameri-

87x

can women spent an average of seven more months on TANF than White women but were not more likely to pass the five year limit when compared to White women receiving TANF benefits. African American women also participated on average in five more work activities than their White counterparts." [170] This study also shows that when participants found employment, it was low wage. Most disturbing, however, was the inability of TANF recipients to find employment in jobs that offered upward mobility or potential wages increases. This study illustrates how "structures" intended to promote self-sufficiency contribute to the instability and economic impoverishment of Black families. [171]

Youth Employment Development

Too often youth of color living in low-income families have little access to mentoring and skill development because the communities in which they reside have high underemployment rates. Studies have shown that early work experiences of young adults impact their earning and employment experiences through their entire work life.

Communities Colleges are a critical step in advancing employment opportunities for first generation college youth and persons of color. After completing community colleges, 87 percent of students studying in apprenticeship programs get a job, with an average starting wage of over $50,000. Apprenticeships are partnerships between employers and community colleges, as well as labor unions, local governments, nonprofit institutions and others. [172]

Young men, especially those without a postsecondary degree, were most adversely affected by the deep declines in employment in construction, manufacturing, and transportation industries. Some experts have argued that these structural changes, which reduced relative demand for less-skilled, blue-collar labor, led young men to give up on "mainstream possibilities and institutions" and withdraw from the formal labor market. [173] Young women, whose postsecondary enrollment and attainment rates surpassed those of young men, have had more success adapting to the shifts in the labor market.

If there ARE jobs that require more training, more skills, maybe a degree, if [the school is] providing 25-year-old books, guiding students to 'customer service universities... are we providing the training and the aspirations, from very young ages, to train them for these jobs?

—Camden Resident

Transportation Support

"Without really good public transportation, it's very difficult to deal with inequality," Rosabeth Moss Kanter, a professor at Harvard University has observed. Access to just about everything associated with upward mobility and economic progress — jobs, quality food, and goods (at reasonable prices), healthcare, and schooling — is dependent on the ability to travel efficiently and at an affordable price. New Jersey, however, has neglected to develop a public transportation system that will provide people of low income who cannot afford a car the opportunity to commute easily. Bus and train travel to work is expensive and sometimes irregular, given the aging equipment and infrastructure. Many communities in southern New Jersey, in particular, have little or no access to public transportation. Similarly, low-income communities, populated disproportionately by people of color, are also more likely to encounter infrequent public transportation service.

Parental Supports

The United Way estimates child care for two children, costs more than $16,000 a year in New Jersey, more than any other expense category, including housing. Workers need safe, high quality affordable child care so that they can continue to maintain employment.

The schedules associated with many low-wage jobs can wreak havoc on working parents' ability to meet their caregiving obligations. Employers in industries, including retail, food service, and home health care, often require nonstandard work hours. The precise definition of "nonstandard hours" varies, but is often described as a majority of work hours performed outside the 6 am to 6 pm period on weekdays.

These low-wage jobs are characteristic of "just-in-time" scheduling practices that make it difficult for parents to ar-

88x

range reliable child care and transportation — not to mention pay their bills, given that unstable and unpredictable hours lead to unstable and unpredictable paychecks.[174]

Benefits to Work

Not only is the work of people of color not adequately compensated in New Jersey but the benefits they receive from their workplace are often inadequate.[175] Benefits from work provide both a safety net for low-wage workers and help the worker manage the stress of the workplace. Many of these safety net programs are currently viewed by employers as optional rather than necessary for stable employment behavior.

Retirement Savings

The average defined contribution to a retirement account in New Jersey is below the national average. In fact New Jersey ranked 36th in the nation for retirement savings in 2013 with only 45 percent of workers participating in Employment Based Retirement Plan. In 2001, New Jersey had a 52 percent participation rate. The report shows that the cost of living for retired New Jerseyans is well above the national average, making it difficult for retirees to cover their living costs from their retirement monies. For example, housing costs for older New Jerseyans are the highest in the nation. About 48 percent of older households are paying 30 percent or more of their income for housing.[176]

Unemployment Insurance

Persons of color are less likely to receive the benefits of unemployment insurance than Whites, although they are actively participating in the New Jersey economy. Unemployment insurance allows workers who are currently unemployed to maintain stability and security while unemployed as they search for another job. Persons of color living in poverty often work seasonal jobs in landscaping and farming or in retail during the summer.[177] A 2012 law passed in New Jersey makes many of these seasonal jobs ineligible for unemployment insurance.

Paid Sick Leave

The paid sick leave legislation currently before the New Jersey legislature would ensure that all workers are eligible for paid sick leave. This would be especially beneficial to part-time or seasonal workers as well as low-wage workers employed at workplaces that do not provide paid sick leave, such as many retail stores, restaurants, and home health aide agencies.

The proposed bill would allow a worker to accumulate an hour of sick time for every thirty hours (30) worked. Companies with ten (10) or fewer workers would have to allow workers to earn at least forty (40) hours of sick leave. Those with more than ten (10) workers would have to offer at least seventy-two (72) hours. The leave could be used for the employee's own illness, to care for a family member who is sick, or if the employee or a family member is a victim of domestic violence and needs to seek help.

Family Leave Insurance

Family Leave Insurance is an important safeguard for those who need to take time from work to address medical or personal concerns. But this program only provides workers with two-thirds of their regular weekly wages. For low-wage workers, every dollar counts in high-cost New Jersey, and losing a third of their wages is likely to cause their income to be well below the amount needed to meet their daily needs.[178] It should come as no surprise that Family Leave insurance is an underutilized benefit in New Jersey, especially among workers of color.

Social Security Insurance

A popular conception is that Social Security benefits members of society who are less well off. In fact, the payroll taxes paid to support Social Security apply only to the first $113,700 of income. Those earning more than this amount do not pay the Social Security tax on income earned above this amount. Low-income workers, in contrast, who earn $113,700 or less, pay Social Security Insurance on their full income. This tax advantage benefits White workers more than workers of color because they earn higher wages, on average.[179]

89x

TAXES

New Jersey's tax code includes sections that benefit the poor and unemployed and are vital to their financial security. Yet home owners and people who receive income from non-wage earnings enjoy much greater tax advantages. Although the tax code favors primarily wealthy New Jerseyans, and, thus White residents, two vehicles have a proven record of assisting the working poor.

EITC and CTC

The Earned Income Tax Credit (EITC) and Childcare Tax Credit (CTC) are among the strongest tools helping low-wage workers and their families avoid poverty. Not only do these programs reduce poverty, they contribute to higher employment rates, healthier mothers and babies, better grade-school performance, and an increased likelihood that more students will graduate from college.[180] It is estimated that the two tax credits lift 113,000 children and about 250,000 New Jerseyans out of poverty, overall.[181]

Because the EITC and CTC are lump-sum payments, families use the monies to pay for vital home repairs, automobile maintenance, treating health ailments, and taking care of other more expensive needs. Unfortunately, this money is often not enough to raise the incomes of these hard working families sufficiently to allow them to escape poverty. The high cost of living in New Jersey, especially the high housing costs, remains a large burden even after receipt of these tax credits.[182]

BANKING AND LENDING

Like a job, a depository relationship — in which a person has access to a banking institution — is important for achieving financial stability. Individuals with access to a bank have the means to save, build credit, and secure financing for purchases such as a reliable vehicle, which is often necessary for work, or for a home that helps them build net worth.

Research has shown that when families with low incomes have access to a bank account, they are more likely to own assets than families of similar means without a bank account. Children's Savings has demonstrated that children with a college savings account, regardless of income, are more likely to enroll in and graduate from college than children who do not have an account.[184]

Unfortunately, since the Great Recession, nearly 5,000 branches of banks have left low-income communities.[185] Over 90 percent of the branches that have closed over the last several years in the United States are in neighborhoods where the median household income is below the national median.[186] Worse, many banks have predatory relationships with the communities and populations they serve, often on racialized terms. The Hudson City Savings Bank scandal of 2015 revealed that only 25 of their 1,886 mortgage loans in parts of New Jersey, New York and Connecticut went to Black families, resulting in a $33 million payout to the affected parties.[187] Redlining, or the process of denying people of color access to loans and mortgages, is still a disturbingly common practice. As Rachel Swarns describes it, "without a stable group of homeowners, neighborhoods can be left vulnerable to blight and disrepair."[188]

Following the banking and lending crisis of 2008, many institutions have added additional restrictions in loans applications. These restrictions have disproportionately affected Black and Hispanic applicants, making it increasingly difficult for them to get mortgages and loans they need to buy a home.[189]

Without a checking account or access to a neighborhood bank, people spend significantly more money paying fees and are often victim to predatory lending. One in five households (mostly Black, Hispanic, or Native American) is underserved by the banking industry, costing these households an average of $3,029 per year in fees and interest.[190] In fact, the cost of excluding people of color from the mainstream banking system is $103 billion annually, according to a recent report by United for a Fair Economy.[191]

One way to encourage immigrants to open bank accounts is to provide a Municipal ID, a method that has been working well in New York City. A Municipal ID is free and easy to obtain for any New Yorker who can prove identity and

90x

residency. The immigrant community, in particular, stands to gain by the creation of the municipal ID, because many immigrants can use the Municipal ID to engage in most financial transactions; something they could not do previously because they did not have drivers' licenses or state IDs.[192]

A lack of comprehensive financial education adds to the problem by discouraging residents from making informed choices about the investment and storage of their money. For minimum wage workers, the idea of saving money may not be an option, but without sufficient education on the topic, no opportunity to begin healthy financial practices exists.[193]

CONCLUSION

Economic justice will prevail when the structural racism that is pervasive in our society finally ends. In order for people of color to enjoy the advantages of our society they need to be employed, participate in wealth building and benefit fully from the resources and programs offered. The various anti-discriminatory and support policies and programs must be implemented and enforced rigorously, while additional policies and programs need to be enacted to ensure that equal opportunities exist not only for working adults but that the wide racial and ethnic gaps still prevailing are narrowed over time to the benefit of children of color.

The cost to the state in having nearly half of the residents unable to participate fully in the economy hurts us all. Local business loose potential customers, educational institutions loose potential students and potential worker's talents go untapped. New Jersey is losing untold economic gains by not addressing the needs of people of color. We cannot afford to continue these racist practices and must move with speed to build a stronger economy by raising wages, supporting workers, and holding financial institutions accountable to live up to their community investment obligations.

POLICY RECOMMENDATIONS

1. Employment:
   a. Improve and increase the resources available to both youth and disconnected workers to move them into the workforces, including:
      i. WorkFirst NJ work activities and training options that have clear outcomes and provide job opportunities;
      ii. Work ready Community College curricula and apprenticeships that are tied to local business needs so that graduates enter the work force fully prepared;[194]
      and
      iii. Mentoring and development programs for young and first time workers.
   b. Improve access to remedies through legislation and better enforcement for unfair hiring and promotion practices in the work place.[195]
   c. Address barriers to work, including:
      i. Barriers created by expensive and unreliable transportation systems;
      ii. High quality, affordable child care; and
      iii. Business management practices that make hourly work schedules undependable.
   d. Increase re-entry programs so that persons returning home after incarceration have help to become contributing members of our economy through meaningful employment, and social supports.
2. Poverty within the workforce:

91x

a. Increase the Minimum Wage to $15;

b. Enact Equal Pay legislation;

c. Enact legislation to require employers to provide Paid Sick Leave for employees;

d. Create tax incentives that will enable more employers to provide Retirement Savings vehicles for their employees;

e. Increase awareness and access to Family Leave Insurance;

f. Enhance unemployment insurance for seasonal workers;

g. Allow municipal IDs so that all residents can have access to access to financial institutions, employment opportunities, and community services; and

h. Increase Wage Theft Protections.

3. Economic stability

a. Implement tax policies that support tax fairness;

i. Including expanding EITC for childless adults and families with more than two children as well as lowering the age of eligibility for EITC;

ii. Creating a child care/dependent care tax credit at the state and federal level;

b. Addressing income inequality through just taxation of the wealthy. New Jersey's poorest households — those earning less than $22,000 — pay the greatest share of their income to state and local taxes, at 10.7 percent. Households earning just slightly more — between $22,000 and $43,000 — pay the next highest share, at 9.2 percent. In contrast, households with incomes of more than $758,000 — the top 1 percent — pay just 7.1 percent. New Jersey is among the top half of states with the most equitable tax systems; the Garden State ranks 13th fairest of the 50 states plus D.C.[196]

c. Developing Community Benefit Agreements between local community groups, developers, and government agencies and officials to create tax breaks in exchange for hiring local residents rather than outsourcing to other markets as well as other community-based solutions.[197]

d. Expand access to financial services by creating financial services in banking deserts:

i. Public banking.[198]

e. Enforce strong prohibitions of predatory lending practices.

f. Incentivize saving by offering direct deposit for EITC savings accounts.

g. Create a State Consumer Finance Protection Bureau.

92x

CRIMINAL JUSTICE

Contributors: Rev. Charles Boyer, Barbara Flythe, Meagan Glaser, Rev. Craig Hirshberg, Aaron Rodgers, Alexandra Staropoli, Rev. Dave Stoner, Elizabeth Weill-Greenberg, Rev. Vanessa Wilson

INTRODUCTION

The United States has the shameful distinction of leading the world in incarceration. With less than five percent of the world's population, the United States has nearly 25 percent of the world's incarcerated population.[199] Racial disparities within the United States criminal justice system are widespread. At every stage of the criminal justice system people of color fare worse than their White counterparts.[200] Despite the notable words of our country's pledge — and justice for all — we know that far too often poor people and people of color are entangled in a criminal justice system that is anything but fair.

The incarceration epidemic and the systemic racism embedded in our justice systems across the country reflect a national crisis. As policymakers begin to examine the fiscal and human costs of mass incarceration, we have seen a wave of reforms introduced on the local, state and national level. It is important to note however, that while many of these reforms will address racial disparities, policy proponents are often primarily concerned with the fiscal savings from reform over racial justice. It is our duty as advocates to raise awareness about racial disparities, particularly here in New Jersey, and to center racial justice in advocacy campaigns to reform our criminal justice system.

This chapter will give a broad overview of how the nation and New Jersey have gotten to where we are today. It will examine the impact of systemic racism on New Jersey's criminal and juvenile justice system and will present solutions that we believe New Jersey policymakers should advance in our state.

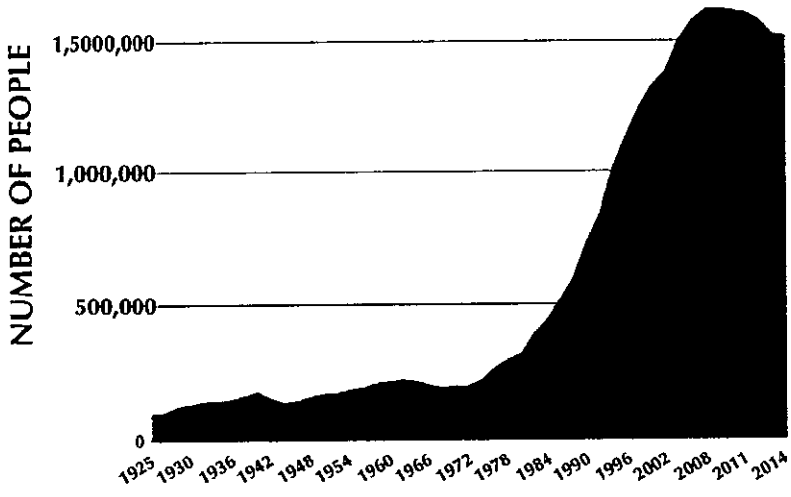
MASS INCARCERATION IN THE UNITED STATES AND NEW JERSEY

We did not get here overnight — decades of flawed and failed policies led the United States to be the world's leader of incarceration. Over the last 40 years, the United States prison and jail population has grown by 500 percent.[201] The dramatic surge in the number of people incarcerated was the direct result of a rise in "tough on crime" rhetoric and policies — beginning with President Nixon's declaration of the War on Drugs in 1971.[202]

The 1980's and 1990's marked a long period of skyrocketing incarceration rates. President Ronald Reagan's expansion of the drug war and his wife's highly publicized "Just Say No" anti-drug campaign helped set the stage for the zero tolerance policies passed around the country. As draconian policies were enacted by Congress and state legislatures, the number of people behind bars continued to grow.

Not only were more crimes created, but sentences for crimes already on the books were also increased.[203] Mandatory minimum sentences such as three strikes laws, the crack-cocaine disparity, harsher sentences for youth, and many other "tough on crime" policies were all passed during this era. Additional cutbacks in parole release during this period also kept people in prison for longer periods of time.[204]

U.S. State and Federal Prison Population



Source: The Sentencing Project, Criminal Justice Facts, available at http://www.sentencingproject.org/criminal-justice-facts/

93x

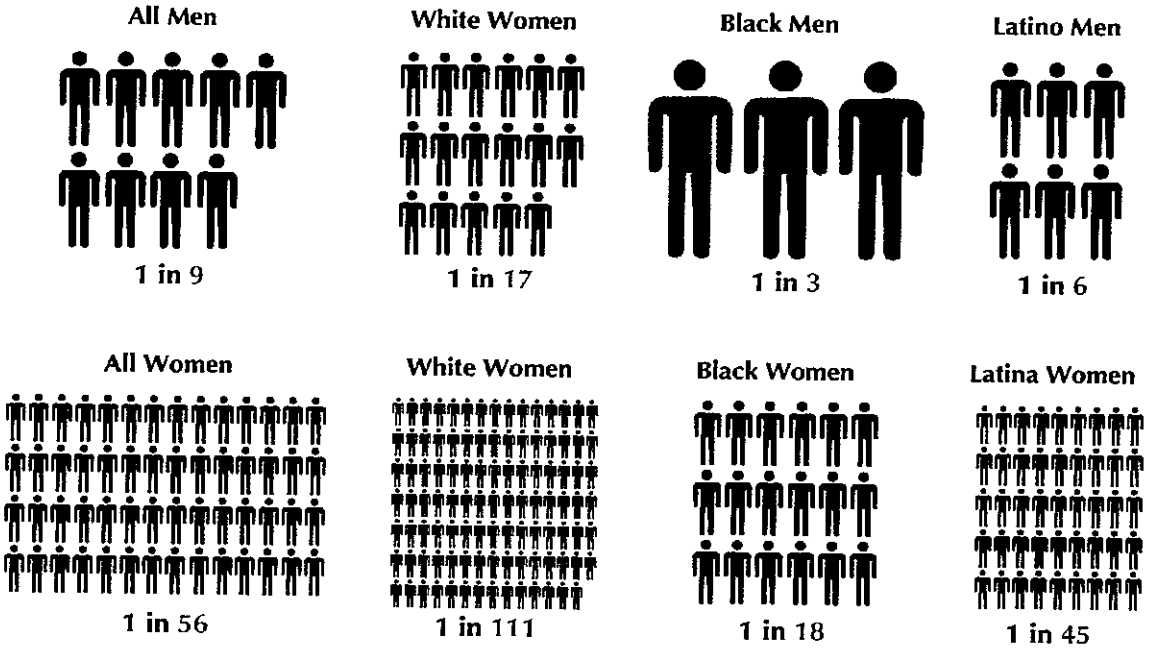
The rise in incarceration did not target or impact all communities in the same way. Today, people of color make up only 37 percent of the United States population but 67 percent of the prison population.[205] Blacks and Hispanics are more likely than White Americans to be arrested, and once arrested, they are more likely to be convicted and to face harsher penalties when sentenced.[206] Black men are six times more likely to be incarcerated than White men and Hispanic men are more than twice as likely to be incarcerated as non-Hispanic White men.[207]

Policies passed during the "tough on crime" era were inherently racist and discriminatory. They intentionally targeted people of color and were created as a form of social control. As Richard Nixon's Policy Chief John Ehrlichman once said while referring to President Nixon's War on Drugs:

> *"You want to know what this was really all about? The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and Black people. You understand what I'm saying. We knew we couldn't make it illegal to be either against the war or Black, but by getting the public to associate the hippies with marijuana and Blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did."*[208]

While shocking to some, Ehrlichman's statement only validates what racial justice advocates have always known — racism and discrimination are deeply entrenched in our social structures and the criminal justice system is no exception.

Lifetime Likelihood of Imprisionment for U.S. Residents Born in 2001



Source: The Sentencing Project, Criminal Justice Facts, available at http://www.sentencingproject.org/criminal-justice-facts/

Mass Incarceration in New Jersey

New Jersey's story of mass criminalization mirrors the national trend — between 1980 and 1999, New Jersey's prison population grew from almost 6,000 inmates to over 30,000 inmates.[209] In 1986, New Jersey passed the Comprehensive Drug Reform Act, considered one of the harshest laws of its kind in the country.[210] Several of the provisions of the Act authorized mandatory minimum sentences, and in the years after its passage, a steady stream of new and harsher penalties was also enacted.

94x

Between 1986 and 2006, the New Jersey Department of Corrections budget grew from $289 million to a whopping $1.33 billion.[211] This budget growth far outpaced other parts of the state's budget; from 1979 until 2006, the corrections budget grew by a factor of 13, while the overall budget only grew by a factor of six.[212]

The result of these policy changes had a profound impact on New Jersey, both in human and financial costs. While prison used to be reserved for the most dangerous and incorrigible individuals, it became the default option for a vast number of offenses, including nonviolent drug offenses. The overuse of prison and draconian sentencing policies resulted in the warehousing of thousands of individuals in New Jersey prisons.

RACIAL INJUSTICE IN NEW JERSEY

Around the country, people of color experience discrimination at every stage of the judicial system and are more likely to be stopped, searched, arrested, convicted, harshly sentenced and saddled with a lifelong criminal record. The same holds true in New Jersey — racial disparities are prevalent in both the criminal and juvenile justice systems in the state. Racial disparities within the criminal justice system are largely caused by a combination of: (1) policies that are race-neutral on their face but create a disparate racial impact when implemented; (2) racial bias among criminal justice stakeholders; and (3) policies that exacerbate already existing socioeconomic inequalities.[213]

Criminal Justice System

New Jersey leads the nation in racial disparities within the state's prison system.[214] Although Blacks are only 13 percent of the overall population in our state, they account for 61 percent of those incarcerated in New Jersey's prison system.[215] Blacks in New Jersey are 12 times more likely than Whites to be imprisoned and New Jersey is one of only 12 states in which more than half the prison population is Black.[216]

Policing in Newark: A Case Study

This year marks the fiftieth anniversary of the Newark Rebellion, five days of civil unrest in the city sparked by the arrest of Black cab driver John Weerd Smith. At the end of the uprising, 26 were dead, over seven hundred were injured, and property damage totaled in the millions. In the aftermath, the City of Newark was confronted with how to build a relationship that never before existed between law enforcement and the community.

This tension unfortunately continued to present day. In 2014, a Department of Justice investigation into the Newark Police Department (now the Newark Department of Public Safety's Police Division) revealed that the Department was engaging in a number of improper practices—such as excessive use of force, unconstitutional stops and arrests, and disproportionate stops and arrests of Black Newark residents.

As a result of the Department of Justice's findings, the City of Newark entered into a consent decree with the Department of Justice, which was officially entered by court order on May 5, 2016. Among other things, the consent decree requires the Newark Police Division to implement a series of reforms around the issues of stop, search, and arrest; use of force; community engagement; body-worn cameras; bias-free policing; and internal affairs. The parties agreed to appoint former New Jersey Attorney General Peter Harvey as the Independent Monitor to oversee the reform process. Harvey has created a team of experts to serve as his federal monitoring team, including nonprofit advocacy organizations in the state. The first quarterly report of the Independent Monitor is to be published in March 2017.

The City of Newark is therefore at a transformative moment for policing reform.

95x

In New Jersey, of the almost 20,000 individuals under the custody of the Department of Corrections, most individuals are incarcerated for violent offenses (61percent), followed by drug offenses (15 percent), weapons offenses (12 percent), property offenses (8 percent) and public policy offenses (3 percent).[217] A staggering seventy-four percent of inmates are serving a sentence that includes a mandatory minimum term.[218]

Also of note are the geographic disparities within New Jersey's incarcerated population. Seventy-seven percent of inmates in New Jersey come from ten of the twenty-one counties in the state. Essex and Camden County residents comprise over one-fourth (27 percent) of the total inmate population.[220] The counties that are most represented among the inmate population are more urban, and are also where more poor people and people of color reside.

When they do come, they grab everybody. They don't ask questions. (They) put guns on kids, grabbing the wrong people. And it's with force, instead of with questions first.

—Paterson Resident

Consistent with national data, racial disparities in New Jersey also extend to policing. People of color in New Jersey are more likely than White people to be stopped by law enforcement and to be arrested and charged with a crime. A study conducted by students at Seton Hall University Law School found that in the primarily White town of Bloomfield, New Jersey, Blacks and Hispanics comprised more than three-quarters of those who appeared in Bloomfield's municipal court for traffic offenses, even though they only accounted for around 44 percent of the town's population.[221]

At an average cost of around $137 per ticket, the students found that Blacks and Hispanics paid the city of Bloomfield more than $1 million dollars in 2015 for traffic tickets alone.[222] While not only highlighting the significant racial disparities in who is stopped by the police, this data also demonstrates the significant transfer of wealth from poorer communities in New Jersey to the state. $137 dollars to a family living in poverty can mean the difference between life and death. Furthermore, for those individuals who cannot afford to pay the fine, nonpayment may lead to arrest — triggering a downward spiral of consequences that can be especially devastating for families already living on the edge.

Additionally, a 2016 report of four cities in New Jersey found stark disparities in arrest rates for Blacks, Whites and Hispanics for low-level offenses such as loitering, possession of small amounts of marijuana, trespassing and disorderly conduct.[223] The study found the most severe disparities in Jersey City where, in 2013, Blacks were 9.6 times more likely than Whites to be arrested for low-level offenses.[224] An earlier report found that Blacks in New Jersey are almost three times more likely to be arrested for marijuana possession than Whites. In six New Jersey counties, the racial disparity for marijuana arrests is higher than the national average.[225]

Juvenile Justice System

Racial disparities in New Jersey also extend to the juvenile justice system. Black youth in New Jersey are 24.3 times more likely than White youth to be committed to a secure juvenile facility.[226] This is the third highest Black-White disparity in the country.[227] Hispanic youth are 5.4 times more likely to be committed to a secure juvenile facility than White youth.[228]

I did my time. I did all the programs that I had to do. And now, every time I look for a job, they are quick to judge me regardless of seeing that I am actually trying to change and basically start a new life. So, I know what that feels like.

—Camden Resident

Since the prevalence of problematic youth behavior remains consistent across races, these disparities demonstrate the severe racial inequities in enforcement and in decisions over how to handle youth who come into contact with the justice system. Like the adult system in New Jersey, the juvenile justice system also has geographic disparities — almost 40 percent of the youth committed to secure facilities in New Jersey come from Essex and Camden.[229]

Youth of color in New Jersey are arrested more frequently than White youth. Data from Monmouth County reveals that in 2012, the county arrested over

96x

10 percent of its Black youth population and only 2.3 percent of its White youth population.[230] In Glassboro, 70 percent of the youth arrested were youth of color, even though people of color only made up 39 percent of the town's population.[231] Youth of color are also significantly overrepresented in the population of youth that get waived to the adult criminal justice system — they make up almost 90 percent of youth in the adult system.[232] Of those youth, approximately 72 percent are Black and 18 percent are Hispanic.[233]

THE TRUE COSTS OF MASS INCARCERATION

Mass incarceration is costly and ineffective. The United States spends over $80 billion dollars a year on incarceration.[234] In New Jersey it costs nearly $100 dollars a day to hold someone in jail, and approximately $50,000 dollars per year to house someone in a New Jersey prison.[235]

Research has shown that incarceration is ineffective. In the pretrial context, spending even just a few days in jail can have a devastating impact on an individual's life. Short periods of pretrial detention increase the likelihood of failing to appear in court, of committing a new crime, and of being convicted and receiving a harsher sentence.[236] Additional research suggests that lengthy prison sentences do not reduce crime and actually increase the likelihood of recidivism.[237] On the contrary, community-based programs in both the criminal and juvenile justice system have been shown to improve public safety and are more cost-effective.[238]

Even after they serve their time, individuals with a criminal record are saddled with a lifelong scarlet letter that can impact child custody, voting rights, employment, business loans and licensing, student aid, public housing and other public assistance. The collateral consequences of having a criminal record often further exacerbate the already challenging circumstances that poor people and people of color face. Criminal records can also result in deportation of legal residents or denial of entry for noncitizens trying to visit the United States.

In New Jersey, individuals on probation or parole are not allowed to vote, and those individuals with certain drug convictions are banned for life from receiving General and Emergency Assistance. New Jerseyans with criminal records also face employment discrimination, issues with obtaining certain business loans and licensing, as well as difficulty obtaining student aid and public housing. Since people of color are significantly overrepresented in New Jersey's justice system, these ancillary policies, which are not criminal in nature, result in a massive web of civil oppression for people of color

Additionally, when an individual is incarcerated, his or her family loses income. A 2015 national report found that nearly 2 in 3 families (65 percent) with an incarcerated family member were unable to meet their family's basic needs.[239] Forty-nine percent struggled with meeting basic food needs and 48 percent had trouble meeting basic housing needs because of the financial costs of having an incarcerated family member.[240] Maintaining contact with a loved one while they are incarcerated can also be costly — in one study, one in three families went into debt because of the high cost of phone calls and visits.[241]

I try to help them prepare for some of the questions that may arise. Employment gaps. What were you doing for those few years? If you lie, that's going to be a problem down the road.

—Camden Resident

These difficulties persist and are sometimes worsened once an individual returns home. Because families are often the primary resource for housing, employment and health needs for formerly incarcerated individuals, they continue to struggle to meet their basic needs even once their family member has returned home.

These costs do not account for the immeasurable price of removing generations of Black and Brown men from their families and communities. Research has shown that the absence of these men has far-reaching implications and most notably, disrupts family formation.[242] More children are born outside of marriage and there are more single-parent households where women are forced to rely on themselves to support their family.[243] The absence of another income impacts the ability of a one-income household to meet basic needs and has a significant impact on generational transfers of wealth.

97

Mass Incarceration and Poverty

Mass incarceration and poverty are inextricably linked. While an exploration of the causes of crime is beyond the scope of this paper, it is important to mention that there is a correlation between lack of opportunity and crime rates.[244] However, being poor in and of itself has also become increasingly criminalized in many ways. The increase in fines and fees for minor offenses, the use of civil asset forfeiture, and the high cost of attorneys all contribute to disproportionate rates of poor people and people of color in the criminal justice system.

In every application for work they ask about your criminal record.

—Camden Resident

Moreover, in many places, homelessness is now treated as a crime.[248] Individuals without homes are arrested under state and local policies and brought to jail, triggering a series of events that will only complicate the individual's already challenging situation. The widespread use of drug testing for public assistance also perpetuates the cycle of poverty.[249] Homeless individuals are now drug tested by shelters before being admitted and those individuals who apply for and receive public benefits are also subject to drug testing.[250] The denial of public assistance only further exacerbates poverty for needy families. These types of policies, coupled with the collateral consequences individuals face once they have a criminal record, create an endless cycle of poverty and criminalization for poor people and people of color.

Success in New Jersey

Drug Free Zone Reform

Drug free zone laws are mandatory minimum laws that require judges to impose sentencing enhancements in certain circumstances. Such laws disproportionately impact people of color. In New Jersey, a 2005 report showed that 96 percent of those incarcerated under the state's drug free zone law were Black or Hispanic. Because of the way the zones were drawn in New Jersey, they overlapped and covered most of the area in densely populated urban centers, and as such those most likely to be sentenced with the harsh mandatory were Black or Hispanic.

In 2010, New Jersey reformed its drug free zone law. Although advocates were unsuccessful in reducing the size of the zones, judges now have discretion in sentencing and are not required to impose sentencing enhancements. New Jersey was one of the first states to successfully reform its drug free zone law.

Bail Reform

In 2014, New Jersey passed comprehensive pretrial justice reform. A 2013 study of New Jersey jails found that almost 40 percent of the individuals detained pretrial were there solely because they could not afford their money bail. Money bail inherently discriminates against poor people and people of color. Black men and Hispanic men on average are given bail amounts 35 percent and 19 percent higher than White men.

New Jersey's new law is based on risk rather than resources. The reform incorporates an evidence-based validated risk assessment tool to be used by judges when making release decisions, creates a presumption of release for low-risk defendants, and also prioritizes non-financial conditions of release. New Jersey is one of the first states to pass such far-reaching legislation. The new law became effective on January 1, 2017 and has already achieved early success.

98X

AT THE INTERSECTION OF THE MASS INCARCERATION AND IMMIGRATION DETENTION OF Black BODIES

Black people in the US are often treated with discrimination and inequality regardless of their immigration status, with Black U.S. citizens being incarcerated at an alarming rate and Black non-citizens being detained and deported at equally concerning rates. Both communities share common challenges, a chief one being the over policing of Black bodies in the United States. This section will briefly touch on a few demonstrable areas of overlap to illustrate the commonalities between the mass incarceration of Back Americans and the immigration detention of Black non-citizens. In both areas we see the overrepresentation of Black individuals, the role rhetoric plays in criminalizing Black bodies and the devastating consequences that incarceration and detention have on Black individuals who are brought into these systems. The two realms, while seemingly different, intersect at the crossroads of structural racism, revealing its pervasiveness in our society.

The Overrepresentation of Black Individuals in Jails and Immigration Detention

As noted in the chart on page two, mass incarceration does not impact all communities in the same way. Black men are six times more likely to be incarcerated than White men and one in three U.S. resident Black men born in 2001 are likely to be incarcerated in their lifetime; this in contrast with the one in every seventeen White men. The overrepresentation of Black individuals is also clear in detention centers. According to a two-part Black Alliance for Just Immigration (BAJI) report, The State of Black Immigrants, more than one out of every five non-citizens facing deportation on criminal grounds before the Executive Office for Immigration Review (EOIR) is Black, the latter who only make up 5.4 percent of the undocumented population in the United States.[251] Furthermore, in the overall immigrant population, Black immigrants are more likely to be deported on criminal grounds, despite the absence of evidence that Black immigrants commit more crimes than their other immigrant counterparts.

The Role of Rhetoric in the Criminalization of Black Bodies

The criminalization of Black individuals relies heavily on demonizing rhetoric that is often used to justify draconian laws. These laws often target communities of color because they are born out of discriminatory views. As illustrated in the section on "Mass Incarceration in the United States in New Jersey," the "tough on crime" rhetoric and policies and Nixon's "War on Drugs" were just a few of the catalyzing forces that are credited with driving the criminalization and mass incarceration of Black bodies. The effects of this are clear in crime disparities. For example, while Black and White individuals use marijuana at similar rates, Black individuals are almost four times more likely than their White counterparts to be arrested for marijuana possession.[252]

Rhetoric and policies play a strikingly similar role in the context of immigration law and enforcement. The Illegal Reform and Immigrant Responsibility Act (IIR-IRA) and the Antiterrorism and Effective Death Penalty Act (AEDPA), also known as the "1996 immigration laws," laid the groundwork for the excessively severe policies that we see in federal immigration policy today. It expanded the grounds for deportation, retroactively punished individuals who have already served time for convictions and took judicial discretion off the table. Due to their increased engagement with the justice system, Black non-citizens are especially impacted by these laws.[253] Over time the "1996 immigrations laws," combined with evolving rhetoric, the "Good Immigrant/Bad Immigrant" dichotomy was born and has produced resounding effects on the immigrant community. This dichotomy broadcasted a focus on the detention and deportation of the "bad immigrant;" i.e. those with criminal records.[254] While the "bad immigrant" rhetoric negatively impacted all immigrant communities, it disproportionately impacted Black immigrants due to the historically higher rates of Black individual's interactions with police.[255]

Consequences of Incarceration and Detention on Black Individuals

As demonstrated in this chapter, the consequences of incarceration on Black Americans are manifold and follow individuals for the rest of their lives. Similarly, the detention of noncitizen Black individuals residing in America has

99x

devastating effects on the individual and their families. As previously mentioned, Black noncitizens are targeted, detained and deported on criminal grounds at higher rates than their immigrant counterparts. The consequences of a criminal conviction may result in immigration detention, deportation and ineligibility to reenter the United States.[256] Since violations of federal immigrant laws are civil offenses, individuals are not appointed counsel by law. This makes it particularly difficult for individuals to fight their cases, especially where they cannot afford counsel. Furthermore, a criminal conviction may bar individuals from ever becoming U.S. citizens or green card holders, with the possible and common effect of tearing families apart.[257]

POLICY RECOMMENDATIONS

Notwithstanding the stark racial disparities discussed above, New Jersey has made strides in improving both its criminal and juvenile justice systems. In the last twenty years, New Jersey reduced its prison population by almost 30 percent and its population of confined youth by more than half (53 percent).[258] New Jersey was also one of the first states to reform the discriminatory sentencing policy of drug free zones, and most recently has gained national recognition for its statewide reform of the pretrial justice system.

New Jersey should build on these successful reforms and should chart a path forward that specifically addresses and repairs the significant and pervasive racial disparities within our criminal and juvenile justice systems.

1. Require racial and ethnic impact statements for all criminal justice legislation.

   Racial and ethnic impact statements require policymakers proposing new legislation to assess the potential impact of the legislation on racial and ethnic disparities. Such statements are similar to fiscal or environmental impact statements, and are generally understood as a factual, unbiased tool to inform the legislature as they decide whether or not a particular bill should be enacted. These statements can help assess disparities at various stages of the criminal justice process to reveal discriminatory outcomes, whether purposeful or not.

2. Eliminate policies and practices that result in the disproportionate arrest and incarceration of people of color.

   a. Create a study commission to examine decriminalizing drug possession.

      Drug possession is a major cause of arrest and incarceration of primarily people of color. The study commission, modeled on the death penalty study commission created in 2006 by the New Jersey legislature, would be tasked with studying all aspects of our current drug laws, as well as the potential impacts of decriminalization.

   b. Eliminate mandatory minimum sentences and reduce penalties for lower-level offenses.

      Mandatory minimum sentences and unnecessary incarceration disproportionately impact people of color and have also been shown to be costly and effective. New Jersey should evaluate the sentencing scheme in the state in accordance with best practices and current research.

3. Eliminate the collateral consequences of a criminal arrest and/or conviction.

   a. Improve upon the New Jersey Opportunity to Compete Act.

      New Jersey should build on the Opportunity to Compete Act by adopting more protective provisions such as a requirement that employers consider the relationship of the prior offense to the job and a length of time restriction on which convictions an employer can consider.

   b. Restore voting rights to individuals on probation and parole.

      Civic engagement is critical to our democracy. Mass incarceration and voter disenfranchisement has eliminated a significant population of men of color from New Jersey's democracy. To strengthen our democracy and ensure its true representation of its people, individuals on probation and parole should be able to vote.

100x

c. Codify HUD's rules to ensure that formerly incarcerated individuals are able to access housing.

   Legislation should include restrictions on how criminal records can be used as well as a dedicated outreach program to ensure that housing providers and potential tenants are aware of the new law and HUD regulations.

4. Mandate data collection by police departments, county jails, and the Department of Corrections on racial and ethnic data.

   Policing data should include information about police stops, frisks, searches, seizures, summonses, arrests, and use of force incidents. Department of Corrections data should include information by race for crime rates and rates of parole.

5. In their report BAJI outlined recommendations that address both the mass incarceration of Black Americans and Black non-citizens residing in America. Specifically, they advise that the discriminatory police practices and criminal penalties that adversely impact both communities be recognized and addressed.[259]They also broadly ask that the immigration system be redesigned to ensure those entering the U.S. for various reasons, such as but not limited to work, refuge, and family unity, be treated with dignity and fairness.[260] Furthermore, they recommend a shift away from the focus on criminal charges that overwhelmingly funnel Black non-citizens into immigration detention centers. Lastly, they ask for a comprehensive rollback of the 1996 immigration laws that expanded the grounds for deportation, violated rights to due process and retroactively punished those who have already served time for offenses.[261] A transformative step in the right direction would also include funded representation for individuals in immigration proceedings, something we have recently seen passed in NYC.

101x

PARTICIPATING IN THE DEMOCRATIC PROCESS: LEGAL AND CIVIL PROTECTIONS

Contributors:, Johanna Calle, Sarah Gold, Dianna Houenou, Kim Hurdman, Brandon McKoy, Analilia Mejia, and Alexi Velez

INTRODUCTION

Broad participation in the democratic process is fundamental in ensuring that all residents of the state enjoy the full benefits of civil society. Equal and full access to government services and legal protections as well as the electoral process is vital for creating and maintaining a vibrant society and economy. Unfortunately, discrimination and poverty, which are still widespread in New Jersey and disproportionately prevalent among people of color, create barriers for far too many residents of color, obstructing their open and active participation in society. Even where anti-discrimination policies nominally exist, they are often not implemented in practice to the benefit of all.

Overcoming the severe shortcomings still widely pervasive in the areas of legal services and representation, immigrant protections, police-community relations, and voting rights are essential to the functioning of a vibrant participatory democracy, especially for people living in poverty and people of color, who are most likely to suffer discrimination and most likely to be poor. While some procedures already exist but are not implemented in practice, new procedures need to be institutionalized to ensure that all residents of New Jersey receive equal and fair treatment and access to the same opportunities.

LEGAL SERVICES AND REPRESENTATION

Equal justice for all, particularly in matters involving the courts and legal system, is a core value of American society. Yet, for people living in poverty, especially people of color and immigrants, effective representation in civil legal cases seldom occurs. People with low incomes are unable to afford lawyers that provide quality representation, making it much more difficult for them to receive just and favorable outcomes in matters pertaining to civil issues. And although New Jersey offers some civil legal support, it is too rare.

In New Jersey, defendants facing disorderly persons or petty disorderly persons offenses before a municipal court have a right to counsel when their case could result in a significant fine or the possibility of incarceration (known as a consequence of magnitude). However, municipal courts may, and usually do, impose a public defender application fee before appointing counsel, which can be up to $200. As a result, people facing charges like possession of a small amount of marijuana, driving while suspended, simple assault, or shoplifting may elect to represent themselves to avoid that fee.

The result can be devastating for people in poverty when they forego representation altogether because they cannot afford it, and defendants are less equipped to negotiate a favorable outcome with the prosecutor. People already vulnerable become even more vulnerable when faced with the possibility of foreclosure, eviction, losing custody of their children, domestic violence, denied wages, and other outcomes that destabilize their lives and their families' lives. As Legal Services of New Jersey describes in its report New Jersey's Civil Legal Assistance Gap, "the cumulative long-term social and economic consequences of these conditions are enormous, among them disruption of civil society through violence and crime, major expenditures for remediation programs, and unrealized potential of successive generations of children." [262]

Addressing this problem is critical for people living in poverty not only because the cost of quality representation is high, but also because they interact more frequently with the civil legal system than do people with higher incomes. Annually, one in three impoverished adults needs the help of a lawyer to address a civil legal problem. Because of this gap, four in five people living in poverty are forced to forego essential legal assistance.[263]

The three areas with the largest need for legal assistance are housing, family, and consumer law (i.e. issues regard-

102x

ing debt).[264] Housing law is particularly important because of the complicated and onerous policies relating to home foreclosures and evictions. New Jersey recently ranked in the top three states with the highest foreclosure rates in the country, with the Atlantic City and Trenton metro areas leading the nation among all metro areas.[265] Many of the homeowners who lost homes in the Great Recession were first time homebuyers (see Housing chapter). Often the victim of toxic and predatory mortgages, many of these people had few, if any, resources to afford legal representation after their savings were wiped out with the loss of their homes. Similarly, eviction rates are much higher for people of color and Blacks, in particular. As discussed in the Housing chapter, Black tenants are disproportionately represented among the more than 160,000 eviction actions filed each year in New Jersey. The gravity of the eviction process and the long-term effects it has on families has recently been highlighted in Matthew Desmond's book: Evicted: Poverty and Profit in the American City.

For immigrants, the problem is more acute. Currently, immigration is considered a civil matter, like a traffic ticket, but immigrants are detained if they are considered to be in violation of their immigration status. Because it is a civil matter, they are not guaranteed a court appointed attorney. While some immigrants with financial means can afford legal representation, many do not have sufficient income to seek legal representation. Their inability to get effective representation results in many detained immigrants languishing in the detention system. Furthermore, there is a nationwide problem regarding "notario publicos" preying on low-income immigrants seeking immigration counsel.[266] Many notarios fraudulently present themselves as able to provide legal assistance in immigration matters. Beyond the fact that notarios are not attorneys, it is not uncommon for notarios to take money for services and then do nothing, knowing that immigrants are often legally vulnerable and otherwise unlikely to seek civil redress for the fraud.

There are some legal and non-profit programs in New Jersey that address the shortcomings of the legal system as it affects immigrants. The "Friends' Representation Initiative of New Jersey" is a privately funded initiative of the American Friends Service Committee that provides immigrant detainees free legal counsel as does Legal Services of New Jersey. These services are in danger as President Trump's budget proposal eliminated all funding to Legal Services Corporation, which currently receives $375 million a year from the federal government.[267]

When people represent themselves in the civil legal system, their chances of securing a just and favorable outcome are severely reduced. They have a much greater chance of making mistakes that lawyers would likely avoid, including failure to present evidence, failure to object appropriately in a court proceeding, and they are more likely to commit simple procedural errors.[268] The lack of legal expertise in combination with the stress associated with poverty is an almost guaranteed formula ensuring that impoverished individuals will be disadvantaged in civil legal case.

I currently work with domestic violence victims throughout the city; mainly in the courthouse and what I see there's absolutely no assistance. If I don't go with them they have to find a family member to translate for them. The only time they get a translator is when they go before a judge and usually the judge will see them last or put them on certain days because cases take longer when you have an interpreter.

—Camden Resident

New Jersey needs to increase funding for legal assistance, especially at a time when the federal government, which provides funding that many legal services organizations currently rely on, appears keen on shutting down the Legal Services Corporation. The state's legal services system is a tremendous resource for low-income and minority communities, and the degree to which it is underfunded severely jeopardizes the likelihood people in poverty will receive the justice they deserve. Nevertheless, there will always be some people who are unable to secure the services of a lawyer. To meet this need, New Jersey should simplify court rules and procedures so that judicial structures are easier to access and navigate. This will help people with limited access to legal assistance and representation, and reduce dependency on lawyers.

103x

IMMIGRANT PROTECTIONS AND IDENTIFICATION

New Jersey is home to large numbers of immigrants. Approximately 22 percent of New Jersey's residents are foreign-born, about 1.1 million in total.[269] The presence of so many people born outside the United States but calling the State home strengthens our society. It makes New Jersey a more interesting and desirable place to live—we benefit from an impressive diversity of experiences, backgrounds, and cultures. Many immigrants, particularly those living in poverty, however, often face a unique set of challenges when trying to access public services. This is especially the case for undocumented immigrants, and the threat to them has only increased following the introduction of anti-immigrant executive orders by President Trump that seek to deport and remove supports for this population.

Approximately 450,000 undocumented immigrants were living in New Jersey in 2009. By 2012, the number of undocumented immigrants had increased to 525,000, almost 6 percent of the total population.[270] As the population continues to grow in size, addressing the issues that uniquely affect them will become increasingly difficult. One challenge is to ensure their safe participation in the workforce. They should not live in fear that their immigration status could jeopardize their active contribution to the growth of the economy and the well-being of their families. When they are unable to secure a job and earn a living, everyone suffers the consequences. Thus, it is extremely important that the State facilitates and expands access to public services and employment opportunities for undocumented immigrants.

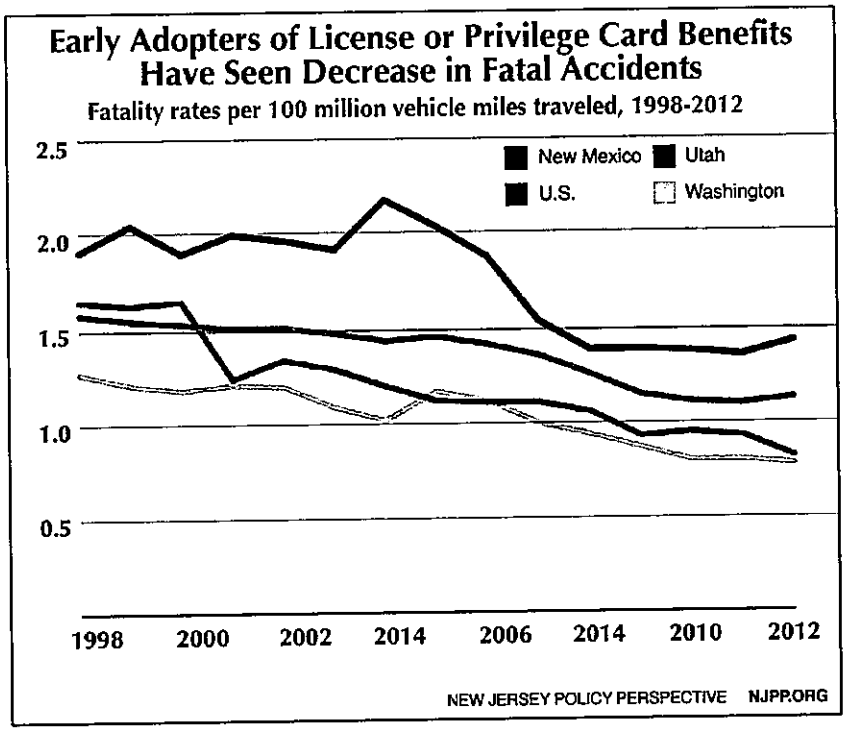
A second major obstacle facing undocumented immigrants in their efforts to find a job and fulfill their civic duties is lack of a driver's license and government-issued identifications. Under current State law, undocumented immigrants or immigrants who cannot prove their legal status are not allowed to obtain a state driver's license or identification card. Without a driver's license, they are unable to commute safely to work or purchase auto insurance. While public transportation is an option used by many, for people not living in urban areas where public transportation is more readily accessible, daily traveling can be exceedingly burdensome. Even in urban areas, many places of employment are not conveniently accessible by public transportation.

You can still have identification and still hit that brick wall.
—Camden Resident

The lack of access to licenses and identification cards not only impedes access to jobs located far from the home, it burdens undocumented immigrants taking their children to school, using various financial services (i.e. opening bank accounts, cashing checks), and identifying themselves when interacting with law-enforcement. Immigrant community members are put in danger of discrimination when they are forced to carry a foreign passport as a form of identification. Those immigrants who cannot obtain a driver's license are also unable to get properly tested and purchase car insurance, making the roads less safe for other drivers as well as other users, such as pedestrians and cyclists.

More than 464,000 immigrants in New Jersey are eligible for a driver's license, according to a report published by New Jersey Policy Perspective.[271] Enacting legislation that would allow undocumented immigrants to obtain a driver's license would be beneficial to all residents. It would enable immigrants to purchase auto insurance, lower insurance rates, and make the roads safer. Precedents exist in twelve states that have passed similar laws since 1993, nine of which were implemented in the last three years. In many of these states, the number or percentage of fatal auto accidents decreased after they implemented the law.

Passing a law that permits an undocumented immigrant to obtain a driver's license is a common sense step that will significantly help this marginalized community and make the state safer for everyone. However, it is important to note that as a result of the current political climate under the administration of President Trump, undocumented immigrants may not be very interested in acquiring licenses as it would clearly state their undocumented status should they interact with law enforcement. It is important that, moving forward, advocates work in tandem with undocumented residents to determine what is in their best interest so they may remain safe and secure in their communities.



Source: New Jersey Policy Perspective
https://www.njpp.org/reports/share-the-road-allowing-eligible-undocumented-residents-access-to-drivers-licenses-makes-sense-for-new-jersey

POLICE AND COMMUNITY RELATIONS

Public trust in the integrity of police departments and its officers is vital to healthy police-community relations. In New Jersey, and throughout America, trust between police departments and people of color has eroded. Racial profiling practices that unfairly target Black and Hispanic citizens have severely tarnished the relationship between police authority figures and communities of color.[272,273,274] Understandably, communities of color believe police departments are more of a threat than a protector and helper. Finding ways to strengthen the relationship and build trust between police departments and communities across the state is critical to achieving just outcomes.

One aspect of the trust-building process between police departments and community members is to ensure that citizens receive the proper information when they seek assistance from police authorities. A report published by the American Civil Liberties Union of New Jersey in 2009 found that the majority of police departments in the state did not follow the law or internal guidelines when citizens attempted to file complaints, thus failing to provide complete and fair investigations regarding issues of police misconduct.[275] A follow-up report in 2013 revealed that the problem had not been seriously addressed. The majority of police departments were still failing to follow internal guidelines and provide accurate information to citizens seeking to file a complaint.[276]

In an attempt to rectify this problem, the city of Newark in 2015, following the example set in other cities such as New York City, Los Angeles, Chicago, Minneapolis, Berkeley, and San Francisco, instituted a Civilian Complaint Review Board. This board is designed to provide citizens a significant level of oversight over the activities of the city's police force. The hope is that citizen participation in an oversight process will raise the level of police accountability and allow citizens to become more trusting of the police department's activities and operations. This example should be taken up by other cities in New Jersey, with a view to improving the relationship between police departments and their communities. Without a significant level of trust between departments and local citizens, policing is more difficult and public trust in governmental institutions is damaged.

105x

VOTING RIGHTS

While considered a sacred protection in America, the right to vote isn't actually protected by law. A report by the Roosevelt Institute titled, "Rewrite the Racial Rules: Building an Inclusive American Economy," makes this clear by stating, "there is no national or constitutional right to vote in America; the 15th Amendment merely 'prohibits' efforts to prevent protected groups from voting. Thus, states' rights reign supreme when it comes to voting. And because state laws determine voting rights for all elections, there is great variation in voting eligibility." [277] Part of the variability in states' rights are disenfranchisement laws that exclude ex-felons from voting, resulting in a disproportionate effect on Black and brown Americans. Research by political scientist Vesla Weaver shows that, among eligible voters, voting participating drops as severity of engagement with the criminal justice system increases. [278] "Those with no criminal justice contact turn out to vote at a rate of 60 percent, while turnout drops for those who have been stopped by the police (52 percent), been arrested (44 percent), been convicted (42 percent), or served a prison sentence (38 percent)." [279]

Modernizing New Jersey's election system and increasing voter participation will necessitate extending the right to vote to citizens with felony convictions. Re-enfranchising felons upon their re-entry into society will facilitate their active participation in the democratic process. Maine and Vermont are two states that have passed laws that ensure everyone has the right to vote, while California, Colorado, New York and Connecticut have extended the right to vote to everyone who is not imprisoned or on parole.

A number of states have recognized that low voter turnout among the general public reflects dwindling trust in government. In recognizing that outdated technology contributes to this problem, they have sought to reform voting procedures put into practice prior to the advent of modern technology. New Jersey, however, has made only disjointed attempts to push real reform. A non-partisan ranking of election systems conducted by the Pew Charitable Trusts ranked New Jersey 37th in its running of elections in 2014. New Jersey ranks 39th in the nation in both percentage of eligible voters registered and percentage of registered voters who actually vote. [280] That same year, New Jersey ranked among the worst in the nation in voter turnout, with only 30.4 percent of eligible voters casting a ballot in the November 2014 election, a distressing statistic repeated again in 2015.

New Jersey's election laws, which date back to the early 1900's, are complex and a source of confusion. They induce litigation, wasteful special elections, and an election scheme that has not kept up with the modern electronic society. The election system is especially vulnerable to Election Day scenarios that are not conducive to voting. Hurricane Sandy, for example, demonstrated the ill-preparedness of the election system in the event of emergencies, although it also revealed that more expansive and electronic voting procedures can take place and work in New Jersey.

New Jersey had its lowest voter turnout in history in the November 2015 election, with only 21 percent of registered voters participating in the elections. Statewide, only 73 percent of the eligible voting-age population is actually registered to vote. Almost two million eligible voters remain unregistered. Among the White voting age population 73 percent are registered to vote. Similarly, among the Black voting age population 74 percent are registered to vote, while only 61 percent of eligible Hispanic residents are registered to vote.

VOTER PARTICIPATION BY RACE & ETHNICITY (2015)

POPULATION	CITIZEN VOTING AGE POPULATION	REGISTERED POPULATION	PERCENT OF CITIZEN VOTING AGE POPULATION REGISTERED TO VOTE
Total	5,929,000	4,326,000	73%
White	4,695,000	3,448,000	73%
Black	789,000	586,000	74%
Hispanic	773,000	468,000	61%

Source: U.S. Census, Current Population Survey, November 2012

New Jersey should follow the examples set by other states and increase the number of people eligible to vote by enabling everyone to vote, including incarcerated individuals and those on probation or parole. This will promote citizen

1060

participation in elections and the democratic process, especially among minority populations who are disproportionately incarcerated.

A second way to increase voter turnout and make it easier for citizens to vote is to expand in-person early voting. New Jersey's average voter turnout is only 54.5 percent, compared to a 73.3 percent voting rate for Mississippi, which has the highest turnout.[281] Thirty-three states across the country allow expanded in-person early voting.

In 2015, New Jersey's legislature introduced the Democracy Act, a bill intended to increase early voting options, implement online voter registration and automatic registration at the Motor Vehicle Commission, and require that campaign and election materials be printed in multiple languages. The bill would add 1.6 million new voters and make New Jersey the third state to adopt automatic voter registration. While the act passed both houses of the legislature, the Governor, unfortunately, vetoed it in November 2015.

New Jersey should do much more to increase voter participation and extend voting rights to marginalized communities. Low voter turnout rates and high numbers of unregistered voters are inexcusable. The State should make full participation in elections and the democratic process a priority.

POLICY RECOMMENDATIONS

1. Legal Services and Representation
   a. Increase funding for legal assistance so that people with low incomes have greater access to high-quality legal representation in the civil legal system.
   b. Simplify court rules and procedures in order to make judicial structures easier to access and navigate, thereby reducing dependency on lawyers that many are unable to afford.
   c. Eviction, foreclosure, and immigration proceedings should be expressly recognized as involving 'consequences of magnitude' under New Jersey law, thereby entitling defendants with low incomes in such proceedings appointment of legal counsel at no or nominal cost.
   d. Cease arresting people for failing to pay fines and fees.
   e. Increase the use of citations and diversion programs to reduce the number of arrests that lead to jail time.
2. Immigrant Protections and Identification
   a. Allow undocumented immigrants to secure driver's licenses and government-issued identification cards.
3. Police-Community Relations
   a. Institute local civilian complaint review boards to increase oversight and accountability of police departments and officers.
4. Voting Rights
   a. Institute early in-person voting as a means to increase opportunities to vote and promote voter participation and citizen engagement in democracy.
   b. Extend the right to vote to every citizen of New Jersey regardless of incarceration status, past or present.
   c. Modernize voting systems with recent advances in technology to increase voting security and reliability.
   d. Pass the Democracy Act or legislation similar to it.

107x

CHILDREN AND YOUTH

Contributors: Louise Eagle, Rosie Grant, Sharon Krengel, Serena Rice, Gloria Strickland and Elizabeth Weill-Greenberg

INTRODUCTION

Structural racism is entrenched in New Jersey institutions that touch the lives of children and youth. Our State's public schools are often highly segregated by income and race, and academic outcomes can too often be predicted by student demographics. The systems meant to protect vulnerable children — both child welfare and cash assistance for the poorest families — are also distorted by systemic disadvantage and the racial prejudices embedded in our society. From the higher rates of child removal from the care of parents of color to the shrinking safety net tainted by prejudice against those who seek assistance, the institutions directly tasked with serving children can sometimes reinforce racial disparity rather than overcoming it.

New Jersey has a much better record than some states in providing needed resources, institutional analysis, and legal oversight. Unfortunately, the key sectors of public education, child welfare, and cash assistance still fall short of providing both the "safety net" and the range of opportunities poor children of color need and deserve to prepare them for a future as thriving and engaged citizens.

Children and youth do not suffer the consequences of poverty and racism only in their present-day lives. The opportunities available to them as adults are often narrowed by their childhood experiences. The "opportunity gap" in education can begin early in life with inferior childcare and preschool options for too many and continues with underfunded public schools, uneven school discipline policies, lowered expectations, limited opportunities, and out-of-reach higher education options. The same opportunity gap appears in the multiple disadvantages of extreme poverty and in the precariousness and emotional consequences of involvement with the child welfare system.

NEW JERSEY INSTITUTIONS FOR CHILDREN AND YOUTH

Education

More than 60 years after the historic *Brown vs. Board of Education* U.S. Supreme Court decision declared an end to "separate but equal" education, New Jersey's system of public education still bears many markers of segregation. Too many New Jersey students are educated in schools that are segregated by race and socio-economic status. Over the decades, housing policies and demographic changes have contributed to the rise of segregated communities across the state, and "home rule" has meant that school districts mirror that segregation with little opportunity for integration across town lines.

At the same time, New Jersey has made a strong effort to provide adequate resources to schools in lower income and segregated communities. The state's landmark Supreme Court decisions in *Abbott v. Burke* are one of the nation's most ambitious and far-reaching efforts to improve public education for poor children and children of color. The *Abbott* rulings directed implementation of a comprehensive set of improvements in 31 poor urban school districts, including adequate K-12 foundational funding, universal preschool for all 3- and 4-year-old children in the *Abbott* districts, supplemental or at-risk programs and funding, and school-by-school reform of curriculum and instruction.

As a result of the *Abbott* rulings, New Jersey's most disadvantaged students have made substantial gains over the past 15 years. A 2008 study found that the Abbott reforms significantly increased math and reading performance for Black and Hispanic students. Achievement gaps between Black and Hispanic students and White students narrowed considerably.[283] And low-income students who attended two years of the high quality, full-day, Abbott preschool programs significantly closed achievement gaps with their more advantaged peers.[284]

In 2008, the New Jersey Legislature enacted a statewide weighted student funding formula, the School Funding Reform Act (SFRA),[285] which delivers extra funding to support programs for poor students, limited English proficient students, and students with disabilities, regardless of where those students live. This funding formula, which provides resources based on student and community need, was deemed constitutional by the NJ Supreme Court — the only funding formula in over 50 years to receive that imprimatur. The SFRA also included expansion of the high quality, full-day Abbott preschool program, which could improve student outcomes significantly for all at-risk 3- and 4-year-olds in the state.[286]

But years of underfunding of the SFRA formula have meant its promise has gone unfulfilled. The preschool expansion program, designed to be phased in over the first five years of the SFRA, has never been funded. Approximately $1 billion in underfunding in each of the last seven school years has meant that districts have had to cut essential staff, services and programs. Some districts experiencing considerable enrollment growth have not seen their aid levels increase proportionally.

The good news is that New Jersey citizens and many elected officials know that closing achievement gaps and providing a true opportunity to learn to children living in poverty and children of color require the equitable distribution of adequate resources. The bad news is that those resources have not always been made available as the state's funding formulas have not always been followed.

"Apartheid Schools" in NJ

The division of New Jersey into hundreds of small municipalities means the public school system mirrors the pattern of residential segregation by race and income. A study by the Institute on Education Law and Policy at Rutgers University-Newark and the Civil Rights Project at UCLA found that many New Jersey children are attending segregated public schools, especially students of color living in households with incomes below the poverty level:

- More than one in four Black students and one in eight Hispanic students attend what the study authors call "apartheid schools," [287] where the White students make up less than 1 percent of the total student population.
- Nationally, New Jersey has the third highest share of Black students in apartheid schools.
- More than 20 percent of Black students and almost 30 percent of Hispanic students attend schools where the percentage of minority students is 90 percent or more.
- In eleven of the state's twelve districts where all the schools are intensely segregated and in which the White student population is less than 3.8 percent and the Asian student population is less than 2.5 percent, the share of students living in poverty ranges between 60 percent and 92 percent in schools.[288]

According to the study:

> *Research has shown for a half century that children learn more when they are in schools with better prepared classmates and excellent, experienced teachers, schools with strong well-taught curriculum, stability and high graduation and college going rates. Concentrated poverty schools, which are usually minority schools, tend to have a high turnover of students and teachers, less experienced teachers, much less prepared classmates, and a more limited curriculum often taught at much lower levels because of the weak previous education of most students. They have much higher dropout rates and few students prepared for success in college. The academic climate tends to be very different. The neighborhood the school serves is likely to have far fewer resources for the positive and educational out¬-of¬school and summer experiences that enrich the learning of middle class students and neighborhoods. Students in segregated impoverished areas tend to experience serious summer learning loss."*[289]

It's really demoralizing. The students don't feel valued, like they don't matter. Some students are able to navigate and be successful, but for a lot of students it's overwhelming and they aren't able to cope or overcome the inequities.

—Trenton Resident

109x

The segregation of poor children of color in a school system is not unique to New Jersey and reflects a national trend. Data from the U.S. Department of Education for the 2011-12 school year shows that Black students were four times more likely to attend a high-poverty school than a low-poverty school.[290] In contrast, White children were about five times more likely to attend a low-poverty school than a high-poverty school.

Although a few attempts to intentionally integrate students within school districts (e.g., the magnet system in the Montclair Public Schools[291]) or within regional school systems (e.g., Morris School District[292]) have occurred in New Jersey, most districts are too homogeneous (whether large or small) for intra-district efforts to result in meaningful desegregation.

Racial Achievement Gaps

A comparison of educational outcomes in New Jersey exposes the continued existence of significant "gaps" between White students and students of color. Gaps exist to varying degrees in test scores,[293] on-time high school graduation rates, dropout rates,[294] college enrollment rates, and discipline rates.

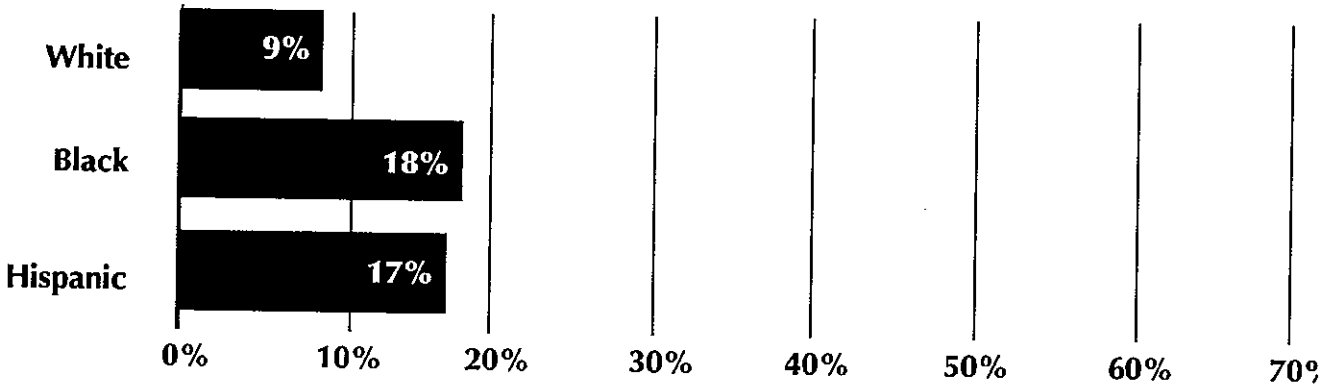
Although not a guarantee of financial stability, high school graduation is strongly correlated with better outcomes not only in academics but also in work, civic life, and even health.[295] While New Jersey has made significant progress in improving graduation rates for students of color, persistent gaps remain. Between 2011 and 2016, graduation rates for Blacks and Hispanics improved three times faster than for White students. However, the gap was still over 10 percent in the overall graduation rate between White students and Black and Hispanic students.

[We are] even being told that 'school isn't for everybody.' Well specifically who isn't school for? Because in other townships college is really pushed for everyone, so for which particular students isn't college for? And are we being conditioned to believe that college isn't for everyone? And why?"

—Camden Resident

Black and Hispanic students are twice as likely as their White peers not to graduate on-time (see chart). While 9 percent of White high school students fail to graduate on-time, 18 percent of Black students and 17 percent of Hispanic students do not graduate on-time. The size of the racial disparity in on-time graduation rates in New Jersey is certainly cause for concern, and there are many reasons for the disparity, as discussed later in this chapter. A college degree is, of course, highly correlated with increased earnings, and the earlier in life this degree is earned, the greater the impact on lifelong earnings. For young adults in New Jersey, however, the educational disparities from K-12 continue into higher education, reinforcing the childhood opportunity gap. In 2013, only 40 percent of Black young adults and 41 percent of Hispanic young adults had enrolled or completed college, compared to 61 percent of White young adults (see chart).

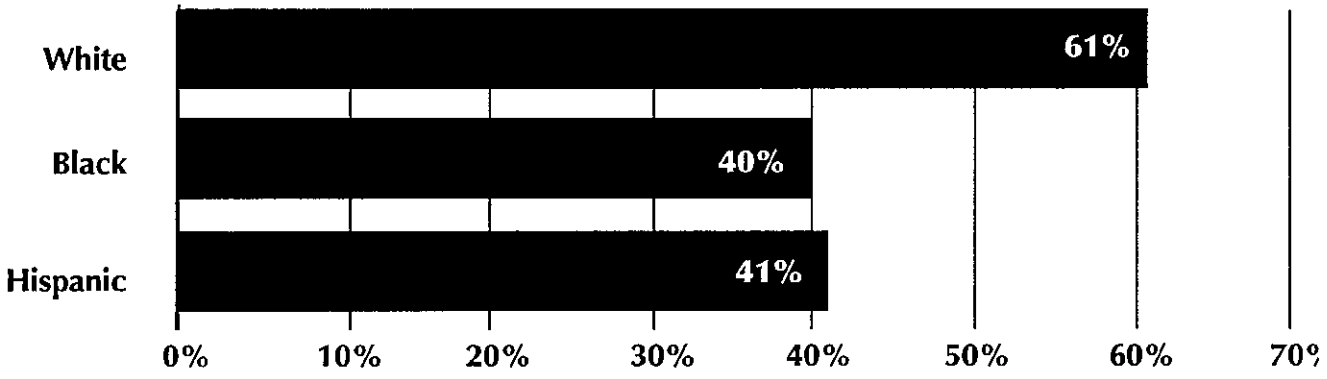
New Jersey High School Students Not Graduating On-Time by Race & Ethnicity (2016)



Source: NJ Department of Education, 2016 Graduation Report

110x

New Jersey Young Adults (18 to 24) Who Have Enrolled in or Completed College by Race & Ethnicity (2013)



Source: National Kids Count[296]

Unequal and Inadequate Funding

For too long, high-poverty, highly segregated schools, unlike their affluent neighbors, did not have the resources necessary to provide a well-rounded curriculum and a satisfying school experience because they could not raise the necessary local taxes. With the Abbott rulings and subsequent implementation of the SFRA, state funding was intended to remedy this disparity, but full funding has not been forthcoming for years.[297]

The Education Law Center found that funding in low-wealth districts is declining, while funding in high-wealth districts is increasing. Specifically:

- Over the period 2008-09 to 2004-15, need-adjusted funding increased in high-wealth districts by 11 percent, while funding in low-wealth districts declined by 3 percent.[298]
- Almost half of New Jersey's school districts do not have sufficient funds to help students meet state standards as determined by the State's school funding formula, including half of low-wealth districts, compared to only 16 percent of high-wealth districts.[299]

My nephew got a history book. You know how you used to put your name in the cover of the book. The book he received was a book that his mother had when she went to school. You're talking about twenty plus years that this book has been there.

—Camden Resident

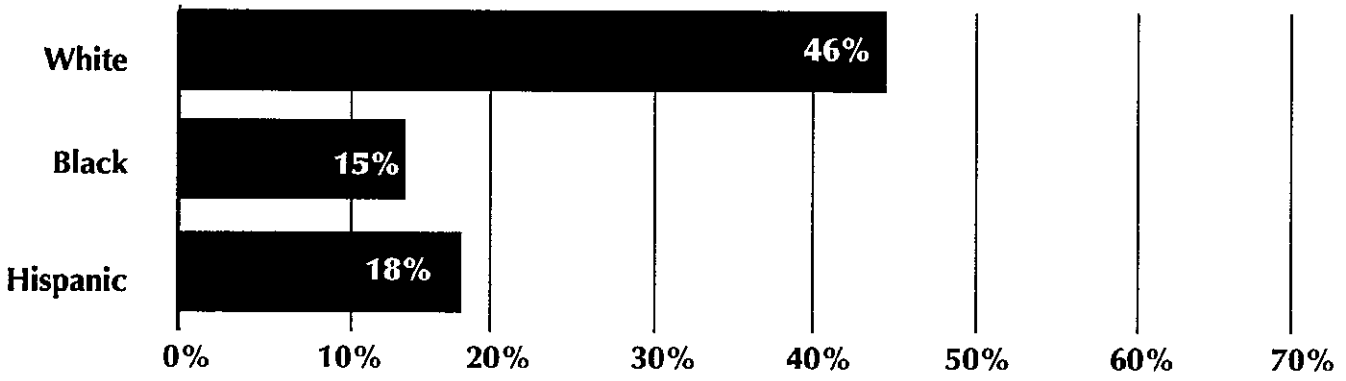
Inadequate funding is not only a consequence of sparse local revenues. The lack of adequate State aid magnifies the resource disparities created by residential segregation by race and income. Remediation is dependent upon an adequate stream of public monies, a concept long adopted by the State of New Jersey and codified in the current funding formula.

Case Study: Disparities in Discipline in the Highland Park School District

Of the 413 students enrolled in Highland Park High School in 2011-12, Black and Hispanic students were not only underrepresented in advanced level classes, they were also disproportionately punished. Although Black and Hispanic students together made up only one-third of the student population, they represented a much larger proportion of the student body experiencing serious disciplinary actions.[300]

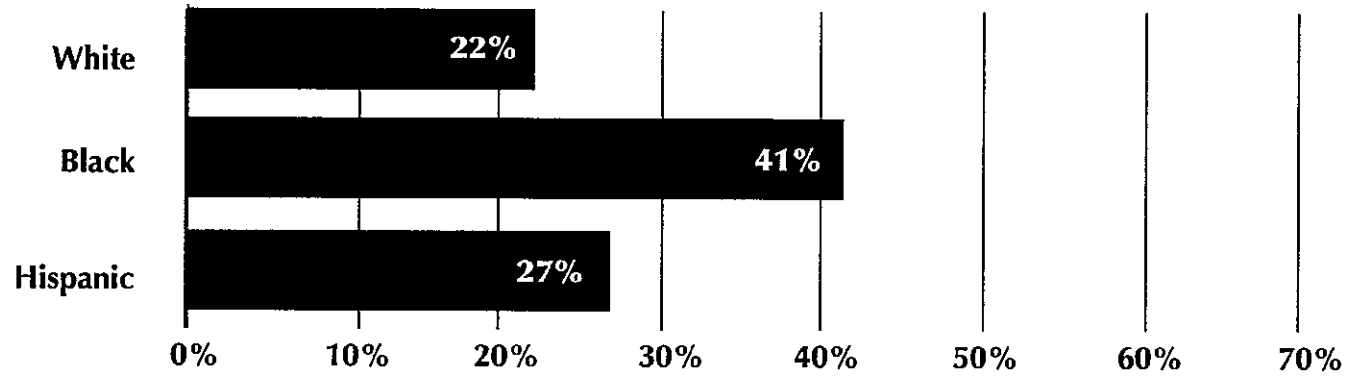
111x

Highland Park High School Students Total Enrollment in 2011-12



Source: NJ Department of Education, Civil Rights Data Collection[301]

Highland Park High School In-School Suspensions in 2011-12



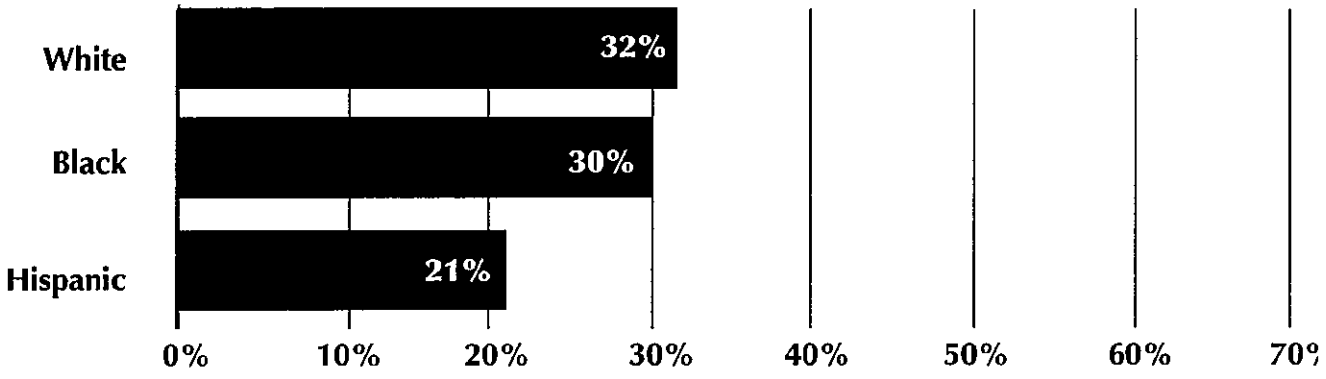
Source: U.S. Department of Education, Civil Rights Data Collection[302]

In the 2011-12 school year, Black high school students in Highland Park were almost twice as likely as White students to receive in-school suspensions (see chart). Of the 63 in-school suspensions, 41 percent were Black students. On the other hand, Black students were as likely as White students to receive out-of-school suspensions — both made up about one-third of the 47 students suspended (see chart). Black students, however, were much more likely than either White or Hispanic students to be referred to law enforcement (see chart). One-third of the 32 students referred to law enforcement were Black.

Highland Park School District is not unique. Statewide data supports the conclusion that the Highland Park School District is representative of the overall system. In 2013, Black males across New Jersey were suspended at a rate almost five times that of their White peers.[303]

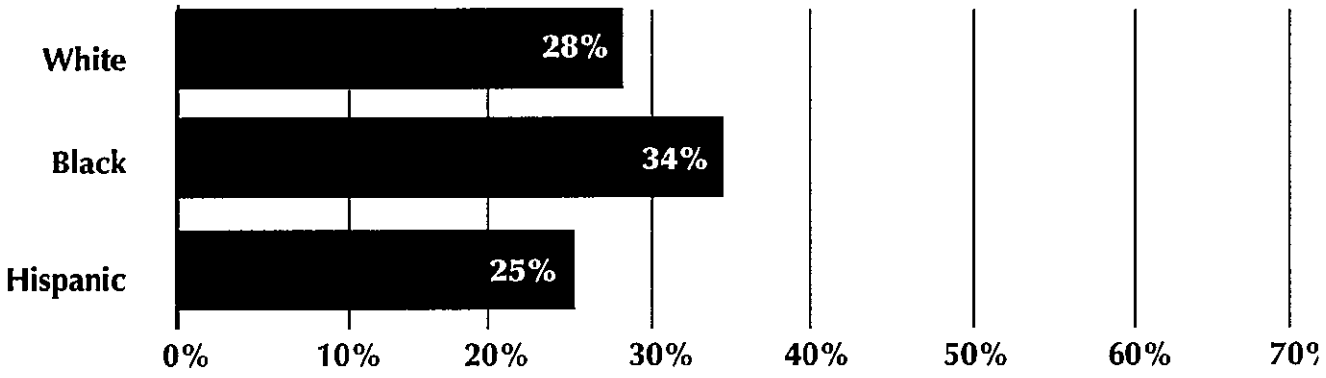
112

Highland Park High School Out-of-School Suspensions in 2011-12



Source: U.S. Department of Education, Civil Rights Data Collection[304]

Highland Park High School Referrals to Law Enforcement in 2011-12



Source: U.S. Department of Education, Civil Rights Data Collection[305]

Students of color, more often than their White peers, are the victims of zero-tolerance discipline policies that can lead to school push out and even the criminalization of minor infractions. In addition, the zero-tolerance policies and the presence of police in schools can funnel them into the "school-to-prison" pipeline, where the juvenile or criminal justice system takes over.

We teach our children that the police are the ones to call when you're in trouble. But, when they see the way they answer, then they don't have respect anymore.
—Paterson Resident

113x

Potential Best Practices: Schools

The societal strains produced by concentrated poverty and segregation affect the community far beyond the schoolhouse and amplify the challenges that students bring to school. But a new wave of "community schools" [306] is showing significant promise improving student achievement, as well as engaging the broader community beyond the school walls. Initial roll-outs of community schools in Paterson have generated great interest. The Together North Jersey final plan, supported by a grant from the U.S. Department of Housing and Urban Development (HUD), suggests that these schools potentially could promote "a system of education that prepares all students for the 21st century economy:"

> *Our region should implement public-private partnerships that transform our schools into community centers, where children, youth, families and community members can access a wide-range of support services that improve the child's ability to perform in school* —Together North Jersey, The Plan 2015 (p. 72)

Although not designed specifically to eliminate racial disparities, community school models could remediate some of the negative impacts of concentrated poverty while developing a culture of school success where every child has the opportunity to reach his or her fullest potential.

Supports for Struggling Families (Child Welfare and TANF)

Children are the focus of targeted government programs beyond the school system. New Jersey's Child Welfare system (the Department of Child Protection & Permanency or DCP&P) addresses the vulnerability of children in the context of abuse and neglect. New Jersey's cash welfare program is most directly responsible for responding to childhood poverty.

Child Welfare

New Jersey's child welfare system has been the focus of significant scrutiny over the years, including a wide-reaching court settlement, which brought to light significant racial disparities, particularly in the context of permanency.[307] Efforts to substantially reform the entire system, including these racial disparities, are currently underway, and there are encouraging signs of change for the better. A number of factors must be addressed, however, if these reforms are to be successful.

Disparities in Child Welfare Interventions

Families of color are disproportionally represented in the child welfare system. Although New Jersey has made some progress in reducing the disproportionality, troubling disparities remain. In 2013, child protective services identified similar likelihoods for mistreatment among children in the three largest racial/ethnic categories — Hispanic 21 percent, non-Hispanic Black 24 percent, non-Hispanic White 24 percent.[308] This similarity dissipates, however, when children are removed from their homes and placed in foster care. Non-Hispanic Black children make up by far the largest share of children placed in foster care — 42 percent, compared with 29 percent non-Hispanic White and 20 percent Hispanic.[309]

As soon as you are down on your luck they say they will help and they do for a while, but it's Temporary Rental Assistance. It's hard when you fall behind on your bills after you start working again 'cause they take it away.

—Paterson Resident

The racial disproportionality index, which compares the racial and ethnic breakdown of the overall population with the share of children entering and exiting foster care by race and ethnicity, shows New Jersey is the sixth worst among the 50 states for Black children. While the disproportionality index is 0.6 for White children and 0.8 for Hispanic children, it is 3.0 for Black children.[310]

It is encouraging that disproportionality is decreasing, as are removal rates overall. As New Jersey continues to pursue child welfare reform, the elimination of these disparities in both new removals and permanency for children already in out-of-home placement must remain a priority.

Policy Considerations Related to Disparities

The higher rates of removal of Black children are potentially problematic for two reasons. First, the conflict and disruption of the removal can potentially retraumatize a child.[311] Because the traumatization in removal is hard to disentangle from the trauma of the original abuse or neglect, caution is necessary when deciding whether to remove children when disagreement exists about the need for removal. An Illinois study shows that foster care placement is unlikely to benefit these children, even suggesting that a number of life outcomes (including juvenile delinquency, teen motherhood, and lower earnings) are less likely when children in such marginal cases remain with their families of origin.[312]

Evidence also exists that behavioral problems are more severe for children placed in foster care, even after the end of their placements, than they are for children who are maltreated, but remain at home. Moreover, children who are placed in kinship placements, or with familiar placements, do not show the same higher levels of internalized behavioral issues as children in unfamiliar placements.[313] Some good resources, such as the Trauma Informed Practice Strategies (TIPS) [314] guide are helpful in deciding whether removal is necessary, although caution should always be adopted.

If removal and impermanency can potentially harm children, a second reason for pursuing caution is to consider whether alternative interventions exist to keep children safe and avoid the traumatizing effects of removals. Because poverty and child welfare involvement are correlated, child welfare interventions may be responding to conditions of poverty rather than abuse or neglect. In such cases, economic supports may be a more effective intervention.

Wide-ranging evidence exists that poverty is a critical factor in child welfare involvement, as well as a reason for the disproportional representation of children of Black families in the child welfare system.[315] Multiple studies have found that "most children who are reported to (child welfare agencies) are born into families with limited economic, social, and human resources." [316]

The greatest disparities are usually found in states with low overall diversity. New Jersey, however, is an outlier. Although it is among the ten most diverse states, it is ranked in the lowest quartile among the 50 states for child welfare disparities.[317]

New Jersey's child welfare caseload also provides concerning evidence of disparities linked to poverty. In 2014, "inadequate housing" replaced "drug/alcohol abuse" as the largest category of parent-related reasons for child placement, behind the broader categories of "abuse/neglect" and "abandonment." [318] A 2014 Appellate Court decision, however, found that lack of adequate housing cannot be used to determine neglect, particularly for people living in households with low incomes. The Court also noted that the agency's primary mission is to "help families stay together and assist parents to raise safe and healthy children." [319] Although substandard housing, which is highly correlated with poverty, can pose a health and safety threat, neglect in instances of inadequate housing should be addressed with targeted housing assistance rather than removal.

Residence in a neighborhood of concentrated poverty may also exacerbate conditions for creating neglect but should not necessarily be considered cause for removal. A plan drafted by the New Jersey Task Force on Child Abuse and Neglect for the period 2014 to 2017 identified "community violence" and "concentrated neighborhood disadvantage" as the two primary community risk factors for families. The plan also noted that the highest rates of substantiated abuse and neglect were in New Jersey's Southern Region, Camden, Trenton, and Newark, the latter three cities being places of concentrated poverty.

You have to work three jobs in order to afford an apartment. What kind of supervision are the kids gonna have? They're pretty much raising themselves. They're stuck to either the TV, streets, or chaos.

—Paterson Resident

The same report also highlighted the connection between the stresses of poverty and the increased potential for maltreatment within the family. While this risk must be addressed, the report raises concerns about this correlation:

> *Broad definitions of child abuse and neglect may encompass characteristics of poverty and result in parents being charged with abuse or neglect merely because their ability to care for their child(ren) is compromised by insuffi-*

115x

cient economic resources. Concerns have also been raised about unconscious bias on the part of professionals, who are or may be likely to report low-income families to child protection agencies.[320]

It is encouraging that the problematic conditions associated with poverty, such as inadequate housing and low income, are being recognized as not necessarily sufficient reasons for removal, and that the DCP&P is working to operationalize alternatives to child removal. Additional funding for targeted housing assistance is an important first step to address the high levels of "inadequate housing" removals in 2014. Responses to economic problems with economic assistance that can keep children safe while minimizing trauma must become a priority.

Cash Welfare

Children living in poverty need their economic needs addressed over and above the child welfare system, which deals with cases of abuse and neglect. Currently, the federal cash welfare program —Temporary Assistance to Needy Families or TANF — is intended to provide basic income support. The success of this program has been constrained by the focus on "personal responsibility" with less attention paid to the "work opportunities" promised in the original welfare reform law.[321]

Legacy of Disinvestment Disproportionately Hurts Children of Color

A recent report on New Jersey's TANF program links the declining value of cash assistance to the dramatic increase in the number of New Jersey children living in deep poverty, an increase of 25 percent since the end of the Great Recession.[322] New Jersey has failed to raise maximum benefit and eligibility levels for the state's poorest children since 1987, leaving benefits as low as $424 per month for a family of three. As a result, 82 percent of poor children in the state do not receive help from the program. For those who do receive TANF, the assistance is barely one-quarter of the federal poverty threshold, well below the income threshold for deep poverty.[323] Moreover, according to the calculations of the Department of Human Services, which administers the TANF program, the Standard of Need in 2016 for a family of three is $2,736, about 6.5 times the current benefit level.

Data from the TANF program also reveals that children of color are disproportionality represented among the recipients of TANF grants. More than 80 percent of the children receiving TANF are children of color. While Black and Hispanic children make up only 16 percent and 23 percent of the total population, respectively, they comprise 50 percent and 33 percent of children on TANF.

National data suggest that TANF requirements at the state and local level are becoming more stringent for people of color.[324] This disinvestment substantially increases child poverty, specifically among children of color, perpetuating conditions of extreme deprivation and blocking access to opportunity for children of color.

CONCLUSION

The state's most vulnerable children need State institutions that are responsive to their needs and can remediate their disadvantages. Where State policies are failing in this remediation, or even perpetuating disadvantage, we must implement changes that intentionally counteract structural racism.

POLICY RECOMMENDATIONS

Racism and poverty work together to harm children and significantly diminish their future opportunities. Systems that are supposed to help children in poverty and children of color can instead hurt their chances. Schools need more resources and community connections to address factors of disadvantage and to help children reach their full potential. When the State intervenes in a child's life for economic or safety reasons, that intervention must guard against unintended negative consequences. Economic and family supports must ensure that resources are used to undo, and not deepen, the effects of racism and poverty for children. To reduce the impact of structural racism on the perpetuation

1167

of poverty for New Jersey children and youth, the State should:

1. Prioritize educational best practices in school improvement efforts, with State investment and support:
   a) Work toward racial and socioeconomic integration of student populations based on:
      i. Strategies that include leveraging integrated housing policies, consolidating school systems, improving and expanding the Inter-district Public School Choice program, etc.; and
      ii. Integration of classrooms within school districts (e.g., through regular district assessments of the racial/ethnic demographics of advanced courses and special education enrollment relative to the overall district population, and implementation of proactive interventions if participation is disproportionate).
   b) Employment of best practices in the education of English as a Second Language, English Language Learner, special education and at-risk students, including:
      i. Expansion of dual-language learning classrooms that include both Limited English Proficient and native students; and
      ii. Inclusion classrooms for special education students.
   c) Moving toward full compliance with the School Funding Reform Act to provide students and schools across the state with the resources they need to succeed and to which they are entitled under the funding formula.
   d) Investing in learning programs that go beyond the regular school day (including after school, extended learning time, internships, and summer learning).
   e) Expansion of the full-day, high-quality preschool program to all at-risk 3- and 4-year-olds in the state, as envisioned under the SFRA.
   f) Reforming school disciplinary procedures to emphasize services and supports instead of punishment, in order to interrupt the school-to-prison pipeline.
2. Address educational opportunity gaps through expanded services and linkages with the broader community:
   a) Establishing full-service community schools to:
      i. Support *Quality Education* for all students by using community assets as resources for learning;
      ii. Provide *Family Support* including health care, behavioral health, and social work services;
      iii. Facilitate *Family and Community Engagement* that supports attendance and adult education;
      iv. Engage in *Youth Development* through extracurricular and enrichment programs; and
      v. Foster *Community Development* that strengthens the social networks, economic viability, and physical infrastructure of the community.
   b) In cases where full-service community schools are not yet feasible, enabling increased services and engagement with the broader community through:
      i. Utilization of a linked services model; and
      ii. Engaging community and non-profit partners in service coordination, with special emphasis on after-school and extended learning time programs and internship development.
3. Provide enhanced resources and support directly to poor families:
   a) Continuing efforts to enhance the services and supports provided to families with child welfare involvement:

117x

i. Strengthening funding and services for family stabilization (especially housing assistance and flexible subsidies for economic need) to reduce out-of-home placements; and

ii. Reducing financial and logistical/regulatory barriers to placement in Kinship Legal Guardianship, when out-of-home placement is necessary.

b) Strengthening the capacity of the Temporary Assistance to Needy Families program to provide assistance to the poorest children:

i. Increase maximum grant and eligibility levels over time to above 50% of the federal poverty level, and ensure annual adjustments going forward; and

ii. Remove the punitive family cap policy to ensure all extremely poor children have access to cash assistance.

118X

HEALTH, HUNGER, AND MENTAL HEALTH

Contributors: Clara Gregory, Marcia Sass, and Rev. Vanessa Wilson

INTRODUCTION

Significant and often severe disparities exist between the physical health, mental health, and nutrition of Black and more recently Hispanics and their White counterparts. These differences are driven by structural racism, implicit racial bias, and intentional discrimination. Health, mental health, and hunger/malnutrition are intertwined and all three are negatively impacted from childhood by poverty and structural racism. Race and ethnic differences in health outcomes are documented in New Jersey. These disparities may arise from (1) differences in social, political, economic, or environmental exposures that result in differences in disease incidence; (2) differences in access to physical and mental health care including preventive and curative services; (3) differences in the quality of care received within the physical and mental health care delivery systems;[325] and (4) lack of or limited access to high quality, nutritious food that can lead to a life time of poor health. Resultant health outcomes often reflect the injustices that race and ethnic minorities have experienced as highlighted in other chapters of this series. This chapter explores the historical context, what New Jersey has going for and against it in efforts to overcome these issues, and what approaches can be undertaken to address these disparities in New Jersey.

RACISM AND HEALTH: THE HISTORICAL CONTEXT

Since the mid-19th Century, the states have been responsible for health policy. With the rise of the sanitary movement around 1850 in Europe, its adoption in the United States soon followed. One example was the street-by-street investigations of tenement housing congestion, slaughter houses and stable conditions, other filthy habitations, sewage drainage, and garbage heaps conducted by the Council of Hygiene and Public Health of the Citizens' Association in New York in 1864. Manifestations of these conditions were associated with outbreaks of infectious diseases and premature infant death. Another was the mapping of the Five Points neighborhood in Manhattan's Lower East Side by Dr. Ezra R. Pulling. His maps showed all noxious locations and identified every case of typhoid, typhus, and smallpox. Pulling's maps demonstrated relationships between proximity to the offensive conditions and manifestations of disease (see Environmental Justice chapter).[326]

New Jersey passed legislation authorizing the formation of the State Board of Health in 1876. Its responsibilities included annual reporting on the health of residents, which it has done regularly since 1877.[327] As far back as 1900, the reports documented death rate disparities between Whites and people of color (as defined by the US Census). For example, in its 35th Annual Report, the Board of Health's report showed that death rates for people of color were significantly higher than for Whites over the ten-year period between 1901 and 1910 (see table below).

The Infant Mortality Rate IMR, (the ratio of deaths under one year to the number of live births) is generally considered a critical indicator of a population's overall health and a worldwide indicator of health status and social well-being. In 1923, the first year of differential rate reporting of colored infant deaths, to all infant deaths, the rate for the colored population (the terminology used during this time period) was 1.72 times that for the total population. In 1941, the first year that White vs. colored infant mortality rates were directly compared, the rate for colored infants was 2.12 times higher. In 1950, the rate for colored infant mortality was 2.37 times higher. Fast forward to 2010, the colored/Black to White ratio was 4.38 times higher and in 2014 the ratio was 3.3 times higher. Although infant mortality was declining for all groups with minor fluctuation from year to year, likely due to enhanced baby welfare programs, it was still much higher for people of color.

119x

Death Rates per 1000 Population for White and Colored Residents in New Jersey for 1901 to 1910

YEAR	ESTIMATED POPULATION TOTAL	ESTIMATED POPULATION COLORED	TOTAL DEATH RATE	DEATH RATE WHITE POPULATION	DEATH RATE COLORED POPULATION
1901	1,883,669	72,011	16.48	16.65	21.79
1902	1,925,781	74,178	15.91	17.33	21.00
1903	2,016,797	76,345	15.87	15.44.	24.32
1904	2,058,909	78,512	17.14	16.91	22.95
1905	2,144,143	79,485	15.79	15.57	21.59
1906	2,196,238	80,458	16.24	16.02	22.09
1907	2,248,331	81,431	16.68	16.42	22.47
1908	2,300,427	82,404	15.47	15.23	22.04
1909	2,352,522	83,377	15.46	15.29	20.09
1910	2,537,167	89,760	15.57	15.41	19.83

Source: Thirty-Fifth Annual Report of the Board of Health of the State of New Jersey 1911 and Report of Vital Statistics. (1912). Trenton, NJ: State Gazette Publishing Co., Printers. In Fulcomer, M. C., & Sass, M. M. (2008). New Jersey health statistics from 1877 to 2000; an historical electronic compendium of published reports. 2nd ed. Columbus, OH: Restat Systems, Inc. http://www.libraries.rutgers.edu/history_of_medicine/NJHS/statistics.

In 1945, a separate chapter was devoted to the Negro Health Program. (Again note the change in terminology being used by the US Bureau of the Census and New Jersey at the time.) A consultant, J. Earle Stuart, MD, MSPH, was engaged to conduct the efforts that included using public health nurses to work with community leaders (e.g., faith-based groups, businesses, etc.) to gain the community's trust and get people to community meetings. In these forums, the subjects for the health meetings were "heart disease, cancer, hypertension; communicable diseases, tuberculosis and venereal diseases; and housing and health." The efforts of the stakeholders to encourage members of their community to get to these health meetings were touted as key to the success of the programs.[328]

More recently several national organizations, hoping to promote positive change, have taken up the cause of publicizing the negative impacts of poverty and structural racism on health and well-being. The American Public Health Association (APHA) has issued policy positions on racism and its negative impacts on health and healthcare since the mid-1960s. Its January 1, 2001 policy statement spoke specifically to this issue as stated at the beginning of this document. In September 2015, the APHA President, Dr. Kumanyika, wrote emphatically on this point: "Becoming the healthiest nation means tackling institutionalized racism." [329]

Similarly, as of October 2016, the Council on Education for Public Health (CEPH) adopted as a Foundational Competency the requirement for accreditation of Schools and Programs of Public Health that "the means by which structural bias, social inequities and racism undermine health and create challenges to achieving health equity at organizational, community and societal levels must be addressed".[330]

Although health care costs had been rising much faster than in other sectors of the economy, the overall health of the nation's population had not been improving. Several steps were taken at the national level to attempt to rectify the problem. In 1979 the Surgeon General's report laid the groundwork for what is now known as the Healthy People series — a multi-decade, multi-year approach (i.e., panels of objectives for addressing health improvements and preventing disease for all residents in the U.S. by 1990, 2000, and 2010). These have led to mixed results. Through 1990 and 2000, progress was seen particularly among age-adjusted mortality targets under age 70. However, for special populations, especially Blacks and Native Americans, health for the multitude of objectives tracked, has been deteriorating. Recognition of the lagging health of these ethnic minorities led developers of the Healthy People 2010 series to agree that without eliminating health disparities, achieving health equity would not occur. Eliminating health disparities was set as an overarching goal. Though this was not achieved by 2010, four overarching goals remain for 2020.

120X

1. Attain high-quality, longer lives free of preventable disease, disability, injury, and premature death;
2. Achieve health equity, eliminate disparities, and improve the health of all groups;
3. Create social and physical environments that promote good health for all; and
4. Promote quality of life, healthy development, and healthy behaviors across all life stages.[331]

SOCIAL DETERMINANTS OF HEALTH (SDOH)

The Healthy People 2020 program, in addition to emphasizing determinants contributing to better health, includes a focus on the Social Determinants of Health (SDOH). States and local communities are encouraged to use the Healthy People program and to take similar actions to those recommended at the national level. New Jersey adopted the Healthy People program at its inception and is striving to implement the four overarching goals. Fully embracing Healthy People will involve, perhaps, all branches of government at the state, county, and local levels as well as not-for-profit organizations, the business community, faith-based groups, and other organizations.

The social determinants of health are clearly defined on the Healthy People 2020 website:

> *Social determinants of health are conditions in the environments in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks. Conditions (e.g., social, economic, and physical) in these various environments and settings (e.g., school, church, workplace, and neighborhood) have been referred to as "place." In addition to the more material attributes of "place," the patterns of social engagement and sense of security and well-being are also affected by where people live. Resources that enhance quality of life can have a significant influence on population health outcomes. Examples of these resources include safe and affordable housing, access to education, public safety, availability of healthy foods, local emergency/health services, and environments free of life-threatening toxins.*[332]

The social determinants of health, including both social and physical determinants, are fundamental to understanding the relationship between the resident's experience of "place" and the impact of "place" on the health of the local populations. Healthy People 2020 identified five key areas of social determinants of health in their "place-based" organizing framework: economic stability; education; social and community context; health and health care; and neighborhood and built environment. The diagram in the Appendix depicts the interrelationship between the five determinant areas as well as a number of critical components for each of the five determinant areas.

The Affordable Care Act (ACA) by expanding health care coverage, especially to people with low incomes, has increased opportunities to improve the population's health. A recent study published by the Kaiser Family Foundation among others, however, contends that improving the population's health will require broader approaches than the increased access to the health care system provided by ACA. Improving the population's health will also require addressing social, economic, and environmental factors.[333]

Although the U.S. spends approximately the same amount of money on health and social programs as other western countries, it spends more on healthcare and less on social services than these countries. Among the various determinants of good health —policymaking, social factors, health services, individual behavior, and biology/genetics —health care alone, although essential, is a relatively weak determinant. "There is growing recognition that a broad range of social, economic, and environmental factors shape individuals' opportunities and barriers to engage in healthy behaviors." [334]

McGinnis and Foege argue that while health care is important to health, based on research, it is a relatively weak health determinant.[335] Rather health behaviors such as smoking, diet, and exercise are the most important determinants of premature death. Schroeder describes the impacts of social determinants of health (economic stability, neighborhood and physical environment, education, food, and community and social context) has greater overall impacts on health outcomes than does the health care system.[336]

Based on a meta-analysis of ~50 studies published between 1980 and 2007 identified in a MEDLINE search, of those

121x

with estimates of social factors and adult all-cause mortality, the authors calculated summary relative risk estimates of mortality and obtained and used prevalence estimates of each social factor. They then used these to calculate the population attributable fraction for each factor in the United States in 2000. About 245,000 deaths occurring in 2000 in the United States were due to low education, 176,000 to racial segregation, 162,000 to low social supports, 133,000 to individual-level-poverty, 119,000 to income inequality, and 39,000 to area-level poverty. Overall, deaths from these social factors were comparable to the number attributable to leading pathophysiological and behavioral causes. The authors argue for broader public health conceptualizations of the causes of mortality and expansive policy approaches that can be addressed to improve the health of populations.[337]

Examples of successful initiatives to address social determinants to improve health outcomes are provided as are examples — e.g., Camden Coalition of Healthcare Providers (CCHP) and of Centers for Medicare and Medicaid Services Affordable Care Act (ACA) waivers to test integration of social determinants for improving health outcomes (e.g., Medical-Legal Partnerships). CCHP has used placed-based approaches to reduce excessive use of emergency rooms (ER) and hospitals by chronically ill patients with co-morbid conditions e.g., behavioral, social, and medical issues. Camden, New Jersey is a city with high poverty rates and has had limited access to primary care. By using geographic information system (GIS) mapping of the City and its utilizers, the CCHP was able to begin citywide linking of high ER and hospital users with more appropriate primary care provider teams (e.g., a physician, nurse practitioner, social worker, and community health care worker) that help connect the high end utilizers to appropriate care that in turn help to reduce costs and improve health outcomes. In terms of Medical Legal Partnerships, law is seen as a SDOH that can be used in four different ways that can impact health either negatively or positively.

- Laws can be used to design and perpetuate conditions that can have very adverse physical, mental, and emotional effects on individuals and populations.

  For example in the earlier "separate but equal" constitutional doctrine that allowed racial segregation in housing, health care, education, employment, transportation among others. In health care, this dated back to slavery times and was perpetuated through Jim Crow laws in the 1870s on up through the Civil Rights Movement.

- Laws can be used "as a mechanism through which behaviors and prejudices are transformed into distributions of well-being among populations."

  A good example of this is that although Blacks and Whites use drugs at approximately the same rates, drug crime incarcerations are much higher for Black people (see Criminal Justice chapter). While the law is intended to be neutral, the surveillance and arrest and how the arrested are selected for punishment or treatment have differential impacts on the respective communities and in turn on their health.

- "Laws can be determinative of health through their under-enforcement."

  Such an example is a set of housing regulations aimed at keeping housing units safe, clean, and quiet are of no use if the will or resources to do so are lacking (see Housing chapter). Substandard housing conditions are common among low income housing units and mold, rodents, peeling paint, and exposed wires can trigger asthma and result in rashes, lead poisoning, and other common illnesses. While treatment can assist with containing asthma, enforcement of housing regulations can prevent exacerbations up front.

- "Finally, the law can be used to structure direct responses to health-harming social needs that result from things such as impoverishment, illness, market failure, and individual behavior that harms others." [338]

Enacted by congress in 1986, the Emergency Medical Treatment and Active Labor Act, now the Examination and Treatment for Emergency Medical Conditions Act, (EMTALA) was put into effect as private hospitals were re-routing individuals who were uninsured or underinsured to public hospitals so that they did not incur the costs of the care. This action has been referred to as "patient dumping." To ensure that everyone received basic examination and stabilization services, all hospitals receiving Medicare are now required to provide these services to patients regardless of income. EMTALA represents the only truly legal right to health care in the US and has been identified as one of the building blocks of health care. A number of financing laws that subsidize healthcare services for vulnerable populations (e.g., Medicaid, the Public Health Service Act) fall into this category.

122x

At the local, state, and federal levels, law has played important roles in all of the 10 most worthy public health achievements in the 20th century: control of infectious diseases, motor vehicle safety, fluoridation of drinking water, tobacco control use, improvements maternal and child health, occupational health and safety, among others.

A "Health in All Policies" approach has been recommended by APHA since the early 2000s. Such an approach recognizes the need to address SDOH to improve population health. It "seeks to ensure that decision-makers across different sectors are informed about the health, equity, and sustainability consequences of policy decisions in non-health sectors." [339]

In a study of the civil justice experiences of the American public entitled, The Community Needs and Services Study, two-thirds of a random sample of adults in a middle–sized American city reported at least one of 12 categories of civil justice situations in the past 18 months (the average number of these situations was 3.3).[340] Poor people, Blacks, and Hispanics were more likely to report civil justice situations than were middle or high-income earners and Whites. Frequently reported situations included employment problems, finances and government benefits, health insurance, and housing. Among the negative consequences of these situations were feelings of fear, loss of confidence, damage to physical or mental health, verbal or physical violence or threats of violence. Adverse impacts on health were the most commonly cited (in 27 percent of the cases). Many of the respondents indicated that they did not know that the problems they were experiencing were "legal" in nature.[341]

Medical Legal Partnerships (MLP) is an innovative approach to addressing the lack of a right to needed civil legal services, the misunderstandings among those most in need, and the lack of resources in the civil legal community. How these work is that medical personnel and a legal services attorney are co-located in a medical care setting (e.g., a hospital or community health care center) and aim to work jointly to serve the "whole" patient and not just the biology and behavior but also with the myriad of conditions that factor into population health. The MLP promotes an upstream approach using the I-HELP" mnemonic: Income, Housing and utilities, Education and employment, Legal status, and Personal and family stability.[342]Though relatively new and not researched on a large scale, smaller MLP studies have cited improved patient health and well-being, positive financial impact on partners and patients (meaning that benefits previously denied were approved and paid), and there were positive impacts on knowledge and training of health providers.[343]

Intergenerational structural racism and discrimination present in New Jersey have prevented Black and Hispanic community members from moving out of toxic environments with poor quality housing and living conditions, schools, jobs, etc. to those that support health. Each is negatively impacted by structural racism (see chapters on Housing, Legal and Civil Protections, Children and Youth, Economic Justice and Employment, Criminal Justice).

The Poverty Research Institute (PRI) of Legal Services of New Jersey defines poverty as "the point at which people suffer *significant deprivation in critical life areas*: safety, housing food health care, education, transportation, child care to enable employment and other life essentials such as clothing.[344]The Real Cost of Living (RCL) in New Jersey is quite high and is about 250 percent of the Federal Poverty Level (FPL). Anything below the RCL will result in deprivation in at least one critical area resulting in actual poverty.

Similarly, the United Way of Northern New Jersey (UWNNJ) has moved forward with the ALICE (Asset-Limited, Income Constrained, Employed) Project(s) through research initiatives directed by Stephanie Hoopes Halpin, PhD and the team at UWNNJ. First funded in 2007, the team studied affluent Morris County and noted that ALICE residents were located in communities throughout the county. Given the value of this assessment, United Way in 2010 again funded the study in all counties in New Jersey. This enabled a before and after recession look at households in New Jersey. "The Report's findings were stark: fully 37 percent of New Jersey's households earned too little to provide basic necessities, and more than half the state's jobs pay less than $20 per hour, with nearly three-quarters of those paying less than $15 per hour." [345] Even with safety net programs, these residents remain short of the resources they need to cover basic necessities. The impact of the Great Recession was worse than first reported. In 2014, the number of ALICE households was nearly 1.2 million (37percent) with 823,829 ALICE households and 340,893 in poverty. These numbers represent a 30 percent increase in ALICE households and a 22 percent increase in poverty households

since 2007.[346]The growth of low-skilled jobs in New Jersey is projected to exceed that of higher-skilled, higher income positions in the next few years. Among these residents, 71 percent are White. However, wage discrepancies disproportionately impact certain groups: female-headed households, Blacks, Hispanics, people living with a disability, and unskilled recent immigrants are overrepresented in the group below the ALICE threshold.[347]

At a national level, in 2014 the Annie E. Casey Foundation that funds the national KIDS Count research reported that by 2018, children of color will represent the majority of children in the US. highlighted the fact that Black, Hispanic, Native American, and some sub-groups of Asian American children face profound barriers to success and called for a multi-sector approach to develop solutions. The Advocates for Children of NJ (ACNJ) monograph published April 2015 was the first step at exploring the racial barriers experienced by children in New Jersey. The following sobering data by race and ethnicity were highlighted.

- Children in poverty by race: Blacks, 33 percent, Hispanics, 29 percent, Whites 8 percent, Asians, 6 percent.
- 4th Grade State Test Passing Rates by Race (Language Arts: 2013-14 School Year): Blacks, 38 percent, Hispanics, 42 percent, Whites, 71 percent, Asian, 82 percent.

Consistent with the national findings, "New Jersey's Black, Hispanic, and mixed-race children are more likely to live in poverty, experience negative health outcomes, be involved in the state child protection and juvenile justice systems and struggle in school." [348]

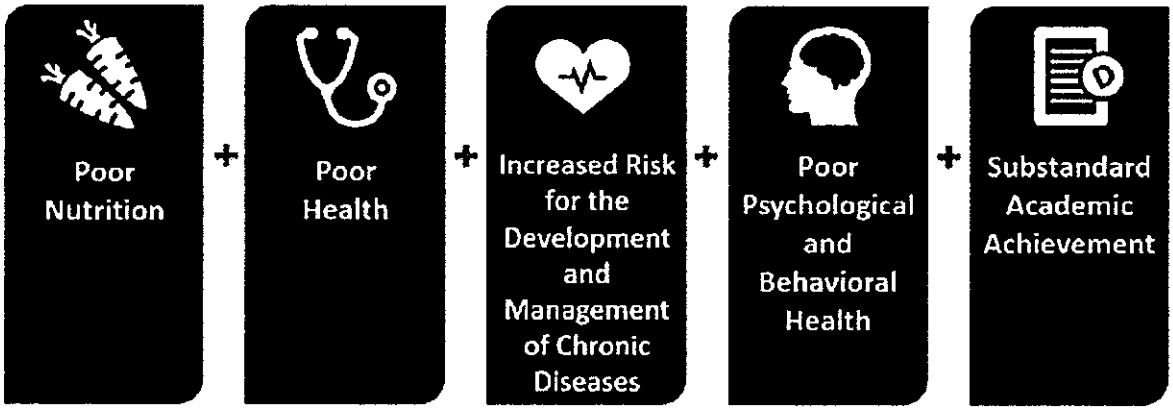
The Patient Protection and Affordable Care Act, commonly referred to at the Affordable Care Act (ACA), has created significant progress in reducing the number of uninsured residents in New Jersey. More than a half million more people are insured through the Medicaid expansion and about 250,000 people have obtained coverage through the insurance marketplace.

The pre-ACA Medicaid enrollment in 2010 was 40 percent White, 28 percent Black, 18 percent Hispanic, and 14 percent Other.[349] Although some race information on enrollment in the ACA marketplace has been collected, there was not a requirement to report race upon enrollment so therefore that data is not reliable.[350]What is known is that the uninsured rate in New Jersey was reduced by a third with the ACA.[351]

The current federal ACA repeal efforts would increase the uninsured rate by 50 percent by 2026. That is more than the number of uninsured before the ACA.[352] New Jersey's legislative leaders and its governor should vigorously oppose repeal of the ACA that would devastate low-income residents of New Jersey.

FOOD INSECURITY AND HUNGER

Hunger and health are deeply connected. Diet-sensitive chronic diseases such as diabetes and high blood pressure disproportionately affect people who are food insecure, and according to research, food insecurity is also linked to many adverse effects to overall health and mental health.



Source: Retrieved from http://www.feedingamerica.org/about-us/helping-families-in-need/nutrition-initiative/

124x

Food Insecurity and Very Low Food Security

2015 National Profile

- 42.2 million Americans lived in food insecure households, including 29.1 million adults and 13.1 million children.
- 13 percent of households (15.8 million households) were food insecure.
- 5 percent of households (6.3 million households) experienced very low food security.
- Households with children reported food insecurity at a significantly higher rate than those without children, 17 percent compared to 11 percent.

Households that had higher rates of food insecurity than the national average included households with children (17 percent), especially households with children headed by single women (30 percent) or single men (22 percent), Black non-Hispanic households (22 percent) and Hispanic households (19 percent).[353]

Food insecurity and very low food security

2015 New Jersey Profile

- 11 percent of households (368,311 households) were food insecure
- 4.7 percent of households (154,733 households) were very low food insecure
- 14.9 percent of households struggling against food hardship[354]

There are quite a few essential federal programs to ensure adequate and nutrition assistance for families, seniors and children: Supplemental Nutrition Assistance Program (SNAP); The Emergency Food Assistance Program (TEFAP); The Commodity Supplement Food Program (CSFP); The Child and Adult Care Food Program; The National School Lunch Program (NSLP); the School Breakfast Program (SBP); The Summer Food Service Program (SFSP): and the Women, Infants and Children Program (WIC). These programs do not reach all of the people in our state who are food insecure and New Jersey misses out on additional federal funding for some by not doing adequate outreach and enrolling enough people. For example, New Jersey ranks 39th in the nation in SNAP participation at just 77 percent, while the national average is 83 percent.[355]

I have to trek all the way to Cherry Hill to find suitable food for my family. When I do go out to these stores I see how they're paired up. Supermarket with organic products as opposed to the canned goods that are provided within the city. They have a running shoe store that promotes health and fitness. I don't see that within the city.

—Camden Resident

Supplemental Nutrition Assistance Program (SNAP)

The United States Department of Agriculture's (USDA) Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, provides temporary benefits to low-income Americans for food benefits, access to a healthy diet, and education on food preparation and nutrition to low-income households. Recipients spend their benefits (provided on an electronic card that is used like an ATM card) to buy eligible food in authorized retail food stores. USDA[356] (see attached Appendix D).

In the state of New Jersey, the following individuals received SNAP with an average monthly benefit of $118.82.

- Average Monthly Participation (Individuals) (FY 2015): 905,728
- Average Monthly Benefit per Person (FY 2015): $118.82 [357]

Important Changes to New Jersey SNAP

Beginning in 2016, the rules for Able-Bodied Adults Without Dependents (ABAWDs) who receive SNAP benefits changed as a result of changes in the Federal Farm Bill. Under the new federal rules, ABAWDs must participate in an approved work activity to remain eligible for benefits from SNAP (Supplemental Nutrition Assistance Program).

Beginning in January 2016, ABAWDs who are not working or are not in a work activity will receive only three months of SNAP benefits in a 3-year period. In addition, the benefit level for over 159,000 ABAWDs was significantly reduced with most seeing a $90/month reduction in benefits.[358]

Are there enough jobs and/or work activities for individuals who qualify as ABAWD?

More than any demographic feature, employment defines ALICE (Asset Limited, Income Constrained, Employed) households, yet New Jerseyans have had to adjust to changes in the employment landscape. The acceleration of technology in the workforce, the rise of the "gig" economy and the growth of the small business sector have affected local job opportunities in New Jersey. The financial stability of ALICE workers depends not only on local job opportunities, but on the cost and condition of housing, and the availability of community resources.[359]

What are we facing with the new administration?

The cost of Food Stamps, or SNAP has ballooned the past two decades. It went from a price tag of $17 billion in 2000 to costing $71 billion last year. That is why President Trump said he wants to clamp down on government subsidy programs. Trump brought up the controversial issue during his speech to Congress on Tuesday, February 28th, 2017, when he said "over 43 million people are now living in poverty. And over 43 million Americans are on food stamps." Trump has long been a proponent of scaling back welfare programs. In his 2011 book, "Time to Get Tough," he wrote that while the programs are necessary, too many people become dependent on them.[360]

This scaling back of social programs will devastate the entire country, especially those receiving SNAP in NJ. The House 2017 budget plan would cut SNAP by more than $150 billion — over 20 percent — over the next ten years (2017-2026). In New Jersey, as well as other states, these cuts would impact low-income workers, families with children, seniors and people with disabilities.[361]

Nutritional Assistance for Children:

In a new policy statement in October 2015 identifying the short and long-term adverse health impacts of food insecurity, the American Academy of Pediatrics (AAP) recommended that pediatricians screen all children for food insecurity and become familiar with and refer families to needed community resources, and advocate for federal and local policies that support access to adequate, nutritious food. They recognize that:

- Children who live in homes that, even for a brief period run out of food, tend to be less healthy, get sick more often, be hospitalized more often, heal more slowly, do less well physically and emotionally and have poorer educational outcomes;
- Children and adolescents affected by food insecurity are more likely to be iron deficient, and preadolescent boys dealing with hunger issues have lower bone density. Early childhood malnutrition also is tied to conditions such as diabetes and cardiovascular disease later in life; and
- Lack of adequate healthy food can impair a child's ability to concentrate and perform well in school and is linked to higher levels of behavioral and emotional problems from preschool through adolescence.[362]

Highlights:

A current New Jersey Senate bill —the Nourishing Young Minds Initiative — would establish a program in the New Jersey Department of Agriculture to help defray the costs of effectively implementing the federal school breakfast and summer meals programs in high-poverty communities.

This will increase the number of low-income children receiving these meals, helping to combat growing childhood hunger. Because schools and communities receive federal reimbursements for each meal served, this initiative has the potential to bring millions more dollars back to New Jersey to feed hungry kids.

126x

- During SY 2014-2015 NJ ranked 23rd in the Low-Income Student Participation in School Lunch (NSLP) and School Breakfast (SBP);[363] and
- During SY 2015-2016 NJ ranked 19th in the Low-Income Student Participation in School Lunch (NSLP) and School Breakfast (SBP).

New Jersey schools continue to make progress in serving breakfast to more low-income children. Student participation in the federal School Breakfast Program has increased 77 percent since 2010 when we ranked 50th in the nation — the year before the launch of the New Jersey Food for Thought Campaign.

This means that nearly 105,000 more children are receiving school breakfast, pushing the state from last in the nation to 19th in 2016. Not only that, but school districts have doubled the federal dollars they receive to provide breakfast, more than doubling from $47.5million in FY 2011 to an estimated $105 million in FY 2018, according to state budget figures.

Despite this progress, nearly 302,000 low-income children did not receive school breakfast in April 2016, despite being eligible and already enrolled in the program. So clearly, still more needs to be done.[364]

Given so many New Jersey municipalities and school districts and the levels of poverty among children in the State, the Departments of Health, Education and Agriculture must jointly develop policies and regulations requiring the implementation of initiatives such as the "Breakfast After the Bell" that are known to improve health and well-being and improvements in school outcomes and beyond. The program can be expanded by getting the parents involved with advocacy, including writing letters to the governor and superintendent of their districts.

MENTAL HEALTH AND POVERTY

According to Mental Health America (MHA) there is a relationship between socioeconomic status and mental health: "People who are impoverished, homeless, incarcerated or have substance abuse problems are at higher risk for poor mental health." [365]

The following details some variations in mental health status between racial and ethnic groups in this country:[366]

- Poverty level affects mental health status. Blacks living below the poverty level, as compared to those over twice the poverty level, are three times more likely to report psychological distress.
- Blacks are 20 percent more likely to report having serious psychological distress than are Whites.
- White non-Hispanics are more than twice as likely to receive antidepressant prescription treatments as are Black non-Hispanics.
- The suicide rate for Black men was almost four times that for Black women in 2009.

I went to [Name of Pantry]. They gave me a bag of fresh fruit, vegetables, meat and some cupcakes for the kids. But I had to stand in a line and wait for three hours to give them all of my credentials and, then, they only had it at certain times. They only have it 9 to 2. If you are working part-time, then you miss out. The other one I went to I only got cans.

—Paterson Resident

In a recent study published in *Pediatrics*, April 2016, trauma in childhood from Adverse Childhood Experiences without early intervention initiatives affected high school dropout rates. "High school graduation was identified as the leading indicator of the SDOH in Healthy People 2020." [367] In New Jersey, of those graduating from high school in 2013-2014, of all of the races, Black adolescents had the lowest percentage (79 percent) graduating; 81 percent of Hispanic students graduated. The highest percentage graduating were Asian students at 96 percent.[368] Among New Jersey children and adolescents, as of 2013, higher percentages of those who were Black were living in poverty or in low-income families; they were in households spending too much on housing costs; they were living in families where the household head lacked a high school diploma, and they lived in single-parent families

127x

at higher rates than those of other race and ethnic groups, all adverse stressors.[369]

Culture that is broadly defined as a common heritage of beliefs, norms, and values, counts. People from diverse cultures and perhaps multiple cultures bring their beliefs with them. So do health providers, and as such, they should be trained and experienced in applying cultural and linguistic competence. It is important that providers understand their own experiences and biases when interacting with patients for general health care as well as mental health services.[370]

Different cultures often have widely varied approaches in how they address mental health issues. For some, there remains a stigma. For others it is thought of as a personal weakness, a normal part of aging, or they do not recognize their mental illness at all.[371] These issues along with insurance, or lack thereof, will impact health care-seeking behavior. Cultures also have strengths on which they can build, i.e., resilience and coping behaviors. Blacks have tended to have less access to outpatient mental health care than Whites, but have been hospitalized more often than Whites and have received lower quality mental health services (less-aligned with accepted evidence-based practices). More data is needed to determine whether this is due to a combination of factors or structural racism.[372] As supported by the US Preventive Services Task Force, collaborative care for the management of depressive disorders through a multicomponent, healthcare system-level intervention that uses case managers to link primary care providers, patients, and mental health specialists is recommended.[373]

Similarly in New Jersey, through the NJ Department of Children and Families, a recent initiative to train primary care pediatricians to identify and treat children and adolescents with mental health conditions with the availability of 24-hour consultative support by child psychiatrists and social workers is underway. Because mental health services are limited in New Jersey, in particular for children, it would be important to maintain and expand initiatives such as these.

Other recommendations to address mental health services have included community participatory approaches to addressing the disparities using faith — based initiatives.[374]

NEW JERSEY HEALTH ISSUES OF CONCERN

New Jersey is a home rule state. It currently has 565 municipalities, each with its own government and coverage of most services to address and preserve health, safety and general welfare.[375] It also has more than 600 school districts, and for the 2013-2014 school year, 2505 schools.[376] These things contribute to New Jersey's high property taxes and the State's RCL. Schools consume >80% of property taxes.

In terms of direct influences on healthcare, while New Jersey accepted the federal expansion of Medicaid and has enrolled an additional 479,479 new recipients[377] it pays providers poorly. Mary Caffrey, in her article "In New Jersey, Failure to Keep Pace with ACA Leaves a Vacuum, and a Political Mess,[378] describes how New Jersey's high healthcare costs are not borne sufficiently by Medicaid coverage resulting in shifts to other insurers to pick up the slack. This in turn results in insurers raising premiums that burden small businesses and other individuals. This has fueled the development of the Horizon Blue Cross-Blue Shield (HBCBS) OMNIA Plan and the Aetna Liberty Health Plan that could result in the demise of safety net hospitals mostly in poorer communities now relegated to Tier 2.[379] These safety net hospitals tend to serve more Black and Hispanic individuals as well as other minority patients. A repeal of the ACA and the end of the Medicaid expansion will result in the greatest loss of funds in New Jersey ever and deepen the State's financial crisis.[380]

SUMMARY AND RECOMMENDATIONS

There are a number of ways in which pervasive and persistent structural racism has negatively impacted the overall health, mental health, and extent of hunger experienced by New Jersey's residents. Though the relationships are incompletely understood, disparities may arise from (1) differences in social, political, economic, or environmental exposures that result in differences in disease incidence; (2) differences in access to physical and mental health care including preventive and curative services; (3) differences in the quality of care received within the physical and mental

128x

health care delivery systems;[381] and (4) lack of or limited access to high quality, nutritious food that can lead to a life time of poor health. New Jersey has a high RCL resulting in high costs for poor quality housing in segregated neighborhoods, limited availability of jobs and low wage jobs, lower quality education, poorer air and water quality, and less access to any food let alone nutritious food to nourish the body and mind. To ensure that all New Jerseyans have access to adequate health, mental health and nutrition, the state should:

POLICY RECOMMENDATIONS

Hunger

1. Given the levels of poverty among children across the State, the Departments of Health and Education should jointly develop programs and regulations that are funded and implemented annually, such as "Breakfast After the Bell" initiative, in all New Jersey schools. These programs are known to improve health and school outcomes as well as the well-being of children in their life after school.
2. Support the expansion and annual implementation of School Breakfast both fiscally and administratively. By investing state funds to reinstate annual funding of the program, New Jersey can provide fiscal incentives to districts to adopt a ""Breakfast After the Bell" approach to school breakfast and increase participation by eligible students.
3. Expand access to the SNAP program by applying to the Federal Food and Nutritional Services program for available waivers that increase eligibility to 200 percent of the federal poverty level, so that struggling families and senior citizens can access appropriate food assistance.
4. Address the processing delays being experienced by SNAP applicants at the county level, focusing both on improved business models, and on hiring adequate frontline staff to process applicants in a timely manner.
5. Apply for available waivers and instituting SNAP procedures that would ensure documentation of household expenses. County staff must be properly trained to adequately understand the SNAP regulations and the deductions that allow recipients to claim the full benefit to which they are entitled. Given the recent changes, it is more critical than ever that those eligible claim all of the allowable deductions (housing, medical, utility, dependent care) to boost federal benefit levels.
6. Reinstitute Supplemental Nutrition Assistance for Seniors (SNAS), an alternative/simplified program for SSI recipients.
7. Expand state funding for the State Supplemental Food Program (funded at approximately $6 million).
8. Ensure annual funding for the Nourishing Young Minds Initiative Fund to safeguard continued dedicated funding to food and nutrition programs for youth in New Jersey.
9. Collaborate with organizations such as the New Jersey American Academy of Pediatrics to support the National AAP's recommendation for pediatric screening of all children for food insecurity and to become familiar with and refer families to appropriate community resources.

Health

1. New Jersey's governor and legislative leaders should strongly support continuation of the Affordable Care Act (ACA), including the Medicaid expansion.
2. To support improvements in reducing disparities, the social determinants of health — SDOH (economic stability, education, social and community context, health and health care, and neighborhood and built environment) must be incorporated in all policies and related actions. An example of this is the federal Health Resources and Services Administration (HRSA) has modified its funding eligibility rules to allow health centers to use federal "enabling

129x

services" funds to pay for on-site civil legal aid to help meet the primary care needs (SDOH) of the population and communities they serve through medical-legal partnerships.

3. Additional State funding designated for addressing disparities needs to be allocated. Most funding is from federal sources.

4. Divisions within Departments should communicate and collaborate on issues of joint concern; similarly, departments working on similar issues should communicate and collaborate across departments.

5. Cultural and linguistic competence (sometimes referred to as cultural humility and cultural reciprocity) training and implementation based on the CLAS standards should be required across a range of health and social services professionals in hospitals, community health care, social services settings, and other community-based organizations given the changing demographics of our State and society. This should include building the requirements into policies as well as tracking implementation.

6. Collaborate with organizations such as the New Jersey American Academy of Pediatrics to support the National AAP's recommendation to ask the two questions relating to food insecurity.

7. Adopt a "Health in All Policies" approach that "seeks to ensure that decision-makers across different sectors are informed about the health, equity, and sustainability consequences of policy decisions in non-health sectors."

Mental Health

1. As recommended by the US Preventive Services Task Force, support collaborative care for the management of depressive disorders through a multi-component, healthcare system-level intervention that uses case managers to link primary care providers, patients, and mental health specialists.[382]

2. Support continuation of the pediatric/adolescent training of primary care pediatricians to diagnose and treat mental health conditions seen in their practices with the guidance of 24-hour available child psychiatrists via phone.

3. Adopt Mental Health First Aid Legislation that provides funding and training for emergency services personnel, police officers, teachers/school administrators, primary care professionals, students, and others concerned about mental health to recognize symptoms, de-escalate crisis situations, and provide timely referrals for people in need of mental health care.

4. Encourage Faith and Community Based Organizations to engage in Mental Health First Aid Training and build communities of support for individuals who have mental health concerns and/or diagnosis, as well as play an active role in building community awareness about mental health.

130x

PROJECT PROCESS AND ACKNOWLEDGEMENTS

This report is the product of more than two years of dedicated research, analysis, and engaged, sometimes difficult discussion among a diverse group of advocates who are committed to confronting the reality of structural racism in New Jersey. While there is no way to incorporate all relevant issues into one report, this document reflects our collective understanding of the fundamental way that racial disparities and disadvantages function within New Jersey's multiple social institutions to produce persistent poverty.

STEERING COMMITTEE

This report is only made possible by the work of the dedicated members of the Steering Committee, who devoted untold hours to researching, writing, rewriting, and challenging each other. We are grateful to these members for leading, molding, and shepherding this project:

Felicia Alston-Singleton, Greater Newark HUD Tenants Coalition
Rev. Charles F. Boyer African Methodist Episcopal Minister's Coalition
Rev. Bruce Davidson, Project Co-Chair
Meagan Glaser, Drug Policy Alliance
Clara Gregory, Trinity Episcopal Cathedral
Jerry Harris, NJ Black Issues Convention
Rev. Craig Hershberg, Unitarian Universalist Legislative Ministry of New Jersey
Natasha James-Waldon, Project Co-Chair, Jewish Renaissance Foundation
Rev. Sara Lilja, Lutheran Episcopal Advocacy Ministry of New Jersey
Brandon McKoy, New Jersey Policy Perspective
Connie Pascale, retired Legal Services lawyer
Serena Rice, Anti-Poverty Network
Daniel Santo-Pietro, Latino Action Network
Marcia Sass, retired from NJ Dept. of Health
Alexandra Staropoli, Drug Policy Alliance
Rev. David Stoner, Temple Lutheran Church
Elizabeth Weill-Greenberg, Anti-Poverty Network of New Jersey
Vanessa Wilson, United Methodist Church of Greater New Jersey—Commission on Religion and Race

ADVISORY COMMITTEE

APN is grateful for the Advisory Committee partners who stand with us in endorsing the premise of this report: that structural racism and poverty are inextricably linked, and that to combat poverty we must address structural racism. We stand together in saying that we have an obligation to work towards racial and economic justice in New Jersey, that it is our moral duty to do so. The Advisory Committee endorses the overarching findings of the report. What is shared by all is the commitment to work together to eradicate structural racism in our state. The specific recommendations included in the report provide a broad agenda for action, and are not individually endorsed by all members of the Advisory Committee.

Staci Berger, Housing & Community Development Network of NJ
Dan Fatton, Work Environment Council
Ted Foley, Episcopal Deacon
Dr. Denalerie Johnson Faniel, Zeta Phi Beta Sorority

131x

Rosie Grant, Paterson Education Fund
Cyndi Kent, Native American Ministries Committee, United Methodist Church Northeastern Jurisdiction
Renee Koubiadis, National Association of Social Workers—New Jersey Chapter (2016)
Sharon Krengel, Education Law Center
Deaconess Helen McCahill, United Methodist Church, Caring Friends Ministry
Jerome Montes, Main Street Alliance
Ray Ocasio, La Casa de Don Pedro, Newark
Aaron Rodgers, APN Board member (2016)
Prof. David Troutt, Rutgers CLiME

CHAPTER RESEARCH & AUTHORSHIP

Each chapter of the report was written by a small group of experts and advocates who, like the Steering Committee, worked together over the past two years to develop, write, rewrite, research and critique each other's ideas and writing. Their work makes up the proverbial meat of the report. In six subject areas, the authors show – through research, analysis, and illustrative examples – the insidious pervasiveness of structural racism in our institutions and its impacts on New Jerseyans. We are grateful to the chapter authors for offering their expertise, invaluable time, and perseverance during difficult conversations:

HOUSING

Felicia Alston-Singleton, Greater Newark HUD Tenants Coalition
Ana Baptista, The New School
Rev. Bruce Davidson, Lutheran Church of America
Rev. Eric Dobson, Fair Share Housing Center
Rev. Theodore Foley, Deacon, co-Chair Anti-Racism Commission, Episcopal Diocese of New Jersey
Bill Good, Greater Newark HUD Tenants Coalition
Cynthia Ann Kent, Greater New Jersey Conference Committee on Church and Society
Connie Pascale, retired Legal Services lawyer
Elizabeth Weill-Greenberg, Anti-Poverty Network of New Jersey

ECONOMIC JUSTICE AND EMPLOYMENT

Harry Lewis (Intern), Lutheran Episcopal Advocacy Ministry of New Jersey
Sara Lilja, Lutheran Episcopal Advocacy Ministry of New Jersey
Ben Slaugh (Intern), Lutheran Episcopal Advocacy Ministry of New Jersey

CRIMINAL JUSTICE

Alexandra Staropoli, Drug Policy Alliance of New Jersey
Jerry Harris, NJ Black Issues Convention
Meagan Glaser, Drug Policy Alliance of New Jersey
Charles F. Boyer African Methodist Episcopal Minister's Coalition
Rev. Craig Hershberg, Unitarian Universalist Legislative Ministry of New Jersey
Barbara Flythe, Campaign to End the New Jim Crow
Rev. David Stoner, Temple Lutheran Church
Vanessa Wilson, United Methodist Church of Greater New Jersey—Commission on Religion and Race

LEGAL AND CIVIL PROTECTIONS

Johanna Calle, New Jersey Alliance for Immigrant Justice
Sarah Gold, BlueWave New Jersey
Dianna Houenou, American Civil Liberties of Union New Jersey
Kim Hurdman, BlueWave New Jersey
Brandon McKoy, New Jersey Policy Perspective
Analilia Mejia, New Jersey Working Families Alliance
Alexi Velez, American Civil Liberties Union of New Jersey

CHILDREN AND YOUTH

Louise Eagle, Grama K.A.R.E.S.
Rosie Grant, Paterson Education Fund
Sharon Krengel, Education Law Center
Serena Rice, Anti-Poverty Network
Gloria Strickland, All Stars Project

HEALTH, HUNGER AND MENTAL HEALTH

Clara Gregory, Trinity Episcopal Cathedral
Marcia Sass, retired from NJ Dept. of Health
Vanessa Wilson, United Methodist Church of Greater New Jersey—Commission on Religion and Race

133x

APPENDICES

Appendix A

Public Advocate Letter Relating to Fair Housing Decision & Settlement in United States v. Westchester County and Implications for Local Consolidated Plan Submissions January 15, 2010

Appendix B

Population by Race and Hispanic or Latino Origin, for New Jersey Counties, 2016

Appendix C

Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities, 2010

Appendix D

Social Determinants of Health

134x

Appendix A

Public Advocate Letter Relating to Fair Housing Decision & Settlement in United States v. Westchester County and Implications for Local Consolidated Plan Submissions January 15, 2010

State of New Jersey
DEPARTMENT OF THE PUBLIC ADVOCATE
240 WEST STATE ST.
P.O. BOX 851
TRENTON, NJ 08625-0851
PHONE: (609) 826-5090 FAX: (609) 984-4747

JON S. CORZINE
Governor

RONALD K. CHEN
Public Advocate

January 15, 2010

Re: Recent Fair Housing Decision & Settlement in *United States v. Westchester County* and Implications for Local Consolidated Plan Submissions

Dear New Jersey HUD Grantee:

As the deadline approaches for your jurisdiction's submission of its Consolidated Plan (ConPlan), we want to be sure that you are aware of a recent case and related settlement, as well as the policies, guidance, and stated priorities of the U.S. Department of Housing and Urban Development ("HUD"), which clarify the responsibilities of jurisdictions receiving HUD funds and certifying that they are affirmatively furthering fair housing ("AFFH"). In United States ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, 2009 WL 455269, No. 06 Civ. 2860 (DLC) (S.D.N.Y. Feb. 24, 2009), the court found that the AFFH certifications Westchester County included with its ConPlans were "false" because Westchester provided "no evidence" that it had "analyzed race-based impediments" to housing. As a result of the court's findings, Westchester County was potentially subject to damages in excess of $150 million under the False Claims Act ("FCA").[1] As a New Jersey jurisdiction that receives HUD funding and makes such a certification, we believe it is important that your ConPlan is informed by the guidance that this decision and the case's subsequent settlement provides, especially in light of HUD's recommitment to enforcing the policies that the AFFH certification is intended to promote.

As you know, HUD regulations require each jurisdiction that receives such funds:

> to submit a certification that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the [jurisdiction], take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

[1] 31 U.S.C.A. § 3729(a)(1) *et seq.*

135x

24 CFR 91.325(a)(1). HUD has also issued a HUD Fair Housing and Planning Guide ("HUD Guide") that provides further guidance regarding the AFFH obligation. *See* http://www.hud.gov/offices/fheo/ images/fhpg.pdf.

The importance of the AFFH regulation and the HUD Guide, including its substantive content, have been reinforced by the judicial decision and settlement in United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, 2009 WL 455269, No. 06 Civ. 2860 (DLC) (S.D.N.Y. Feb. 24, 2009). In a substantial opinion, U.S. District Judge Denise Cote found that the "statutes and regulations require not just any [certification], but one that analyzes impediments to fair housing that are related to race." Westchester provided "no evidence" that its certifications "analyzed race-based impediments," and thus the court found that Westchester made "false" certifications subjecting it to liability under the False Claims Act. Because the FCA provides for treble damages, Westchester was potentially subject to damages in excess of $150 million -- three times the amount of funds received from HUD during the relevant time period.

The central question in the case was whether Westchester County's fair housing analysis underlying its AFFH certifications for ConPlans submitted between 2000 and 2006 were sufficient. In its AI, Westchester County identified the "lack of affordable housing" to be the "greatest impediment to fair housing" and sought to remedy the problem by "increasing the supply of affordable homeownership for moderate and middle income families." The court rejected this approach because it was "conducted through the lens of affordable housing, rather than fair housing." In reaching this conclusion, the court relied upon the HUD Guide, which it found reflected HUD's substantive guidance regarding the appropriate contents of an AI. The court stated that the AFFH certification "was not a mere boilerplate formality but rather was a substantive requirement, rooted in the history and purpose of the fair housing laws and regulations." Quoting from the HUD Guide, it emphasized:

> When a jurisdiction undertakes to build or rehabilitate housing for low- and moderate-income families . . . this action is not in and of itself sufficient to affirmatively further fair housing . . . When steps are taken to assure that the housing is fully available to all residents of the community, regardless of race, color, national origin, gender, handicap, or familial status, those are the actions that affirmatively further fair housing.

Id. at *5-*6 (quoting HUD Guide). Thus, in order to support an AFFH certification, Westchester County was required, but failed, to analyze "actions, omissions or decisions" that "restrict housing choices or the availability of housing choices," or that have the effect of doing so, based on "race, color, religion, sex, disability, familial status, or national origin." Specifically, the court noted that the 2000 and 2004 AIs of Westchester's ConPlans did not contain analyses of race discrimination or segregation.

Of particular note, the settlement agreement suggests that HUD believes that the goal of AFFH is to address residential segregation. Under the settlement, Westchester is adopting a policy that states that it seeks "the elimination of discrimination, including the present effects of past discrimination, and the elimination of de facto residential segregation." Further, the agreement suggests that the action steps to be included must be consistent with the scope of the issues

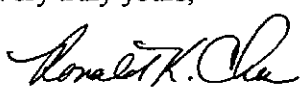
identified in the analysis, and thus may require significant interventions. In the case of Westchester, the settlement agreement makes explicit that Westchester agrees and acknowledges that "it is appropriate for Westchester to take legal action to compel compliance if municipalities hinder or impede Westchester in its performance of [its] duties, including the furtherance of the terms of this Stipulation and Order."

Finally, the settlement agreement suggests that HUD envisions the AFFH certification as consistent with and furthering its emphasis upon the creation of sustainable communities. As part of HUD's press release regarding the settlement, HUD Deputy Secretary Ronald Sims stated: "This settlement reflects an approach to equitable development in suburban areas that can serve as a model for building inclusive, diverse, and sustainable communities across the country." HUD Press Release, "HUD and Justice Department Announce Landmark Civil Rights Agreement in Westchester County" (August 10, 2009). HUD has placed significant emphasis upon sustainability as reflected in its creation of a new Office of Sustainability that will be distributing $150 million in grant funds and in a collaborative effort being undertaken with the United States Department of Transportation and EPA entitled a Partnership for Sustainable Communities. *See* http://www.hud.gov/news/ release.cfm?content=pr2009-06-16.cfm.

As a result, the court found that Westchester made a false claim to the federal government each time it submitted its certification and each time it submitted a claim for HUD funds during this period.[2] In the aftermath of this decision, the Anti-Discrimination Center of Metro New York ("ADC", the non-profit group that had brought the FCA suit), Westchester County; and the federal government brokered a settlement. Under its terms, the county is obligated to spend at least $51.6 million to ensure the development of 750 affordable housing developments in areas with very small minority populations under the supervision of a federal monitor with extensive authority to oversee implementation and Westchester County's actions. In addition, Westchester County is required to pay an additional $10 million to ADC and its attorneys. In setting out a detailed process by which the county is expected to further the development of affordable housing in largely white areas, the settlement agreement demonstrates HUD's strong interest in a robust commitment to fair housing by all jurisdictions that receive HUD funds and to the planning process historically reflected in the AI and Consolidated Plan.

In light of the Westchester decision and subsequent settlement, HUD's increased commitment to AFFH and the AI process, and your pending submission of a ConPlan, we believe it is in the interest of all government entities that receive HUD funds to be aware of these developments. I hope this information is helpful to you as you prepare your ConPlans.

Very truly yours,



Ronald Chen
Public Advocate

137x

APPENDIX B

Population by Race and Hispanic or Latino Origin, for New Jersey Counties, 2016

Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States, and Counties: July 1, 2016

Source: U.S. Census 2016 Population Estimates

		Race Alone / Non-Hispanic						
	Total	White	Black of African American	American Indian & Alaska Native	Asian	Native Hawaiian & Other Pacific Islander	Two of More Races	Hispanic
Atlantic	270,991	152,479	39,658	503	22,430	79	4,941	50,901
Bergen	939,151	536,246	51,235	890	155,232	250	13135	182,163
Burlington	449,284	305,160	74,377	756	23,067	233	10396	35,295
Camden	510,150	292,071	94,903	854	29,670	142	8919	83,591
Cape May	94,430	80,555	4,042	163	942	44	1492	7,192
Cumberland	153,797	72,021	28,971	1057	2,135	43	3128	46,442
Essex	796,914	249,472	310,727	1487	42,947	273	11286	180,722
Gloucester	292,330	230,613	29,589	421	8,742	86	5272	17,607
Hudson	677,983	195,640	73,670	996	105,466	339	9153	292,719
Hunterdon	124,676	107,105	2,906	105	4,935	243	1434	7,948
Mercer	371,023	186,599	73,224	597	40,464	223	6515	63,401
Middlesex	837,073	365,862	78,871	1259	205,450	231	11782	173,618
Monmouth	625,846	470,902	43,580	611	34,463	197	8500	67,593
Morris	498,423	356,397	15,893	399	51,911	118	7550	66,155
Ocean	592,497	502,122	17,862	464	11,379	149	6368	54,153
Passaic	507,945	211,624	53,165	768	27,822	109	5607	208,850
Salem	63,436	47,590	8,513	187	585	18	1187	5,356
Somerset	333,751	189,719	30,611	381	58,953	116	5232	48,739
Sussex	142,522	123,683	2,870	173	2,810	38	1855	11,093
Union	555,630	227,143	117,401	599	29,431	159	7171	173,726
Warren	106,617	87,902	4589	130	3160	24	1408	9,404
Total	8,944,469	4,990,905	1,156,657	12,800	861,994	3,114	132,331	1,786,668

		Race Alone / Non-Hispanic						
	Total	White	African American	Indian & Alaska Native	Asian	Other Pacific Islander	Two of More Races	Hispanic
Atlantic		56.3%	14.6%	0.2%	8.3%	0.0%	1.8%	18.8%
Bergen		57.1%	5.5%	0.1%	16.5%	0.0%	1.4%	19.4%
Burlington		67.9%	16.6%	0.2%	5.1%	0.1%	2.3%	7.9%
Camden		57.3%	18.6%	0.2%	5.8%	0.0%	1.7%	16.4%
Cape May		85.3%	4.3%	0.2%	1.0%	0.0%	1.6%	7.6%
Cumberland		46.8%	18.8%	0.7%	1.4%	0.0%	2.0%	30.2%
Essex		31.3%	39.0%	0.2%	5.4%	0.0%	1.4%	22.7%
Gloucester		78.9%	10.1%	0.1%	3.0%	0.0%	1.8%	6.0%
Hudson		28.9%	10.9%	0.1%	15.6%	0.1%	1.4%	43.2%
Hunterdon		85.9%	2.3%	0.1%	4.0%	0.2%	1.2%	6.4%
Mercer		50.3%	19.7%	0.2%	10.9%	0.1%	1.8%	17.1%
Middlesex		43.7%	9.4%	0.2%	24.5%	0.0%	1.4%	20.7%
Monmouth		75.2%	7.0%	0.1%	5.5%	0.0%	1.4%	10.8%
Morris		71.5%	3.2%	0.1%	10.4%	0.0%	1.5%	13.3%
Ocean		84.7%	3.0%	0.1%	1.9%	0.0%	1.1%	9.1%
Passaic		41.7%	10.5%	0.2%	5.5%	0.0%	1.1%	41.1%
Salem		75.0%	13.4%	0.3%	0.9%	0.0%	1.9%	8.4%
Somerset		56.8%	9.2%	0.1%	17.7%	0.0%	1.6%	14.6%
Sussex		86.8%	2.0%	0.1%	2.0%	0.0%	1.3%	7.8%
Union		40.9%	21.1%	0.1%	5.3%	0.0%	1.3%	31.3%
Warren		82.4%	4.3%	0.1%	3.0%	0.0%	1.3%	8.8%
Total		55.8%	12.9%	0.1%	9.6%	0.0%	1.5%	20.0%

138x

Appendix C

Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities, 2010

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

County FIPS	County Name	Geographic area	Total population	Race										
				One Race							Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
				Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race				
		New Jersey	8,791,894	8,551,591	6,029,248	1,204,826	29,026	725,726	3,043	559,722	240,303	1,555,144	7,236,750	6,726,680
001		Atlantic County	274,549	265,659	179,566	44,138	1,050	20,595	92	20,218	8,890	46,241	228,308	210,661
001	00100	Absecon city	8,411	8,208	6,430	832	32	667	0	247	203	631	7,780	6,659
001	02080	Atlantic City city	39,558	37,653	10,543	15,148	242	6,153	18	5,549	1,905	12,044	27,514	29,841
001	07810	Brigantine city	9,450	9,230	8,253	275	16	446	3	237	220	650	8,800	7,901
001	08680	Buena borough	4,603	4,471	3,383	434	34	82	3	535	132	1,354	3,249	3,457
001	08710	Buena Vista township	7,570	7,366	5,918	1,018	35	80	3	312	204	869	6,701	5,840
001	15160	Corbin City city	492	491	480	2	0	6	0	3	1	17	475	378
001	20290	Egg Harbor township	43,323	41,902	30,230	4,152	163	5,095	8	2,253	1,421	5,630	37,693	31,960
001	20350	Egg Harbor City city	4,243	4,067	2,671	761	16	94	4	521	176	1,115	3,128	3,187
001	21870	Estell Manor city	1,735	1,723	1,674	16	2	28	0	3	12	18	1,717	1,321
001	23940	Folsom borough	1,885	1,850	1,714	79	3	16	3	35	35	127	1,758	1,469
001	25560	Galloway township	37,349	36,249	26,860	4,271	99	3,744	9	1,266	1,100	3,752	33,597	29,382
001	29280	Hamilton township	26,503	25,538	18,011	4,916	68	1,435	16	1,092	965	3,390	23,113	20,127
001	29430	Hammonton town	14,791	14,370	12,080	444	42	203	2	1,599	421	3,096	11,695	11,337
001	40530	Linwood city	7,092	6,989	6,608	69	5	269	0	38	103	210	6,882	5,329
001	41370	Longport borough	895	894	885	3	1	4	0	1	1	10	885	791
001	43890	Margate City city	6,354	6,283	6,123	45	6	62	1	46	71	175	6,179	5,462
001	49410	Mullica township	6,147	5,967	5,118	349	14	42	2	442	180	1,046	5,101	4,725
001	52950	Northfield city	8,624	8,448	7,515	279	16	388	1	249	176	690	7,934	6,533
001	59640	Pleasantville city	20,249	19,347	4,926	9,303	168	490	6	4,454	902	8,314	11,935	14,675
001	60600	Port Republic city	1,115	1,098	1,068	7	5	10	0	8	17	33	1,082	867
001	68430	Somers Point city	10,795	10,469	8,501	1,153	27	332	6	450	326	1,024	9,771	8,495
001	75620	Ventnor City city	10,650	10,368	8,076	453	50	924	5	860	282	1,922	8,728	8,677
001	80330	Weymouth township	2,715	2,678	2,499	129	6	24	2	18	37	124	2,591	2,248

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
003		**Bergen County**	905,116	882,406	650,703	52,473	2,061	131,329	229	45,611	22,710	145,281	759,835	700,711
003	00700	Allendale borough	6,505	6,403	5,686	33	3	627	0	54	102	304	6,201	4,658
003	01090	Alpine borough	1,849	1,811	1,260	44	1	482	0	24	38	89	1,760	1,431
003	05170	Bergenfield borough	26,764	25,746	14,029	2,060	84	6,851	13	2,709	1,018	7,097	19,667	20,361
003	06490	Bogota borough	8,187	7,851	4,994	771	64	803	7	1,212	336	3,169	5,018	6,244
003	10480	Carlstadt borough	6,127	5,980	4,988	146	10	504	4	328	147	1,104	5,023	4,889
003	13570	Cliffside Park borough	23,594	22,697	16,541	776	75	3,252	11	2,042	897	6,704	16,890	19,526
003	13810	Closter borough	8,373	8,267	5,373	110	4	2,650	1	129	106	501	7,872	6,135
003	15820	Cresskill borough	8,573	8,440	5,911	63	3	2,370	1	92	133	537	8,036	6,277
003	17530	Demarest borough	4,881	4,784	3,427	31	1	1,289	0	36	97	216	4,665	3,540
003	18400	Dumont borough	17,479	17,077	13,268	445	32	2,620	3	709	402	2,580	14,899	13,553
003	19510	East Rutherford borough	8,913	8,696	6,510	401	20	1,242	3	520	217	1,563	7,350	7,296
003	20020	Edgewater borough	11,513	11,198	6,135	570	16	4,084	7	386	315	1,278	10,235	9,472
003	21300	Elmwood Park borough	19,403	18,854	14,624	1,019	65	2,080	4	1,062	549	4,117	15,286	15,358
003	21450	Emerson borough	7,401	7,271	6,462	80	3	633	8	85	130	619	6,782	5,631
003	21480	Englewood city	27,147	26,136	12,292	8,845	147	2,199	12	2,641	1,011	7,460	19,687	21,124
003	21510	Englewood Cliffs borough	5,281	5,165	2,976	110	4	2,034	0	41	116	316	4,965	4,143
003	22470	Fair Lawn borough	32,457	31,884	27,380	567	20	3,154	1	762	573	3,296	29,161	25,305
003	22560	Fairview borough	13,835	13,049	9,186	407	92	640	4	2,720	786	7,558	6,277	11,128
003	24420	Fort Lee borough	35,345	34,612	18,905	973	50	13,587	7	1,090	733	3,877	31,468	29,348
003	24990	Franklin Lakes borough	10,590	10,435	9,417	149	4	777	0	88	155	525	10,065	7,689
003	25770	Garfield city	30,487	29,493	23,393	1,981	132	678	2	3,307	994	9,830	20,657	23,377
003	26640	Glen Rock borough	11,601	11,409	10,111	159	10	1,054	3	72	192	527	11,074	8,119
003	28680	Hackensack city	43,010	41,110	20,072	10,511	241	4,432	10	5,844	1,900	15,186	27,824	34,979
003	30150	Harrington Park borough	4,684	4,599	3,720	32	1	813	9	24	65	163	4,501	3,360
003	30420	Hasbrouck Heights borough	11,842	11,601	9,632	339	9	1,183	2	436	241	1,760	10,082	9,205
003	30540	Haworth borough	3,382	3,317	2,860	39	0	402	0	16	65	148	3,234	2,426
003	31920	Hillsdale borough	10,219	10,109	9,138	103	12	640	5	211	110	794	9,425	7,501
003	32310	Ho-Ho-Kus borough	4,078	4,017	3,753	9	3	236	0	16	61	168	3,910	2,885
003	40020	Leonia borough	8,937	8,630	4,935	209	14	3,139	1	332	307	1,489	7,448	6,942
003	40680	Little Ferry borough	10,626	10,238	6,458	419	32	2,576	4	749	388	2,442	8,184	8,533
003	41100	Lodi borough	24,136	23,234	16,459	1,816	101	2,069	15	2,774	902	7,360	16,776	18,989

140x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
003	42090	Lyndhurst township	20,554	19,998	17,053	406	34	1,355	6	1,144	556	3,769	16,785	16,671
003	42750	Mahwah township	25,890	25,390	22,180	678	146	2,021	2	363	500	1,622	24,268	20,754
003	44880	Maywood borough	9,555	9,312	7,145	510	17	1,049	2	589	243	1,785	7,770	7,544
003	46110	Midland Park borough	7,128	7,011	6,616	60	9	192	0	134	117	474	6,654	5,391
003	47610	Montvale borough	7,844	7,735	6,654	81	6	866	0	128	109	419	7,425	5,745
003	47700	Moonachie borough	2,708	2,619	2,074	38	3	272	0	232	89	660	2,048	2,206
003	51660	New Milford borough	16,341	15,909	11,522	608	20	3,169	4	586	432	2,227	14,114	12,938
003	52320	North Arlington borough	15,392	15,109	12,712	220	36	1,211	2	928	283	3,211	12,181	12,684
003	53430	Northvale borough	4,640	4,564	3,338	49	9	1,114	1	53	76	378	4,262	3,473
003	53610	Norwood borough	5,711	5,645	3,955	78	0	1,552	1	59	66	260	5,451	4,394
003	53850	Oakland borough	12,754	12,556	11,824	113	24	532	1	62	198	681	12,073	9,442
003	54870	Old Tappan borough	5,750	5,662	4,300	42	5	1,279	0	36	88	288	5,462	4,175
003	54990	Oradell borough	7,978	7,866	6,844	54	6	898	0	64	112	397	7,581	5,894
003	55770	Palisades Park borough	19,622	19,240	5,670	385	60	11,350	10	1,765	382	3,575	16,047	16,379
003	55950	Paramus borough	26,342	25,692	19,042	374	28	5,869	13	366	650	1,913	24,429	20,674
003	56130	Park Ridge borough	8,645	8,565	7,706	90	19	525	2	223	80	669	7,976	6,667
003	61680	Ramsey borough	14,473	14,295	12,946	94	17	964	0	274	178	866	13,607	10,627
003	62910	Ridgefield borough	11,032	10,748	6,874	132	20	3,206	2	514	284	2,362	8,670	8,651
003	62940	Ridgefield Park village	12,729	12,253	8,413	815	44	1,461	1	1,519	476	4,605	8,124	9,935
003	63000	Ridgewood village	24,958	24,443	20,518	398	16	3,242	4	265	515	1,316	23,642	17,306
003	63360	River Edge borough	11,340	11,171	8,326	172	6	2,516	9	142	169	869	10,471	8,396
003	63690	River Vale township	9,659	9,518	8,582	68	4	813	0	51	141	481	9,178	7,086
003	63990	Rochelle Park township	5,530	5,418	4,547	160	14	482	0	215	112	904	4,626	4,524
003	64170	Rockleigh borough	531	526	505	11	1	8	0	1	5	20	511	445
003	65280	Rutherford borough	18,061	17,577	14,010	527	13	2,362	1	664	484	2,543	15,518	14,272
003	65340	Saddle Brook township	13,659	13,416	11,521	316	22	1,121	0	436	243	1,666	11,993	10,906
003	65400	Saddle River borough	3,152	3,075	2,670	66	3	297	2	37	77	162	2,990	2,487
003	68970	South Hackensack township	2,378	2,309	1,714	127	8	126	0	334	69	792	1,586	1,856
003	72360	Teaneck township	39,776	38,390	21,214	11,013	113	3,622	25	2,403	1,386	6,575	33,201	29,823
003	72420	Tenafly borough	14,488	14,151	10,041	128	5	3,799	0	178	337	776	13,712	9,972
003	72480	Teterboro borough	67	58	45	3	2	2	0	6	9	24	43	51
003	75140	Upper Saddle River borough	8,208	8,101	7,104	118	11	828	1	39	107	355	7,853	5,693

141x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
003	76400	Waldwick borough	9,625	9,487	8,723	104	11	480	0	169	138	830	8,795	7,196
003	76490	Wallington borough	11,335	11,142	9,689	366	18	631	0	438	193	1,225	10,110	9,296
003	77135	Washington township	9,102	8,983	8,237	98	1	589	2	56	119	495	8,607	7,015
003	80270	Westwood borough	10,908	10,697	9,052	504	34	805	0	302	211	1,263	9,645	8,521
003	82300	Woodcliff Lake borough	5,730	5,661	5,174	47	0	371	0	69	69	310	5,420	4,131
003	82570	Wood-Ridge borough	7,626	7,499	6,652	109	16	544	1	177	127	1,000	6,626	5,986
003	83050	Wyckoff township	16,696	16,502	15,616	94	7	706	0	79	194	737	15,959	12,081

142x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
005		**Burlington County**	448,734	435,639	331,342	74,505	985	19,395	219	9,193	13,095	28,831	419,903	344,491
005	03370	Bass River township	1,443	1,427	1,405	4	2	11	0	5	16	45	1,398	1,152
005	05740	Beverly city	2,577	2,452	1,589	770	4	20	0	69	125	236	2,341	1,982
005	06670	Bordentown city	3,924	3,836	3,277	397	8	107	1	46	88	228	3,696	3,202
005	06700	Bordentown township	11,367	11,089	8,455	1,216	30	1,201	7	180	278	684	10,683	8,409
005	08920	Burlington city	9,920	9,567	5,845	3,272	18	201	4	227	353	645	9,275	7,550
005	08950	Burlington township	22,594	21,831	13,331	6,322	35	1,590	9	544	763	1,593	21,001	16,558
005	12670	Chesterfield township	7,699	7,468	4,156	2,242	39	643	2	386	231	1,007	6,692	6,328
005	12940	Cinnaminson township	15,569	15,325	13,931	855	13	370	3	153	244	478	15,091	12,108
005	17080	Delanco township	4,283	4,161	3,546	470	20	80	5	40	122	152	4,131	3,438
005	17440	Delran township	16,896	16,486	13,688	1,616	33	683	7	459	410	779	16,117	12,671
005	18790	Eastampton township	6,069	5,864	4,437	1,030	21	272	4	100	205	503	5,566	4,583
005	20050	Edgewater Park township	8,881	8,443	5,125	2,426	30	283	2	577	438	970	7,911	7,078
005	22110	Evesham township	45,538	44,743	39,609	1,910	54	2,804	9	357	795	1,542	43,996	34,937
005	23250	Fieldsboro borough	540	519	438	68	0	11	0	2	21	15	525	405
005	23850	Florence township	12,109	11,739	9,497	1,481	23	610	7	121	370	576	11,533	9,416
005	29010	Hainesport township	6,110	5,980	5,180	458	6	249	0	87	130	310	5,800	4,559
005	42060	Lumberton township	12,559	12,115	8,916	2,378	30	591	5	195	444	736	11,823	9,116
005	43290	Mansfield township	8,544	8,372	6,753	890	14	657	5	53	172	428	8,116	6,787
005	43740	Maple Shade township	19,131	18,583	15,040	1,826	31	1,080	5	601	548	1,591	17,540	15,603
005	45120	Medford township	23,033	22,718	21,726	353	36	467	6	130	315	600	22,433	17,020
005	45210	Medford Lakes borough	4,146	4,117	4,035	19	7	40	0	16	29	70	4,076	3,056
005	47880	Moorestown township	20,726	20,279	17,513	1,331	18	1,244	5	168	447	721	20,005	15,059
005	48900	Mount Holly township	9,536	9,047	6,253	2,203	35	140	7	409	489	1,210	8,326	7,291
005	49020	Mount Laurel township	41,864	40,852	33,249	4,061	67	3,040	17	418	1,012	1,907	39,957	32,548
005	51510	New Hanover township	7,385	7,137	3,992	2,479	48	151	6	461	248	1,548	5,837	6,799
005	53070	North Hanover township	7,678	7,318	6,156	716	31	145	32	238	360	801	6,877	5,412
005	55800	Palmyra borough	7,398	7,211	5,826	1,076	23	136	6	144	187	397	7,001	5,953
005	57480	Pemberton borough	1,409	1,356	1,048	215	3	46	0	44	53	179	1,230	1,141
005	57510	Pemberton township	27,912	26,351	18,848	5,719	104	806	37	837	1,561	3,326	24,586	21,043
005	63510	Riverside township	8,079	7,667	6,480	516	21	77	4	569	412	916	7,163	6,211
005	63660	Riverton borough	2,779	2,727	2,596	92	3	21	2	13	52	56	2,723	2,183

143x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
005	66810	Shamong township	6,490	6,415	6,286	60	13	38	1	17	75	149	6,341	4,749
005	68610	Southampton township	10,464	10,322	9,888	231	12	139	1	51	142	225	10,239	8,828
005	69990	Springfield township	3,414	3,358	3,093	130	7	87	0	41	56	127	3,287	2,629
005	72060	Tabernacle township	6,949	6,875	6,657	96	5	48	4	65	74	192	6,757	5,274
005	77150	Washington township	687	684	645	13	0	1	0	25	3	62	625	561
005	78200	Westampton township	8,813	8,446	5,376	2,243	17	608	3	199	367	779	8,034	6,659
005	81440	Willingboro township	31,629	30,232	5,475	23,007	117	635	10	988	1,397	2,737	28,892	24,181
005	82420	Woodland township	1,788	1,771	1,602	145	1	15	0	8	17	86	1,702	1,426
005	82960	Wrightstown borough	802	756	380	169	6	48	3	150	46	225	577	586

144x

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
007		**Camden County**	513,657	500,214	335,389	100,441	1,608	26,257	165	36,354	13,443	73,124	440,533	388,540
007	02200	Audubon borough	8,819	8,718	8,398	127	12	100	1	80	101	290	8,529	6,950
007	02230	Audubon Park borough	1,023	1,010	1,002	3	1	3	0	1	13	21	1,002	887
007	03250	Barrington borough	6,983	6,848	6,254	358	16	118	0	102	135	380	6,603	5,529
007	04750	Bellmawr borough	11,583	11,392	10,012	285	17	679	7	392	191	890	10,693	9,227
007	05440	Berlin borough	7,588	7,471	6,865	318	7	211	3	67	117	237	7,351	5,857
007	05470	Berlin township	5,357	5,243	4,135	620	10	275	0	203	114	444	4,913	4,160
007	08170	Brooklawn borough	1,955	1,907	1,718	104	2	43	0	40	48	123	1,832	1,498
007	10000	Camden city	77,344	74,378	13,602	37,180	588	1,637	48	21,323	2,966	36,379	40,965	53,355
007	12280	Cherry Hill township	71,045	69,516	55,459	4,360	78	8,304	13	1,302	1,529	4,005	67,040	54,694
007	12550	Chesilhurst borough	1,634	1,585	692	758	7	14	0	114	49	189	1,445	1,343
007	13420	Clementon borough	5,000	4,848	3,564	956	28	105	0	195	152	515	4,485	3,900
007	14260	Collingswood borough	13,926	13,569	11,388	1,268	45	307	2	559	357	1,347	12,579	11,221
007	26070	Gibbsboro borough	2,274	2,228	2,106	49	0	53	0	20	46	93	2,181	1,751
007	26760	Gloucester township	64,634	63,163	48,993	10,464	129	2,374	20	1,183	1,471	3,650	60,984	48,959
007	26820	Gloucester City city	11,456	11,254	10,370	352	16	307	0	209	202	767	10,689	8,646
007	28740	Haddon township	14,707	14,507	13,701	220	23	398	2	163	200	581	14,126	11,514
007	28770	Haddonfield borough	11,593	11,438	11,040	129	4	215	0	50	155	248	11,345	8,386
007	28800	Haddon Heights borough	7,473	7,372	7,133	84	12	98	5	40	101	198	7,275	5,761
007	32220	Hi-Nella borough	870	845	624	131	6	35	0	49	25	92	778	694
007	39210	Laurel Springs borough	1,908	1,884	1,772	66	2	19	0	25	24	74	1,834	1,473
007	39420	Lawnside borough	2,945	2,850	124	2,616	19	42	0	49	95	129	2,816	2,260
007	40440	Lindenwold borough	17,613	16,970	8,469	6,104	78	493	4	1,822	643	3,673	13,940	13,656
007	42630	Magnolia borough	4,341	4,229	3,243	793	13	82	2	96	112	340	4,001	3,395
007	45510	Merchantville borough	3,821	3,695	2,926	497	14	87	2	169	126	444	3,377	2,961
007	48750	Mount Ephraim borough	4,676	4,617	4,375	100	4	32	0	106	59	249	4,427	3,713
007	53880	Oaklyn borough	4,038	3,974	3,731	100	9	73	1	60	64	217	3,821	3,210
007	57660	Pennsauken township	35,885	34,597	17,081	9,644	210	2,770	15	4,877	1,288	9,657	26,228	27,226
007	58770	Pine Hill borough	10,233	9,862	6,904	2,463	27	217	5	246	371	690	9,543	7,787
007	58920	Pine Valley borough	12	12	10	0	0	0	0	2	0	2	10	10
007	65160	Runnemede borough	8,468	8,329	7,496	400	25	223	0	185	139	516	7,952	6,698
007	68340	Somerdale borough	5,151	4,963	3,513	978	4	309	1	158	188	422	4,729	4,088

145x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
007	71220	Stratford borough	7,040	6,889	5,799	580	13	297	5	195	151	457	6,583	5,400
007	72240	Tavistock borough	5	5	5	0	0	0	0	0	0	0	5	5
007	76220	Voorhees township	29,131	28,443	20,908	2,534	44	4,700	11	246	688	998	28,133	22,687
007	77630	Waterford township	10,649	10,465	9,647	514	11	124	3	166	184	467	10,182	8,209
007	81740	Winslow township	39,499	38,301	21,491	14,287	113	1,224	14	1,172	1,198	3,200	36,299	29,352
007	82450	Woodlynne borough	2,978	2,837	839	999	21	289	1	688	141	1,140	1,838	2,078

146x

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
009		**Cape May County**	97,265	95,408	87,369	4,565	205	834	36	2,399	1,857	6,054	91,211	78,916
009	02320	Avalon borough	1,334	1,321	1,308	4	4	3	0	2	13	29	1,305	1,215
009	10270	Cape May city	3,607	3,509	3,212	175	11	24	4	83	98	311	3,296	3,144
009	10330	Cape May Point borough	291	285	275	8	0	1	0	1	6	1	290	279
009	17560	Dennis township	6,467	6,379	6,257	51	12	36	2	21	88	117	6,350	5,081
009	41610	Lower township	22,866	22,469	21,549	456	37	142	10	275	397	969	21,897	18,331
009	45810	Middle township	18,911	18,440	15,716	1,969	34	339	9	373	471	962	17,949	14,950
009	53490	North Wildwood city	4,041	3,962	3,838	46	13	14	0	51	79	163	3,878	3,506
009	54360	Ocean City city	11,701	11,506	10,771	410	15	83	3	224	195	643	11,058	10,011
009	66390	Sea Isle City city	2,114	2,106	2,085	2	5	4	0	10	8	51	2,063	1,887
009	71010	Stone Harbor borough	866	862	841	14	0	1	0	6	4	29	837	772
009	74810	Upper township	12,373	12,224	11,954	72	16	92	1	89	149	292	12,081	9,426
009	78530	West Cape May borough	1,024	1,010	879	89	8	2	0	32	14	51	973	893
009	80210	West Wildwood borough	603	588	575	9	0	0	0	4	15	16	587	498
009	81170	Wildwood city	5,325	5,170	3,623	594	39	42	7	865	155	1,662	3,663	4,232
009	81200	Wildwood Crest borough	3,270	3,199	3,047	55	5	33	0	59	71	184	3,086	2,727
009	81890	Woodbine borough	2,472	2,378	1,439	611	6	18	0	304	94	574	1,898	1,964

147x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

County FIPS	County Name	Geographic area	Total population	Race								Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
				One Race							Two or More Races			
				Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race				
011		**Cumberland County**	156,898	151,375	98,430	31,741	1,746	1,907	59	17,492	5,523	42,457	114,441	119,193
011	07600	Bridgeton city	25,349	24,303	8,274	8,996	350	153	12	6,518	1,046	11,046	14,303	18,276
011	14710	Commercial township	5,178	4,989	4,335	530	18	27	0	79	189	316	4,862	3,866
011	16900	Deerfield township	3,119	2,999	2,284	376	66	42	0	231	120	439	2,680	2,351
011	18220	Downe township	1,585	1,547	1,468	41	8	4	0	26	38	61	1,524	1,275
011	22350	Fairfield township	6,295	5,991	2,360	2,992	321	28	2	288	304	808	5,487	5,177
011	28170	Greenwich township	804	784	735	30	10	4	0	5	20	21	783	645
011	33120	Hopewell township	4,571	4,431	3,857	301	99	26	0	148	140	335	4,236	3,623
011	39450	Lawrence township	3,290	3,187	2,666	304	38	13	1	165	103	374	2,916	2,427
011	44580	Maurice River township	7,976	7,842	4,629	2,874	35	28	2	274	134	919	7,057	7,216
011	46680	Millville city	28,400	27,349	19,608	5,631	266	338	18	1,488	1,051	4,239	24,161	21,068
011	67020	Shiloh borough	516	509	484	9	12	1	0	3	7	21	495	407
011	71160	Stow Creek township	1,431	1,409	1,307	64	20	4	0	14	22	63	1,368	1,134
011	74870	Upper Deerfield township	7,660	7,425	5,720	993	97	203	0	412	235	722	6,938	5,863
011	76070	Vineland city	60,724	58,610	40,703	8,600	406	1,036	24	7,841	2,114	23,093	37,631	45,865

148x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
013		Essex County	783,969	759,165	333,868	320,479	3,056	35,789	286	65,687	24,804	159,117	624,852	589,051
013	04695	Belleville township	35,926	34,504	21,753	3,277	126	4,312	18	5,018	1,422	14,133	21,793	28,146
013	06260	Bloomfield township	47,315	45,490	28,205	8,757	193	3,891	21	4,423	1,825	11,606	35,709	37,306
013	09250	Caldwell borough	7,822	7,674	6,788	260	8	369	3	246	148	786	7,036	6,375
013	11200	Cedar Grove township	12,411	12,277	11,047	306	6	811	1	106	134	727	11,684	9,909
013	13045	City of Orange township	30,134	29,135	3,857	21,645	173	455	6	2,999	999	6,531	23,603	22,615
013	19390	East Orange city	64,270	62,665	2,657	56,887	248	465	38	2,370	1,605	5,095	59,175	47,776
013	21840	Essex Fells borough	2,113	2,072	1,998	23	0	46	0	5	41	42	2,071	1,481
013	22385	Fairfield township	7,466	7,397	7,081	51	21	189	0	55	69	384	7,082	5,780
013	26610	Glen Ridge borough	7,527	7,324	6,489	379	3	350	0	103	203	377	7,150	5,102
013	34450	Irvington township	53,926	52,735	3,042	46,058	204	471	38	2,922	1,191	5,716	48,210	40,235
013	40890	Livingston township	29,366	28,951	22,367	663	20	5,642	5	254	415	1,192	28,174	21,433
013	43800	Maplewood township	23,867	23,065	13,430	8,426	44	725	6	434	802	1,595	22,272	17,109
013	46380	Millburn township	20,149	19,752	16,154	329	6	3,155	5	103	397	703	19,446	13,647
013	47500	Montclair township	37,669	35,974	23,416	10,230	59	1,434	9	826	1,695	2,810	34,859	28,072
013	51000	Newark city	277,140	266,480	72,914	145,085	1,697	4,485	118	42,181	10,660	93,746	183,394	205,253
013	52620	North Caldwell borough	6,183	6,100	5,669	45	2	354	0	30	83	260	5,923	4,498
013	53680	Nutley township	28,370	27,739	23,405	628	36	2,824	4	842	631	3,354	25,016	22,492
013	64590	Roseland borough	5,819	5,756	5,280	106	4	337	0	29	63	262	5,557	4,598
013	69274	South Orange Village township	16,198	15,539	9,750	4,642	23	836	1	287	659	993	15,205	12,483
013	75815	Verona township	13,332	13,116	12,164	262	4	537	1	148	216	795	12,537	10,238
013	78510	West Caldwell township	10,759	10,639	9,996	136	5	421	2	79	120	523	10,236	8,239
013	79800	West Orange township	46,207	44,781	26,406	12,284	174	3,680	10	2,227	1,426	7,487	38,720	35,264

149x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
015		**Gloucester County**	288,288	282,156	240,890	29,006	501	7,609	95	4,055	6,132	13,712	274,576	218,027
015	13360	Clayton borough	8,179	7,902	6,120	1,473	30	147	2	130	277	487	7,692	6,029
015	17710	Deptford township	30,561	29,867	24,082	3,717	73	1,361	12	622	694	1,830	28,731	23,970
015	19180	East Greenwich township	9,555	9,430	8,451	560	13	345	5	56	125	289	9,266	6,945
015	21060	Elk township	4,216	4,106	3,362	623	22	27	0	72	110	215	4,001	3,213
015	24840	Franklin township	16,820	16,510	14,876	1,208	34	213	5	174	310	755	16,065	12,777
015	26340	Glassboro borough	18,579	18,037	13,423	3,469	21	534	10	580	542	1,378	17,201	14,968
015	28185	Greenwich township	4,899	4,823	4,567	196	3	37	0	20	76	115	4,784	3,874
015	30180	Harrison township	12,417	12,211	11,246	475	11	420	0	59	206	374	12,043	8,467
015	41160	Logan township	6,042	5,913	4,926	755	9	154	1	68	129	240	5,802	4,405
015	43440	Mantua township	15,217	15,020	14,340	380	31	168	1	100	197	449	14,768	11,545
015	47250	Monroe township	36,129	35,259	28,689	5,060	73	875	5	557	870	1,795	34,334	26,848
015	49680	National Park borough	3,036	2,991	2,923	41	5	18	0	4	45	62	2,974	2,336
015	51390	Newfield borough	1,553	1,528	1,470	34	4	5	0	15	25	102	1,451	1,190
015	57150	Paulsboro borough	6,097	5,772	3,322	2,239	21	43	4	143	325	542	5,555	4,373
015	59070	Pitman borough	9,011	8,886	8,658	103	8	56	3	58	125	222	8,789	6,997
015	69030	South Harrison township	3,162	3,125	2,896	160	0	38	1	30	37	98	3,064	2,253
015	71850	Swedesboro borough	2,584	2,489	1,804	388	15	35	2	245	95	441	2,143	1,875
015	77180	Washington township	48,559	47,725	42,588	2,825	52	1,836	9	415	834	1,774	46,785	36,928
015	78110	Wenonah borough	2,278	2,247	2,193	21	3	24	1	5	31	31	2,247	1,707
015	78800	West Deptford township	21,677	21,327	19,283	1,414	25	415	3	187	350	731	20,946	16,985
015	80120	Westville borough	4,288	4,221	3,839	210	7	64	2	99	67	258	4,030	3,412
015	82120	Woodbury city	10,174	9,756	6,716	2,534	23	130	28	325	418	1,085	9,089	7,786
015	82180	Woodbury Heights borough	3,055	3,011	2,840	104	5	50	1	11	44	74	2,981	2,365
015	82840	Woolwich township	10,200	10,000	8,276	1,017	13	614	0	80	200	365	9,835	6,779

150x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
017		Hudson County	634,266	606,439	342,792	83,925	4,081	84,924	344	90,373	27,827	267,853	366,413	503,104
017	03580	Bayonne city	63,024	60,576	43,618	5,584	194	4,861	16	6,303	2,448	16,251	46,773	48,862
017	19360	East Newark borough	2,406	2,312	1,516	46	10	188	1	551	94	1,477	929	1,877
017	28650	Guttenberg town	11,176	10,591	7,537	537	102	818	4	1,593	585	7,245	3,931	8,881
017	30210	Harrison town	13,620	13,050	7,941	297	76	2,217	2	2,517	570	6,017	7,603	10,789
017	32250	Hoboken city	50,005	48,681	41,124	1,767	73	3,558	15	2,144	1,324	7,602	42,403	43,892
017	36000	Jersey City city	247,597	236,641	80,885	64,002	1,272	58,595	161	31,726	10,956	68,256	179,341	195,249
017	36510	Kearny town	40,684	39,206	29,933	2,186	163	1,793	32	5,099	1,478	16,253	24,431	32,253
017	52470	North Bergen township	60,773	57,831	40,705	2,456	535	3,979	49	10,107	2,942	41,569	19,204	47,710
017	66570	Secaucus town	16,264	15,862	11,125	668	32	3,318	6	713	402	3,025	13,239	13,125
017	74630	Union City city	66,455	62,706	38,549	3,487	819	1,587	33	18,231	3,749	56,291	10,164	50,692
017	77930	Weehawken township	12,554	12,063	9,020	606	61	1,024	1	1,351	491	5,055	7,499	10,510
017	79610	West New York town	49,708	46,920	30,839	2,289	744	2,986	24	10,038	2,788	38,812	10,896	39,264

151x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
019		Hunterdon County	128,349	126,670	117,264	3,451	167	4,181	37	1,570	1,679	6,722	121,627	98,132
019	00550	Alexandria township	4,938	4,904	4,681	99	2	90	1	31	34	159	4,779	3,677
019	05650	Bethlehem township	3,979	3,944	3,806	39	4	75	0	20	35	160	3,819	2,879
019	06370	Bloomsbury borough	870	858	830	9	0	16	0	3	12	35	835	635
019	09280	Califon borough	1,076	1,048	1,034	3	1	9	0	1	28	14	1,062	773
019	13720	Clinton town	2,719	2,674	2,434	36	6	181	0	17	45	169	2,550	2,013
019	13750	Clinton township	13,478	13,258	11,649	810	27	525	6	241	220	755	12,723	10,236
019	17170	Delaware township	4,563	4,504	4,401	30	8	42	0	23	59	112	4,451	3,648
019	18820	East Amwell township	4,013	3,981	3,845	50	2	57	0	27	32	113	3,900	3,130
019	23700	Flemington borough	4,581	4,455	3,595	180	14	266	1	399	126	1,198	3,383	3,559
019	24870	Franklin township	3,195	3,178	3,094	22	5	40	3	14	17	110	3,085	2,407
019	25350	Frenchtown borough	1,373	1,357	1,327	11	5	13	0	1	16	70	1,303	1,086
019	26550	Glen Gardner borough	1,704	1,679	1,611	30	1	31	0	6	25	90	1,614	1,341
019	29460	Hampton borough	1,401	1,379	1,293	35	10	26	1	14	22	75	1,326	1,099
019	31320	High Bridge borough	3,648	3,598	3,399	48	8	116	0	27	50	219	3,429	2,763
019	32460	Holland township	5,291	5,264	5,165	38	3	41	2	15	27	142	5,149	4,015
019	37065	Kingwood township	3,845	3,799	3,711	25	1	42	0	20	46	92	3,753	2,957
019	38610	Lambertville city	3,906	3,862	3,566	76	8	51	0	161	44	381	3,525	3,372
019	39630	Lebanon borough	1,358	1,333	1,224	24	2	71	0	12	25	68	1,290	1,072
019	39660	Lebanon township	6,588	6,517	6,259	111	4	97	7	39	71	205	6,383	5,097
019	46260	Milford borough	1,233	1,221	1,200	3	2	12	1	3	12	27	1,206	979
019	61920	Raritan township	22,185	21,865	19,870	459	23	1,319	9	185	320	1,138	21,047	16,380
019	62250	Readington township	16,126	15,949	15,011	214	18	581	1	124	177	633	15,493	12,076
019	70980	Stockton borough	538	534	529	0	0	5	0	0	4	3	535	433
019	72510	Tewksbury township	5,993	5,919	5,643	50	2	175	0	49	74	209	5,784	4,476
019	74420	Union township	5,908	5,802	4,916	535	9	244	3	95	106	359	5,549	4,822
019	78230	West Amwell township	3,840	3,788	3,171	514	2	56	2	43	52	186	3,654	3,207

152x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
021		Mercer County	366,513	356,426	225,011	74,318	1,194	32,752	295	22,856	10,087	55,318	311,195	283,531
021	19780	East Windsor township	27,190	26,446	16,880	2,343	145	4,802	16	2,260	744	5,340	21,850	20,618
021	22185	Ewing township	35,790	34,948	22,598	9,885	109	1,538	15	803	842	2,727	33,063	29,946
021	29310	Hamilton township	88,464	86,676	69,340	10,419	149	2,914	79	3,775	1,788	9,613	78,851	69,740
021	31620	Hightstown borough	5,494	5,265	3,815	442	31	224	8	745	229	1,664	3,830	4,181
021	33150	Hopewell borough	1,922	1,901	1,827	29	2	13	1	29	21	71	1,851	1,460
021	33180	Hopewell township	17,304	17,016	15,010	364	12	1,539	1	90	288	573	16,731	12,728
021	39510	Lawrence township	33,472	32,653	23,322	3,602	66	4,721	29	913	819	2,503	30,969	26,780
021	57600	Pennington borough	2,585	2,559	2,462	47	0	46	2	2	26	37	2,548	1,903
021	60900	Princeton borough	12,307	11,876	8,870	793	22	1,663	20	508	431	1,268	11,039	10,863
021	60915	Princeton township	16,265	15,792	12,283	810	22	2,305	4	368	473	1,124	15,141	12,514
021	63850	Robbinsville township	13,642	13,396	11,131	426	13	1,729	0	97	246	564	13,078	9,722
021	74000	Trenton city	84,913	81,433	22,549	44,160	598	1,013	110	13,003	3,480	28,621	56,292	63,635
021	80240	West Windsor township	27,165	26,465	14,924	998	25	10,245	10	263	700	1,213	25,952	19,441

153x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
023		**Middlesex County**	809,858	785,941	474,589	78,462	2,777	173,293	251	56,569	23,917	148,975	660,883	624,401
023	10750	Carteret borough	22,844	21,964	11,577	3,393	80	4,349	12	2,553	880	7,066	15,778	17,053
023	15550	Cranbury township	3,857	3,788	3,106	133	4	530	1	14	69	99	3,758	2,806
023	18490	Dunellen borough	7,227	6,980	5,309	623	19	326	4	699	247	1,933	5,294	5,512
023	19000	East Brunswick township	47,512	46,531	32,954	1,890	48	10,835	6	798	981	3,184	44,328	36,051
023	20230	Edison township	99,967	97,290	44,084	7,046	229	43,177	36	2,718	2,677	8,112	91,855	77,308
023	30840	Helmetta borough	2,178	2,149	1,930	86	2	106	0	25	29	164	2,014	1,725
023	31470	Highland Park borough	13,982	13,616	9,544	1,095	20	2,495	4	458	366	1,252	12,730	11,025
023	34890	Jamesburg borough	5,915	5,769	4,371	523	50	268	0	557	146	1,324	4,591	4,418
023	45690	Metuchen borough	13,574	13,200	10,577	662	10	1,759	3	189	374	935	12,639	10,292
023	45900	Middlesex borough	13,635	13,360	11,077	699	24	818	10	732	275	2,246	11,389	10,568
023	46620	Milltown borough	6,893	6,807	6,372	85	9	232	0	109	86	445	6,448	5,391
023	47280	Monroe township	39,132	38,657	31,913	1,533	33	4,930	4	244	475	1,673	37,459	31,755
023	51210	New Brunswick city	55,181	52,757	25,071	8,852	498	4,195	19	14,122	2,424	27,553	27,628	43,560
023	52560	North Brunswick township	40,742	39,504	18,991	7,116	171	9,888	15	3,323	1,238	7,223	33,519	31,196
023	54705	Old Bridge township	65,375	63,774	48,418	4,063	129	9,374	10	1,780	1,601	7,064	58,311	50,479
023	58200	Perth Amboy city	50,814	47,980	25,541	5,358	561	859	27	15,634	2,834	39,685	11,129	36,945
023	59010	Piscataway township	56,044	54,091	21,554	11,596	173	18,744	13	2,011	1,953	6,289	49,755	44,775
023	59280	Plainsboro township	22,999	22,399	9,445	1,847	69	10,630	4	404	600	1,429	21,570	17,322
023	65790	Sayreville borough	42,704	41,698	28,630	4,573	100	6,882	18	1,495	1,006	5,258	37,446	33,054
023	68550	South Amboy city	8,631	8,456	7,459	382	9	348	0	258	175	1,158	7,473	6,834
023	68790	South Brunswick township	43,417	42,289	22,611	3,348	72	15,592	8	658	1,128	2,624	40,793	31,383
023	69390	South Plainfield borough	23,385	22,616	15,607	2,361	87	3,433	8	1,120	769	3,097	20,288	18,011
023	69420	South River borough	16,008	15,480	12,195	1,142	50	775	9	1,309	528	2,913	13,095	12,393
023	69810	Spotswood borough	8,257	8,103	7,318	246	9	424	1	105	154	687	7,570	6,516
023	82000	Woodbridge township	99,585	96,683	58,935	9,810	321	22,324	39	5,254	2,902	15,562	84,023	78,029

154X

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
					One Race									
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
025		**Monmouth County**	630,380	618,026	520,716	46,443	1,211	31,258	211	18,187	12,354	60,939	569,441	480,081
025	00070	Aberdeen township	18,210	17,839	13,954	2,161	41	1,171	8	504	371	1,900	16,310	14,003
025	00730	Allenhurst borough	496	487	470	5	0	5	0	7	9	22	474	420
025	00760	Allentown borough	1,828	1,790	1,663	81	2	28	0	16	38	65	1,763	1,375
025	01960	Asbury Park city	16,116	15,558	5,875	8,275	79	77	20	1,232	558	4,115	12,001	12,288
025	02110	Atlantic Highlands borough	4,385	4,310	4,086	63	11	95	0	55	75	225	4,160	3,526
025	02440	Avon-by-the-Sea borough	1,901	1,885	1,843	6	0	12	0	24	16	71	1,830	1,582
025	04930	Belmar borough	5,794	5,649	5,044	202	14	53	8	328	145	971	4,823	4,820
025	06970	Bradley Beach borough	4,298	4,190	3,656	213	18	78	1	224	108	840	3,458	3,663
025	07750	Brielle borough	4,774	4,711	4,518	121	5	45	0	22	63	152	4,622	3,526
025	14560	Colts Neck township	10,142	10,019	9,348	169	1	464	0	37	123	359	9,783	7,255
025	16660	Deal borough	750	741	687	12	0	26	1	15	9	55	695	643
025	19840	Eatontown borough	12,709	12,249	9,060	1,577	36	1,102	11	463	460	1,571	11,138	10,072
025	21570	Englishtown borough	1,847	1,821	1,628	48	0	126	2	17	26	148	1,699	1,376
025	22440	Fair Haven borough	6,121	6,050	5,792	153	6	66	6	27	71	165	5,956	4,017
025	22950	Farmingdale borough	1,329	1,300	1,191	38	6	42	0	23	29	92	1,237	1,043
025	25200	Freehold borough	12,052	11,704	7,920	1,515	63	348	8	1,850	348	5,167	6,885	9,095
025	25230	Freehold township	36,184	35,569	30,509	1,931	47	2,544	7	531	615	2,808	33,376	27,387
025	30690	Hazlet township	20,334	20,026	18,694	301	15	691	3	322	308	1,601	18,733	15,712
025	31500	Highlands borough	5,005	4,910	4,653	81	14	65	0	97	95	324	4,681	4,296
025	32640	Holmdel township	16,773	16,468	13,007	145	11	3,213	2	90	305	621	16,152	12,450
025	33300	Howell township	51,075	50,198	45,100	1,865	79	2,309	23	822	877	4,153	46,922	37,624
025	34200	Interlaken borough	820	814	807	0	0	4	0	3	6	14	806	701
025	36480	Keansburg borough	10,105	9,780	8,505	664	23	172	8	408	325	1,493	8,612	7,741
025	36810	Keyport borough	7,240	7,059	5,792	521	20	172	2	552	181	1,322	5,918	5,804
025	37560	Lake Como borough	1,759	1,722	1,458	108	15	21	0	120	37	322	1,437	1,415
025	40770	Little Silver borough	5,950	5,882	5,737	17	6	104	8	10	68	179	5,771	4,289
025	41010	Loch Arbour village	194	191	184	3	0	3	0	1	3	7	187	156
025	41310	Long Branch city	30,719	29,340	20,060	4,364	170	655	24	4,067	1,379	8,624	22,095	24,063
025	42990	Manalapan township	38,872	38,419	34,423	925	18	2,682	7	364	453	2,202	36,670	28,853
025	43050	Manasquan borough	5,897	5,835	5,665	18	1	36	1	114	62	414	5,483	4,521
025	44070	Marlboro township	40,191	39,651	31,587	841	25	6,939	2	257	540	1,619	38,572	28,616

155x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
025	44520	Matawan borough	8,810	8,574	7,134	620	10	565	1	244	236	949	7,861	6,819
025	45990	Middletown township	66,522	65,667	62,456	869	67	1,730	8	537	855	3,569	62,953	50,288
025	46560	Millstone township	10,566	10,408	9,450	379	18	476	0	85	158	579	9,987	7,564
025	47130	Monmouth Beach borough	3,279	3,245	3,197	11	3	24	1	9	34	62	3,217	2,619
025	49890	Neptune township	27,935	27,063	14,855	10,772	94	632	9	701	872	2,607	25,328	22,167
025	49920	Neptune City borough	4,869	4,733	3,798	517	11	217	1	189	136	491	4,378	3,971
025	54270	Ocean township	27,291	26,626	22,013	2,173	54	1,791	13	582	665	2,453	24,838	21,103
025	54570	Oceanport borough	5,832	5,755	5,445	175	3	93	0	39	77	236	5,596	4,470
025	62430	Red Bank borough	12,206	11,852	7,714	1,516	118	226	13	2,265	354	4,198	8,008	9,719
025	64410	Roosevelt borough	882	869	816	8	0	28	0	17	13	52	830	673
025	65130	Rumson borough	7,122	7,050	6,924	18	5	90	2	11	72	173	6,949	4,806
025	66240	Sea Bright borough	1,412	1,399	1,335	11	0	32	0	21	13	78	1,334	1,252
025	66330	Sea Girt borough	1,828	1,820	1,812	0	0	4	0	4	8	30	1,798	1,477
025	67350	Shrewsbury borough	3,809	3,775	3,642	25	4	81	1	22	34	95	3,714	2,782
025	67365	Shrewsbury township	1,141	1,096	823	163	1	75	0	34	45	161	980	927
025	70110	Spring Lake borough	2,993	2,977	2,922	8	1	30	1	15	16	57	2,936	2,347
025	70140	Spring Lake Heights borough	4,713	4,664	4,553	30	7	51	1	22	49	155	4,558	3,933
025	73020	Tinton Falls borough	17,892	17,510	14,741	1,672	23	835	4	235	382	1,118	16,774	14,498
025	74540	Union Beach borough	6,245	6,098	5,686	96	10	113	0	193	147	686	5,559	4,746
025	74900	Upper Freehold township	6,902	6,811	6,315	139	10	300	1	46	91	254	6,648	5,066
025	76460	Wall township	26,164	25,861	24,521	639	41	421	2	237	303	908	25,256	20,009
025	79310	West Long Branch borough	8,097	8,006	7,648	179	5	96	1	77	91	407	7,690	6,513

.157x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
027		**Morris County**	492,276	481,933	406,683	15,360	805	44,069	106	14,910	10,343	56,482	435,794	374,581
027	06610	Boonton town	8,347	8,079	6,578	402	26	839	1	233	268	920	7,427	6,576
027	06640	Boonton township	4,263	4,203	3,937	66	5	170	2	23	60	178	4,085	3,208
027	09040	Butler borough	7,539	7,403	6,706	84	12	228	0	373	136	860	6,679	5,975
027	12100	Chatham borough	8,962	8,799	8,167	89	18	435	0	90	163	457	8,505	5,962
027	12130	Chatham township	10,452	10,287	9,495	78	8	665	1	40	165	349	10,103	7,431
027	12580	Chester borough	1,649	1,613	1,497	17	8	38	0	53	36	222	1,427	1,196
027	12610	Chester township	7,838	7,715	7,314	82	2	274	1	42	123	341	7,497	5,490
027	17650	Denville township	16,635	16,357	14,887	236	20	1,084	1	129	278	883	15,752	12,687
027	18070	Dover town	18,157	17,385	12,083	1,108	114	461	9	3,610	772	12,598	5,559	14,240
027	19210	East Hanover township	11,157	11,033	9,496	93	9	1,330	0	105	124	600	10,557	8,756
027	23910	Florham Park borough	11,696	11,498	10,099	509	8	745	8	129	198	594	11,102	9,451
027	29550	Hanover township	13,712	13,527	11,728	138	6	1,481	1	173	185	630	13,082	10,672
027	29700	Harding township	3,838	3,771	3,613	38	5	102	0	13	67	134	3,704	2,917
027	34980	Jefferson township	21,314	20,970	19,318	332	18	981	4	317	344	1,382	19,932	16,063
027	37110	Kinnelon borough	10,248	10,123	9,536	93	5	437	0	52	125	418	9,830	7,463
027	40290	Lincoln Park borough	10,521	10,303	9,075	193	21	776	0	238	218	1,009	9,512	8,560
027	41362	Long Hill township	8,702	8,560	7,885	54	8	520	1	92	142	614	8,088	6,472
027	42510	Madison borough	15,845	15,480	13,746	469	19	873	2	371	365	1,406	14,439	12,088
027	45330	Mendham borough	4,981	4,935	4,767	51	2	102	4	9	46	135	4,846	3,567
027	45360	Mendham township	5,869	5,789	5,477	76	3	200	0	33	80	211	5,658	4,094
027	46860	Mine Hill township	3,651	3,522	2,946	168	15	181	1	211	129	840	2,811	2,826
027	47670	Montville township	21,528	21,175	16,800	275	22	3,890	2	186	353	900	20,628	15,987
027	48090	Morris township	22,306	21,697	19,022	1,261	23	1,141	6	444	409	1,683	20,623	17,270
027	48210	Morris Plains borough	5,532	5,438	4,948	151	5	275	0	59	94	314	5,218	4,158
027	48300	Morristown town	18,411	17,738	11,507	2,572	117	799	11	2,732	673	6,277	12,134	15,178
027	48480	Mountain Lakes borough	4,160	4,076	3,726	15	3	318	0	14	84	106	4,054	2,709
027	48690	Mount Arlington borough	5,050	4,947	4,567	117	9	181	2	71	103	415	4,635	4,145
027	49080	Mount Olive township	28,117	27,480	22,679	1,614	55	2,315	12	805	637	3,237	24,880	20,727
027	50130	Netcong borough	3,232	3,166	2,722	126	11	90	0	217	66	572	2,660	2,626
027	56460	Parsippany-Troy Hills township	53,238	51,747	33,204	1,874	92	15,487	8	1,082	1,491	4,430	48,808	42,160
027	58110	Pequannock township	15,540	15,410	14,881	75	14	302	0	138	130	703	14,837	12,200

157X

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
027	61890	Randolph township	25,734	25,211	21,215	690	28	2,691	3	584	523	2,616	23,118	18,527
027	63300	Riverdale borough	3,559	3,491	3,198	43	2	189	0	59	68	256	3,303	2,890
027	64050	Rockaway borough	6,438	6,304	5,330	207	9	493	4	261	134	970	5,468	5,016
027	64080	Rockaway township	24,156	23,678	20,878	616	28	1,611	4	541	478	2,705	21,451	18,417
027	64980	Roxbury township	23,324	22,861	20,573	546	22	1,346	12	362	463	2,083	21,241	17,579
027	75890	Victory Gardens borough	1,520	1,448	889	247	10	37	0	265	72	957	563	1,118
027	77240	Washington township	18,533	18,256	17,247	257	11	612	2	127	277	847	17,686	13,218
027	80390	Wharton borough	6,522	6,258	4,947	298	12	370	4	627	264	2,630	3,892	4,962

158x

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
029		Ocean County	576,567	568,082	524,577	18,164	966	10,081	129	14,165	8,485	47,783	528,784	441,648
029	03050	Barnegat township	20,936	20,554	19,214	681	30	363	1	265	382	1,420	19,516	16,552
029	03130	Barnegat Light borough	574	573	561	6	0	0	0	6	1	11	563	532
029	03520	Bay Head borough	968	966	954	5	0	7	0	0	2	10	958	818
029	03940	Beach Haven borough	1,170	1,166	1,084	4	0	9	0	69	4	116	1,054	1,009
029	04180	Beachwood borough	11,045	10,893	10,251	198	8	166	1	269	152	898	10,147	8,233
029	05305	Berkeley township	41,255	40,834	39,129	723	46	466	5	465	421	2,028	39,227	36,353
029	07420	Brick township	75,072	74,012	69,856	1,502	104	1,173	27	1,350	1,060	5,301	69,771	59,525
029	18670	Eagleswood township	1,603	1,587	1,546	14	1	10	0	16	16	54	1,549	1,255
029	30390	Harvey Cedars borough	337	337	334	2	0	1	0	0	0	3	334	298
029	34530	Island Heights borough	1,673	1,638	1,603	4	2	23	0	6	35	40	1,633	1,364
029	34680	Jackson township	54,856	53,816	48,765	2,664	57	1,616	18	696	1,040	4,295	50,561	41,325
029	37380	Lacey township	27,644	27,330	26,581	167	38	222	6	316	314	1,310	26,334	21,267
029	37770	Lakehurst borough	2,654	2,513	2,050	287	17	56	6	97	141	347	2,307	1,901
029	38550	Lakewood township	92,843	91,454	78,290	5,898	276	777	14	6,199	1,389	16,062	76,781	54,001
029	39390	Lavallette borough	1,875	1,866	1,835	2	0	10	0	19	9	56	1,819	1,669
029	40560	Little Egg Harbor township	20,065	19,757	18,899	271	33	249	2	303	308	1,047	19,018	15,975
029	41250	Long Beach township	3,051	3,031	2,959	8	1	15	0	48	20	126	2,925	2,748
029	43140	Manchester township	43,070	42,572	39,623	1,654	38	768	10	479	498	2,062	41,008	38,627
029	43380	Mantoloking borough	296	295	281	5	1	1	0	7	1	7	289	284
029	54300	Ocean township	8,332	8,250	8,061	49	11	90	1	38	82	230	8,102	6,988
029	54450	Ocean Gate borough	2,011	1,988	1,914	27	1	4	0	42	23	128	1,883	1,565
029	58590	Pine Beach borough	2,127	2,108	2,052	8	3	30	0	15	19	79	2,048	1,650
029	59790	Plumsted township	8,421	8,290	7,932	152	27	73	2	104	131	498	7,923	6,214
029	59880	Point Pleasant borough	18,392	18,209	17,666	75	24	133	6	305	183	935	17,457	14,329
029	59910	Point Pleasant Beach borough	4,665	4,605	4,308	39	7	39	1	211	60	421	4,244	3,782
029	66450	Seaside Heights borough	2,887	2,786	2,331	193	17	44	0	201	101	516	2,371	2,316
029	66480	Seaside Park borough	1,579	1,567	1,532	15	0	6	0	14	12	54	1,525	1,390
029	67110	Ship Bottom borough	1,156	1,142	1,074	15	2	5	0	46	14	106	1,050	1,017
029	69510	South Toms River borough	3,684	3,509	2,490	712	21	23	0	263	175	718	2,966	2,650
029	70320	Stafford township	26,535	26,244	25,077	278	42	394	8	445	291	1,410	25,125	20,491
029	71640	Surf City borough	1,205	1,195	1,151	16	0	7	4	17	10	61	1,144	1,092

159x

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
029	73125	Toms River township	91,239	89,724	82,035	2,465	156	3,266	17	1,785	1,515	7,231	84,008	71,788
029	74210	Tuckerton borough	3,347	3,271	3,139	25	3	35	0	69	76	203	3,144	2,638

160x

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
031		Passaic County	501,226	482,627	314,001	64,295	3,348	25,092	156	75,735	18,599	185,677	315,549	376,613
031	06340	Bloomingdale borough	7,656	7,565	7,041	87	17	188	0	232	91	714	6,942	6,038
031	13690	Clifton city	84,136	81,118	58,588	4,137	419	7,488	22	10,464	3,018	26,854	57,282	65,630
031	29070	Haledon borough	8,318	7,972	5,189	979	44	528	8	1,224	346	3,460	4,858	6,128
031	30570	Hawthorne borough	18,791	18,452	16,652	426	40	530	0	804	339	2,897	15,894	14,769
031	40620	Little Falls township	14,432	14,128	12,510	593	22	658	1	344	304	1,428	13,004	12,449
031	53040	North Haledon borough	8,417	8,279	7,704	148	2	318	0	107	138	628	7,789	6,702
031	56550	Passaic city	69,781	65,961	31,440	7,425	745	3,040	27	23,284	3,820	49,557	20,224	47,805
031	57000	Paterson city	146,199	138,504	50,706	46,314	1,547	4,878	60	34,999	7,695	84,254	61,945	105,375
031	60090	Pompton Lakes borough	11,097	10,901	9,758	157	12	598	2	374	196	1,209	9,888	8,639
031	61170	Prospect Park borough	5,865	5,510	2,995	1,165	88	188	6	1,068	355	3,055	2,810	4,197
031	63150	Ringwood borough	12,228	11,998	11,321	166	152	213	2	144	230	707	11,521	9,203
031	73140	Totowa borough	10,804	10,586	9,231	248	11	640	0	456	218	1,550	9,254	8,631
031	76730	Wanaque borough	11,116	10,878	9,724	341	45	517	1	250	238	1,075	10,041	8,822
031	77840	Wayne township	54,717	53,869	47,097	1,247	51	4,478	11	985	848	4,335	50,382	42,683
031	79460	West Milford township	25,850	25,422	24,315	362	134	334	4	273	428	1,512	24,338	20,052
031	82423	Woodland Park borough	11,819	11,484	9,730	500	19	496	12	727	335	2,442	9,377	9,490

16dx

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
033		Salem County	66,083	64,618	52,757	9,309	240	557	10	1,745	1,465	4,507	61,576	50,573
033	00880	Alloway township	3,467	3,415	3,172	176	15	31	0	21	52	68	3,399	2,557
033	10610	Carneys Point township	8,049	7,861	5,963	1,361	17	65	0	455	188	900	7,149	6,432
033	21240	Elmer borough	1,395	1,379	1,312	30	8	11	0	18	16	44	1,351	1,077
033	21330	Elsinboro township	1,036	1,017	964	36	1	4	1	11	19	23	1,013	850
033	41640	Lower Alloways Creek township	1,770	1,750	1,716	24	5	3	0	2	20	27	1,743	1,384
033	43200	Mannington township	1,806	1,783	1,311	381	12	8	0	71	23	148	1,658	1,475
033	54810	Oldmans township	1,773	1,749	1,551	137	4	16	0	41	24	124	1,649	1,363
033	57750	Penns Grove borough	5,147	4,897	2,153	2,047	34	25	0	638	250	1,455	3,692	3,486
033	57870	Pennsville township	13,409	13,249	12,696	206	31	190	2	124	160	411	12,998	10,471
033	58530	Pilesgrove township	4,016	3,961	3,647	238	5	37	5	29	55	104	3,912	3,198
033	59130	Pittsgrove township	9,393	9,196	8,282	655	39	88	1	131	197	451	8,942	7,205
033	61470	Quinton township	2,666	2,576	2,175	344	15	10	0	32	90	107	2,559	2,037
033	65490	Salem city	5,146	4,939	1,606	3,197	21	20	0	95	207	344	4,802	3,694
033	75110	Upper Pittsgrove township	3,505	3,457	3,326	76	15	8	0	32	48	106	3,399	2,721
033	82720	Woodstown borough	3,505	3,389	2,883	401	18	41	1	45	116	195	3,310	2,623

162X

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
035		Somerset County	323,444	315,211	226,608	28,943	556	45,650	94	13,360	8,233	42,091	281,353	242,609
035	04450	Bedminster township	8,165	8,019	7,055	168	2	709	1	84	146	519	7,646	6,721
035	05560	Bernards township	26,652	26,166	21,809	504	20	3,679	7	147	486	1,054	25,598	18,970
035	05590	Bernardsville borough	7,707	7,547	7,043	68	11	252	5	168	160	903	6,804	5,499
035	06790	Bound Brook borough	10,402	9,996	7,253	597	56	267	5	1,818	406	5,062	5,340	8,049
035	07180	Branchburg township	14,459	14,204	12,550	326	22	1,215	5	86	255	643	13,816	10,692
035	07720	Bridgewater township	44,464	43,677	33,996	1,059	46	7,927	2	647	787	3,004	41,460	33,110
035	22890	Far Hills borough	919	904	876	6	0	17	0	5	15	88	831	698
035	24900	Franklin township	62,300	60,251	27,687	16,539	183	12,450	9	3,183	2,049	8,050	54,250	48,508
035	27510	Green Brook township	7,203	7,083	5,297	243	3	1,456	3	81	120	494	6,709	5,301
035	31890	Hillsborough township	38,303	37,504	30,109	1,757	46	4,743	15	834	799	2,893	35,410	28,203
035	43620	Manville borough	10,344	10,101	8,932	281	10	206	0	672	243	1,963	8,381	8,251
035	46590	Millstone borough	418	416	400	5	0	7	0	4	2	15	403	319
035	47580	Montgomery township	22,254	21,709	15,057	633	19	5,700	2	298	545	1,017	21,237	15,399
035	53280	North Plainfield borough	21,936	21,060	12,066	4,134	63	1,275	12	3,510	876	9,699	12,237	16,570
035	57300	Peapack and Gladstone borough	2,582	2,530	2,326	105	3	50	1	45	52	281	2,301	1,899
035	61980	Raritan borough	6,881	6,712	5,257	144	11	983	1	316	169	1,128	5,753	5,290
035	64320	Rocky Hill borough	682	661	625	10	0	16	0	10	21	33	649	524
035	68460	Somerville borough	12,098	11,603	7,941	1,470	41	1,375	9	767	495	2,873	9,225	9,516
035	68730	South Bound Brook borough	4,563	4,355	3,066	461	6	280	2	540	208	1,245	3,318	3,586
035	76940	Warren township	15,311	15,052	12,392	233	7	2,307	15	98	259	820	14,491	11,051
035	77600	Watchung borough	5,801	5,661	4,671	200	7	736	0	47	140	307	5,494	4,453

163x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
					One Race									
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
037		Sussex County	149,265	146,876	139,504	2,677	234	2,642	36	1,783	2,389	9,617	139,648	113,492
037	01330	Andover borough	606	594	556	7	2	13	0	16	12	46	560	478
037	01360	Andover township	6,319	6,225	5,791	213	11	164	0	46	94	325	5,994	4,924
037	07300	Branchville borough	841	830	811	3	3	9	0	4	11	33	808	649
037	09160	Byram township	8,350	8,243	7,878	123	10	179	1	52	107	417	7,933	6,202
037	24810	Frankford township	5,565	5,489	5,359	55	8	49	0	18	76	176	5,389	4,398
037	24930	Franklin borough	5,045	4,924	4,649	110	15	88	0	62	121	395	4,650	3,926
037	25140	Fredon township	3,437	3,402	3,301	18	4	58	0	21	35	127	3,310	2,554
037	27420	Green township	3,601	3,549	3,413	45	1	62	0	28	52	173	3,428	2,580
037	29220	Hamburg borough	3,277	3,191	2,991	66	8	67	0	59	86	225	3,052	2,540
037	29490	Hampton township	5,196	5,144	5,011	43	4	62	1	23	52	200	4,996	4,103
037	29850	Hardyston township	8,213	8,102	7,527	214	14	247	1	99	111	457	7,756	6,463
037	32910	Hopatcong borough	15,147	14,861	13,794	441	16	341	3	266	286	1,714	13,433	11,758
037	37440	Lafayette township	2,538	2,497	2,422	40	0	19	0	16	41	129	2,409	1,945
037	47430	Montague township	3,847	3,757	3,552	101	9	39	0	56	90	246	3,601	2,971
037	51930	Newton town	7,997	7,819	6,801	390	39	238	4	347	178	987	7,010	6,301
037	54660	Ogdensburg borough	2,410	2,376	2,295	8	1	44	4	24	34	151	2,259	1,820
037	65700	Sandyston township	1,998	1,974	1,947	8	2	11	0	6	24	68	1,930	1,549
037	69690	Sparta township	19,722	19,423	18,569	198	22	491	4	139	299	1,054	18,668	14,030
037	70380	Stanhope borough	3,610	3,537	3,298	57	3	84	0	95	73	307	3,303	2,790
037	70890	Stillwater township	4,099	4,046	3,979	27	2	29	1	8	53	90	4,009	3,201
037	71670	Sussex borough	2,130	2,074	1,939	41	7	49	9	29	56	169	1,961	1,645
037	75740	Vernon township	23,943	23,619	22,790	332	40	186	8	263	324	1,534	22,409	18,128
037	76640	Walpack township	16	15	15	0	0	0	0	0	1	0	16	14
037	76790	Wantage township	11,358	11,185	10,816	137	13	113	0	106	173	594	10,764	8,523

Table 5. Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

				Race										
				One Race										
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
039		Union County	536,499	519,943	329,052	118,313	2,080	24,839	163	45,496	16,556	146,704	389,795	405,241
039	05320	Berkeley Heights township	13,183	12,964	11,290	197	3	1,375	0	99	219	675	12,508	9,632
039	13150	Clark township	14,756	14,626	13,766	124	15	547	5	169	130	1,107	13,649	11,633
039	15640	Cranford township	22,625	22,272	20,781	592	18	643	4	234	353	1,474	21,151	17,154
039	21000	Elizabeth city	124,969	119,228	68,292	26,343	1,036	2,604	52	20,901	5,741	74,353	50,616	92,923
039	22860	Fanwood borough	7,318	7,163	6,200	388	10	494	0	71	155	458	6,860	5,290
039	25800	Garwood borough	4,226	4,148	3,940	45	1	86	0	76	78	373	3,853	3,412
039	31980	Hillside township	21,404	20,793	7,438	11,384	47	585	7	1,332	611	3,774	17,630	16,327
039	36690	Kenilworth borough	7,914	7,779	6,970	230	11	304	2	262	135	1,228	6,686	6,187
039	40350	Linden city	40,499	39,136	23,957	10,888	118	1,099	8	3,066	1,363	10,095	30,404	31,665
039	48510	Mountainside borough	6,685	6,594	6,104	132	0	330	0	28	91	407	6,278	5,131
039	51810	New Providence borough	12,171	11,975	10,465	155	12	1,190	5	148	196	783	11,388	8,849
039	59190	Plainfield city	49,808	47,709	11,724	25,006	455	474	26	10,024	2,099	20,105	29,703	36,947
039	61530	Rahway city	27,346	26,310	14,301	8,457	84	1,175	5	2,288	1,036	6,433	20,913	21,383
039	64620	Roselle borough	21,085	20,421	6,240	11,610	65	471	5	2,030	664	5,644	15,441	16,132
039	64650	Roselle Park borough	13,297	12,961	9,802	783	20	1,354	2	1,000	336	3,809	9,488	10,320
039	66060	Scotch Plains township	23,510	22,965	18,203	2,605	29	1,799	2	327	545	1,582	21,928	17,420
039	70020	Springfield township	15,817	15,538	13,042	989	10	1,218	2	277	279	1,502	14,315	12,486
039	71430	Summit city	21,457	20,907	17,926	970	30	1,368	3	610	550	2,851	18,606	15,224
039	74480	Union township	56,642	55,285	30,464	16,417	80	6,003	24	2,297	1,357	8,465	48,177	44,693
039	79040	Westfield town	30,316	29,718	26,729	984	36	1,718	10	241	598	1,492	28,824	21,217
039	81650	Winfield township	1,471	1,451	1,418	14	0	2	1	16	20	94	1,377	1,216

165x

Table 5. **Population by Race and Hispanic or Latino Origin, for New Jersey Municipalities: 2010**

This table provides, for selected geographic areas, a state summary of data included in the 2010 Redistricting Data Summary File.

(For information on confidentiality protection, nonsampling error, and definitions, see http://www.census.gov/prod/cen2010/pl94-171.pdf)

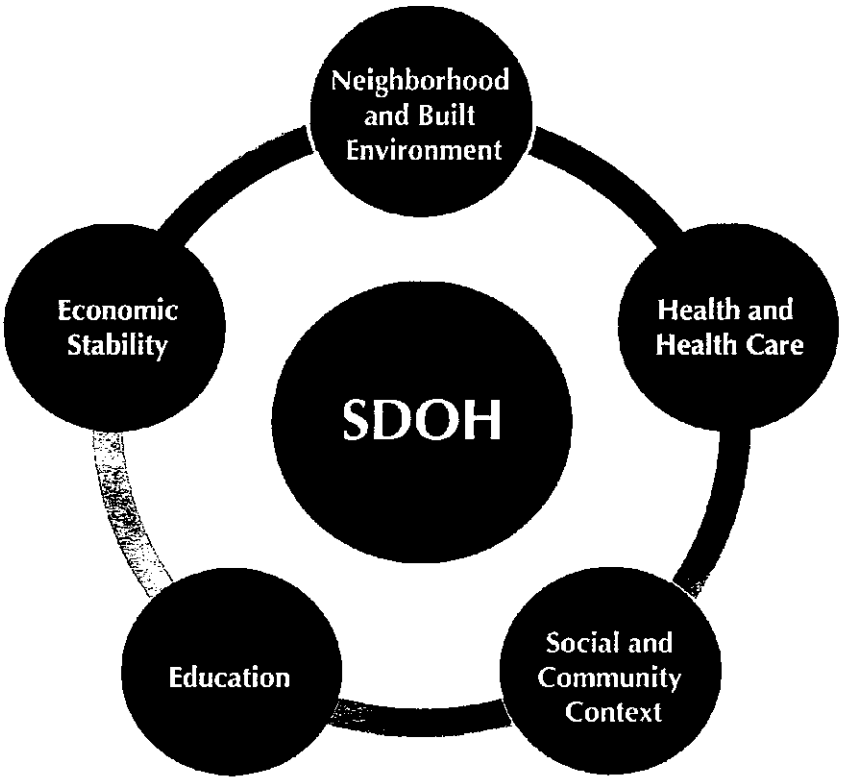
				Race										
					One Race									
County FIPS	County Name	Geographic area	Total population	Total	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino (of any race)	Not Hispanic or Latino (of any race)	18+
041		Warren County	108,692	106,777	98,137	3,818	155	2,673	30	1,964	1,915	7,659	101,033	83,084
041	00670	Allamuchy township	4,323	4,259	4,040	77	6	118	1	17	64	194	4,129	3,525
041	01030	Alpha borough	2,369	2,327	2,206	57	0	36	0	28	42	125	2,244	1,831
041	04990	Belvidere town	2,681	2,646	2,574	42	3	21	0	6	35	97	2,584	2,002
041	06160	Blairstown township	5,967	5,899	5,730	67	7	68	0	27	68	226	5,741	4,541
041	24960	Franklin township	3,176	3,130	2,999	47	4	74	0	6	46	122	3,054	2,385
041	25320	Frelinghuysen township	2,230	2,207	2,168	14	0	12	0	13	23	57	2,173	1,748
041	28260	Greenwich township	5,712	5,609	4,822	363	7	352	3	62	103	364	5,348	3,826
041	28710	Hackettstown town	9,724	9,528	8,273	239	23	483	5	505	196	1,474	8,250	7,747
041	29820	Hardwick township	1,696	1,684	1,645	16	0	11	0	12	12	67	1,629	1,275
041	30090	Harmony township	2,667	2,653	2,621	18	7	5	0	2	14	35	2,632	2,108
041	33060	Hope township	1,952	1,940	1,878	23	0	31	0	8	12	80	1,872	1,511
041	33930	Independence township	5,662	5,585	5,290	69	5	126	4	91	77	307	5,355	4,338
041	37320	Knowlton township	3,055	3,023	2,935	28	9	28	0	23	32	111	2,944	2,342
041	40110	Liberty township	2,942	2,907	2,814	30	6	44	0	13	35	122	2,820	2,228
041	41490	Lopatcong township	8,014	7,885	6,990	483	11	335	1	65	129	480	7,534	6,162
041	43320	Mansfield township	7,725	7,578	6,700	378	14	248	2	236	147	845	6,880	5,959
041	55530	Oxford township	2,514	2,484	2,388	41	0	38	0	17	30	95	2,419	1,910
041	58350	Phillipsburg town	14,950	14,443	12,475	1,120	26	228	8	586	507	1,767	13,183	11,096
041	59820	Pohatcong township	3,339	3,287	3,160	53	1	30	0	23	52	116	3,223	2,584
041	77270	Washington borough	6,461	6,302	5,539	388	6	221	5	143	159	549	5,912	4,914
041	77300	Washington township	6,651	6,568	6,216	166	16	127	0	43	83	292	6,359	4,999
041	80570	White township	4,882	4,833	4,654	99	4	37	1	38	49	134	4,748	4,053

- Represents zero.
[1] Incorporated places and census designated places are included.

Source: U.S. Census Bureau, 2010 Census Redistricting Data (Public Law 94-171) Summary File, Table P1, P2, P3.
Prepared by: New Jersey Department of Labor and Workforce Development; New Jersey State Data Center; February, 2011

166X

APPENDIX D



Economic Stability	Poverty Employment Food Security Housing Stability
Education	High School Graduation Enrollment in Higher Education Language and Literacy Early Childhood Education and Development
Social and Community Context	Social Cohesion Civic Participation Perceptions of Discrimination and Equity Incarceration/Institutionalization
Health and Health Care	Access to Health Care Access to Primary Care Health Literacy Access to Healthy Foods
Neighborhood and Built Environment	Quality of Housing Crime and Violence

Source: Social Determinants of Health (SDOH)
https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health

167x

ENDNOTES

[1] For the seminal work on this topic, see Alexander, The New Jim Crow, The New Press, 2010

[2] Miner, Where the idea of "Levittown" came from, Bucks County Courier Times, 6/24/12.

[3] Rothstein, The Color of Law: A Forgotten History of How Our Government Segregated America, Liveright Publishing Corporation, 2017

[4] Ibid.

[5] Ibid; see also, Jacobs, Detached America: Building Houses in Postwar Suburbia, University of Virginia Press, 2016

[6] Rothstein, The Color of Law, supra

[7] Ibid.

[8] Margery Austin Turner et al., Urban Institute, Discrimination in Metropolitan Housing Markets: National Results from Phase I HDS 2000, at 6-16, 2002

[9] Rothstein, The Color of Law, supra; see also Rothstein, From Ferguson to Baltimore: the Fruits of Government-Sponsored Segregation, Working Economics Blog, 4/29/15

[10] Rothstein, The Making of Ferguson: Public Policies at the Root of its Troubles, Economic Policy Institute, 10/15/14

[11] Jacobs, Detached America: Building Houses in Postwar Suburbia, University of Virginia Press, 2016

[12] Arnold R. Hirsch, Making the Second Ghetto: Race and Housing in Chicago, 1940-1960, 1983

[13] Semuels, The Pervasive Fear of Affordable Housing in New Jersey, The Atlantic, 12/22/2015

[14] Paul A. Jargowsky, Architecture of Segregation: Civil Unrest, the Concentration of Poverty, and Public Policy, August 2015

[15] Rothstein, The Color of Law, supra

[16] Ibid.

[17] See Levitt & Sons, Inc. v. Div. Against Discrimination, et al, 31 N.J. 514. 1960

[18] University of Michigan, Populations Study Center, 2010 http://www.psc.isr.umich.edu/dis/census/segregation.html

[19] Together North Jersey Fair Housing Equity Assessment data

[20] Lichter, Parisi, and Taquino, Spatial Segregation, Poverty and Inequality Report, Stanford Center on Poverty and Inequality, 2015

[21] New Jersey 2015-2019 Consolidated Plan

[22] What the "New" Housing Advocates Miss, Rooflines, The National Housing Institute, 10/9/2015

[23] Paul A. Jargowsky, Architecture of Segregation: Civil Unrest, the Concentration of Poverty, and Public Policy, August 2015

[24] NJ CDBG-DR Action Plan (revised)

[25] Dreier, Segregation 101, Rooflines, The National Housing Institute, 8/31/2015

[26] Regarding the difficulties experienced even by affluent Blacks seeking access to housing in predominantly white areas, see Eligon and Gebeloff, Affluent and Black and Still Trapped by Segregation, N.Y. Times, 8/20/16

[27] Alexander, The New Jim Crow, The New Press, 2010

[28] State of New Jersey, 2015-2019 Analysis of Impediments to Fair Housing Choice

[29] Poverty Benchmarks 2015, Poverty Research Institute, Legal Services of New Jersey

[30] See the interactive map featured in "This map shows the racial makeup of every block in N.J.," NJ.com, Oct. 15, 2015, accessible at: http://www.nj.com/news/index.ssf/2015/10/this_map_shows_a_racial_breakdown_of_every_person.html#Map.)

168X

[31] Trapped and Destined for Deprivation: The Intensifying Grip of Concentrated Poverty and Segregation in New Jersey, LSNJ Poverty Research Institute, 2017; Arnold R. Hirsch, Making the Second Ghetto: Race and Housing in Chicago, 1940-1960, 1983

[32] For an exhaustive and compelling series of articles describing the terrible conditions experienced by many low-income, minority tenants in NJ, see Guion and Mullen, Renter Hell, a series of articles in the Asbury Park Press, commencing 1/8/17 (8 articles and an editorial)

[33] Idem.

[34] State of the Nation's Housing 2015, Harvard Joint Center on Housing Studies (especially "Hardships" section and wealth/cost burden data by race, and in some cases by state, appearing in Appendices available only online)

[35] The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment (http://www.nber.org/papers/w21156). See also Chetty & Hendren (http://www.equality-of-opportunity.org/images/nbhds_exec_summary.pdf, 2015) and Fair Housing and Equity in Northern New Jersey Region, Together North Jersey. A clear explanation of this research can be found in a May 4, 2015 NYT article (http://www.nytimes.com/2015/05/05/upshot/why-the-new-research-on-mobility-matters-an-economists-view.html?_r=0&abt=0002&abg=1) [TF]

[36] Leveraging the Health-Housing Nexus, Evidence Matters, HUD, Winter, 2016

[37] Chetty, Hendren and Katz, The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment, Harvard University and NBER, 8/15, and sources cited in footnote 1

[38] Leveraging the Health-Housing Nexus, Evidence Matters, HUD, Winter, 2016

[39] Edsall, Whose Neighborhood Is It?, NY Times, 9/9/15

[40] Ellison, Racism in the Air You Breathe: When Where You Live Determines How Fast You Die, The Root, 1/24/16

[41] Semuels, The Resurrection of America's Slums, The Atlantic, 8/9/2015

[42] Paul A. Jargowsky, Architecture of Segregation: Civil Unrest, the Concentration of Poverty, and Public Policy, August 2015

[43] Edsall, Whose Neighborhood Is It?, NY Times, 9/9/15

[44] Semuels, Where the White People Live, The Atlantic, 4/10/2015

[45] Semuels, The Resurrection of America's Slums, The Atlantic, 8/9/2015

[46] Federal Register, Vol. 81, p. 80567, Establishing a More Effective Fair Market Rent System; Federal Register, Vol. 81, p. 80678,... Areas Subject to Small Area Fair Market Rents

[47] Semuels, Where the White People Live, The Atlantic, 4/10/2015

[48] A similar point is made in A Status Quo of Segregation: Racial and Economic Imbalance in New Jersey Schools, 1989-2010, one of two recent studies — New Jersey's Apartheid and Intensely Segregated Urban Schools: Powerful Evidence of an Inefficient and Unconstitutional State Education System is the other — that sharply delineate the separate and unequal status of so much of our state. As the authors of the former report note: "One further point needs to be made here — the Civil Rights Project has not labeled schools with 90 percent or more white students as 'intensely segregated,' although it might. It does note, though, the harm experienced by student isolated in such schools.

[49] Semuels, The Resurrection of America's Slums, The Atlantic, 8/9/2015.

[50] Pushed Out: Housing Displacement in an Unaffordable Region, Regional Plan Association, March 2017; Moskowitz, How to Kill a City: Gentrification, Inequality and the Fight for the Neighborhood, Public Affairs, 2017; Arel, How Gentrification is Killing US Cities and Black Lives, Truthout, 4/19/17; Hamilton, The Gentrification-to-Prison Pipeline, Truthout, 4/30/17.

[51] Idem

[52] Don't let N.J.'s wealthy suburbs block out black and Latino families, Star-Ledger, 2/26/16

[53] The End of Federally Financed Ghettos, NY Times, 7/11/2015

[54] Ending the Cycle of Racial Isolation, New York Times, 10/17/2015

[55] Occupational Wage Declines Since the Great Recession: Low-Wage Occupations See Largest Real Wage Declines,

169x

National Employment Law Project, 2015

[56] The Urban Housing Crunch Costs the U.S. Economy About $1.6 Trillion a Year, City Lab (from The Atlantic), 5/18/15

[57] What the "New" Housing Advocates Miss, Rooflines, The National Housing Institute, 10/9/2015

[58] Ellison, Racism in the Air You Breathe: When Where You Live Determines How Fast You Die, The Root, 1/24/16

[59] Is your neighborhood toxic? It's more likely if you're poor or a minority, NJ SPOTLIGHT, 12/11/15

[60] Ibid.

[61] Ibid.

[62] Presentation by NJDEP, 2011, http://njeja.org/?page_id=34

[63] Environmental Justice: What the Candidates Missed in Flint — and the Rest of the Country, Truthout, 1/26/16

[64] Ibid.

[65] Buhl, The Color of Pollution: How Environmental Contamination Targets People of Color, DeSmog Blog, 8/13/16

[66] Pulido, Laura. Rethinking environmental racism: White privilege and urban development in Southern California, Annals of the Association of American Geographers 90.1 (2000): 12-40

[67] Order, Executive, Federal actions to address environmental justice in minority populations and low-income populations: executive order 12898. Federal Register 59.32 (1994): 7629-7633

[68] Bullard, Robert D., and Glenn S. Johnson. Environmentalism and public policy: Environmental justice: Grassroots activism and its impact on public policy decision making. Journal of Social Issues 56.3 (2000): 555-578

[69] Black or African-American population in New Jersey 2014-2015, US Census Bureau

[70] The Gap: The Affordable Housing Gap Analysis 2016, National Low-Income Housing Coalition, 2016.

[71] State of the Nation's Housing 2016, Harvard Joint Center on Housing Studies; see also Flowers, Andrew, Why So Many Poor Americans Don't Get Help Paying for Housing, FiveThirtyEight, Sept. 2016

[72] New Jersey Fact Sheet: Federal Rental Assistance, Center on Budget and Policy Priorities, 3/30/17

[73] Local Macroeconomic Trends and Hospital Admissions for Child Abuse, 2000, Pediatrics, 7/16/2012

[74] Housing as a Pathway to Better Health and More Opportunity, Huffington Post, 4/11/12, updated 6/11/12

[75] The State of the Nation's Housing 2016, Harvard Joint Center for Housing Studies; Better Federal Policy Needed to Address Rental Affordability Crisis, Center on Budget and Policy Priorities "Off the Charts" blog, 7/2/14

[76] Behind Closed Doors: the hidden health impacts of being behind on rent, Children's HealthWatch, 1/2011

[77] The Negative Effects of Instability on Child Development: A Research Synthesis, Urban Institute, September 2013

[78] Desmond, Evicted: Poverty and Profit in the American City, 2016

[79] See annual New Jersey Judiciary Case Management Reports, available on the New Jersey Courts website

[80] Desmond, Evictions: A Hidden Scourge for Black Women, Washington Post, 6/16/14

[81] White, America's Insidious Eviction Problem, The Atlantic, 3/2/16

[82] Evictions are Down by 18 Percent; New York City Cites Increased Legal Services, New York Times, 2/29/16

[83] Desmond, Evictions: A Hidden Scourge for Black Women, Washington Post, 6/16/14.

[84] Leveling the Playing Field for Tenants Facing Eviction, Rooflines, National Housing Institute, 4/22/2016

[85] The Importance of Representation in Eviction Cases and Homelessness Prevention: A Report on the BBA Civil Right to Counsel Housing Pilots; Boston Bar Association Task Force on the Civil Right to Counsel; March 2012

[86] White opioid epidemic fuels black frustration, Asbury Park Press, 3/28/17

[87] Desmond, Evicted: Poverty and Profit in the American City, 2016

[88] Desmond et al, Evicting Children, Social Forces, September 2013

[89] The Foreclosure Crisis and the Resegregation of Urban America, Portside, 5/9/15

170x

[90] N.J. leads nation in foreclosures (again) in 2016, NJ Avance Media for NJ.com, 1/13/17

[91] Newman, Lending and Foreclosure in New Jersey, Bloustein School of Planning and Public Policy, Rutgers University, June 2014

[92] White opioid epidemic fuels black frustration, Asbury Park Press, 3/28/17

[93] Neighborhood Foreclosures, Racial/Ethnic Transitions and Residential Segregation, American Sociological Review, June 2015

[94] Wilson and Rodgers III, Black-white wage gaps expand with rising wages, Economic Policy Institute, Sept. 2016

[95] Jones, The racial wealth gap: How African-Americans have been shortchanged out of the materials to build wealth, Working Economics Blog, Economic Policy Institute, 2/13/17; see also Kellewald and Bryan, Does Your Home Make You Wealthy, Russell Sage Foundation Journal of the Social Sciences, Vol. 2, Issue 6, October, 2016

[96] State of the Nation's Housing 2015, Harvard Joint Center on Housing Studies (especially "Hardships" section and wealth/cost burden data by race, and in some cases by state, appearing in Appendices available only online)

[97] State of the Nation's Housing 2015, Harvard Joint Center on Housing Studies (especially "Hardships" section and wealth/cost burden data by race, and in some cases by state, appearing in Appendices available only online)

[98] Update on Homeownership Wealth Trajectories through the Housing Boom and Bust," Harvard Joint Center for Housing Studies, 2016

[99] Asante-Muhammad and Collins, The United States' Racial Wealth Divide is Nothing Short of Shocking, Other-Words Op-Ed, 8/17/16

[100] Rothstein, The Color of Law, supra.

[101] White, Not All Money Troubles Are Equal, Why Blacks and Hispanics Have It Much Worse, The Atlantic, 4/22/16

[102] Tenant Screening in an Era of Mass Incarceration: A Criminal Record is No Crystal Ball, NYU Journal of Legislation & Public Policy, March 2015

[103] When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing, Sargent Shriver National Center on Poverty Law, February 2015

[104] Race wage gap wider than 1979, study says, Asbury Park Press, 9/21/16

[105] Rice and Swesnik, Discriminatory Effects of Credit Scoring on Communities of Color, 46 Suffolk University Law Review 935 (2013)

[106] A Stacked Deck — How Credit Is Used to Screen Out Those Most in Need of Federally Subsidized Housing, Clearinghouse Review Journal of Poverty Law and Policy, September-October 2005

[107] Wilson and Rodgers III, Black-white wage gaps expand with rising wage inequality, Economic Policy Institute, September 2016

[108] Desmond, Evicted: Poverty and Profit in the American City, 2016

[109] Barker and Silver-Greenberg, On Tenant Blacklist, Errors and Renters with Little Recourse, NY Times, 8/17/16; Desmond, Evicted: Poverty and Profit in the American City, 2016; Guion and Mullen, Exercising rights can have consequences, Asbury Park Press, 1/9/17

[110] Barker and Silver-Greenberg, On Tenant Blacklist, Errors and Renters with Little Recourse, NY Times, 8/17/16; Guion and Mullen, Exercising rights can have consequences, Asbury Park Press, 1//9/17

[111] Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions, HUD, 4/4/16

[112] Unlocking Discrimination: A DC Area Testing Investigation About Racial Discrimination and Criminal Records Screening Policies in Housing, Equal Rights Center, 2016

[113] Rice and Swesnik, Discriminatory Effects of Credit Scoring on Communities of Color, 46 Suffolk University Law Review 935 (2013)

[114] Insurance-Based Credit Scores: Impact on Minority and Low-Income Populations in Missouri, State of Missouri Department of Insurance, 1/04

[115] Desmond, Evicted: Poverty and Profit in the American City, 2016

17H

[116] Desmond et al, Evicting Children, Social Forces, September 2013

[117] Unlocking Discrimination: A DC Area Testing Investigation About Racial Discrimination and Criminal Records Screening Policies in Housing, Equal Rights Center, 2016

[118] Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions, HUD, 4/4/16

[119] Rice and Swesnik, Discriminatory Effects of Credit Scoring on Communities of Color, 46 Suffolk University Law Review 935 (2013)

[120] Tenant Screening in an Era of Mass Incarceration: A Criminal Record is No Crystal Ball, NYU Journal of Legislation & Public Policy, March 2015

[121] When Discretion Means Denial: A National Perspective on Criminal Recods Barriers to Federally Subsidized Housing, Sargent Shriver National Center on Poverty Law, February 2015

[122] A Stacked Deck — How Credit Is Used to Screen Out Those Most in Need of Federally Subsidized Housing, Clearinghouse Review Journal of Poverty Law and Policy, September-October 2005.

[123] Desmond, Evicted: Poverty and Profit in the American City, 2016

[124] Understanding the Barriers to Ending Homelessness, In Just Times, National Law Center on Homelessness and Poverty, 2/16

[125] New Jersey 2015-2019 Consolidated Plan

[126] Press release, March 30, 2016: Governor Christie Announces New Statewide Housing First Initiative to Assist New Jersey's Most Vulnerable

[127] Legal Services of New Jersey, Poverty Research Institute

[128] Ibid.

[129] U.S Census Bureau, American Community Survey, 2015

[130] Ibid

[131] http://williamsinstitute.law.ucla.edu/headlines/beyond-stereotypes-poverty-in-the-lgbt-community/

[132] U.S Census Bureau, American Community Survey, 2015

[133] Bureau of Labor Statistics, 2003

[134] The Ever-Growing Gap. Institute for Policy Studies and CFED. August 2016

[135] The Dollar amounts are 2013 inflation adjusted dollars

[136] The Ever-Growing Gap. Institute for Policy Studies and CFED. August 2016

[137] Rakesh Kochhar and Richard Fry, Wealth inequality has widened along racial, ethnic lines since end of Great Recession, Pew Research Center, Dec. 12, 2014

[138] Rebecca Tippett, Avis Jones-DeWeever, Dr. Maya Rockeymoore, Darrick Hamilton, and William Darity, Beyond Broke: Why Closing the Racial Wealth Gap is a Priority for National Economic Security, Center for Global Policy Solutions. May 19, 2014

[139] New Jersey Department of Labor: http://lwd.dol.state.nj.us/labor/lpa/employ/ces/ces_index.html

[140] Legal Services of New Jersey, Poverty Research Institute

[141] Bureau of Labor Statistics, http://www.bls.gov/lau/stalt.htm. Discouraged workers are defined as workers who would take a job if they thought jobs were available as well as workers who are working part-time but would prefer full-time work.

[142] The employment-population ratio indicates the ratio of the employed population to the total working-age population.

[143] Janelle Jones, State unemployment rates by race and ethnicity at the end of 2016 show progress but not yet full recovery, Economic Policy Institute, February 8, 2017

[144] Elise Gould, The State of American Wages 2016, Economic Policy Institute, Report, March 9, 2017

[145] Ibid

172x

[146] Ibid

[147] U.S Census Bureau, American Community Survey, 2015

[148] African American Women and the Wage Gap, pg2. Of the 188,000 Black women, the median wage is $42,128 in New Jersey as compared to $72,160 for White men. This report shows that New Jersey is the 5th worst in the nation in this wage gap.

[149] Latinas and the Wage Gap, pg 1. Of the 215,000 Hispanic women, the median wage is $31,538 in New Jersey compared to $72,160 for White men. This report shows that New Jersey is the 2nd worst in the nation in this wage gap behind California.

[150] This statement is backed by the findings in the previous two footnotes showing the lagging of New Jersey in comparison to the nation in the wage gap.

[151] Insecure and Unequal: Poverty and Income Among Women and Families, 2013, National Women's Law Project, page 9. The term female-headed households for the purposes of this paper means a household that is led by a woman on her own, either being divorced, married without the husband present, or single. In total, 46 percent of Black female-headed households are living in poverty while 48 percent of Hispanic female-headed households are living in poverty.

[152] U.S Census Bureau, American Community Survey, 2015; 2015 inflation adjusted dollars

[153] Ibid

[154] ALICE Report: With only one wage earner, single-parent households are at an economic disadvantage. For women, this is compounded by the fact that in New Jersey, they still earn significantly less than men.

[155] Wage Theft, New Jersey Alliance for Immigrant Justice, www.njimigrantjustice.org

[156] The Definition of Implicit Bias by the White House Office of Science and Technology Policy is, "A lifetime of experience and cultural history shapes people and their judgments of others. Research demonstrates that most people hold unconscious, implicit assumptions that influence their judgments and perceptions of others. Implicit bias manifests in expectations or assumptions about physical or social characteristics dictated by stereotypes that are based on a person's race, gender, age, or ethnicity. People who intend to be fair, and believe they are egalitarian, apply biases unintentionally. Some behaviors that result from implicit bias manifest in actions and others are embodied in the absence of action; either can reduce the quality of the workforce and create an unfair and destructive environment." Jo Handelsman and Natasha Sakraney

[157] New Study Confirms Depressing Truth About Names and Racial Bias, Oct. 8, 2015. Huffington Post

[158] Target's Unfair Hiring Practices Costs them $2.8M in Employment, law.usattorneys.com August 24, 2015

[159] DOJ Settles Race Bias Suit Against NJ Over Police Exam By Martin Bricketto, Law 360 https://www.law360.com/articles/349481/doj-settles-race-bias-suit-against-nj-over-police-exam

[160] Harry Holzer, Informal Job Search and Black Youth Unemployment, American Economic Review, 77(3): 446-452, 1987

[161] Jacob Kline, Fifteen Percent or Less: A Title IV Analysis of Racial Discrimination in Restaurant Tipping, 1664 IOWA LAW REVIEW [Vol. 101:1651

[162] Brewster, Z. W., & Lynn, Black–white earnings gap among restaurant servers: A replication, extension, and exploration of consumer racial discrimination in tipping. Sociological Inquiry, 84(4), 545–569. doi:10.1111/soin.12056, 2014

[163] Jared Bernstein and John Schmitt, The Impact of Minimum Wage, Economic Policy Institute Briefing Paper June 2000

[164] Jon Whiten, Issue Brief: 2015 Minimum Wage Increase Will Boost Pay for About 5 Percent of New Jersey's Workers, New Jersey Policy Perspective, December 2014

[165] Out of Reach 2016: New Jersey, National Low-Income Housing Coalition, http://nlihc.org/oor/new-jersey

[166] Jon Whiten, Increasing the Minimum Wage to $10.10: A Win-Win for New Jersey Measure Would Provide Greater Economic Security to Three-Quarters of a Million New Jerseyans and Give the State's Economy a Modest Boost, New Jersey Policy Perspective by April 2014

[167] ALICE Report 2015 reports the average annual Household Survival Budget for a four-person family living in New

173

Jersey is $61,200, well above 2 adults working full time at minimum wage.

[168] Out of Reach 2016: New Jersey, National Low-Income Housing Coalition, http://nlihc.org/oor/new-jersey

[169] Browne and Kennelly, 1999; Burnham, 2002, 2005

[170] Allison Sinanan, The African American Female Experience as a TANF Recipient in New Jersey, published in International Journal of Humanities and Social Science Vol. 2 No. 24 Special Issue, December 2012

[171] Ibid.

[172] Paul Fain, Putting Community colleges to Work, Inside Higher Ed, April 17.2014

[173] Edelman, Peter B., and Harry J. Holzer, Connecting the Disconnected: Improving Education and Employment Outcomes Among Disadvantaged Youth, Madison: Institute for Research on Poverty, University of Wisconsin-Madison, 2013

[174] Julie Vogtman, & Karen S Chulman., Set up to Fail: When low-wage work jeopardizes parents' and children's success, National Women's Law Center, 2016

[175] Statistics that Hurt: Racial Discrimination Still Affects Minority Wages, Kellogg School of Management, Jan. 8, 2014

[176] Housing Affordability and Aging Friendly Communities, New Jersey Future, http://www.njfuture.org/wp-content/uploads/2015/12/New-Jersey-Future-Housing-Affordability-and-Aging-Friendly-Communities

[177] Department of Labor, Futurework Conference, https://www.dol.gov/oasam/programs/history/herman/reports/futurework/conference/workingpoor/workingpoor_toc.htm

[178] Mike Soszynski, Looking Back on Five Years of Family Leave Insurance in New Jersey — and Ahead Towards the Next Five, New Jersey Policy Perspective, by, July 1, 2014

[179] Urban Institute, Social Security Insurance tax rates

[180] EITC and Child Tax Credit Promote Work, Reduce Poverty, and Support Children's Development, Center on Budget and Policy Priorities, Oct. 1, 2015

[181] Jon Whiten, Working Family Tax Credits Are Good for New Jersey's Children and Economy, New Jersey Policy Perspective, April 2013

[182] In this market, most New Jersey renters continue to spend larger portions of their income on housing. The estimated mean wage for a New Jersey renter in 2013 was $16.26 per hour. At this wage, according to NLIHC, in order to afford the Fair Market Rate (FMR) for a two- bedroom apartment ($2,292 per month) without becoming housing burdened, a renter must work 61 hours per week, 52 weeks per year (National Low-Income Housing Coalition, 2014).

[183] Underbanked and Overcharged 2015, United for a Fair Economy, p11.

[184] Corporation for Enterprise Development, Asset & Opportunity analysis Issue Children's Savings Accounts, www.cfed.org

[185] Donald P. Morgan., How do bank branch closures affect low-income communities?, World Economic Forum

[186] Steven Fulop and Phyllis Salowe-Kaye, Report by United for a Fair Economy, Op Ed, Star Ledger April 16, 2015

[187] Biased Lending Evolves, and Blacks Face Trouble Getting Mortgages, New York Times, Oct. 30, 2015

[188] Ibid.

[189] Ibid.

[190] Underbanked and Overcharged, United for a Fair Economy p3, 2015

[191] Ibid.

[192] Keith Mestrich and Javier Valdes, New Municipal ID Opens New Doors to Financial Mainstream for Thousands, Huff Post, April 26, 2015

[193] Financial Education and Access, Corporation for Enterprise Development, Asset & Opportunity: Policy Issue, www.cfed.org

[194] Community Colleges provide an infrastructure that is well positioned around the state. Local businesses should partner with the colleges to offer certificate training programs in technical fields and other high demand indus-

174x

tries under an apprenticeship model. Upon completion of the program, graduates would have a good relationship established with a potential employer.

[195] Establish a State Ombudsman to oversee Unfair Labor Practices so that persons suspecting discrimination have access to information and a process for investigation.

[196] Jon Whiten, New Jersey's Upside-Down Tax System: The Lower Your Income, The More of It You Pay New Jersey Policy Perspective, January 14, 2015

[197] David A. Marcello, Community Benefit Agreements: New Vehicle for Investment in America's Neighborhoods

[198] The mission of a public bank would be to create a new financial institution in New Jersey that could hold those deposits without having to involve the commercial banks. The public bank would also eliminate the profit motive of a commercial institution, meaning taxpayer deposits could be leveraged through the writing of loans that encourage public-policy goals like building new schools or funding infrastructure repairs. And for local governments that rely heavily on revenue collected through property taxes, the public bank could become a new source of capital that could be tapped without having to pay the high fees and interest rates generally charged by big commercial banks.

[199] The Growth of Incarceration in the United States: Exploring Causes and Consequences, National Research Council, Washington, D.C., The National Academies Press, 2014

[200] Trends in Corrections, The Sentencing Project, December 2015, available at file:///C:/Users/astaropoli/Downloads/Trends-in-US-Corrections.pdf

[201] Ibid.

[202] History of the Drug War, Drug Policy Alliance, available at http://www.drugpolicy.org/facts/new-solutions-drug-policy/brief-history-drug-war-0

[203] Criminal Justice Facts, The Sentencing Project, available at http://www.sentencingproject.org/criminal-justice-facts/

[204] Ibid.

[205] Ibid.

[206] Ibid.

[207] Ibid.

[208] Ibid.

[209] Drug Policy Alliance, Top Adviser to Richard Nixon Admitted that 'War on Drugs' was Policy Tool to Go After Anti-War Protesters and 'Black People', Press Release, March 23, 2016; available at http://www.drugpolicy.org/news/2016/03/top-adviser-richard-nixon-admitted-war-drugs-was-policy-tool-go-after-anti-war-proteste

[210] Statutory Changes to Sentencing Under the NJ Code of Criminal Justice, 1979 to Present, The New Jersey Commission to Review Criminal Sentencing, September 2007; available at www.sentencing.nj.gov/downloads/pdf/Statutory_Changes_to_Sentencing.pdf

[211] Mandatory Minimum Reform: Out-of-Control Prison Spending, Drug Policy Alliance; available at www.drugpolicy.org/sites/default/files/documents/New_Solutions_Mandatory_Min_Out_of_Control_Prisons_0.pdf

[212] Ibid.

[213] Nazgol Ghandnoosh, Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System, The Sentencing Project, 2015; available at http://www.sentencingproject.org/publications/black-lives-matter-eliminating-racial-inequity-in-the-criminal-justice-system/

[214] Ashley Nellis, The Color of Justice: Racial and Ethnic Disparity in State Prisons, The Sentencing Project, 2016; available at www.sentencingproject.org/publications/color-of-racial-and-ethnic-disparity-in-state-prisons/

[215] Ibid.

[216] Ibid.

[217] Offender Characteristics Report, 2017, New Jersey Department of Corrections; available at www.njdoc.gov/pdf/offender_statistics/2017/Entire%20Offender%20Characteristics%202017.pdf

[218] Ibid. Mandatory minimums have far-reaching consequences. Such laws take away the discretion of judges, create

175x

racial disparities, and give prosecutors significant leverage in plea negotiations. Moreover, mandatory minimums have not been shown to reduce crime, and in fact long sentences increase the likelihood of re-arrest.

[219] Ibid. Of the 21 New Jersey counties, ten (Atlantic, Bergen, Camden, Essex, Hudson, Mercer, Middlesex, Monmouth, Passaic and Union) account for 77 percent of Total Department of Corrections inmates. Essex County is the highest contributor with 15 percent.

[220] Ibid.

[221] Mark Denbeaux, Kelley Kearns and Michael J. Ricciardelli, Racial Profiling Report: Bloomfield Police and Bloomfield Municipal Court, Seton Hall University, School of Law, April 2016; available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2760382

[222] Ibid.

[223] Selective Policing: Racially Disparate Enforcement of Low-Level Offenses in New Jersey, American Civil Liberties Union of New Jersey, December 2015; available at www.aclu-nj.org/files/7214/5070/6701/2015_12_21_aclunj_select_enf.pdf

[224] Ibid.

[225] Marijuana Arrests in New Jersey: A Snapshot of the "War on Drugs" in New Jersey, American Civil Liberties Union of New Jersey, 2014; available at www.aclu-nj.org/files/8813/8980/8519/2014_01_15_MarijuanaArrests_NJ.pdf

[226] Andrea McChristian, Bring Our Children Home: Ain't I A Child, New Jersey Institute for Social Justice, 2016; available at www.njisj.org/publications.

[227] Ibid.

[228] Ibid.

[229] Ibid.

[230] Ibid.

[231] Ibid.

[232] Kathy Wright, Norma Rodrigues, and Jose Andres Rosario, The Incarceration of Children & Youth in New Jersey's Adult Prison System, New Jersey Parents Caucus, May 2015; available at www.newjerseyparentscaucus.org/NJPC_PR-61215.html

[233] Ibid.

[234] Melissa S. Kearney, The Economic Challenges of Crime & Incarceration in the United States, The Brookings Institute, 2014; available at www.brookings.edu/opinions/the-economic-challenges-of-crime-incarceration-in-the-united-states/

[235] Meredith Kleykamp et al., Wasting Money, Wasting Lives: Calculating the Hidden Costs of Incarceration in New Jersey, Drug Policy Alliance, May 2008; available at www.drugpolicy.org/sites/default/files/WMWL_Final_2012.pdf

[236] Laura and John Arnold Foundation, Pretrial Criminal Justice Research Brief, November 2013; available at www.arnoldfoundation.org/wp-content/uploads/2014/02/LJAF-Pretrial-CJ-Research-brief_FNL.pdf

[237] The Growth of Incarceration in the United States: Exploring Causes and Consequences, National Research Council of the National Academies, 2014; available at www.nap.edu/read/18613/chapter/1; Reforming Juvenile Justice: A Developmental Approach, National Research Council of the National Academies, 2013; available at www.nap.edu/read/14685/chapter/1

[238] Ibid.

[239] Ella Baker Center for Human Rights, Who Pays: The True Cost of Incarceration on Families, September 2015, www.whopaysreport.org

[240] Ibid.

[241] Ibid.

[242] Kerwin Kofi Charles and Ming Ching Luoh, Male Incarceration, the Marriage Market, and Female Outcomes, The Review of Economics and Statistics, July 2010

176x

[243] Ibid.

[244] Supra, n. 15.

[245] Supra, n. 41.

[246] Ibid.

[247] Ibid.

[248] Ibid.

[249] Ibid.

[250] Ibid.

[251] Lipscombe and Morgan-Trostle, et. al. The State of Black Immigrants Part I: A Statistical Portrait of Black Immigrants in the United States, 2016. Print. Part I. Lipscombe and Morgan-Trostle, et. al. The State of Black Immigrants Part II: Black Immigrants in the Mass Criminalization System, 2016. Print. Part II

[252] Ibid.

[253] Ibid.

[254] Supra, n. 54.

[255] Ibid.

[256] Center for Constitutional Rights and Immigrant Defense Project. Defend Against ICE Raids and Community Arrests. 2017. Print

[257] Supra, n. 54.

[258] Bureau of Justice Statistics, Corrections Statistical Analysis Tool-Prisoners, U.S. Department of Justice; supra n. 28.

[259] Ibid.

[260] Ibid.

[261] Ibid.

[262] New Jersey's Civil Legal Assistance Gap. Legal Services of New Jersey, June 2012, 1. Web. <http://poverty.lsnj.org/sites/PovertyReports/Pages/NJ_Civil_LegalAssistance_Gap_2012.pdf>.

[263] Ibid., 4.

[264] Ibid., 9.

[265] Blomquist, Daren. U.S. Foreclosure Activity Decreases 7 Percent in April 2016. RealtyTrac, 20 May. 2016. Web. <http://www.realtytrac.com/news/foreclosure-trends/u-s-foreclosure-activity-decreases-7-percent-in-april-2016/>

[266] New Jersey Division of Consumer Affairs Issued Notices of Violation Against Four 'Notarios Publicos' for Illegally Offering Immigration Assistance Services, New Jersey Department of Law & Public Safety, Office of the Attorney General, 1 October 2015, <http://nj.gov/oag/newsreleases15/pr20151001b.html>.

[267] McCarthy, Tom and Redden, Molly, Legal services in unprecedented danger under Trump's budget proposal, The Guardian, 16 March 2017, <https://www.theguardian.com/us-news/2017/mar/16/legal-aid-services-cut-trump-budget-proposal>

[268] Klein, Linda. Report on the Survey of Judges on the Impact of the Economic Downturn on Representation in the Courts, American Bar Association Coalition for Justice, 12 July 2010, <http://www.americanbar.org/content/dam/aba/migrated/JusticeCenter/PublicDocuments/CoalitionforJusticeSurveyReport.authcheckdam.pdf>

[269] Zong, Jie and Batalova, Jeanne, Frequently Requested Statistics on Immigrants and Immigration in the United States, Migration Policy Institute. 14 Apr. 2016, <http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states>

[270] Passel, Jeffrey S., and D'Vera Cohn, Unauthorized Immigrant Totals Rise in 7 States, Fall in 14, Pew Research Centers Hispanic Trends Project RSS. Pew Research Center, 18 Nov. 2014, <http://www.pewhispanic.org/2014/11/18/unauthorized-immigrant-totals-rise-in-7-states-fall-in-14/>

177x

[271] Nava, Erika J., Share the Road: Allowing Eligible Undocumented Residents Access to Driver's Licenses Makes Sense for New Jersey, New Jersey Policy Perspective, 30 Sept. 2014, <http://www.njpp.org/reports/share-the-road-allowing-eligible-undocumented-residents-access-to-drivers-licenses-makes-sense-for-new-jersey>

[272] Ivers, Dan, Blacks Still More Likely to Be Targeted under Stop-and-Frisk, New Data Shows, NJ.com. NJ Advance Media, 11 July 2014, <http://www.nj.com/essex/index.ssf/2014/07/blacks_more_likely_to_be_targeted_under_stop-and-frisk_new_data_shows.html>

[273] ACLU of New Jersey Files Turnpike Racial Profiling Lawsuit, American Civil Liberties Union, American Civil Liberties Union, 10 June 2007, <https://www.aclu.org/news/aclu-new-jersey-files-turnpike-racial-profiling-lawsuit>

[274] Sullivan, S.P., 'Extreme' Racial Disparity in Local N.J. Arrests, ACLU Report Finds, NJ.com. NJ Advance Media, 21 Dec. 2015, <http://www.nj.com/news/index.ssf/2015/12/aclu_report_finds_extreme_racial_disparity_in_nj_a.html>

[275] The Crisis Inside Police Internal Affairs. American Civil Liberties Union of New Jersey, June 2009; <https://www.aclu-nj.org/files/3013/1540/4573/060409IA2.pdf>

[276] The Crisis Continues Inside Police Internal Affairs. American Civil Liberties Union of New Jersey, Feb. 2013; <https://www.aclu-nj.org/files/3413/6059/3876/ACLU_NJ_Internal_Affairs.pdf>

[277] Flynn, A., Holmberg, S., Warren, D., Wong, F., Rewrite the Racial Rules: Building an Inclusive American Economy, Roosevelt Institute, June 2016, 67; <http://rooseveltinstitute.org/wp-content/uploads/2016/06/Structural-Discrimination-Final.pdf>

[278] Lerman, A.E., Weaver, V.M., Arresting Citizenship: The Democratic Consequences of American Crime Control, Chicago Studies in American Politics, 2014

[279] Flynn, A., Holmberg, S., Warren, D., Wong, F., Rewrite the Racial Rules: Building an Inclusive American Economy, Roosevelt Institute, June 2016, 67; <http://rooseveltinstitute.org/wp-content/uploads/2016/06/Structural-Discrimination-Final.pdf>

[280] National Rankings – Compared to Other States, New Jersey Ranks. Rutgers School of Public Affairs and Administration, Newark, April 2014; <http://njdatabank.newark.rutgers.edu/elections>

[281] Voting and Registration in the Election of November 2012, U.S. Census Current Population Survey, November 2012

[282] https://deepblue.lib.umich.edu/handle/2027.42/61592

[283] http://www.huffingtonpost.com/eric-cooper/governor-christie-v-the-c_b_10930940.html

[284] http://nieer.org/wp-content/uploads/2016/08/apples20fact20sheet.pdf

[285] http://www.edlawcenter.org/assets/files/pdfs/School%20Funding/500_12.pdf

[286] NIEER studies on preschool – APPLES and PEARS, http://nieer.org/?s=Abbott+preschool

[287] Apartheid schools are defined in the cited research as having 0-1 percent White students, making them essentially segregated schools.

[288] New Jersey's Apartheid and Intensely Segregated Urban Schools, October 2013.

[289] p. 14 in http://ielp.rutgers.edu/docs/IELP%20final%20report%20on%20apartheid%20schools%20101013.pdf

[290] Black Kids' Schools: Segregated by Poverty Too, 10/30/14

[291] The Future of Racially Integrated Schools, 05/26/10

[292] A Tale of Two Deeply Divided New Jersey Public School Systems, 12/31/13

[293] In 2015, 45 percent of New Jersey White eighth graders scored below proficient in math achievement, compared with 80 percent of Black students and 76 percent of Hispanic students. (Eighth Graders Who Scored Below Proficient Math Achievement Level By Race)

[294] Teens Ages 16 To 19 Who Are Not In School And Are Not High School Graduates By Race. In 2013, 2 percent of New Jersey White teenagers, ages 16-19, were not high school graduates and were not attending school, compared with 4 percent Black and 5 percent Hispanic teenagers ages 16-19. From 2009-2012, there were consistently 2 percent of White teenagers in this category compared with 3-6 percent Black teenagers and 5-9 percent

178x

Hispanic Teenagers.

[295] Better Late Than Never? Examining Late High School Graduates, Center for Public Education

[296] Source: http://datacenter.kidscount.org/data/tables/8784-young-adults-ages-18-to-24-who-are-enrolled-in-or-have-completed-college-by-race-and-ethnicity?loc=1&loct=2#detailed/2/32/false/36/10,11,9,12,1,13,185/17622

[297] New Jersey's School Funding Reform Act (SFRA), which distributes state aid to public schools based on student and community need has been dramatically underfunded.

[298] Funding Gaps Widen Between Wealthy and Poor NJ Districts, February 23, 2015

[299] Underfunding the SFRA: The Legacy for NJ School Children, April 21, 2015

[300] Department of Education, Civil Rights Data Collection, Survey Year: 2011

[301] Source: http://ocrdata.ed.gov/Page?t=s&eid=512900&syk=6&pid=933

[302] Source: http://ocrdata.ed.gov/Page?t=s&eid=512900&syk=6&pid=2000

[303] Black Lives Matter

[304] Source: http://ocrdata.ed.gov/Page?t=s&eid=512900&syk=6&pid=2000

[305] Source: http://ocrdata.ed.gov/Page?t=s&eid=512900&syk=6&pid=2000

[306] Community school or Community-based school is a term that applies to public schools that develop intentional partnerships with local community services to transform the local school into a one-stop service location for families to access services and supports for diverse needs. This model facilitates education by providing an efficient mechanism for families to meet diverse needs, thereby lessening the negative impact of these family needs on students' school achievement.

[307] Karen Baynes-Dunning, Is Child Welfare Class Action Litigation A Viable Tool to Achieve Race Equity? Charlie & Nadine H. v. Christie, brought by Children's Rights, triggered a sweeping reform of the child welfare system. The court-appointed monitor for the case, the Center for the Student of Social Policy, requested data of cases by race, which instigated an effort to more comprehensively capture race in case files and revealed significant disparities by race, particularly for African American males awaiting adoption and permanency.

[308] In contrast, one concerning trend in maltreatment data is the share of children for whom race is not determined (28 percent, up from 19 percent in 2009). Poor tracking of child race/ethnicity was an issue that was unveiled in the landmark Children's Rights lawsuit that brought New Jersey's child welfare system under court review, but efforts to improve record keeping appear to have declined. Source: National Kids Count Data Center, Annie E. Casey Foundation.

[309] Ibid.

[310] Disproportionality Rates for Children of Color in Foster Care (Fiscal Year 2013), Technical Assistance Bulletin, June 2015, National Council of Juvenile and Family Court Judges

[311] Reducing the Trauma of Investigation, Removal, & Initial Out-of-Home Placement in Child Abuse Cases "The potential for children to be traumatized during the process of investigation, removal and out-of-home placement is high, as these processes often involve conflictual interactions between professionals and family members and can evoke fear, resistance, and hostility.", Center for Improvement of Child and Family Services Portland State University, School of Social Work, p. 10; http://ocfs.ny.gov/main/cfsr/Reducing%20the%20trauma%20of%20investigation%20removal%20%20initial%20out-of-home%20plcaement%20in%20child%20abuse%20cases.pdf

[312] Joseph J. Doyle, Jr., Child Protection and Child Outcomes: Measuring the Effects of Foster Care, American Economic Review, March 2007; http://www.mit.edu/~jjdoyle/doyle_fosterlt_march07_aer.pdf

[313] Catherine R. Lawrence, Elizabeth A. Carlson, and Byron Egeland., The impact of foster care on development, Development and Psychopathology vol. 18, 2006, pp. 57–76; A subsection of the study population for whom it was possible to conduct pre-placement and post-placement testing revealed greater worsening of behavior problems for children placed in foster care, including greater internalizing behaviors among children placed in unfamiliar foster homes.

[314] See Reducing the Trauma of Investigation, Removal, & Initial Out-of-Home Placement in Child Abuse Cases.

[315] Kerrie Ocasio, Cory Morton & Cassandra Simmel, An Exploration of Child Welfare Investigation Disparity Dif-

179x

ferences Between States, Journal of Public Child Welfare, 7:1, pp. 79-97, 2013

[316] Emily Putname-Hornstein, Barbara Needell, Bryn King, and Michelle Johnson-Motoyama, Racial and ethnic disparities: A population-based examination of risk factors for involvement with child protective services, Child Abuse & Neglect, January 2013, p. 43

[317] Ibid.

[318] How New Jersey Can Help More Children in Out-of-Home Placements Achieve Permanency, 2014 Child Placement Advisory Council Annual Report and Recommendations for 2015

[319] NJ Division of Child Protection & Permanency v. L.W

[320] Supporting Strong Families and Communities in New Jersey: Preventing Child Abuse & Neglect 2014-2017, the New Jersey Task Force on Child Abuse and Neglect

[321] The 1996 welfare reform law that created TANF, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), promised to transform "welfare as we know it" by combining strict time limits and work requirements with services and transitional benefits to help recipients move into the workforce. Although the program has had dramatic success in reducing caseloads, the services and work opportunities have been inadequate to move recipients into self-sustaining work.

[322] Ray Castro, Lost Opportunities for New Jersey's Children, New Jersey Policy Perspective, February 2016

[323] Ibid.

[324] Cited in Kerrie Ocasio, Cory Morton & Cassandra Simmel, An Exploration of Child Welfare Investigation Disparity Differences Between States, Journal of Public Child Welfare, 7:1, pp. 79-97, 2013

[325] American Public Health Association (APHA). Research and intervention on racism as a fundamental cause of ethnic disparities in health. Policy Number 20017, 1 January 2001. http://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/25/10/29/research-and-intervention-on-racism-as-a-fundamental-cause-of-ethnic-disparities-in-health#Anchor%201. Accessed 24 November, 2015

[326] Scutchfield, FD and Keck, CW., Principles of Public Health Practice. 2nd Edition, Clifton Park, NY: Delmar Learning.12. 2003

[327] Fulcomer, M.C., & Sass, M.M., New Jersey health statistics from 1877 to 2000; an historical electronic compendium of published reports. 2nd Edition. Columbus, OH: Restat Systems, Inc. 2008. http://www.libraries.rutgers.edu/history_of_medicine/NJHS/statistics).

[328] SIXTY-EIGHTH ANNUAL REPORT OF THE BOARD OF HEALTH OF THE STATE OF NEW JERSEY 1911 AND Report of Vital Statistics. Trenton, NJ: State Gazette Publishing Co., Printers, p. 53. 1945. in Fulcomer, M.C., & Sass, M.M., New Jersey h Fulcomer, M.C., & Sass, M.M., New Jersey health statistics from 1877 to 2000; an historical electronic compendium of published reports. 2nd Edition. Columbus, OH: Restat Systems, Inc. 2008. http://www.libraries.rutgers.edu/history_of_medicine/NJHS/statistics). ealth statistics from 1877 to 2000; an historical electronic compendium of published reports. 2nd Edition. Columbus, OH: Restat Systems, Inc. 2008. http://www.libraries.rutgers.edu/history_of_medicine/NJHS/statistics).

[329] Kumanyika, S., Becoming the healthiest nation means tackling institutionalized racism. The Nation's Health: The official newspaper of the American Public Health Association. 45:3. September 2015.

[330] Krisberg, K., "New criteria for accreditation to chart updated course for public health education: Bolstering students." The Nation's Health: The official newspaper of the American Public Health Association. 46:1, 10, January 2017

[331] Turnock, B., Public Health What It Is and How It Works. 6th Edition. Burlington, MA: Jones & Bartlett Learning. 54-61, 2016

[332] US Department of Health and Human Services Healthy People 2020. https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health#five

[333] Heiman, HJ and Artiga, S., Beyond health care: The role of social determinants in promoting health and health equity. Kaiser Family Foundation, The Kaiser Commission on Medicaid and the Uninsured and the Satcher Health Leadership Institute @ Morehouse School of Medicine. 2015 November Issue Brief. http://files.kff.org/attachment/issue-brief-beyond-health-care-the-role-of-social-determinants-in-promoting-health-and-health-equity. Accessed November 16, 2015

180X

[334] Ibid, pp. 1-2

[335] McGinnis and Foege, March 2004, cited in Heiman and Artiga, KFF Issue Brief, 2015 Nov, p. 1

[336] Schroeder, March 2007, cited in Heiman, HJ and Artiga, S. KFF Issue Brief (2015 Nov) p. 1

[337] Galea, S., Tracy, M., Hoggatt, KJ, et. al., Estimated deaths attributable to social factors in the United States. American Journal of Public Health. 101:6, e1-e10. (Published electronically ahead of journal publication.) 2011

[338] Teitelbaum, JB and Wilensky, SE., Essentials of Health Policy and Law. Third Edition. Chapter 7. Burlington, MA: Jones & Bartlett Learning. 123-136, 2017

[339] Heiman and Artiga, KFF Issue Brief, 2015 Nov, p. 4.

[340] Sandefur, 2014, American Bar Foundation cited in Teitelbaum and Wilensky, p. 131. 2017

[341] Sandefur, RL, 2014 cited in Teitelbaum and Wilensky, p.131. 2017

[342] Marple, K., Framing legal care as medical care. National Center for Medical-Legal Partnerships. http://medical-legalpartnership.org/new-messaging-guide. 01/21/2015

[343] Beeson, McAllister, Regenstein, February 1, 2013 cited in Teitelbaum and Wilensky, p. 134. 2017

[344] PRI-LSNJ Poverty Benchmarks, pp. 5-6 Legal Services of New Jersey (LSNJ). Poverty Information and Research. 2015

[345] Hoopes, S. et. al., ALICE Asset Limited, Income Constrained, Employed. United Way of Northern New Jersey. 2016

[346] Hoopes et al, 2016

[347] Hoopes, et al 2016

[348] Advocates for Children of New Jersey (ACNJ). New Jersey Kids Count: The State of our Counties. 35 Halsey Street, Newark, NJ 07102. 2015

[349] http://www.kff.org/medicaid/state-indicator/medicaid-enrollment-by-raceethnicity/?currentTimeframe=0&selectedRows=%7B%22states%22:%7B%22new-jersey%22:%7B%7D%7D%7D&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D

[350] http://www.kff.org/health-reform/state-indicator/healthcare-gov-marketplace-plan-selections-by-raceethnicity/view/print/?currentTimeframe=0&print=true&selectedRows=%7B%22states%22:%7B%22new-jersey%22:%7B%7D%7D%7D&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D)

[351] Castro, R. Repealing the Medicaid expansion would reverse health coverage gains & deepen New Jersey's financial crisis. New Jersey Policy Perspective/NJPP. 28 November 2016 November. https://www.njpp.org/healthcare/repealing-the-medicaid-expansion-would-reverse-healthcoverage-gains-deepen-new-jerseys-financial-crisis

[352] Castro, R. Repealing the Medicaid expansion would reverse health coverage gains & deepen New Jersey's financial crisis. New Jersey Policy Perspective/NJPP. 28 November 2016 November. https://www.njpp.org/healthcare/repealing-the-medicaid-expansion-would-reverse-healthcoverage-gains-deepen-new-jerseys-financial-crisis

[353] Feeding America, Community Health and Nutrition in America, 2017; http://www.feedingamerica.org/hunger-in-america/impact-of-hunger/hunger-and-poverty/hunger-and-poverty-fact-sheet.html

[354] http://frac.org/wp-content/uploads/2016/10/nj.pdf (see attached Appendix A)

[355] Feeding America, 2015

[356] United States Department of Agriculture, Supplemental Nutrition Assistance Program (SNAP), 2017; Eligible Food Items, Retrieved from https://www.fns.usda.gov/snap/eligible-food-items The United States Department of Agriculture's (USDA) Supplemental Nutrition Assistance

[357] http://frac.org/wp-content/uploads/2016/10/nj.pdf (see attached Appendix A)

[358] For additional information https://lwd.state.nj.us/labor/forms_pdfs/abawd/SNAPFlier.pdf

[359] Hoopes, et al, 2016, Page 29

[360] FoxNews.com, Dan Springer, Published March 3, 2017

[361] Center on Budget Policy Priorities, 2016, Retrieved from: http://www.cbpp.org/sites/default/files/atoms/files/3-21-16snap.pdf

181x

[362] New AAP Report Targets Lack of Adequate Food as Ongoing Health Risk to US Children, AAP, 2015; https://www.aap.org/en-us/about-the-aap/aap-press-room/Pages/Lack-of-Adequate-Food.aspx

[363] Food Research & Action Center (FRAC) School Breakfast Scorecard, February 2017; http://frac.org/wp-content/uploads/school-breakfast-scorecard-sy-2015-2016.pdf

[364] https://acnj.org/school-breakfast/

[365] Mental Health America-MHA. http://www.mentalhealthamerica.net/issues/ranking-states Accessed 4-19-2016

[366] USDHHS, Office of Minority Health, Mental Health and African Americans in 2013-2014; https://minorityhealth.hhs.gov/omh/content.aspx?lvl=3&lvlID=9&ID=6474

[367] The Nation's Health, May-June 2016, p. 17

[368] Advocates for Children of New Jersey (ACNJ). (2015). New Jersey Kids Count: The State of our Counties. 35 Halsey Street, Newark, NJ 07102

[369] ACNJ, 2014, pp. 4-6

[370] Supplement to Surgeon General's Report, 2000. Training and use of the National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care is recommended; DHHS-OMH, 2011; http://minorityhealth.hhs.gov/templates/browse.aspx?lvl=2&lvlid=15"lvlid=15, https://www.thinkculturalhealth.hhs.gov/Content/clas.asp

[371] MHA, accessed 4-19-2016

[372] Supplement to Surgeon General's Report, 2000, p. 9

[373] http://www.thecommunityguide.org/mentalhealth/collab-care.html

[374] Kaplan, Sue A., Charmaine Ruddock, Maxine Golub, Joyce Davis, Robert Foley Sr, Carlos Devia, Rosa Rosen, et al. Stirring up the Mud: Using a Community-Based Participatory Approach to Address Health Disparities through a Faith-Based Initiative. Journal of Health Care for the Poor and Underserved 20, no. 4: 1111-23. 2009

[375] NJ League of Municipalities, 2015

[376] NJDOE Fact Sheet, 2015

[377] Castro, R., Repealing the Medicaid expansion would reverse health coverage gains & deepen New Jersey's financial crisis. New Jersey Policy Perspective/NJPP. November 2016

[378] American Journal of Managed Care. In New Jersey, Horizon's OMNIA Survives Court Test, While Proposed Law Aims to Block New Tiered Networks for a Year. 2015, Dec. 8. Managed Care Minute. http://www.ajmc.com/newsroom/in-new-jersey-horizons-omnia-survives-court-test-while-proposed-law-aims-to-block-new-tiered-networks-for-a-year/ (Accessed 2015, December 8).

[379] Caffrey, M. American Journal of Managed Care. In New Jersey, Failure to Keep Pace with ACA Leaves a Vacuum, and a Political Mess. December 3, 2015. http://www.ajmc.com/focus-of-the-week/1215/in-new-jersey-failure-to-keep-pace-with-aca-leaves-a-vacuum-and-a-political-mess?utm_source=Informz&utm_medium=AJMC&utm_campaign=MC%5FMinute%5F12%2D03%2D15

[380] Castro, R., Repealing the Medicaid expansion would reverse health coverage gains & deepen New Jersey's financial crisis. New Jersey Policy Perspective/NJPP. November 2016

[381] APHA Policy #2017, Jan. 1, 2001

[382] http://www.thecommunityguide.org/mentalhealth/collab-care.html

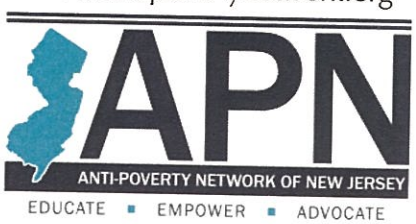

poverty
racism
inequality
lack of
opportunity

This report can be accessed online at
http://www.antipovertynetwork.org/The-Uncomfortable-Truth

The Summary of Policy Recommendations can be accessed here:
http://www.antipovertynetwork.org/The-Uncomfortable-Truth-Summary

Anti-Poverty Network of New Jersey
1901 N. Olden Avenue Extension
Suite 1A
Ewing, NJ 08618-2111

www.antipovertynetwork.org



184x

New Jersey MONTHLY

Complete rankings of 305 Public High Schools

NJ'S TOP PUBLIC HIGH SCHOOLS | 2018

2018	2016	High School Name	County	Grade 12 Enrollment	Student/ Faculty ratio	# of AP/IB subjects offered	% students grades 11-12 taking at least one AP/ IB course	Total AP/IB tests taken as a % of total 11-12 graders	% students grades 9-12 taking at least one arts course	% students scoring at or above 530 for math SAT	% students scoring at or above 480 for reading & writing SAT	% students taking one or more exam who scored at least one AP 3+ or IB 4+	4-year adjusted cohort graduation rate	% students enrolled in college 16 months after HS
1	65	McNair Academic (Jersey City) Ⓒ	Hudson	175	12	28	100.0	285.67	66	97	100	100.0	100.0	89.0
2	10	Glen Rock	Bergen	164	9	25	65.0	141.05	81	87	93	54.6	99.4	88.5
3	4	Millburn	Essex	355	12	32	68.1	169.48	74	91	98	66.9	98.1	84.0
4	1	Chatham	Morris	324	12	31	96.2	182.34	63	84	96	75.3	99.1	86.5
5	46	Ramapo	Bergen	300	10	27	68.0	128.69	59	86	96	46.1	98.3	91.2
6	5	Haddonfield Memorial	Camden	206	9	24	70.6	113.43	61	86	96	50.3	98.1	87.3
7	41	West Morris Mendham Ⓘ	Morris	355	12	49	100.0	173.91	59	84	97	71.1	97.3	87.1
8	6	Livingston	Essex	445	11	33	75.1	166.85	60	84	93	64.6	95.9	90.3
9	13	New Providence	Union	169	10	28	58.5	106.15	67	82	96	42.8	97.2	93.3
10	14	Ridge (Basking Ridge)	Somerset	484	13	29	71.5	182.26	59	89	98	62.5	98.0	87.1
11	12	Montgomery	Somerset	399	13	27	73.4	166.75	58	94	97	61.6	97.6	90.0
12	17	Mountain Lakes	Morris	185	11	29	89.1	162.46	50	82	95	59.7	95.4	92.8
13	2	West Windsor-Plainsboro North	Mercer	331	12	34	74.1	175.89	46	92	96	73.8	94.1	90.2
14	40	West Morris Central (Chester) Ⓘ	Morris	338	13	45	90.0	150.86	60	79	94	56.1	96.8	93.4
15	83	Northern Valley Regional (Demarest)	Bergen	231	10	29	64.9	119.75	44	84	93	47.8	99.2	89.2
16	31	Hopewell Valley Central (Pennington)	Mercer	320	11	26	60.7	106.81	53	87	97	45.1	97.6	88.8
17	9	West Windsor-Plainsboro South	Mercer	408	13	34	62.3	166.38	48	88	95	66.8	96.7	91.6
18	48	Montville	Morris	289	10	26	59.4	122.87	63	82	91	40.6	99.0	89.7
19	28	Bernards	Somerset	195	12	27	70.8	174.87	65	74	96	54.2	97.1	87.6
20	15	Princeton	Mercer	382	12	31	65.2	211.11	42	91	97	80.4	97.4	81.4
21	57	Hunterdon Central Regional (Flemington)	Hunterdon	703	12	35	61.2	111.81	65	82	95	45.9	96.1	88.0
22	22	Moorestown	Burlington	337	11	28	77.1	101.38	59	80	92	45.3	99.4	88.9
23	29	Glen Ridge	Essex	142	11	24	76.7	173.21	59	80	91	60.1	97.9	87.0
24	94	Verona	Essex	152	12	23	95.0	208.33	78	77	92	66.5	96.8	85.5
25	122	Elizabeth	Union	200	17	21	100.0	377.51	82	80	90	63.6	99.0	89.7
26	32	Madison	Morris	197	13	27	58.4	138.85	66	77	94	51.9	97.0	91.9
27	23	Northern Highlands Regional (Allendale)	Bergen	348	12	29	70.2	118.31	46	84	95	56.1	98.9	87.1
28	49	Tenafly	Bergen	280	11	26	55.3	132.33	35	96	98	55.1	98.6	80.7
29	18	Summit	Union	326	11	31	76.2	178.06	75	75	88	70.5	96.2	84.6
30	19	Governor Livingston (Berkeley Heights)	Union	271	11	26	58.7	136.87	63	78	93	45.1	96.8	88.3
31	54	Cranford	Union	299	12	30	83.6	158.97	65	72	93	60.7	95.2	89.9
32	16	Randolph	Morris	367	11	28	62.9	101.37	57	77	93	41.4	99.2	90.7
33	21	Ramsey	Bergen	212	9	22	57.5	100.00	58	80	95	45.4	95.9	85.9
34	39	North Hunterdon (Clinton)	Hunterdon	384	13	28	68.3	139.18	51	82	95	50.9	97.3	90.1
35	30	Rumson-Fair Haven Regional	Monmouth	252	12	24	78.5	148.03	48	80	95	61.7	96.6	89.4
36	33	Ridgewood	Bergen	417	13	28	55.5	114.25	60	93	95	43.4	97.4	85.5
37	8	Westfield	Union	420	12	21	50.8	83.64	64	89	96	41.2	98.1	89.7
38	27	Indian Hills (Oakland)	Bergen	290	10	25	51.6	79.32	60	82	97	36.6	96.4	84.8
39	89	Red Bank Regional Ⓘ	Monmouth	280	11	31	75.3	142.56	49	73	92	53.0	96.4	88.4
40	26	Cresskill	Bergen	123	9	23	54.8	108.89	70	71	91	48.2	96.8	85.5
41	43	Mahwah	Bergen	244	10	24	50.5	110.54	57	83	92	45.0	96.9	83.3
42	25	East Brunswick	Middlesex	682	12	28	41.9	100.45	77	84	92	38.7	96.9	88.6
43	7	Holmdel	Monmouth	222	10	25	50.2	101.36	60	78	90	40.0	97.6	88.9
44	60	Marlboro	Monmouth	484	14	25	59.1	123.18	30	85	95	46.3	97.8	90.7
45	50	Sparta	Sussex	273	11	25	52.8	107.33	78	71	91	40.9	98.6	88.9
46	11	Watchung Hills Regional (Warren)	Somerset	533	12	26	55.0	109.94	71	76	91	42.3	96.4	88.5
47	68	Whippany Park	Morris	183	13	24	76.2	119.61	72	72	89	45.4	98.9	91.3
48	3	Kinnelon	Morris	162	11	30	50.6	111.54	82	70	88	43.8	97.6	91.1
49	N/A	Infinity Institute (Jersey City)	Hudson	50	9	7	32.5	72.29	54	90	98	44.6	100.0	84.2
50	47	Hillsborough	Somerset	518	12	30	50.5	84.72	54	83	94	34.3	97.8	89.1

Ⓘ Indicates International Baccalaureate program offered Ⓒ Indicates charter school N/A indicates schools that were not ranked in 2016

ADDITIONAL APPENDIX MATERIALS
SUBMITTED TO THE

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

for the

March 19, 2019 Meeting

Submitted by Connie M. Pascale, Esq., Vice President and Assistant General Counsel, Legal Services of New Jersey:

Hannan Adely, "Students pitch solutions to segregated NJ schools," North Jersey Record, February 26, 2019.